

stakeholder organizations to build innovative dissemination strategies. The Partnership Project has developed and enhanced tools and strategies to improve the collaboration and engagement of stakeholder organizations linked with State improvement efforts to implement evidence-based practices, improve the implementation of IDEA, and improve outcomes for children with disabilities within general education reform efforts. Engagement tools and strategies include: (1) Various Dialogue Guides, focused on education reform efforts such as standards-based assessment, college- and career-readiness, and the school-to-prison pipeline; (2) communities of practice development and implementation; and (3) stakeholder engagement protocols.

At this time, we do not believe that it would be in the public interest to run a competition for a new Partnership Project because the Department is planning to change the organization of its technical assistance (TA) activities to better meet the needs of States and local affiliates and families. We also have concluded that it would be contrary to the public interest to have a lapse in the provision of the TA services currently provided by the Partnership Project pending the changes to the organization of the Department's TA activities.

For these reasons, the Secretary waives the requirements in 34 CFR 75.250, which prohibit project periods exceeding five years, and waives the requirements in 34 CFR 75.261(a) and (c)(2), which allow the extension of a project period only if the extension does not involve the obligation of additional Federal funds. The waiver allows the Department to issue a continuation award in the amount of \$1,699,000 to NASDSE for an additional 12-month period. This continuation award should ensure that the Partnership Project's TA, coordinated training, outreach, and dissemination of information to the partners' State and local affiliates and families will not be interrupted.

Any activities to be carried out during the year of the continuation award would have to be consistent with, or be a logical extension of, the scope, goals, and objectives of the grantee's application as approved in the 2008 Partnership Project competition.

The requirements applicable to continuation awards for this competition set forth in the July 15, 2008, notice inviting applications and the requirements in 34 CFR 75.253 apply to any continuation awards sought by the current IDEA Partnership grantee. We base our decisions regarding a continuation award on the program narrative, budget, budget

narrative, and program performance report submitted by the current grantee, as well as the requirements in 34 CFR 75.253.

#### Waiver of Delayed Effective Date

The Administrative Procedure Act requires that a substantive rule must be published at least 30 days before its effective date, except as otherwise provided for good cause (5 U.S.C. 553(d)(3)). We received no substantive comments on the proposed waiver and extension of project period, and we have not made any substantive changes to the proposed waiver and extension of project period. The Secretary has made a determination to waive the delayed effective date to ensure provision of TA services currently provided by the Partnership Project pending the changes to the organization of the Department's TA activities.

#### Regulatory Flexibility Act Certification

The Secretary certifies that this waiver and extension of the project period would not have a significant economic impact on a substantial number of small entities.

The only entity that would be affected by this waiver and extension of the project period is the current grantee.

The Secretary certifies that this waiver and final extension would not have a significant economic impact on this entity because the extension of an existing project imposes minimal compliance costs, and the activities required to support the additional year of funding would not impose additional regulatory burdens or require unnecessary Federal supervision.

#### Paperwork Reduction Act of 1995

This notice of final waiver and extension of the project period does not contain any information collection requirements.

#### Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance. This document provides early notification of our specific plans and actions for this program.

**Accessible Format:** Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotope, or compact disc) on request to the contact person listed

#### under **FOR FURTHER INFORMATION CONTACT.**

**Electronic Access to This Document:** The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). 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 Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: September 13, 2013.

**Sue Swenson,**

*Deputy Assistant Secretary for Special Education and Rehabilitative Services, delegated the authority to perform the functions and duties of the Assistant Secretary for Special Education and Rehabilitative Services.*

[FR Doc. 2013-22715 Filed 9-17-13; 8:45 am]

**BILLING CODE 4000-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R07-OAR-2013-0511; FRL-9901-01-Region 7]

### Approval and Promulgation of Implementation Plans; State of Missouri; Conformity of General Federal Actions to State Implementation Plan

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve the State Implementation Plan (SIP) submitted by the state of Missouri on August 12, 2011. This revision will update the state general conformity rule in its entirety to bring in into compliance with the Federal general conformity rule which was updated in the **Federal Register** on April 5, 2010. General conformity regulations prohibit Federal agencies from taking actions that may cause or contribute to violations of the National Ambient Air Quality Standards (NAAQS). This rule applies to non-

attainment and maintenance areas of the state. The revision to Missouri's rule does not have an adverse affect on air quality. EPA's approval of this SIP revision is being done in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This direct final rule will be effective November 18, 2013, without further notice, unless EPA receives adverse comment by October 18, 2013. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R07-OAR-2013-0511, by one of the following methods:

1. *www.regulations.gov*. Follow the on-line instructions for submitting comments.
2. *Email: bhesania.amy@epa.gov*.
3. *Mail or Hand Delivery:* Amy Bhesania, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219.

