

Document	Date	Adams Accession No. or Federal Register citation or website
PRM-73-18—Public Comments RE: Protection of Digital Computer and Communication Systems and Networks.	August 10, 2020	ML20223A027
SRM-CMWCO-10-0001—"Regulation of Cyber Security at Nuclear Power Plants"	October 21, 2010	ML102940009
Regulatory Guide 5.71, "Cyber Security Program for Nuclear Facilities"	January 2010	ML090340159
NEI 08-09, "Cyber Security Plan for Nuclear Power Reactors," Revision 6	April 2010	ML101180437
NEI 13-10, "Cyber Security Control Assessment," Revision 6,	August 2017	ML17234A615
Regulatory Analysis and Backfit Analysis; Final Rulemaking: Power Reactor Security Requirements.	March 17, 2009	ML083390372
GAO-15-98, NRC Needs to Improve Its Cost Estimates by Incorporating More Best Practices.	December 12, 2014	https:// www.gao.gov/ products/ GAO-15-98
SECY-14-0002, "Plan for Updating the U.S. Nuclear Regulatory Commission's Cost-Benefit Guidance".	January 17, 2014	ML13274A495
NUREG/BR-0058, "Regulatory Analysis Guidelines of the U.S. Nuclear Regulatory Commission, Draft Report for Comment," Revision 5.	April 2017	ML17100A480
MD 8.2, "Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests".	September 20, 2019	ML18093B087
SECY-20-0008: Draft Final NUREG/BR-0058, Regulatory Analysis Guidelines of the U.S. Nuclear.	February 13, 2020	ML19261A277
Memorandum of Agreement between the U.S. Nuclear Regulatory Commission (NRC) and the Federal Energy Regulatory Commission (FERC).	September 22, 2015	ML15033A181
SECY-14-0129: Rulemaking: Final Rule: Cyber Security Event Notification (CSEN)	November 20, 2014	ML14136A212
Power Reactor Security Requirements; Final Rule	March 27, 2009	74 FR 13926
Power Reactor Cyber Security Program Assessment	July 12, 2019	ML19175A211
Periodic Review of RG 5.71	April 9, 2015	ML15099A158
Draft Regulatory Guide (DG)-5061, "Cyber Security Program for Nuclear Power Reactor"	August 2018	ML18016A129
Power Reactor Security Requirements; Proposed Rule	October 26, 2006	71 FR 62664
Cyber Security Event Notifications; Final Rule	November 2, 2015	80 FR 67265
Memorandum of Understanding Between the U.S. Nuclear Regulatory Commission and the North American Electric Reliability Corporation.	December 17, 2019	ML093510905
EA-02-026, Issuance of Order for Interim Safeguards and Security Compensatory Measures for Nuclear Power Plants.	February 25, 2002	ML020510635
EA-03-086, "Issuance of Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors".	April 29, 2003	ML030740002
SECY-10-0153, "Cyber Security—Implementation of the Commission's Determination of Systems and Equipment within the Scope of Title 10 of the <i>Code of Federal Regulations</i> , Section 73.54".	November 19, 2010	ML103490344
NEI 10-04, "Identifying Systems and Assets Subject to the Cyber Security Rule, Rev. 2"	July 2012	ML12180A081

VI. Conclusion

For the reasons discussed in this document, the NRC finds that the petitioner did not present sufficient new information to warrant the requested changes in PRM-73-18. The NRC's current cyber security requirements are consistent with the NRC's original intent for the cyber security rule, and these requirements continue to provide reasonable assurance of adequate protection of public health and safety, and the common defense and security. Further, the NRC has determined that the language in § 73.54(a) is not overly broad. Finally, the NRC has determined that existing and ongoing revisions to guidance can effectively address the other issues raised by the petitioner in this PRM without the need for rulemaking. Accordingly, the NRC is denying the PRM-73-18.

