burden analyzed in the IFR remains the same.

Paperwork Reduction Act of 1995

We received no comments on the Paperwork Reduction Act portion of the IFR and none of the changes to the regulation increase or decrease the burden associated with the regulation. OMB initially approved the collection of information necessary to implement the 150 percent limit under OMB control number 1845–0116 on an emergency basis, which limited the collection's authority to six months (the emergency approval of the collection expires on December 31, 2013). The collection is currently undergoing full Paperwork Reduction Act review, with the attendant 60- and 30-day comment periods.

Intergovernmental Review

This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Assessment of Educational Impact

In the IFR we requested comments on whether the regulations would require transmission of information that any other agency or authority of the United States gathers or makes available.

Based on the response to this request and our review, we have determined that these final regulations do not require transmission of information that any other agency or authority of the United States gathers or makes available.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program 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.* 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.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

You may also view this document in text or PDF at the following site: *www.ifap.ed.gov.*

(Catalog of Federal Domestic Assistance Number: 84.268 William D. Ford Direct loan Program)

List of Subjects in 34 CFR Part 685

Colleges and universities, Education loan programs—education, Student aid.

Dated: January 14, 2014.

Arne Duncan,

Secretary of Education.

For the reasons discussed in the preamble, the Secretary amends part 685 of title 34 of the Code of Federal Regulations as follows:

PART 685—WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

■ 1. The authority citation for part 685 continues to read as follows:

Authority: 20 U.S.C. 1070g, 1087a, *et seq.,* unless otherwise noted.

■ 2. Section 685.200 is amended by:

■ A. In paragraph (f)(1)(iii), removing the words ''down to the nearest quarter'' and adding, in their place, the words ''to the nearest tenth''.

■ B. In the formula for calculating a subsidized usage period in paragraph (f)(1)(iii), adding the words ''for annual loan limit purposes'' after the words ''days in the academic year''.

■ C. In paragraph (f)(4)(i), adding the word ''full'' before the words ''annual loan limit''.

■ D. In paragraph (f)(4)(ii), removing the words and punctuation ''Except as provided in paragraph (f)(4)(i) of this section, for'' and adding ''For'' in their place.

■ E. Adding paragraph (f)(8).

The addition reads as follows:

§ 685.200 Borrower eligibility.

* * * * *

(f) * * *

(8) *Special admission degree programs.* (i) For purposes of calculating the maximum eligibility period, a bachelor's degree program that requires an associate degree or the successful completion of at least two years of postsecondary coursework as a prerequisite for admission has a program length of four years.

(ii) For purposes of calculating the maximum eligibility period, a selective admission associate degree program that requires an associate degree or the successful completion of at least two years of postsecondary coursework as a prerequisite for admission has a program length of four years. For purposes of this paragraph (f)(8)(ii), a selective admission associate degree program—

(A) Admits only a selected number of applicants based on additional competitive criteria which may include entrance exam scores, class rank, grade point average, written essays, or recommendation letters; and

(B) Provides the academic qualifications necessary for a profession that requires licensure or a certification by the State.

* * * * *

[FR Doc. 2014–00928 Filed 1–16–14; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2012–0650; FRL–9905–54-Region 5]

Approval and Promulgation of Air Quality Implementation Plans; Indiana; Consent Decree Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a portion of Indiana's construction permit rule for sources subject to the state operating permit program regulations. These provisions authorize the state to incorporate terms from Federal consent decrees and Federal district court orders into these construction permits. EPA is also approving public notice requirements for these permit actions. These rules will help streamline the process for making Federal consent decree and Federal district court order requirements permanent and Federally enforceable.

DATES: This final rule is effective on February 18, 2014.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2012–0650. All documents in the docket are listed on the *www.regulations.gov* Web site. 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 either electronically through *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 Sam Portanova, Environmental Engineer, at (312) 886–3189 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Sam Portanova, Environmental Engineer, Air Permits Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–3189, *portanova.sam@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 EPA addressing in this document?

On March 15, 2013, EPA published a direct-final rule approving 326 IAC 2–7–10.5(b) and 326 IAC 2–7–10.5(k) as revisions to Indiana's State Implementation Plan (SIP) (78 FR 16412). This rule revision authorizes Indiana to issue construction permits to sources subject to the state operating permit program regulations at 40 CFR part 70 (part 70 sources) that include requirements from Federal district court orders that adjudicate violations and Federal consent decrees. Permits incorporating these requirements are issued to sources that are subject to title V of the Clean Air Act (CAA). This rule revision also requires public notice procedures for these permitting actions.

On the same date, EPA also proposed to approve the revisions (78 FR 16449). On May 6, 2013, in a separate action, we withdrew the direct final rule because we received adverse comments (78 FR 26258). The proposed approval remained in effect. Today, we are responding to those comments and taking final action to approve Indiana's SIP revision request.