**Instructions:** Direct your comments to Docket ID No. EPA-R07-OAR-2013-0511. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov* or email information that you consider to be CBI or otherwise protected. The *www.regulations.gov* Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov*, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of

encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219. The Regional Office's official hours of business are Monday through Friday, 8:00 to 4:30 excluding legal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

**FOR FURTHER INFORMATION CONTACT:** Amy Bhesania at (913) 551-7147, or by email at *bhesania.amy@epa.gov*.

#### **SUPPLEMENTARY INFORMATION:**

Throughout this document "we," "us," or "our" refer to EPA. This section provides additional information by addressing the following:

- I. What is being addressed in this document?
- II. Have the requirements for approval of a SIP revision been met?
- III. What action is EPA taking?

#### **I. What is being addressed in this document?**

EPA is approving the revision to the Missouri SIP submitted to EPA on August 12, 2011. Missouri's revision amends rule 10 CSR 10-6.300 *Conformity of General Federal Actions to State Implementation Plans*, which updates the state general conformity. This revision will update the state general conformity rule in its entirety to bring it into compliance with the amended Federal general conformity rule. EPA has conducted an analysis of the State's amendments and has concluded that these revisions do not adversely affect the stringency of the SIP or adversely impact air quality.

#### **II. 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. In addition, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

#### **III. What action is EPA taking?**

EPA is approving the revision to the Missouri SIP by approving the State's request to amend 10 CSR 10-6.300 *Conformity of General Federal Actions to State Implementation Plans*. Conformity of General Federal Actions prohibits Federal agencies from taking actions that may cause or contribute to violations of the National Ambient Air Quality Standards (NAAQS). This amendment improves the process entities use to demonstrate their actions will not contribute to a NAAQS violation, provides tools to encourage better communication and air quality planning between the state and Federal agencies, and encourages both Federal agencies and states to take early action to ensure projects will conform to SIPs. This rule applies to non-attainment and maintenance areas of the state. There are two revisions in the state rule that differ from the Federal rule. In 10 CSR 10-6.300 (3)(F)1.A. "Procedures for Conformity Determinations of General Federal Actions," the state has added that planning assumptions must be derived from estimates of current, as well as, future population. The second revision that differs from the Federal rule is in 10 CSR 10-6.300 (3)(G)1, "Mitigation of Air Quality Impacts." Language has been added that includes the identification and quantification of all emission reductions claimed for measures intended to mitigate air quality. In the same paragraph, language has been added that the process for implementation of these measures should include any necessary funding and tracking of emissions reductions. EPA has determined that these changes will not relax the SIP or adversely impact air quality.

We are processing this action as a direct final action because the revisions do not adversely impact air quality, and we do not anticipate any adverse comments. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment.

#### **Statutory and Executive Order Reviews**

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act 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 that they meet the criteria of the CAA. Accordingly, this 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 action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- 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 those 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, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

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 November 18, 2013. 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. Parties with objections to this direct final rule are

encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today’s **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: August 16, 2013.

**Karl Brooks,**

*Regional Administrator, Region 7.*

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### PART 52—[AMENDED]

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

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

#### Subpart AA—Missouri

- 2. In § 52.1320 the table in paragraph (c) is amended by revising the entry for 10–6.300 to read as follows:

#### § 52.1320 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

#### EPA-APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA approval date	Explanation
<b>Missouri Department of Natural Resources</b>				
* * *	* * *	* * *	* * *	* * *
<b>Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulations for the State of Missouri</b>				
* * *	* * *	* * *	* * *	* * *
10–6.300 .....	Conformity of General Federal Actions to State Implementation Plans.	07/31/11	09/18/13 [Insert <b>Federal Register</b> page number where the document begins].	10–6.300(3)(F)1.A and 10–6.300(3)(G)1 includes language that differs from the Federal rule.
* * *	* * *	* * *	* * *	* * *

\* \* \* \* \*

[FR Doc. 2013-22619 Filed 9-17-13; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Parts 52 and 81****[EPA-R05-OAR-2011-0868; EPA-R05-OAR-2012-0463; FRL-9900-92-Region 5]****Approval and Promulgation of Air Quality Implementation Plans; Ohio; Redesignation of the Cleveland-Akron-Lorain Area to Attainment of the 1997 Annual Standard and 2006 24-Hour Standard for Fine Particulate Matter****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** As Ohio requested, EPA is redesignating the Cleveland-Akron-Lorain, Ohio nonattainment area (Cleveland area) to attainment for the 1997 annual and 2006 24-hour National Ambient Air Quality Standards (NAAQS or standards) for fine particulate matter (PM<sub>2.5</sub>) because the area meets the statutory requirements for redesignation under the Clean Air Act (CAA). The Ohio Environmental Protection Agency (Ohio EPA) submitted these requests to EPA on October 11, 2011, and May 30, 2012, and supplemented them on April 30, 2013. EPA is also taking several related actions. EPA is making a determination that the Cleveland area attained the 2006 24-hour PM<sub>2.5</sub> standard by its attainment date and that the area continues to attain both the 1997 annual and 2006 24-hour standards. EPA is approving, as revisions to the Ohio State Implementation Plan (SIP), the state's plans for maintaining the 1997 annual and 2006 24-hour PM<sub>2.5</sub> NAAQS through 2023 in the area. EPA is approving the comprehensive emissions inventories submitted by Ohio EPA for nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), primary PM<sub>2.5</sub>, volatile organic compounds (VOC), and ammonia as meeting the requirements of the CAA. Finally, EPA finds adequate and is approving Ohio's NO<sub>x</sub> and PM<sub>2.5</sub> Motor Vehicle Emission Budgets (MVEBs) for 2015 and 2022 for the Cleveland area.

