

of 20 military students and eliminating the possible disadvantage to military students for not receiving face-to-face academic counseling, certain educational courses, and other support services on the military installations. Neither action will increase or create a cost burden to the public.

### Benefits

The rule benefits educational institutions with a population of fewer than 20 military students as it allows them to provide face-to-face academic counseling and administrative support to its students at a DoD installation, regardless of the number of its military students enrolled at that installation. This is a convenience to both educational institution and military students. Students will not have the added cost of having to leave their military installation, spending money for gas and travel to meet with their academic advisors. Additionally, there may be cost savings to the educational institutions, as the use of military facilities will preclude the need to secure and potentially pay for adequate facilities off the military installation.

### Alternatives

We have identified two alternatives:

1. No action—The current rule would stand and only schools with 20 or more military students would be permitted to access the DoD installation to counsel their military students, thus sustaining an identified policy inequity. This action would not benefit the public because educational institutions would be denied access to meet with their military students if they have less than 20 students enrolled in their institutions. Military students will have the added cost of having to leave their installation, spend money for gas, and travel to meet with their academic advisors. Educational institutions will need to secure, and potentially pay for, adequate facilities off the military installation for counseling and administrative support.

2. Next best alternative—The next best alternative is to incorporate this rule amendment into the “full” revision of the rule to occur at a later date. The rule has been identified as a priority for modification to increase effectiveness and improve efficiencies. The “full” revision is currently in the development stage. However, it will be a significant amount of time (approximately 18 months) to complete internal processes that will culminate in development of the rule. This would put military students, as well as educational institutions, at a disadvantage to not be able to meet for counseling and

academic support on the military installation simply because the number of military students enrolled at the educational institution is not 20 or more.

*Congressional Review Act, 5 U.S.C. 804(2)*

Under the Congressional Review Act, a major rule may not take effect until at least 60 days after submission to Congress of a report regarding the rule. A major rule is one that would have an annual effect on the economy of \$100M or more or have certain other impacts. This rule amendment is not a major rule under the Congressional Review Act.

*Public Law 96–354, “Regulatory Flexibility Act” (RFA), (5 U.S.C. 601)*

The RFA requires that each Federal agency analyze options for regulatory relief of small businesses if a rule has a significant impact on a substantial number of small entities. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and small governmental jurisdictions. This rule is not an economically significant regulatory action, and it will not have a significant impact on a substantial number of small entities. Therefore, this rule is not subject to the requirements of the RFA.

*Public Law 104–4, Sec. 202, “Unfunded Mandates Reform Act”*

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule whose mandates require spending in any one year of \$100M in 1995 dollars, updated annually for inflation. That threshold level is currently approximately \$140M. This rule amendment will not mandate any requirements for State, local, or tribal governments or the private sector.

*Public Law 96–511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35)*

This rule amendment does not contain a “collection of information” requirement, and will not impose additional information collection requirements on the public under Public Law 96–511, “Paperwork Reduction Act” (44 U.S.C. chapter 35).

*Executive Order 13132, “Federalism”*

This rule amendment has been examined for its impact under E.O. 13132, and it does not contain policies that have federalism implications that would have substantial direct effects on the States, on the relationship between the national Government and the States, or on the distribution of powers and

responsibilities among the various levels of Government. Therefore, consultation with State and local officials is not required.

### List of Subjects in 32 CFR Part 68

Adult education, Armed forces, Colleges and universities, Education, Educational study programs, Government contracts, Military personnel, Student aid.

For the reasons stated in the preamble, DoD amends 32 CFR part 68 as follows:

### PART 68—VOLUNTARY EDUCATION PROGRAMS

■ 1. The authority citation for part 68 is revised to read as follows:

**Authority:** 10 U.S.C. 2005, 2006a, 2007.

#### § 68.6 [Amended]

■ 2. Section 68.6 is amended by removing paragraph (d)(2) and redesignating paragraphs (d)(3) through (6) as paragraphs (d)(2) through (5), respectively.

Dated: May 19, 2021.