Dated: August 3, 2021.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2021-16889 Filed 8-9-21; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF EDUCATION

34 CFR Chapter VI

[Docket ID ED-2021-OPE-0077]

Negotiated Rulemaking Committee; Negotiator Nominations and Schedule of Committee Meetings

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Intent to establish rulemaking committee.

SUMMARY: We announce our intention to establish one negotiated rulemaking committee to prepare proposed regulations for the Federal Student Aid

programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA). The committee will include representatives of organizations or groups with interests that are significantly affected by the subject matter of the proposed regulations. We request nominations for individual negotiators who represent key stakeholder constituencies for the issues to be negotiated to serve on the committee. We also announce the creation of a subcommittee, and request nominations for individuals with pertinent expertise to participate on the subcommittee. The Department has set a schedule for committee meetings.

DATES: We must receive your nominations for negotiators to serve on the committee on or before August 31, 2021. The dates and times of the committee and subcommittee meetings are set out in the *Schedule for Negotiations* section in the

SUPPLEMENTARY INFORMATION section. All meetings will be virtual.

ADDRESSES: Please email your nominations for negotiators to negregnominations@ed.gov. If you are unable to email your nomination, send it to Vanessa Gomez, U.S. Department of Education, 400 Maryland Ave. SW, Room 2C179, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For information about negotiated rulemaking, see “The Negotiated Rulemaking Process for Title IV Regulations Frequently Asked Questions” at <https://www2.ed.gov/policy/highered/reg/hearulemaking/hea08/neg-reg-faq.html>. For information about the content of this document, including additional information about the negotiated rulemaking process or the nomination submission process, contact: Vanessa Gomez, U.S. Department of Education, 400 Maryland Ave. SW, Room 2C179, Washington, DC 20202. Telephone: (202) 453-6708. Email: vanessa.gomez@ed.gov.

If you use a telecommunications device for the deaf (TDD) or text phone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Background

On May 26, 2021, we published an announcement of our intent to establish negotiated rulemaking committees under section 492 of the HEA to develop proposed regulations related to a number of higher education practices and issues in the **Federal Register** (86 FR 28299) (Negotiated Rulemaking Committee Notice). The Department suggested the following topics for the negotiated rulemaking process:

(1) Change of ownership and change in control of institutions of higher education under 34 CFR 600.31;

(2) Certification procedures for participation in title IV, HEA programs under 34 CFR 668.13;

(3) Standards of administrative capability under 34 CFR 668.16;

(4) Ability to benefit under 34 CFR 668.156;

(5) Borrower defense to repayment under 34 CFR 682.410, 682.411, 685.206, and 685.222;

(6) Discharges for borrowers with a total and permanent disability under 34 CFR 674.61, 682.402(c), and 685.213;

(7) Closed school discharges under 34 CFR 685.214 and 682.402(d);

(8) Discharges for false certification of student eligibility under 34 CFR 685.215 and 682.402(e);

(9) Loan repayment plans under 34 CFR 682.209, 682.215, 685.208, and 685.209;

(10) The Public Service Loan Forgiveness program under 34 CFR 685.219;

(11) Mandatory pre-dispute arbitration and prohibition of class action lawsuits provisions in institutions' enrollment agreements (formerly under 34 CFR 685.300) and associated counseling about such arrangements under 34 CFR 685.304;

(12) Financial responsibility for participating institutions of higher education under 34 CFR subpart L, such as events that indicate heightened financial risk;

(13) Gainful employment (formerly located in 34 CFR subpart Q); and

(14) Pell Grant eligibility for prison education programs under 34 CFR part 690.

We also announced three public hearings at which interested parties could comment on the topics suggested by the Department and suggest additional topics for consideration for action by the negotiated rulemaking committees. Those hearings took place virtually on June 21, June 23, and June 24, 2021. We invited parties to comment and submit topics for consideration in writing as well. Recordings and transcripts from the public hearings are available at: <https://www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html>.