**DATES:** This final rule is effective September 18, 2013.

**ADDRESSES:** EPA has established dockets for these actions under Docket ID Nos. EPA-R05-OAR-2011-0868 and EPA-R05-OAR-2012-0463. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is

not publicly available, *i.e.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Kathleen D'Agostino, Environmental Engineer, at (312) 886-1767 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:**

Kathleen D'Agostino, Environmental Engineer, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-1767, [dagostino.kathleen@epa.gov](mailto:dagostino.kathleen@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document whenever "we," "us," or "our" is used, we mean EPA. This supplementary information section is arranged as follows:

- I. What is the background for the actions?
- II. Why is EPA taking these actions?
- III. Final Action
- IV. Statutory and Executive Order Reviews

**I. What is the background for the actions?**

On September 14, 2011, at 76 FR 56641, EPA issued a final determination that the Cleveland area attained the 1997 annual PM<sub>2.5</sub> standard by the applicable attainment date of April 5, 2010, based on certified ambient monitoring data for the 2007-2009 monitoring period. On October 5, 2011, Ohio EPA submitted its request to redesignate the Cleveland nonattainment area to attainment for the 1997 annual PM<sub>2.5</sub> NAAQS, and for EPA approval of the SIP revision containing an emissions inventory, maintenance plan, and MVEBs for the area. On May 30, 2012, Ohio EPA submitted a similar request for the 2006 24-hour PM<sub>2.5</sub> standard. In a supplemental submission to EPA on April 30, 2013, Ohio provided ammonia and VOC emissions inventories to supplement the comprehensive emissions inventories submitted as part of the redesignation requests.

On July 26, 2013, EPA published a rule in the **Federal Register** (78 FR 45116) proposing to determine that the Cleveland area continues to attain the

1997 annual standard and is attaining the 2006 24-hour PM<sub>2.5</sub> standard, and that the area has met the requirements for redesignation under section 107(d)(3)(E) of the CAA. EPA received one comment letter in support of the redesignation action, submitted on behalf of the Ohio Utility Group. EPA received no adverse comments on the proposal.

**II. Why is EPA taking these actions?**

EPA has determined that the Cleveland area continues to attain the 1997 annual PM<sub>2.5</sub> NAAQS and that the area has attained the 2006 24-hour PM<sub>2.5</sub> NAAQS by its applicable attainment date. EPA has also determined that all other criteria have been met for the redesignation of the Cleveland area from nonattainment to attainment of the 1997 annual and 2006 24-hour PM<sub>2.5</sub> NAAQS and for approval of Ohio's maintenance plans for the area. *See* CAA sections 107(d)(3)(E) and 175A. The detailed rationale for EPA's findings and actions is set forth in the proposed rule of July 26, 2013, (78 FR 45116).

**III. Final Action**

EPA is making a determination that the Cleveland area continues to attain the 1997 annual PM<sub>2.5</sub> standard and that the area attained the 2006 24-hour PM<sub>2.5</sub> standard by its attainment date and continues to attain that standard. EPA is determining that the area has met the requirements for redesignation under section 107(d)(3)(E) and 175A of the CAA. EPA is thus changing the legal designation of the Cleveland area from nonattainment to attainment for the 1997 annual and 2006 24-hour PM<sub>2.5</sub> NAAQS. EPA is also approving Ohio's PM<sub>2.5</sub> maintenance plans for the Cleveland area as revisions to the Ohio SIP because the plans meet the requirements of section 175A of the CAA. EPA is approving 2005 and 2008 emissions inventories for primary PM<sub>2.5</sub>, NO<sub>x</sub>, and SO<sub>2</sub>, and 2007/2008 emission inventories for VOC and ammonia as satisfying the requirement in section 172(c)(3) of the CAA for a comprehensive, current emission inventory. Finally, EPA finds adequate and is approving 2015 and 2022 primary PM<sub>2.5</sub> and NO<sub>x</sub> MVEBs for the Cleveland area. These MVEBs will be used in future transportation conformity analyses for the area.

In accordance with 5 U.S.C. 553(d), EPA finds there is good cause for these actions to become effective immediately upon publication. This is because a delayed effective date is unnecessary due to the nature of a redesignation to attainment, which relieves the area from certain CAA requirements that would