Under the provisions of 33 CFR 165.160, a vessel may not enter the regulated area unless given express permission from the COTP or the designated representative. Spectator vessels may transit outside the regulated area but may not anchor, block, loiter in, or impede the transit of other vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.160(a) and 5 U.S.C. 552(a). In addition to this notice in the Federal Register, the Coast Guard will provide mariners with advanced notification of enforcement periods via the Local Notice to Mariners and marine information broadcasts. If the COTP determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.


L.L. Fagan,
Rear Admiral, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2012–9363 Filed 4–18–12; 8:45 am]
BILLING CODE 9110–04–P

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**Environmental Protection Agency**

40 CFR Parts 52, 60 and 61

[FRL 9660–3]

Change of Address for Region 4, State and Local Agencies; Technical Correction

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** EPA is amending its regulations to reflect a change in address for EPA’s Region 4 office as well as the state agencies for Georgia,
Mississippi, North Carolina and local agencies for Forsyth County, Mecklenburg County Land Use & Environmental Services Agency and Western North Carolina Regional Air Quality Agency. The jurisdiction of EPA Region 4 includes the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee. Certain EPA air pollution control regulations requiring submittal of notifications, reports and other documents to the EPA Regional office must also be submitted to the appropriate authorized state or local agency. This technical amendment updates and corrects the addresses for submitting such information to the EPA’s Region 4 office as well as the state and local agency offices.

DATES: This final rule is effective April 19, 2012.

FOR FURTHER INFORMATION CONTACT: Lisa McKinley, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960–8960. The telephone number is (404) 562–9403. Ms. McKinley can also be reached via electronic mail at mckinley.lisa@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

EPA is amending its regulations in 40 CFR parts 52, 60 and 61 to reflect a change in the address for EPA’s Region 4 office as well as the state and local agencies. This action is editorial in nature and is intended to provide accuracy and clarity to the Agency’s regulations.

Consequently, EPA has determined that today’s rule falls under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). Under section 553 of the APA, an agency may find good cause where procedures are “impractical, unnecessary, or contrary to the public interest. “Public comment is “unnecessary” and “contrary to the public interest” since the address for EPA’s Region 4 office as well as the state and local agencies has changed and immediate notice in the CFR benefits the public by updating citations.

II. Statutory and Executive Order Reviews

This final rule implements technical amendments to 40 CFR parts 52, 60 and 61 to reflect a change in the address for EPA’s Region 4 office as well as the state and local agencies. It does not otherwise impose or amend any requirements. Consequently, under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget. The rule would not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Because this action is merely editorial in nature, the Administrator certifies that it would not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The rule 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). This action does not have Federalism implications because it would not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). Additionally, it does not have tribal implications because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the federal government and Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This rule also is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), nor is it subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). It does not involve any technical standards that require the Agency’s consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995, Public Law 104–113, section 12(d) (15 U.S.C. 272 note). Finally, it 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).

III. Congressional Review Act

The Congressional Review Act (CRA), 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. Section 808 of the CRA allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA, if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary, or contrary to the public interest. This determination must be supported by a brief statement (5 U.S.C. 808(2)). As stated earlier, EPA has made such a good cause finding, including the reasons therefore, and established an effective date of April 19, 2012. EPA will submit a report containing this rule 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).

List of Subjects

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.

40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Aluminum, Ammonium sulfate plants, Batteries, Beverages, Carbon monoxide, Cement industry, Chlorine, Coal, Computer paper, Dry cleaners, Electric power plants, Fertilizers, Fluoride, Gasoline, Glass...

40 CFR Part 61
Environmental protection, Air pollution control, Arsenic, Asbestos, Benzene, Beryllium, Hazardous substances, Mercury, Radionuclides, Radon, Reporting and recordkeeping requirements, Uranium, Vinyl chloride.

The revisions read 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.

Subpart L—Georgia

2. Section 52.581 is revised to read as follows:

§ 52.581 Significant deterioration of air quality.
(a) All applications and other information required pursuant to § 52.21 of this part from sources located in the State of Georgia shall be submitted to the State agency, Georgia Department of Environmental Protection Division, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354 rather than to EPA’s Region 4 office.
(b) [Reserved]

Subpart Z—Mississippi

3. Section 52.1280 is revised to read as follows:

§ 52.1280 Significant deterioration of air quality.
(a) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of Mississippi shall be submitted to the State agency, Hand Deliver or Courier: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, 515 East Amite Street, Jackson, Mississippi 39201; Mailing Address: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, P.O. Box 2261, Jackson, Mississippi 39225, rather than to EPA’s Region 4 office.
(b) [Reserved]

Subpart II—North Carolina
4. Section 52.1778 is amended by revising paragraph (c) to read as follows:

§ 52.1778 Significant deterioration of air quality.
   (c) All applications and other information required pursuant to § 52.21 of this part from sources located or to be located in the State of North Carolina shall be submitted to the State agency, North Carolina Department of Environment and Natural Resources, Division of Air Quality, 1641 Mail Service Center, Raleigh, North Carolina 27699–1641 or local agencies, Forsyth County Environmental Affairs, 201 North Chestnut Street, Winston-Salem, North Carolina 27101 or Forsyth County Air Quality Section, 537 North Spruce Street, Winston-Salem, North Carolina 27101; Mecklenburg County Land Use & Environmental Services Agency, Air Quality, 700 N. Tryon St., Suite 205, Charlotte, North Carolina 28202–2236; Western North Carolina Regional Air Quality Agency, 49 Mount Carmel Road, Asheville, North Carolina 28806, rather than to EPA’s Region 4 office.

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

5. The authority citation for part 60 continues to read as follows:
   Authority: 42 U.S.C. 7401.

Subpart A—General Provisions

6. Section 60.4 is amended by:
(a) Revising the Region IV listing in paragraph (a).
(b) Revising paragraphs (b)(L), (b)(Z), and (b)(II).

The revisions read as follows:

§ 60.4 Address.
(a) * * *
   Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, 61 Forsyth St. SW., Suite 9T43, Atlanta, Georgia 30303–8960.
(b) * * *
   (L) State of Georgia: Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch, 4244 International Parkway, Suite 120, Atlanta, Georgia 30354.
   (Z) State of Mississippi: Hand Deliver or Courier: Mississippi Department of Environmental Quality, Office of Pollution Control, Air Division, P.O. Box 2261, Jackson, Mississippi 39225.

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

7. The authority citation for part 61 continues to read as follows:
   Authority: 42 U.S.C. 7401.

Subpart A—General Provisions

8. Section 61.04 is amended by:
(a) Revising the Region IV listing in paragraph (a).
(b) Revising paragraphs (b)(L), (b)(Z), and (b)(II).

The revisions read as follows:

§ 61.04 Address.
(a) * * *
   Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, 61 Forsyth St. SW., Suite 9T43, Atlanta, Georgia 30303–8960.
ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 63


RIN 2060–AP52 and 2060–AR31


AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This document corrects certain preamble and regulatory text. This action corrects typographical errors, such as cross-reference errors and certain preamble text that is not consistent with the final regulatory text, which published in the Federal Register on Thursday, February 16, 2012 (77 FR 9304).

DATES: Effective date: April 19, 2012.

FOR FURTHER INFORMATION CONTACT: For the NESHAP action: Mr. William Maxwell, Energy Strategies Group, Sector Policies and Programs Division, (D243–01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–5430; Fax number (919) 541–5450; email address: maxwell.bill@epa.gov. For the new source performance standard (NSPS) action: Mr. Christian Fellner, Energy Strategies Group, Sector Policies and Programs Division, (D243–01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; Telephone number: (919) 541–4003; Fax number (919) 541–5450; email address: fellner.christian@epa.gov.

SUPPLEMENTARY INFORMATION: This document corrects certain preamble and regulatory text. It is proper to issue this final rule correction without notice and comment. Section 553 of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is good cause for making this action final without prior proposal and opportunity for comment because the changes to the rule are minor technical corrections, are noncontroversial, and do not substantively change the agency actions taken in the final rule. Notice and comment is unnecessary, because these changes do not affect the rights or obligations of outside parties, and do not alter the substantive requirements of the code of federal regulations (CFR), except to the extent that one regulatory provision included an inadvertent typographical error that EPA must amend to align with the plain text of the Clean Air Act (CAA). We find that this constitutes good cause under 5 U.S.C. 553(b)(B). The corrections can be categorized generally as follows: Correction of typographical errors (e.g., cross-reference errors) and correction of certain preamble text that does not conform to the final regulatory text. Below, we identify each technical correction to the preamble and regulatory text.