Written comments submitted in response to the Negotiated Rulemaking Committee Notice may be viewed through the Federal eRulemaking Portal at www.regulations.gov. Instructions for finding comments are available on the site under “FAQ”. Individuals can enter docket ID ED-2021-OPE-0077 in the search box to locate the appropriate docket.

Committee Topics

After considering the information received at the public hearings and the written comments, we have decided to establish the Affordability and Student Loans Committee to address the following topics:

(1) Borrower defense to repayment under 34 CFR 682.410, 682.411, 685.206, and 685.222;

(2) Closed school discharges under 34 CFR 685.214 and 682.402(d);

(3) Discharges for borrowers with a total and permanent disability under 34 CFR 674.61, 682.402(c), and 685.213;

(4) Discharges for false certification of student eligibility under 34 CFR 685.215 and 682.402(e);

(5) Loan repayment plans under 34 CFR 682.209, 682.215, 685.208, and 685.209;

(6) Interest capitalization on Federal student loans under 34 CFR 682.202, 685.202, 685.209, and 685.220;

(7) Mandatory pre-dispute arbitration and prohibition of class action lawsuits provisions in institutions' enrollment agreements (formerly under 34 CFR 685.300) and associated counseling about such arrangements under 34 CFR 685.304;

(8) Pell Grant eligibility for prison education programs under 34 CFR part 690; and

(9) The Public Service Loan Forgiveness program under 34 CFR 685.219.

As a part of the negotiated rulemaking process, we are forming a Prison Education Program Subcommittee to expand the range of expertise and constituencies represented on this topic. The committee will consider the subcommittee's recommendations in its consideration of proposed regulations to implement Pell Grant eligibility for incarcerated individuals, authorized by the Consolidated Appropriations Act of 2021. Currently, students incarcerated in a State or Federal penal institution are prohibited from receiving Pell Grants. Sections 702 and 703 of the Consolidated Appropriations Act of 2021 amended sections 401 and 484 of the HEA to remove this prohibition; however, the amendments require that an incarcerated student enroll in a qualifying prison education program to qualify for a Pell Grant. The Department intends to develop regulations to implement those changes.

This subcommittee will address these issues and make recommendations to the committee. The subcommittee is not authorized to make decisions for the Affordability and Student Loans Committee. The subcommittee may be comprised of some members of the committee (negotiators), as well as individuals who are not committee members but who have expertise that will be helpful in developing proposed regulations. Therefore, in addition to asking for nominations for individual negotiators who represent key stakeholder constituencies for issues to be negotiated to serve on the committee (see *Constituencies for Negotiator Nominations*), we seek nominations for individuals with specific types of experience to serve on the subcommittee. Before conclusion of the negotiations, the subcommittee will present its recommendations for regulatory changes to the committee for its consideration.

Seven of the 14 topics listed in the Negotiated Rulemaking Committee Notice are not on the list of topics to be considered by the Affordability and

Student Loans Committee. These remaining topics and other topics suggested in the public hearings and written comments provided to the Department may be considered by a separate rulemaking committee(s) formed at a later date, which we would announce in a separate **Federal Register** notice.

We intend to select negotiators for the Affordability and Student Loans Committee who represent the interests of those significantly affected by the topics proposed for negotiation. In so doing, we will comply with the requirement in section 492(b)(1) of the HEA that the individuals selected must have demonstrated expertise or experience in the relevant topics proposed for negotiations. We will also select individual negotiators who reflect the diversity among program participants, in accordance with section 492(b)(1) of the HEA. Our goal is to establish a committee and subcommittee that will allow significantly affected parties to be represented while keeping the committee size manageable.

We generally select a primary and alternate negotiator for each constituency represented on a committee. The primary negotiator participates for the purpose of determining consensus. The alternate participates for the purpose of determining consensus in the absence of the primary negotiator. The Department will provide more detailed information to both primary and alternate negotiators selected to participate on the committee about the logistics and protocols of the meetings. The subcommittee will only have a primary member. We will not select alternates for the subcommittee.

