

Executive Order 14294, Fighting Overcriminalization in Federal Regulations

Executive Order 14294, 90 FR 20363 (May 14, 2025), requires agencies promulgating regulations with criminal regulatory offenses potentially subject to criminal enforcement to explicitly describe the conduct subject to criminal enforcement, the authorizing statutes, and the *mens rea* standard applicable to each element of those offenses. This action does not impose a criminal regulatory penalty and is thus exempt from Executive Order 14294's requirements.

Paperwork Reduction Act, 44 U.S.C. 3501–3520

Pursuant to the Paperwork Reduction Act, agencies must consider whether a rule will create additional burdens related to recordkeeping, paperwork, or information collection. This action will not impose any additional burdens or requirements in these respects. To the contrary, it will reduce paperwork burdens on State education agencies that will no longer have to submit biennial reports to the Department under section II.B. of the *Guidelines*.

Regulatory Flexibility Act, 5 U.S.C. Chapter 6

The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement and Fairness Act of 1996, requires an agency to prepare and make available to the public a final regulatory flexibility analysis that describes the effect of a rule on small entities (*i.e.*, small businesses, small organizations, and small governmental jurisdictions) when the agency is required “to publish a general notice of proposed rulemaking” prior to issuing the final rule. *See* 5 U.S.C. 604(a). Because this action is being issued without a prior proposal, on the grounds set forth above, a regulatory flexibility analysis is not required under the RFA. Further, even if the RFA were applicable here, the Department would find that rescinding the *Guidelines* will not have a significant economic impact on a substantial number of small entities because this rescission does not impose any new substantive obligations on Federal funding recipients. It simply amends existing text appearing in the Code of Federal Regulations by removing burdens on State education agencies and other recipients. All Federal funding recipients remain bound by the Department's regulations that are already in place.

Unfunded Mandates Reform Act, 2 U.S.C. 1501 et seq

The Unfunded Mandates Reform Act of 1995 (UMRA) requires agencies to prepare assessments of any rule that would result in the annual expenditure of more than \$100 million by State, local, or Tribal governments, or the private sector. UMRA does not apply because 2 U.S.C. 1503(2) excludes any Federal regulation that “establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability.” This action is therefore not subject to UMRA.

Congressional Review Act

The Office of Information and Regulatory Affairs has found that this action is not a “major rule” as defined by the Congressional Review Act, 5 U.S.C. 804(2).

List of Subjects

34 CFR Part 100

Administrative practice and procedure, Civil rights, Education, Equal employment opportunity, Grant programs, Race discrimination.

34 CFR Part 104

Administrative practice and procedure, Civil rights, Disability discrimination, Education, Equal employment opportunity, Grant programs.

34 CFR Part 106

Administrative practice and procedure, Civil rights, Education, Equal employment opportunity, Grant programs, Sex discrimination.

Linda E. McMahon,
Secretary of Education.

For the reasons discussed in this action, the Secretary of Education amends parts 100, 104, and 106 of title 34 of the Code of Federal Regulations as set forth below:

PART 100—NONDISCRIMINATION UNDER PROGRAMS RECEIVING FEDERAL ASSISTANCE THROUGH THE DEPARTMENT OF EDUCATION EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

■ 1. The authority citation for part 100 continues to read as follows:

Authority: Sec. 602, 78 Stat. 252; 42 U.S.C. 2000d–1, unless otherwise noted.

Appendix B to Part 100 [Removed]

■ 2. Remove appendix B to part 100.

PART 104—NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

■ 3. The authority citation for part 104 continues to read as follows:

Authority: 20 U.S.C. 1405; 29 U.S.C. 794; Pub. L. 111–256, 124 Stat. 2643.

Appendix B to Part 104 [Removed]

■ 4. Remove appendix B to part 104.

PART 106—NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

■ 5. The authority citation for part 106 continues to read as follows:

Authority: 20 U.S.C. 1681 *et seq.*, unless otherwise noted.

Appendix A to Part 106 [Removed]

■ 6. Remove appendix A to part 106.

[FR Doc. 2026–14892 Filed 7–22–26; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2025–3822; FRL–13146–02–R7]

Air Plan Approval; Missouri; Control of Emissions During Petroleum Liquid Storage, Loading, and Transfer

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions to the Missouri State Implementation Plan (SIP) related to the control of emissions during petroleum liquid storage, loading, and transfer in the St. Louis area. The revisions to this rule include revising the tank size threshold applicability of the rule, adding incorporations by reference to other State rules, adding definitions specific to the rule, revising unnecessarily restrictive or duplicative language, adding a streamlined process for modifications to vapor recovery systems at gasoline dispensing facilities and thereby eliminating the associated permitting requirement, and clarifying rule language on testing and reporting. The revisions make this provision consistent with a similar rule that is applicable to the Kansas City, Missouri

area and regulates the same type of facilities. The EPA's final approval of this rule revision is being done in accordance with the requirements of the CAA.