**Aaron T. Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2021–10969 Filed 5–24–21; 8:45 am]

**BILLING CODE 5001–06–P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA–R10–OAR–2019–0599, FRL–10022–46–Region 10]

#### Air Plan Approval; OR; Smoke Management Revision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving Oregon State Implementation Plan (SIP) revisions submitted on November 3, 2014, and September 27, 2019. The submitted revisions incorporate by reference the most recent updates to Oregon’s Smoke Management Plan. EPA is acting only on the most recent version of such regulations as the previous versions are no longer in effect as a matter of state law. EPA is also making technical corrections related to previous approvals of components of Oregon’s SIP. EPA has determined that the changes are consistent with Clean Air Act requirements.

**DATES:** This final rule is effective June 24, 2021.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R10-OAR-2019-0599. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information may not be publicly available, e.g., CBI or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and is publicly available only in hard copy form. Publicly available docket materials are available at <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Randall Ruddick, EPA Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101, at (206) 553-1999, or [ruddick.randall@epa.gov](mailto:ruddick.randall@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document wherever “we,” “us,” or “our” is used, it is intended to refer to the EPA.

- I. Background Information
- II. Response to Comments
- III. Final Action
- IV. Technical Correction
- V. Incorporation by Reference
- VI. Statutory and Executive Order Reviews

## I. Background Information

On February 19, 2021, EPA proposed to approve Oregon’s November 3, 2014, and September 27, 2019, SIP submissions revising the Oregon Smoke Management Plan (86 FR 10220). The reasons for our approval are included in the proposal and will not be restated here. The public comment period for our proposed approval closed on March 22, 2021. EPA received multiple comments on the proposal.

## II. Response to Comments

EPA received a total of 19 comments during the public comment period. Fourteen comments expressed support for the proposed action, five comments were adverse including two comments that raised concerns EPA believes are outside the scope of the proposed action. The full text of all comments received may be found in the docket for this action. We have summarized and responded to the adverse comments.

*Comments:* EPA received three comments opposing EPA’s proposed action. All three comments suggested that non-burning approaches to forest management, such as chipping and recycling wood waste, should be used instead of prescribed fire to avoid the generation of smoke that can impact human health.

*Response:* Oregon’s SIP submission, which EPA is taking final action to approve, includes a provision that encourages the use of alternatives to burning to reduce the volume of prescribed burning necessary to meet Oregon’s management objectives. See Oregon Administrative Rule (OAR) 629-048-0200. Due to the fact that prescribed fire produces smoke that impacts air quality, Oregon’s SIP submission deals centrally with the use of prescribed fire and safeguards to ensure that such burning does not impermissibly compromise air quality. EPA has reviewed the Oregon SIP revisions and we proposed to approve the submissions as consistent with Clean Air Act (CAA) requirements.

As explained in EPA’s February 19, 2021, notice of proposed rulemaking, Oregon’s 2019 SIP submittal includes additional controls and contingencies to protect against impacts on air quality from prescribed burning. The submittal establishes sub-National Ambient Air Quality Standard (NAAQS) intrusion thresholds and a burn approval target not to exceed approximately 75% of the 24-hour PM<sub>2.5</sub> NAAQS. The 2019 SIP submittal also establishes a NAAQS protective criterion for burn approvals through use of a one-hour threshold even though there is no NAAQS one-hour limit. Considered as a whole, the revisions contained in the 2019 submittal strengthen the currently SIP-approved smoke management requirements.

In reviewing SIP submissions, EPA’s role is to approve state choices, provided those choices meet the criteria of the CAA. EPA makes a determination regarding whether the state has adequately demonstrated that its chosen control measures will not interfere with attainment and maintenance of the NAAQS and otherwise satisfy the requirements of the CAA. Here, as explained in EPA’s notice of proposed rulemaking, EPA finds that Oregon has adequately demonstrated that the SIP revision related to the forest management tool of prescribed fire will continue to protect the NAAQS. Even if non-burning alternatives may accomplish the same results as burning, EPA cannot substitute non-burning alternatives that were not included in Oregon’s lawfully submitted SIP revisions.