Individuals who are not members of the committee will be able to observe the committee meetings, will have access to individuals representing their constituencies, and may be able to participate in informal working groups on various issues between the meetings.

Constituencies for Negotiator Nominations

We have identified the following constituencies as having interests that are significantly affected by the topics proposed for negotiation. We plan to include as negotiators individuals from organizations or groups representing these constituencies and/or individuals who are a part of the constituency. We particularly encourage organizations representing the interests of historically underserved and/or low-income communities to submit their nominations. Nominations must include evidence of the nominee's specific

knowledge in these areas, citing specific topics outlined in the *Committee Topics* section. Constituencies for the Affordability and Student Loans Committee are:

(1) Dependent students—these are undergraduate students who are typically traditionally-aged college students. A student is a dependent student if they were required to enter both their and their parents' information on their most recent FAFSA submission.

(2) Independent students—these are often older or nontraditional students, such as students over the age of 24. Students who are married, have children or other dependents, or who were unaccompanied and homeless or at risk of being homeless are independent students. Independent students can be pursuing undergraduate or graduate studies. A student is an independent student if they were not required to enter their parents' information on their most recent FAFSA submission.

Note: Students who were formerly incarcerated and participated in postsecondary education while in prison are included in the independent and dependent student categories regardless of whether they received Federal student aid, and we encourage nominations for individuals with those experiences. For both student spots, we also encourage individuals or organizations representing low-income students to apply.

(3) Student loan borrowers. This includes but is not limited to: Student loan borrowers who are currently repaying their student loans, student loan borrowers who defaulted or are currently in default, student loan borrowers who were in forbearance or are currently in the administrative (automatic) forbearance due to COVID-19, and student loan borrowers who prior to the administrative forbearance were delinquent (late) on their student loans payments.

(4) Legal assistance organizations that represent students and/or borrowers.

(5) U.S. military service members, veterans, or groups representing them.

(6) State attorneys general.

(7) State higher education executive officers, State authorizing agencies, and/or State regulators of institutions of higher education and/or loan servicers.

(8) Individuals with disabilities or groups representing them.

(9) Financial aid administrators at postsecondary institutions.

(10) Two-year public institutions of higher education.

(11) Four-year public institutions of higher education.

(12) Private nonprofit institutions of higher education.

(13) Proprietary institutions.

(14) Minority-serving institutions—institutions of higher education eligible to receive Federal assistance under title III, parts A, B, and F, and title V of the HEA, which include Historically Black Colleges and Universities, Hispanic-Serving Institutions, American Indian Tribally Controlled Colleges and Universities, Alaska Native and Native Hawaiian-Serving Institutions, Predominantly Black Institutions, Native American-Serving Nontribal Institutions, and Asian American and Native American Pacific Islander-Serving Institutions.

(15) Federal Family Education Loan (FFEL) lenders and/or guaranty agencies.

(16) Accrediting agencies.

The goal of the committee is to develop proposed regulations that reflect a final consensus of the committee. Consensus means that there is no dissent by any member of a negotiating committee, including the committee member representing the Department.

An individual selected as a negotiator is expected to represent the interests of their organization or group and to participate in the negotiations in a manner consistent with the goal of developing proposed regulations on which the committee will reach consensus. If consensus is reached, all members of the organization or group represented by a negotiator are bound by the consensus and are prohibited from commenting negatively on the resulting proposed regulations. The Department will not consider any such negative comments on the proposed regulations that are submitted by a member of such an organization.

We are interested in nominations for members of the Prison Education Program Subcommittee from individuals who represent the following groups:

(1) Consumer advocacy organizations.

(2) Financial aid administrators.

(3) Formerly incarcerated students.

(4) Groups that represent incarcerated students.

(5) Postsecondary institutions that are prison education program providers.

(6) State correctional education directors.

(7) State higher education executive officers.

