(1) The name of the person who is signing and certifying the cumulative statement of account.

(2) A signature, which in the case of a digital music provider that is a corporation or partnership, shall be the signature of a duly authorized officer of the corporation or of a partner.

(3) The date of signature and certification.

(4) If the digital music provider is a corporation or partnership, the title or official position held in the partnership or corporation by the person who is signing and certifying the cumulative statement of account.

(5) One of the following statements:

(i) Statement one:

I certify that (1) I am duly authorized to sign this cumulative statement of account on behalf of the digital music provider; (2) I have examined this cumulative statement of account; and (3) all statements of fact contained herein are true, complete, and correct to the best of my knowledge, information, and belief, and are made in good faith.

(ii) Statement two:

I certify that (1) I am duly authorized to sign this cumulative statement of account on behalf of the digital music provider, (2) I have prepared or supervised the preparation of the data used by the digital music provider and/or its agent to generate this cumulative statement of account, and (3) such data is true, complete, and correct to the best of my knowledge, information, and belief, and was prepared in good faith, and (4) this cumulative statement of account was prepared by the digital music provider and/or its agent using processes and internal controls that were subject to an examination, during the past year, by a licensed certified public accountant in accordance with the attestation standards established by the American Institute of Certified Public Accountants, the opinion of whom was that the processes and internal controls were suitably designed to generate monthly reports of usage that accurately reflect, in all material respects, the digital music provider's usage of musical works, the statutory royalties applicable thereto, and any other data that is necessary for the proper calculation of the statutory royalties in accordance with 17 U.S.C. 115 and applicable regulations.

(6) A certification by a duly authorized officer of the digital music provider that the digital music provider has fulfilled the requirements of 17 U.S.C. 115(d)(10)(B)(i) and (ii) but has not been successful in locating or identifying the copyright owner.

Regan A. Smith,

General Counsel and Associate Register of Copyrights.

[FR Doc. 2020–15591 Filed 7–16–20; 8:45 am]

BILLING CODE 1410–30–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2020–0331; FRL–10011–37–Region 7]

Air Plan Approval; Missouri; Removal of Control of Emissions From Manufacture of Polystyrene Resin

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 the State of Missouri on January 15, 2019, and supplemented by letter on July 11, 2019. Missouri requests that the EPA remove a rule related to the control of emissions from the manufacture of polystyrene resin in the St. Louis, Missouri area from its SIP. This removal does not have an adverse effect on air quality. The EPA's proposed approval of this rule revision is in accordance with the requirements of the Clean Air Act (CAA).

DATES: Comments must be received on or before August 17, 2020.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–R07–OAR–2020–0331 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: David Peter, Environmental Protection Agency, Region 7 Office, Air Permitting and Standards Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number (913) 551–7397; email address *peter.david@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document ''we,'' ''us,'' and ''our'' refer to the EPA.

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I. Written Comments

Submit your comments, identified by Docket ID No. EPA–R07–OAR–2020–0331 at *https://www.regulations.gov.* Once submitted, comments cannot be edited or removed from *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 the removal of 10 Code of State Regulations (CSR) 10–5.410, *Control of Emissions from Manufacture of Polystyrene Resin,* from the Missouri SIP.

According to the July 11, 2019 letter from the Missouri Department of Natural Resources, available in the docket for this proposed action, Missouri rescinded the rule because the only source subject to the rule ceased manufacturing polystyrene resin in 2009,[1] and the rule is no longer necessary for attainment and maintenance of the 1979, 1997, 2008, or 2015 National Ambient Air Quality Standards (NAAQS) for Ozone.

III. Background

The EPA established a 1-hour ozone NAAQS in 1971. 36 FR 8186 (April 30, 1971). On March 3, 1978, the entire St. Louis Air Quality Control Region (AQCR) (070) was identified as being in nonattainment of the 1971 1-hour ozone NAAQS, as required by the CAA Amendments of 1977. 43 FR 8962

[1] The Part 70 Permit to Operate issued by Missouri to The Dow Chemical Company, Riverside Plant on September 22, 2010 describes the specific emissions units that ceased operation and the date the cessation occurred.

(March 3, 1978). On the Missouri side, the St. Louis nonattainment area included the city of St. Louis and Jefferson, St. Charles, Franklin and St. Louis Counties (hereinafter referred to in this document as the ''St. Louis Area''). On February 8, 1979, the EPA revised the 1-hour ozone NAAQS, referred to as the 1979 ozone NAAQS. 44 FR 8202 (February 8, 1979). On May 26, 1988, the EPA notified Missouri that the SIP was substantially inadequate (hereinafter referred to as the ''SIP Call'') to attain the 1-hour ozone NAAQS in the St. Louis Area. *See* 54 FR 43183 (October 23, 1989).

To address the inadequacies identified in the SIP Call, Missouri submitted volatile organic compound (VOC) control regulations on June 14, 1985; November 19, 1986; and March 30, 1989. The EPA subsequently approved the revised control regulations for the St. Louis Area on March 5, 1990. The VOC control regulations approved by EPA into the SIP included reasonably available control technology (RACT) rules as required by CAA section 172(b)(2), including 10 CSR 10–5.410 *Control of Emissions from Manufacture of Polystyrene Resin.*

The EPA redesignated the St. Louis Area to attainment of the 1979 1-hour ozone standard on May 12, 2003. 68 FR 25418. Pursuant to section 175A of the CAA, the first 10-year maintenance period for the 1-hour ozone standard began on May 12, 2003, the effective date of the redesignation approval. On April 30, 2004, the EPA published a final rule in the **Federal Register** stating the 1-hour ozone NAAQS would no longer apply (*i.e.,* would be revoked) for an area one year after the effective date of the area's designation for the 8-hour ozone NAAQS. 69 FR 23951 (April 30, 2004). The effective date of the revocation of the 1979 1-hour ozone standard for the St. Louis Area was June 15, 2005. *See* 70 FR 44470 (August 3, 2005).

As noted above, 10 CSR 10–5.410, *Control of Emissions from Manufacture of Polystyrene Resin,* was approved into the Missouri SIP as a RACT rule on March 5, 1990. 55 FR 7712 (March 5, 1990). At the time that the rule was approved into the SIP, 10 CSR 10–5.410 applied to all installations throughout St. Louis City and Jefferson, St. Charles, Franklin and St. Louis Counties that manufactured polystyrene resin.

By letter dated January 15, 2019, Missouri requested that the EPA remove 10 CSR 10–5.410 from the SIP. Section 110(l) of the CAA prohibits EPA from approving a SIP revision that interferes with any applicable requirement concerning attainment and reasonable further progress (RFP), or any other applicable requirement of the CAA. The State supplemented its SIP revision with a July 11, 2019 letter in order to address the requirements of section 110(l) of the CAA.

IV. What is the EPA's analysis of Missouri's SIP revision request?

In its July 11, 2019 letter, Missouri states that it intended its RACT rules, such as 10 CSR 10–5.410, to solely apply to existing sources in accordance with section 172(c)(1) of the CAA.[2] Missouri states that although the applicability section of 10 CSR 10–5.410 specifies that the rule applies to all installations located throughout St. Louis City and Jefferson, St. Charles, Franklin and St. Louis Counties, the only facility that met the applicability criteria of the rule was The Dow Chemical Company, Riverside Plant (hereinafter referred to as ''Dow Chemical'').

Missouri, in its July 11, 2019 letter, indicated that Dow Chemical no longer manufactures polystyrene resin and instead purchases all the polystyrene resin used at the facility.[3] Dow Chemical discontinued the manufacture of polystyrene resin in 2009. The EPA confirmed that the facility is no longer manufacturing polystyrene resin [4] and is therefore no longer subject to 10 CSR 10–5.410.

As stated above, Missouri contends that 10 CSR 10–5.410 may be removed from the SIP because section 172(c)(1) of the CAA requires RACT for existing sources, and because 10 CSR 10–5.410 was applicable to a single source that has ceased the operations that caused the facility to meet the applicability criteria of the rule and, therefore, the rule no longer reduces VOC emissions. Because Dow Chemical was the only source subject to the rule, and because the facility ceased the manufacture of polystyrene resin in 2009, the EPA believes the rule no longer provides an emission reduction benefit to the St. Louis Area and is proposing to remove it from the SIP.

Missouri's July 11, 2019 letter states that any new sources or major modifications of existing sources are subject to new source review (NSR) permitting. Under NSR, a new major source or major modification of an existing source with a (potential to emit) PTE of 250 tons per year (tpy) [5] or more of any NAAQS pollutant is required to obtain a Prevention of Significant Deterioration (PSD) permit when the area is in attainment or unclassifiable, which requires an analysis of Best Available Control Technology (BACT) in addition to an air quality analysis and an additional impacts analysis. Sources with a PTE greater than 100 tpy, but less than 250 tpy,[6] are required to obtain a minor permit in accordance with Missouri's New Source Review permitting program, which is approved into the SIP.[7] Further, a new major source or major modification of an existing source with a PTE of 100 tpy or more of any NAAQS pollutant is required to obtain a nonattainment (NA) NSR permit when the area is in nonattainment, which requires an analysis of Lowest Achievable Emission Rate (LAER) in addition to an air quality analysis, an additional impacts analysis and emission offsets. The EPA agrees with this analysis.