II. What is EPA's response to adverse comments?

EPA received one set of adverse comments on the March 15, 2013, proposed approval of this Indiana rule. EPA's response to these comments is as follows:

Comment: Federal consent decrees are not applicable requirements under title V and should not be incorporated into title V permits. EPA should equivocally state whether or not consent decree requirements are title V applicable requirements as there appears to be conflicting guidance on this point.

Response: The title V issue raised by this comment is not directly related to this action because this action authorizes Indiana to incorporate consent decree terms in construction permits, not title V permits. However, if consent decree terms are incorporated into a construction permit, there are consequences under title V. The definition of ''applicable requirement'' in 40 CFR 70.2 includes ''[a]ny term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under title I of the Act. . . .'' These construction permits are issued pursuant to programs approved by EPA under title I of the CAA. Thus, once the title I permits are issued, the terms, including terms reflecting requirements from Federal district court orders and Federal consent decrees, are ''applicable requirements'' under this provision of the title V regulations and must be included in the source's title V permit. See also 326 IAC 2–7–1(6)).

Comment: Not all consent decree requirements are permanent and thus some should expire at the time of consent decree termination. It should also be noted that requirements that become ''permanent'' under title V are not really permanent—they can be changed or modified by going through a new permit application.

Response: For the reasons discussed above, the title V issue raised by this comment is not directly related to this action. The rule does not require the Indiana Department of Environmental Management (IDEM) to incorporate all consent decree requirements into construction permits, only ''control requirements and emission limitations.'' However, some requirements are intended to remain in effect after the consent decree terminates. Specifically, some consent decrees require a source to establish emission limitations and control requirements on a permanent basis (e.g., through a SIP revision or a construction permit).

Comment: Not all consent decree requirements are necessarily instances of noncompliance with existing requirements. If some consent decree requirements are required to be incorporated into title V permits and/or construction permits, the consent decree requirements can be included in a permit application as a compliance schedule for the alleged non-compliance cited in the consent decree. There is no need for this additional authority.

Response: For the reasons discussed above, the title V issue raised by this comment is not directly related to this action. However, once the title I permits are issued, the terms are ''applicable requirements'' under subparagraph (2) of the definition of ''applicable requirement'' in 40 CFR 70.2 and must be included in the source's title V permit. Also, the rule does not require IDEM to incorporate all consent decree provisions into the construction permits, only those relating to control requirements and emission limitations.

Comment: It is also curious why the authority is limited to Federal consent decrees and does not also include state agreed orders.

Response: The CAA requires SIPs to contain enforceable limitations. See Section 110(a)(2)(A). It does not address the Federal enforceability of state agreed orders. As such, it is not necessary to establish a Federally enforceable requirement pursuant to title I of the CAA for state orders.

Comment: Why is there a need for additional public comment for incorporating Federal consent decree requirements into title V permits? There is ample time for the public to comment on Federal consent decrees after the decree is lodged before it is entered by the court. Any requirements that are required to be put into a permit should be done as an administrative amendment without any comment by the public or EPA. Why create additional un-needed bureaucracy?

Response: For the reasons discussed above, the title V issue raised by this comment is not directly related to this action because this action authorizes Indiana to incorporate consent decree terms in construction permits, not title V permits. The intent of this rule is to lessen the bureaucratic burden on the state with regards to implementing consent decree requirements. The method IDEM currently uses for establishing consent decree requirements as permanent and Federally enforceable is to adopt them as source-specific SIP requirements. This process is more resource-intensive and time consuming than the state construction permit process provided for in 326 IAC 2–7–10.5(b).

III. What action is EPA taking?

EPA is approving Indiana's source construction permit rule provisions applicable to Part 70 sources at 326 IAC 2–7–10.5(b) and 326 IAC 2–7–10.5(k). These provisions authorize the state to incorporate terms from Federal consent decrees or Federal district court orders

into these construction permits and provide a public notice requirement for these actions.

IV. 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 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 March 18, 2014. 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 Subject 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: January 2, 2014.

Susan Hedman,

Regional Administrator, Region 5.

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.*

■ 2. In § 52.770 the table in paragraph (c) is amended by adding a new entry in ''Article 2. Permit Review Rules'' for ''Rule 7. Part 70 Permit Program'' in numerical order to read as follows:

§ 52.770 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED INDIANA REGULATIONS

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
*	*	*	*	*
Article 2. Permit Review Rules				
*	*	*	*	*
Rule 7. Part 70 Permit Program				
2–7–10.5	Part 70 permits; source modifications.	03/7/2012	01/17/2014, [INSERT PAGE NUMBER WHERE THE DOCUMENT BEGINS].	(b) and (k) only.
*	*	*	*	*

* * * * *

[FR Doc. 2014–00751 Filed 1–16–14; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0, 4, and 12

[PS Docket No. 13–75; PS Docket No. 11–60; FCC 13–158]

Improving 9–1–1 Reliability; Reliability and Continuity of Communications Networks, Including Broadband Technologies

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (FCC or Commission) adopts rules to improve the reliability and resiliency of 911 communications networks nationwide by requiring that 911 service providers take ''reasonable measures'' to provide reliable 911 service. Providers subject to the rule can comply with the reasonable measures requirement by either implementing certain industry-backed ''best practices'' the Commission adopted, or by implementing alternative measures that are reasonably sufficient to ensure reliable 911 service. The FCC also requires 911 service providers to provide public safety answering points (PSAPs) with timely and actionable notification of 911 outages.