*Comment:* One commenter appears to support the use of prescribed fire to “limit the scope of the wildfires” but also urges EPA to work towards lowering Federal air quality standards.

*Response:* This comment appears to relate to the adequacy of the NAAQS and is therefore outside the scope of this

action, which relates only to the approval of amendments to Oregon’s SIP. The CAA contains provisions that specifically address the review and promulgation of the NAAQS. Taking into consideration the information in the Integrated Science Assessment (ISA), Risk/Exposure Assessment (REA), Policy Assessment (PA), and the advice of Clean Air Scientific Advisory Committee (CASAC), EPA develops and publishes a notice of proposed rulemaking that communicates the Administrator’s proposed decisions regarding the review of each NAAQS. A public comment period, during which public hearings are generally held, follows publication of the notice of proposed rulemaking. Taking into account comments received on the proposed rulemaking, EPA issues a final rule promulgating a new or revised NAAQS or retaining a NAAQS. EPA encourages the commenter to participate in future rulemakings when the NAAQS standards are reviewed. EPA does not revisit the adequacy of the NAAQS when taking action on a proposed SIP revision related to NAAQS pollutants and the comment is outside of the scope of this action. Rather, EPA’s role in reviewing and approving a SIP revision is to ensure attainment and maintenance with the NAAQS as the relevant and applicable standard for approvals of SIP revisions under CAA section 110.

*Comment:* One commenter appears to support Oregon’s use of prescribed fire but states “I still have a problem that is the standard of the license to be obtained before burning, how to control it more accurately and prevent the masses from abusing it?”

*Response:* The commenter’s concerns seem to address Oregon’s permitting requirements and the related implementation and possible abuse of the prescribed fire permits. The comment is vague, lacks supporting evidence or documentation, and does not identify any portions of Oregon’s submittals or EPA’s proposed approval that are inconsistent with CAA requirements. In approving SIPs under section 110 of the CAA, Congress gave states the lead in developing SIPs. In reviewing state plans, EPA’s role is to approve state choices, provided those choices meet the criteria of the CAA. See 42 U.S.C. 7410(k) and 40 CFR 52.02(a).

Oregon submitted permitting and general air quality rules for the purpose of managing smoke from prescribed fires to EPA and requested that EPA approve the rules into the Oregon SIP. Oregon Revised Statute (ORS) 477.515 states that it is unlawful to set or cause to be set an open fire inside or within one-

eighth of one mile of a forest protection district without first securing a written permit for burning from the forester and complying with the conditions of the permit. EPA approved ORS 477.515 into the SIP on November 1, 2001, (66 FR 55105) and it is still in effect as a matter of state and Federal law.

OAR 629–047 establishes Oregon’s enforcement policy regarding burning permits, including civil penalties and injunctive relief. Further, ORS 477.515(2) states that any permit obtained through willful misrepresentation is void. In the event that burn permits are not properly obtained, or are abused in some other way, Oregon’s laws, rules, and enforcement authorities are sufficient to implement and enforce the SIP-approved regulations, consistent with CAA section 110(a)(2)(C). EPA separately approved Oregon’s SIP as meeting the enforcement requirements of section 110 on June 6, 2019 (84 FR 26347). When we approve the State’s revisions into the SIP, the provisions are considered federally enforceable.

For the aforementioned reasons, EPA is finalizing the action as proposed.

### III. Final Action

Under CAA section 110(k), EPA is approving and incorporating by reference, where appropriate, Oregon’s 2014 and 2019 submitted revisions into the Oregon SIP at 40 CFR part 52, subpart MM as discussed in our February 19, 2021, proposed approval (86 FR 10220). Once this approval becomes effective, the Oregon SIP will include the following regulations:

- OAR 629–048–0001, Title, Scope and Effective Dates (state effective 3/1/2019);
- OAR 629–048–0005, Definitions (state effective 3/1/2019);
- OAR 629–048–0010, Purpose (state effective 3/1/2019);
- OAR 629–048–0020, Necessity of Prescribed Burning (state effective 3/1/2019);
- OAR 629–048–0021, Necessity of Safeguarding Public Health (state effective 3/1/2019);
- OAR 629–048–0100, Regulated Areas (state effective 1/1/2008);
- OAR 629–048–0110, Characterization and Response to Smoke Incidents, Smoke Intrusions, and National Ambient Air Quality Standards (NAAQS) Exceedances (state effective 3/1/2019);
- OAR 629–048–0120, Air Quality Maintenance Objectives (state effective 3/1/2019);
- OAR 629–048–0130, Visibility Objectives (state effective 7/11/2014);

- OAR 629–048–0135, Special Protection Zone Requirements (state effective 3/1/2019);
- OAR 629–048–0137, SPZ Contingency Plan Requirements (state effective 3/1/2019);
- OAR 629–048–0140, Smoke Sensitive Receptor Areas (state effective 3/1/2019);
- OAR 629–048–0150, Criteria for Future Listing of Smoke Sensitive Receptor Areas (state effective 3/1/2019);
- OAR 629–048–0160, Bear Creek/Rogue River Valley SSRA (state effective 1/1/2008);
- OAR 629–048–0180, Communication, Community Response Plans, and Exemption Requests (state effective 3/1/2019);
- OAR 629–048–0200, Regulated Areas (state effective 3/1/2019);
- OAR 629–048–0210, Best Burn Practices; Emission Reduction Techniques (state effective 3/1/2019);
- OAR 629–048–0220, Forecast Procedures (state effective 3/1/2019);
- OAR 629–048–0230, Burn Procedures (state effective 3/1/2019);
- OAR 629–048–0300, Registration of Intent to Burn (state effective 1/1/2008);
- OAR 629–048–0310, Fees for Prescribed burning (state effective 3/1/2019);
- OAR 629–048–0320, Reporting of Accomplishments (state effective 3/1/2019);
- OAR 629–048–0330, Emission Inventories (state effective 1/1/2008);
- OAR 629–048–0400, Coordination with Other Regulating Jurisdictions and for Other Pollutants (state effective 1/1/2008);
- OAR 629–048–0450, Periodic Evaluation and Adaptive Management (state effective 3/1/2019);
- OAR 629–048–0500, Enforcement (state effective 3/1/2019);
- ORS 477.013, Smoke Management Plan; rules (state effective 3/1/2019); and
- Oregon Department of Forestry Directive 1–4–1–601, Operational Guidance for the Oregon Smoke Management Program (state effective 3/1/2019).

### IV. Technical Correction

EPA is making technical corrections as discussed in our February 19, 2021, proposed approval (86 FR 10220). We are correcting the identification of the Oregon SIP at 40 CFR 52.1970(c), Table 2 by removing OAR 629–043–0043, Smoke Management Plan (state effective 4/13/1987) to reflect EPA’s August 22, 2012, approval (77 FR 50611) of OAR 629–048; and by adding:

- OAR 629–048–0100, Regulated Areas (state effective 1/1/2008);

- OAR 629–048–0160, Bear Creek/Rogue River Valley SSRA (state effective 1/1/2008);
- OAR 629–048–0300, Registration of Intent to Burn (state effective 1/1/2008);
- OAR 629–048–0330, Emission Inventories (state effective 1/1/2008);
- OAR 629–048–0400, Coordination with Other Regulating Jurisdictions and for Other Pollutants (state effective 1/1/2008).

We are also making technical corrections to the Oregon SIP at 40 CFR 52.1970(e), Table 5, Section 3, by revising the reference to Oregon’s Smoke Management Plan Administrative Rule to reflect EPA’s August 22, 2012, approval (77 FR 50611) of OAR 629–048 and by removing the reference to OAR 629–43–043.

### V. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, we are finalizing the incorporation by reference of Oregon Administrative Rules as discussed in sections III and IV of this document and described in the amendments to 40 CFR part 52 set forth below. These materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rule of EPA’s approval, and will be incorporated by reference in the next update to the SIP compilation.<sup>1</sup>

Also, in this rule, we are removing the incorporation by reference of Oregon Administrative Rules as discussed in section IV of this document and described in the amendments to 40 CFR part 52 set forth below.

EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

### VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided those choices meet the criteria

<sup>1</sup> 62 FR 27968 (May 22, 1997).

of the CAA. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of the requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 26, 2021. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Particulate matter.

Dated: May 19, 2021.  
**Michelle L. Pirzadeh,**  
*Acting Regional Administrator, Region 10.*

For the reasons set forth in the preamble, 40 CFR part 52 is amended as follows:

**PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**

■ 1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

**Subpart MM—Oregon**

- 2. Amend § 52.1970:
  - a. In paragraph (c), amend table 2 by revising the section entitled “Chapter 629—Oregon Department of Forestry”; and
  - b. In paragraph (e):
    - i. Amend table 1 by adding an entry for “ORS Chapter 477.013” at the end of the table; and
    - ii. Amend table 5:
      - A.. Under the heading “Section 3—Statewide Regulatory Provisions”, by revising the entry for “Smoke Management Plan Administrative Rule”; and
      - B. Under the heading “EPA-Approved Oregon State Directives”, by removing the entry for “Directive 1–4–1–601”, and adding an entry for “Oregon Department of Forestry Directive 1–4–1–601” in its place.

The revisions and additions read as follows:

**§ 52.1970 Identification of plan.**

\* \* \* \* \*  
 (c) \* \* \*

**TABLE 2—EPA-APPROVED OREGON ADMINISTRATIVE RULES (OAR) <sup>1</sup>**

State citation	Title/subject	State effective date	EPA approval date	Explanations
<b>Chapter 629—Oregon Department of Forestry</b>				
629–24–301 .....	Maintenance of Productivity and Related Values.	8/1/1987	11/1/2001, 66 FR 55105 .....	Statewide Visibility Plan.
629–048–0001 .....	Title, Scope and Effective Dates .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0005 .....	Definitions .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0010 .....	Purpose .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0020 .....	Necessity of Prescribed Burning .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0021 .....	Necessity of Safeguarding Public Health .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	

TABLE 2—EPA-APPROVED OREGON ADMINISTRATIVE RULES (OAR) <sup>1</sup>—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
629–048–0100 .....	Regulated Areas .....	1/1/2008	8/22/2012, 77 FR 50611.	
629–048–0110 .....	Characterization and Response to Smoke Incidents, Smoke Intrusions, and National Ambient Air Quality Standards (NAAQS) Exceedances.	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0120 .....	Air Quality Maintenance Objectives .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0130 .....	Visibility Objectives .....	7/11/2014	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0135 .....	Special Protection Zone Requirements .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0137 .....	SPZ Contingency Plan Requirements .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0140 .....	Smoke Sensitive Receptor Areas .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0150 .....	Criteria for Future Listing of Smoke Sensitive Receptor Areas.	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0160 .....	Bear Creek/Rogue River Valley SSRA .....	1/1/2008	8/22/2012, 77 FR 50611.	
629–048–0180 .....	Communication, Community Response Plans, and Exemption Requests.	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0200 .....	Regulated Areas .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0210 .....	Best Burn Practices; Emission Reduction Techniques.	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0220 .....	Forecast Procedures .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0230 .....	Burn Procedures .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0300 .....	Registration of Intent to Burn .....	1/1/2008	8/22/2012, 77 FR 50611.	
629–048–0310 .....	Fees for Prescribed burning .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0320 .....	Reporting of Accomplishments .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0330 .....	Emission Inventories .....	1/1/2008	8/22/2012, 77 FR 50611.	
629–048–0400 .....	Coordination with Other Regulating Jurisdictions and for Other Pollutants.	1/1/2008	8/22/2012, 77 FR 50611.	
629–048–0450 .....	Periodic Evaluation and Adaptive Management	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
629–048–0500 .....	Enforcement .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	
*	*	*	*	*

<sup>1</sup> The EPA approves the requirements in Table 2 of this paragraph (c) only to the extent they apply to (1) pollutants for which NAAQS have been established (criteria pollutants) and precursors to those criteria pollutants as determined by EPA for the applicable geographic area; and (2) any additional pollutants that are required to be regulated under Part C of Title I of the CAA, but only for the purposes of meeting or avoiding the requirements of Part C of Title I of the CAA.