We encourage representatives from postsecondary institutions that are currently participating in the Department's Second Chance Pell Experiment to submit nominations. For more information on the Second Chance

Pell experiment please visit: <https://experimentalsites.ed.gov/exp/approved.html>.

Advisors

The Department also invites nominations for two advisors. These advisors will not be members of the committee and will not impact the consensus vote; however, we will consult with the advisors, who will serve as a resource. We seek an advisor representing qualifying employers on the topic of Public Service Loan Forgiveness. The term “public service job” for purposes of the Public Service Loan Forgiveness program is defined in section 455(m)(3)(B) of the HEA as including jobs in: Emergency management, government (excluding time served as a member of Congress), military service, public safety, law enforcement, public health (including nurses, nurse practitioners, nurses in a clinical setting, and full-time professionals engaged in health care practitioner occupations and health care support occupations, as such terms are defined by the Bureau of Labor Statistics), public education, social work in a public child or family service agency, public interest law services (including prosecution or public defense or legal advocacy on behalf of low-income communities at a nonprofit organization), early childhood education (including licensed or regulated childcare, Head Start, and State funded prekindergarten), public service for individuals with disabilities, public service for the elderly, public library sciences, school-based library sciences and other school-based services, or at an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code, or teaching as a full-time faculty member at a Tribal College or University as defined in section 316(b) of the HEA and other faculty teaching in high-needs subject areas or areas of shortage (including nurse faculty, foreign language faculty, and part-time faculty at community colleges), as determined by the Secretary.

Additionally, we seek an advisor with expertise in economic and/or higher education policy analysis and higher education data to support the committee in evaluating and understanding its options.

The advisors will be expected to be available throughout the duration of the Affordability and Student Loans Committee (excluding the Prison Education Program subcommittee) meetings, in the event that issues related

to Public Service Loan Forgiveness arise. The Department will work with the committee and the advisors to determine more specific dates and times that the advisors must be present for the committee meetings. The advisors may be asked to provide information on their experience as an employer in a public service job and as an economist and/or higher education researcher, respectively. For example, the employer advisor should be prepared to relay how they assist employees with the Employment Certification Form or how the full-time employment requirement for the Public Service Loan Forgiveness Program impacts part-time employees. The economic and/or higher education research advisor should be prepared to examine data related to student loan repayment, including income-driven repayment plans. The advisors may also offer recommendations to the committee on regulatory language.

Nominations

We strongly suggest that nominations for both the committee and subcommittee include the information described in this section. The Department anticipates increased interest due to the number of topics, and nominations lacking that information may be more difficult for the Department to evaluate. We also suggest that nominees exclude any supplementary information that is not requested in this section.

- (1) The exact name of the constituency or constituencies the nominee is being nominated for (see *Constituencies for Negotiator Nominations*);
- (2) The name of the nominee;
- (3) The nominee’s place of employment or institution at which they are or were enrolled and, if different, the organization the nominee represents;
- (4) A resume or evidence of the nominee’s expertise and experience in the topics proposed for negotiations; and
- (5) The nominee’s contact information, including the nominee’s email address, telephone number, and physical mailing address or post office box.

Please see the **ADDRESSES** section for submission information. If the nomination is submitted by the recommended email method to negregnominations@ed.gov, the submitter will receive an email confirmation of receipt. The Department will provide additional information to those we select to serve as negotiators. Once complete, a list of negotiators will be posted here: [www2.ed.gov/policy/highered/reg/hearulemaking/2021/](http://www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html)

[index.html](http://www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html). If a constituency does not have a qualifying nominee, the Department will also provide information at that site about how any vacancies can be filled at the beginning of the October 4, 2021 committee meeting.

Schedule for Negotiations

The Affordability and Student Loans Committee will meet for three sessions on the following dates:

Session 1: October 4–8, 2021

Session 2: November 1–5, 2021

Session 3: December 6–10, 2021

Times for the committee meetings will be published here: <https://www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html>.