DATES: Effective February 18, 2014 except for § 12.4(c) and (d)(1), which contain information collection requirements that have not been approved by Office of Management and Budget. The Federal Communications Commission will publish a document in the **Federal Register** announcing the effective date.

FOR FURTHER INFORMATION CONTACT: Eric P. Schmidt, Attorney Advisor, Public Safety and Homeland Security Bureau, (202) 418–1214 or *eric.schmidt@fcc.gov*. For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, contact Benish Shah, (202) 418–7866, or send an email to *PRA@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order in PS Docket No. 13–75 and PS Docket No. 11–60, FCC 13–158, released on December 12, 2013. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY–A257, 445 12th Street SW., Washington, DC 20554, or online at *http://www.fcc.gov/document/fcc-adopts-rules-improve-911-reliability*.

I. Introduction

1. The Commission was spurred to adopt these rules following the devastating impact many telecommunications networks experienced as a result of the unanticipated ''derecho'' storm in June 2012. This storm swiftly struck the Midwest and Mid-Atlantic United States, leaving millions of Americans without 911 service and revealing significant, but avoidable, vulnerabilities in 911 network architecture, maintenance, and operation. After a comprehensive inquiry into the causes of 911 outages during the derecho, as well as 911 network reliability more generally, the FCC's Public Safety and Homeland Security Bureau (PSHSB or Bureau) determined that many of these failures could have been mitigated or avoided entirely through implementation of network-reliability best practices and other sound engineering principles.

2. The Commission requires 911 service providers to take ''reasonable measures'' to provide reliable 911 service, based on best practices developed by the FCC's Communications Security, Reliability, and Interoperability Council (CSRIC) advisory committee, with refinements designed to add clarity and specific guidance regarding how those practices should be implemented in the context of 911 networks. Providers will demonstrate their compliance by filing an annual certification. The certification elements the Commission are based on best practices identified by CSRIC as critical or highly important, indicating that they significantly reduce the potential for a catastrophic failure of communications or—at a minimum—improve the likelihood of emergency call completion.

3. The Commission seeks to maximize flexibility and account for differences in network architectures without sacrificing 911 service reliability. Accordingly, service providers that certify annually that they have implemented certain industry-backed ''best practices,'' will be deemed to satisfy the reasonable measures requirement. Providers may also certify that they have taken alternative measures reasonably sufficient in light of the provider's particular facts and circumstances to ensure reliable 911 service, so long as they briefly describe such measures and provide supporting documentation to the Commission. Similarly, service providers may respond by demonstrating that a particular certification element is not applicable to their networks, but they must include a brief explanation of why the element does not apply.

4. Based on the information included in the certifications, the Commission may require remedial action to correct vulnerabilities in a service provider's 911 network if it determines that (a) the service provider has not, in fact, adhered to the best practices incorporated in our rules or, (b) in the case of providers employing alternative measures, that those measures were not reasonably sufficient to mitigate the associated risks of failure in one or more of these three key areas. The Commission delegates authority to the Bureau to review certification information and follow up with service providers as appropriate to address deficiencies revealed by the certification process.

5. The FCC also amends its outage reporting rules under part 4 to clarify Covered 911 Service Providers' obligations to provide PSAPs with timely and actionable notification of outages affecting 911 service.

II. Background

A. 911 Network Architecture

6. The primary function of the 911 network is to route emergency calls to the geographically appropriate PSAP based on the caller's location. When a caller dials 911 on a wireline telephone, the call goes to the local switch serving that caller, as is typical with any other call. The local switch then sends the call to an aggregation point called a selective router, which uses the caller's phone number and address to determine the appropriate PSAP to which the call should be sent. Calls to 911 from wireless phones flow through a switch called a mobile switching center before reaching the selective router. For wireless calls, the sector of the cell tower serving the call provides the approximate location of the caller and is used to determine to which PSAP the call is sent. To complete the call, a connection is set up between the selective router and the appropriate PSAP, typically through a central office serving that PSAP.

7. Once a 911 call reaches the appropriate PSAP, the PSAP queries an automatic location information (ALI) database to determine the location of the caller. For wireline calls, ALI is based on the address associated with the caller's phone number. For wireless calls, providers use various technologies to determine the caller's location. Because ALI is passed to the PSAP