1. Table 5 on page 9368 is corrected to read as follows:

<table>
<thead>
<tr>
<th>Subcategory/pollutant</th>
<th>Coal-fired EGUs</th>
<th>IGCC</th>
<th>Liquid oil, continental</th>
<th>Liquid oil, non-continental</th>
<th>Solid oil-derived</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO₂</td>
<td>2.0E–1 lb/MMBtu</td>
<td>NA</td>
<td>8.0E–4 lb/MMBtu (8.0E–3 lb/MMBtu)</td>
<td>NA</td>
<td>3.0E–1 lb/MMBtu (2.0E0 lb/MMBtu)</td>
</tr>
<tr>
<td></td>
<td>(1.5E0 lb/MWh)</td>
<td></td>
<td>(8.0E–3 lb/MMBtu)</td>
<td></td>
<td>(2.0E0 lb/MMBtu)</td>
</tr>
<tr>
<td>Total non-mercury</td>
<td>5.0E–5 lb/MMBtu</td>
<td>6.0E–5 lb/MMBtu (5.0E–1 lb/MMBtu)</td>
<td>6.0E–4 lb/MMBtu (8.0E–3 lb/MMBtu)</td>
<td>6.0E–4 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
<td>3.0E–1 lb/MMBtu (2.0E0 lb/MMBtu)</td>
</tr>
<tr>
<td>metals</td>
<td>(5.0E–1 lb/GWh)</td>
<td>1.4E0 lb/MMBtu (2.0E–2 lb/GWh)</td>
<td>1.3E+1 lb/MMBtu (2.0E–1 lb/MMBtu)</td>
<td>2.2E0 lb/MMBtu (2.0E–2 lb/GWh)</td>
<td>4.0E–5 lb/MMBtu (6.0E–1 lb/MMBtu)</td>
</tr>
<tr>
<td>Antimony, Sb</td>
<td>8.0E–1 lb/TBtu</td>
<td>1.5E0 lb/MMBtu (2.0E–2 lb/GWh)</td>
<td>1.3E+1 lb/MMBtu (2.0E–1 lb/MMBtu)</td>
<td>2.8E0 lb/MMBtu (3.0E–2 lb/GWh)</td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td></td>
<td>(6.0E–3 lb/GWh)</td>
<td></td>
<td></td>
<td></td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td>Arsenic, As</td>
<td>1.1E0 lb/TBtu</td>
<td>1.0E–1 lb/MMBtu (1.0E–3 lb/GWh)</td>
<td>2.0E–1 lb/MMBtu (2.0E–3 lb/MMBtu)</td>
<td>3.0E–1 lb/MMBtu (3.0E–3 lb/GWh)</td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td></td>
<td>(2.0E–2 lb/GWh)</td>
<td>1.0E–1 lb/MMBtu (1.0E–3 lb/GWh)</td>
<td>2.0E–1 lb/MMBtu (2.0E–3 lb/MMBtu)</td>
<td>3.0E–1 lb/MMBtu (3.0E–3 lb/GWh)</td>
<td>3.0E–1 lb/MMBtu (4.0E–3 lb/GWh)</td>
</tr>
<tr>
<td>Beryllium, Be</td>
<td>2.0E–1 lb/TBtu</td>
<td>1.5E0 lb/MMBtu (2.0E–2 lb/GWh)</td>
<td>3.0E–1 lb/MMBtu (3.0E–3 lb/GWh)</td>
<td>3.0E–1 lb/MMBtu (3.0E–3 lb/GWh)</td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td></td>
<td>(2.0E–3 lb/GWh)</td>
<td></td>
<td></td>
<td></td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td>Cadmium, Cd</td>
<td>3.0E–1 lb/TBtu</td>
<td>2.9E0 lb/MMBtu (3.0E–2 lb/GWh)</td>
<td>2.1E+1 lb/MMBtu (3.0E–1 lb/MMBtu)</td>
<td>3.1E+1 lb/MMBtu (3.0E–1 lb/MMBtu)</td>
<td>3.0E–1 lb/MMBtu (4.0E–3 lb/GWh)</td>
</tr>
<tr>
<td></td>
<td>(3.0E–3 lb/GWh)</td>
<td></td>
<td></td>
<td></td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td>Chromium, Cr</td>
<td>2.8E0 lb/TBtu</td>
<td>1.2E0 lb/MMBtu (2.0E–2 lb/GWh)</td>
<td>3.0E–1 lb/MMBtu (3.0E–3 lb/GWh)</td>
<td>3.0E–1 lb/MMBtu (3.0E–3 lb/GWh)</td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td></td>
<td>(3.0E–2 lb/GWh)</td>
<td></td>
<td></td>
<td></td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
<tr>
<td>Cobalt, Co</td>
<td>8.0E–1 lb/TBtu</td>
<td>2.9E0 lb/MMBtu (3.0E–2 lb/GWh)</td>
<td>2.1E+1 lb/MMBtu (3.0E–1 lb/MMBtu)</td>
<td>3.1E+1 lb/MMBtu (3.0E–1 lb/MMBtu)</td>
<td>3.0E–1 lb/MMBtu (4.0E–3 lb/GWh)</td>
</tr>
<tr>
<td></td>
<td>(8.0E–3 lb/GWh)</td>
<td></td>
<td></td>
<td></td>
<td>8.0E–1 lb/MMBtu (7.0E–3 lb/MMBtu)</td>
</tr>
</tbody>
</table>

* * * * *