\* \* \* \* \* (e) \* \* \*

TABLE 1—OREGON STATE STATUTES APPROVED BUT NOT INCORPORATED BY REFERENCE

State citation	Title/subject	State effective date	EPA approval date	Explanations
*	*	*	*	*
ORS Chapter 477.013 .....	Smoke Management Plan; rules .....	3/1/2019	5/25/2021, [Insert <b>Federal Register</b> citation].	

\* \* \* \* \*

TABLE 5—STATE OF OREGON AIR QUALITY CONTROL PROGRAM APPROVED BUT NOT INCORPORATED BY REFERENCE

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
*	*	*	*	*

**Section 3—Statewide Regulatory Provisions**

*	*	*	*	*
Smoke Management Plan Administrative Rule.	Statewide .....	1/1/2008, 11/3/2014, 9/27/2019.	8/22/2012, 77 FR 50611 5/25/2021, [Insert <b>Federal Register</b> citation].	Refer to section (c) for approved regulations incorporated by reference.

TABLE 5—STATE OF OREGON AIR QUALITY CONTROL PROGRAM APPROVED BUT NOT INCORPORATED BY REFERENCE—Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
*	*	*	*	*
<b>EPA-Approved Oregon State Directives</b>				
Oregon Department of Forestry Directive 1–4–1–601.	Operational Guidance for the Oregon Smoke Management Program.	9/27/2019 .....	5/25/2021, [Insert <b>Federal Register</b> citation].	
*	*	*	*	*

[FR Doc. 2021–11038 Filed 5–24–21; 8:45 am]  
 BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**Approval and Promulgation of Implementation Plans**

*CFR Correction*

■ In Title 40 of the Code of Federal Regulations, Protection of Environment,

Part 52 (§ 52.2020 to end of part 52), revised as of July 1, 2020, on page 15, the entry for 127.702 is reinstated to read as follows:

**§ 52.2020 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

State citation	Title/subject	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
<b>Title 25—Environmental Protection Article III—Air Resources</b>				
*	*	*	*	*
<b>Chapter 127—Construction, Modification, Reactivation, and Operation of Sources</b>				
*	*	*	*	*
<b>Subchapter I—Plan Approval and Operating Permit Fees</b>				
Section 127.702 .....	Plan approval fees .....	11/26/94	7/30/96, 61 FR 39597 .....	(c)(110)(i)(C).
*	*	*	*	*

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 BILLING CODE 0099–10–D

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 81**

[EPA–R04–OAR–2020–0482; FRL–10024–20–Region 4]

**Air Quality Designation; TN: Redesignation of the Sumner County 2010 Sulfur Dioxide Unclassifiable Area**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a submission by the State of Tennessee, through the

Tennessee Department of Environment and Conservation (TDEC), on September 29, 2020, to redesignate the Sumner County, Tennessee, unclassifiable area (hereinafter referred to as the “Sumner County Area” or “Area”) to attainment/unclassifiable for the 2010 1-hour primary sulfur dioxide (SO<sub>2</sub>) national ambient air quality standard (hereinafter referred to as the 2010 SO<sub>2</sub> 1-hour NAAQS). EPA now has sufficient information to determine that the Sumner County Area is attaining the 2010 1-hour SO<sub>2</sub> NAAQS and is approving the State’s request and redesignating the Area to attainment/unclassifiable for the 2010 1-hour SO<sub>2</sub> NAAQS.

**DATES:** This rule is effective June 24, 2021.

**ADDRESSES:** EPA has established a docket for this action under Docket

Identification No. EPA–R04–OAR–2020–0482. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) website. Although listed in the index, some information may not be publicly available, *i.e.*, Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION**