

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2026–4819; FRL–13460–02–R7]

Air Plan Approval; Missouri; Control of NO_x Emissions From Large Stationary Internal Combustion Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is approving revisions to the Missouri State Implementation Plan (SIP) related to Control of Nitrogen Oxide (NO_x) Emissions From Large Stationary Internal Combustion Engines. The revisions reformat and revise reporting, recordkeeping, and compliance requirements; incorporate other State rules by reference; add definitions specific to the rule; revise unnecessarily restrictive or duplicative language; and make administrative wording changes. The revisions also add an exemption for certain spark-ignited internal combustion engines. The EPA’s final approval of this rule revision is being done in accordance with the requirements of the Clean Air Act (CAA).

DATES: This rule is effective November 2, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R07–OAR–2026–4819. 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: William Stone, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7714; email address: stone.william@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” refer to the EPA. We use

multiple abbreviations and terms in this rule. While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and acronyms here:

CAA Clean Air Act
 CBI Confidential Business Information
 CFR Code of Federal Regulations
 CSR Missouri Code of State Regulations
 EPA U.S. Environmental Protection Agency
 FR Federal Register
 IC Internal Combustion
 NAAQS National Ambient Air Quality Standards
 NO_x Nitrogen Oxides
 SIP State Implementation Plan
 TSD Technical Support Document
 U.S.C. United States Code

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I. What is being addressed in this document?

The EPA is approving revisions to the Missouri SIP, Title 10 Code of State Regulations (CSR) 10–6.390 “Control of NO_x Emissions From Large Stationary Internal Combustion Engines,” submitted to the EPA on March 7, 2019, and June 10, 2021. The purpose of the State regulation is to control NO_x emissions from large stationary internal combustion (IC) engines and ensure compliance with the Federal NO_x control plan to reduce the interstate transport of air pollutants. Missouri’s rule revisions are detailed in the EPA’s notice of proposed rulemaking, published on July 15, 2026.¹ 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 4, 2018, to October 4, 2018, and from November 1, 2019, to December 10, 2019, and held public hearings on

September 27, 2018, and December 3, 2019. The State received five comments during the first public comment period and none in the second comment period. Missouri’s official submission adequately addressed the comments. In addition, as explained in the notice of proposed rulemaking and in more detail in the TSD, which is part of this docket, the revisions meet the substantive SIP requirements of the CAA, including section 110 and implementing regulations. The EPA concludes that in accordance with CAA section 110(l), the revisions to 10 CSR 10–6.390 will not interfere with any applicable requirement concerning attainment, reasonable further progress, or any other applicable requirement of the CAA.

III. The EPA’s Response to Comments

The public comment period on the EPA’s proposed rule opened July 15, 2026, the date of its publication in the **Federal Register**, and closed on August 14, 2026. During this period, the EPA received one anonymous comment that was not supportive of the proposed action, available in the docket for this rulemaking, but did not raise a relevant, material objection with specificity that would constitute a significant comment requiring a response. *See* 5 U.S.C. 553(c); 42 U.S.C. 7607(d)(6)(B).

IV. What action is the EPA taking?

The EPA is taking final action to amend the Missouri SIP by approving the State’s revisions to 10 CSR 10–6.390 “Control of NO_x Emissions From Large Stationary Internal Combustion Engines.” This final action approves these amendments as part of the SIP.

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 10–6.390 discussed in section I. of this preamble and as set forth below in the amendments to 40 CFR part 52. The rule provides for control of NO_x emissions from large stationary internal combustion engines and includes reporting, recordkeeping, and compliance requirements. 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

¹ 91 FR 43352 (July 15, 2026).

reference by the EPA into that plan, are fully federally enforceable under CAA sections 110 and 113 as of the effective date of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.²

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, Oct. 4, 1993);
- Is not an Executive Order 14192 (90 FR 9065, Feb. 6, 2025) regulatory action because this action is not 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, Aug. 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, Apr. 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 13175.³

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 CAA section 307(b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 30, 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, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements.

Dated: September 21, 2026.

James Macy,

Regional Administrator, Region 7.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 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 AA—Missouri

- 2. In § 52.1320, the table in paragraph (c) is amended by revising the entry “10–6.390” 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 6—Air Quality Standards, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulations for the State of Missouri				
*	*	*	*	*
10–6.390	Control of NO _x Emissions From Large Stationary Internal Combustion Engines.	5/30/2020	10/01/2026, 91 FR [insert Federal Register page where the document begins].	
*	*	*	*	*

² 62 FR 27968 (May 22, 1997).

³ 65 FR 67249 (Nov. 9, 2000)

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[FR Doc. 2026–20096 Filed 9–30–26; 8:45 am]

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**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 97**

[FRL–13503–02–OAR]

**Administration of Cross-State Air
Pollution Rule Trading Program
Assurance Provisions for 2025 Control
Period****AGENCY:** Environmental Protection
Agency (EPA).**ACTION:** Notification of data availability.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is providing notice of the availability of data on the administration of the assurance provisions of the Cross-State Air Pollution Rule (CSAPR) trading program for the 2025 control period. Virginia units participating in the CSAPR NO_x Ozone Season Group 2E Trading Program during the 2025 control period reported total nitrogen oxides (NO_x) emissions that exceeded the State's assurance level under the program. The EPA has posted on the Agency's website a spreadsheet that presents data demonstrating the exceedance and the Agency's final calculations of the additional allowances that owners and operators of certain Virginia units must surrender.

DATES: October 1, 2026.

FOR FURTHER INFORMATION CONTACT: For information about this notification, contact Lisa Thompson at telephone number: (919) 541–5158 or email address: thompson.lisa@epa.gov.

SUPPLEMENTARY INFORMATION: *Preamble acronyms and abbreviations.*

Throughout this document, the use of “we,” “us,” or “our” refers to the EPA. The EPA uses multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

CFR Code of Federal Regulations
CSAPR Cross-State Air Pollution Rule
EPA Environmental Protection Agency
FR Federal Register
NODA notice of data availability
NO_x nitrogen oxides

The regulations for each CSAPR trading program contain “assurance provisions” designed to ensure that the emission reductions required from each State covered by the program occur within the State. If total emissions from

a State's affected units exceed the State's assurance level, certain covered sources within the State must surrender two allowances for each ton of emissions exceeding the assurance level (in addition to the ordinary obligation to surrender one allowance for each ton of emissions). In the emissions reports covering the 2025 control period, Virginia units participating in the CSAPR NO_x Ozone Season Group 2E Trading Program reported emissions exceeding the State's assurance level under the program by 80 tons, resulting in a requirement to surrender 160 additional allowances.

When a State exceeds its assurance level, the EPA apportions the responsibility for surrendering the required additional allowances among groups of units in the State represented by “common designated representatives” based on the extent to which each group's emissions exceeded the group's share of the State's assurance level.¹

On August 4, 2026, the EPA published a document in the **Federal Register** providing notice of the data relied on to determine the amount of the exceedance of the Virginia assurance level and the preliminary calculations of the amounts of additional allowances that the owners and operators of certain Virginia units must surrender as a result of the exceedance.² The EPA received three objections identifying errors in the Agency's initial calculations.

As a result of these objections, the EPA updated the data the Agency used to support its final calculations. Specifically, the EPA: (1) corrected the Designated Representative for Hopewell Power Station; (2) updated the emissions from Remington Combustion Turbine Station Units 1, 2, and 4 based on its August 2026 data resubmittal; and (3) corrected a typo in the summary data, updating the Operator associated with the Designated Representative Hunt from Wolf Hills Energy, LLC to Tenaska Virginia Partners, LP.

Applying the procedures in the regulations for the 2025 control period to the updated data, the EPA's final calculations indicate that the responsibility for surrendering 160 additional allowances in Virginia should be apportioned primarily to the group of units operated by Hopewell

Power Generation, LLC, with smaller shares apportioned to the groups of units operated by Wolf Hills Energy, LLC; Dominion Generation; and Calpine Operating Services Company, Inc. Each set of owners and operators identified pursuant to this notice of the final calculations must hold the required additional allowances in an assurance account by November 2, 2026.

The data and final calculations are available in an Excel spreadsheet titled “Final 2025 CSAPR Assurance Provision Calculations—Virginia” at <https://www.epa.gov/Cross-State-Air-Pollution/csapr-assurance-provision-nodas>. The spreadsheet contains data for the 2025 control period showing, for each Virginia unit identified as affected under the CSAPR NO_x Ozone Season Group 2E Trading Program, the unit's reported amount of NO_x emissions and the amount of CSAPR NO_x Ozone Season Group 2E allowances allocated to the unit, including any allowances allocated from new unit set-asides. The spreadsheet also provides 2025 control period calculations showing the total reported NO_x emissions from all such units in Virginia and the amounts by which those total reported NO_x emissions exceeded the State's assurance level under the program. Finally, the spreadsheet includes calculations for the 2025 control period showing, for each common designated representative for a group of such units, the common designated representative's share of the total reported NO_x emissions, the common designated representative's share of the State's assurance level, and the amount of additional CSAPR NO_x Ozone Season Group 2E allowances that the owners and operators of the units in the group must surrender.

Authority: 40 CFR part 97.

Aaron Szabo,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 2026–20191 Filed 9–30–26; 8:45 am]

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¹ For the CSAPR NO_x Ozone Season Group 2E Trading Program, the procedures are set forth at 40 Code of Federal Regulations (CFR) 97.802 (definitions of “common designated representative,” “common designated representative's assurance level,” and “common designated representative's share”), 97.806(c)(2) and (c)(4)(iv), and 97.825.

² 91 FR 49430 (Aug. 4, 2026).