The Prison Education Program Subcommittee will meet for two sessions in October and November. The sessions will be three days each. We will announce the dates and times of the subcommittee meetings as soon as possible here: <https://www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html>.

All negotiated rulemaking committee meetings will be conducted virtually and available for the public to view. Individuals who wish to observe the committee meetings will be required to register for each day they would like to observe. We will post registration links closer to the start of negotiations on our website at: www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html. The Department will also post recordings and transcripts of the meetings on that site.

At the end of each day, the Department will reserve 30 minutes for public comment. We will provide information on how to request time to speak on our website at www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document and a copy of the application package in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to this Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other

documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site. You may also access the documents of the Department published in the **Federal Register** by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Program authority: 20 U.S.C. 1098a.

Michelle Asha Cooper,

Acting Assistant Secretary for Postsecondary Education.

[FR Doc. 2021–16953 Filed 8–9–21; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2021–0476; FRL–8757–01–R7]

Air Plan Approval; Missouri; Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing approval of a State Implementation Plan (SIP) revision submitted by Missouri on January 19, 2021. Missouri requests that the EPA approve into Missouri's SIP revisions to its rule related to the restriction of particulate matter emissions from fuel burning equipment used for indirect heating. These revisions add incorporation by reference information, remove unnecessary words, and make other editorial changes for clarity. The EPA believes that the revisions are administrative in nature, do not impact the stringency of the SIP and do not adversely impact air quality. The EPA's proposed approval of this rule revision is being done in accordance with the requirements of the Clean Air Act (CAA).

DATES: Comments must be received on or before September 9, 2021.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–R07–OAR–2021–0476 to <https://www.regulations.gov>. Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID No. for this

rulemaking. Comments received will be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the “Written Comments” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Robert F. Webber, Environmental Protection Agency, Region 7 Office, Air Permitting and Standards Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7251; email address: webber.robert@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” refer to the EPA.

Table of Contents

- I. Written Comments
- II. What is being addressed in this document?
- III. Have the requirements for approval of a SIP revision been met?
- IV. What action is the EPA proposing to take?
- V. Incorporation by Reference
- VI. Statutory and Executive Order Reviews

I. Written Comments

Submit your comments, identified by Docket ID No. EPA–R07–OAR–2021–0476, at <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

II. What is being addressed in this document?

The EPA is proposing to approve revisions to the Missouri SIP received on January 19, 2021. The revisions are to Title 10, Division 10 of the Code of State Regulations (CSR), 10 CSR 10–

6.405 “Restriction of Particulate Matter Emissions from Fuel Burning Equipment Used for Indirect Heating” which restricts the emission of particulate matter from fuel burning equipment used for indirect heating except where 10 CSR 10–6.070 would be applied. This rule applies throughout the state with additional conditions applicable to the metropolitan areas of Kansas City, Springfield, and St. Louis.

These revisions add incorporation by reference information, remove unnecessary words, and make other editorial changes for clarity. These revisions are described in detail in the technical support document (TSD) included in the docket for this action.

Missouri received two comments from the EPA during the comment period. Missouri addressed the comments from the EPA. The EPA is proposing to approve the revisions to this rule because it will not have a negative impact on air quality.

III. Have the requirements for approval of a SIP revision been met?

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP revision from January 2, 2020 to April 2, 2020. The State received and addressed two comments from the EPA. As explained in more detail in the TSD which is part of this docket, the SIP revision submission meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

IV. What action is the EPA proposing to take?

The EPA is proposing to approve Missouri's request to revise 10 CSR 10–6.405. The EPA is soliciting comment on the substantive and administrative revisions detailed in this proposal and the TSD. The EPA is not soliciting comment on existing rule text that has been previously approved by the EPA into the SIP. Final rulemaking will occur after consideration of any comments.

V. Incorporation by Reference

In this document, the EPA is proposing to include regulatory text in an EPA final rule that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the Missouri Regulation described in the proposed amendments to 40 CFR part 52 set forth