Missouri has demonstrated that removal of 10 CSR 10–5.410 will not interfere with attainment of the NAAQS, RFP [8] or any other applicable requirement of the CAA because the single source subject to the rule has ceased the manufacture of polystyrene resin and the removal of the rule will not cause VOC emissions to increase. Therefore, the EPA proposes to approve the removal of 10 CSR 10–5.410 from the SIP.

[2] The EPA agrees with Missouri's interpretation of CAA section 172(c)(1) in regard to whether RACT is required for existing sources, but also notes that the State regulation establishing RACT may apply to new sources as well, dependent upon the State regulation's language.

[3] This change in the operation of the facility is supported by the Title V Permit issued on September 22, 2010 to Dow Chemical. The September 22, 2010 Title V Permit includes a statement that the polystyrene resin manufacturing emissions units were removed from operations and the Title V Permit.

[4] EPA reviewed the September 22, 2010 and the April 13, 2017 Title V Permits issued to Dow Chemical and the March 5, 2019 MDNR inspection report of Dow Chemical, currently operating as DDP Specialty Electronic Materials US Inc. and confirmed that these emissions units were no longer used.

[5] The PSD major source threshold for certain sources is 100 tpy rather than 250 tpy (see 40 CFR 52.21(b)(1)(i)(*a*) and 10 C.S.R. 10–6.060(8)(A)).

[6] Except for those sources with a PSD major source threshold of 100 tpy.

[7] EPA's latest approval of Missouri's NSR permitting program rule was published in the **Federal Register** on October 11, 2016. 81 FR 70025.

[8] RFP is not applicable to the St. Louis Area because for marginal ozone nonattainment areas, such as the St. Louis Area, the specific requirements of section 182(a) apply in lieu of the attainment planning requirements that would otherwise apply under section 172(c), including the attainment demonstration and reasonably available control measures (RACM) under section 172(c)(1), reasonable further progress (RFP) under section 172(c)(2), and contingency measures under section 172(c)(9).

V. 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 May 15, 2018, to August 2, 2018, and received twelve comments from the EPA that related to Missouri's lack of an adequate demonstration that the rule could be removed from the SIP in accordance with section 110(l) of the CAA, whether the rule applied to new sources and other implications related to rescinding the rule. Missouri's July 11, 2019 letter and December 3, 2018 response to comments on the state rescission rulemaking addressed the EPA's comments. In addition, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

VI. What action is the EPA taking?

The EPA is proposing to approve Missouri's request to rescind 10 CSR 10–5.410 from the SIP because the rule applied to a single facility that ceased the manufacture of polystyrene resin, which caused the facility to initially be subject to the rule, in 2009 and because the rule is not applicable to any other source. Therefore, the rule no longer serves to reduce emissions in the St. Louis Area. Further, any new sources or major modifications of existing sources in the St. Louis Area are subject to NSR permitting.[9] We are processing this as a proposed action because we are soliciting comments on this proposed action. Final rulemaking will occur after consideration of any comments.

VII. Incorporation by Reference

In this document, the EPA is proposing to amend regulatory text that includes incorporation by reference. As described in the proposed amendments to 40 CFR part 52 set forth below, the EPA is proposing to remove provisions of the EPA-Approved Missouri Regulation from the Missouri State Implementation Plan, which is incorporated by reference in accordance with the requirements of 1 CFR part 51.

VIII. 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.
- 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 the National Technology Transfer and Advancement Act (NTTA) because this rulemaking does not involve technical standards; 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).

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).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: June 30, 2020.

James Gulliford,

Regional Administrator, Region 7.

For the reasons stated in the preamble, the EPA proposes to amend 40 CFR part 52 as set forth below:

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—AA Missouri

§ 52.1320 [Amended]

■ 2. In § 52.1320, the table in paragraph (c) is amended by removing the entry ''10–5.410'' under the heading ''Chapter 5-Air Quality Standards and Air Pollution Control Regulations for the St. Louis Metropolitan Area''.

[FR Doc. 2020–14524 Filed 7–16–20; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 200706–0179]

RIN 0648–BI15

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Electronic Vessel Trip Reporting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: This action proposes approval of, and regulations to implement, an action to require commercially permitted vessels in both New England and mid-Atlantic regions to submit vessel trip reports electronically within 48 hours of the end of a trip. In addition, this action would require for-hire vessels with permits for species

[9] ''NSR Permitting'' includes PSD permitting in areas designated attainment and unclassifiable, NA NSR in areas designated nonattainment and minor source permitting.