DATES: This final rule is effective on August 24, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R07-OAR-2025-3822. All documents in the docket are listed on the <https://www.regulations.gov> website. 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, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov> or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT: Steven Brown, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551-7718; email address: brown.steven@epa.gov.

SUPPLEMENTARY INFORMATION:

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

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I. What is being addressed in this document?

The EPA is approving revisions to the Missouri SIP, 10 Code of State Regulations (CSR) 10-5.220 “Control of Emissions During Petroleum Liquid Storage, Loading and Transfer,” submitted to the EPA on March 7, 2019. The purpose of the State regulation is to restrict volatile organic compound (VOC) emissions from the handling of petroleum liquids to reduce hydrocarbon emissions in the St. Louis metropolitan area that contribute to the formation of ozone. Missouri's rule revisions are detailed in the EPA's notice of proposed rulemaking, published on April 23, 2026 (91 FR 21751). The EPA finds that these revisions meet the requirements of the CAA and do not impact the State's ability to attain or maintain the National

Ambient Air Quality Standards (NAAQS). The full text of the rule revisions as well as the EPA's analysis of the revisions can be found in the technical support document (TSD) included in this docket.

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

The State's 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 August 1, 2018, to October 4, 2018, and held a public hearing on September 27, 2018. The State of Missouri received twenty-nine (29) comments from seven sources during the comment period on 10 CSR 10-5.220. The EPA provided three comments. In response to the EPA's comments, Missouri provided additional clarification by submitting supplemental information to the EPA on August 1, 2019. Missouri responded to all comments and revised the rule based on some of the public comments made, as noted in the State submission included in the docket for this action. The revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

III. The EPA's Response to Comments

The public comment period on the EPA's proposed rule opened April 23, 2026, the date of its publication in the **Federal Register**, and closed on May 26, 2026 (91 FR 21751). During this period, the EPA received one anonymous comment opposing the proposed action, available in the docket for this rulemaking. The commenter expressed a general objection to revising or removing fossil fuel regulations, citing global economic and environmental damage. The comment is broad and lacks specific information directly relevant to the proposed changes in this action. The scope of this rulemaking action is strictly dictated by the statutory limits of section 110 of the CAA. The EPA has determined that these changes meet the requirements of the CAA and will not adversely impact air quality or interfere with the State's ability to maintain the NAAQS.

IV. What action is the EPA taking?

The EPA is taking final action to amend the Missouri SIP by approving the State's revisions 10 CSR 10-5.220 “Control of Emissions During Petroleum Liquid Storage, Loading, and Transfer.” This final action approves these amendments as part of the SIP. The EPA

has determined that these changes meet the requirements of the CAA and will not adversely impact air quality or interfere with the State's ability to maintain the NAAQS, reasonable further progress, or other CAA requirements.

V. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the Missouri rule 10 CSR 10-5.220 discussed in section I. of this preamble and as set forth below in the amendments to 40 CFR part 52. The purpose of the State regulation is to restrict VOC emissions from the handling of petroleum liquids to reduce hydrocarbon emissions in the St. Louis metropolitan area that contribute to the formation of ozone. The EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.¹

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, the 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);
- Is not an Executive Order 14192 (90 FR 9065, February 6, 2025) regulatory action because this action is not

¹ 62 FR 27968, May 22, 1997.

significant 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

- 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.

In addition, the SIP is not approved to apply on any Indian reservation land

or in any other area where the 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).

This action is subject to the Congressional Review Act (CRA), and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. 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 September 21, 2026. 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: July 9, 2026.

James Macy,

Regional Administrator, Region 7.

For the reasons stated in the preamble, the EPA amends 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

■ 2. In § 52.1320, the table in paragraph (c) is amended by revising the entry “10–5.220” to read as follows:

§ 52.1320 Identification of plan.

* * * * *
(c) * * *

EPA-APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA approval date	Explanation
Missouri Department of Natural Resources				
* * *	* * *	* * *	* * *	* * *
Chapter 5—Air Quality Standards and Air Pollution Control Regulations for the St. Louis Metropolitan Area				
10–5.220	Control of Emissions During Petroleum Liquid Storage, Loading and Transfer.	3/30/2019	7/23/2026, 91 FR [insert Federal Register page where the document begins].	
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[FR Doc. 2026–14880 Filed 7–22–26; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[EPA–R01–OAR–2025–0282; FRL–13016–02–R1]

Air Plan Approval; Maine; Chapter 140: Part 70 Air Emission License Regulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a Clean Air Act (CAA) operating permit program revision submitted by the State of Maine. This revision makes minor changes to Maine’s operating permit program that are considered clarifications, that correct grammar, that codify longstanding practices, or that are necessary for the state to utilize an expected future electronic application system. The revisions also include provisions allowing the public comment period on a draft permit to run