

Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect 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. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does 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. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

#### E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023-01 and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting only 45 minutes that will prohibit entry within 250 foot radius of where the fireworks display will be conducted. It is categorically excluded from further review under paragraph L[60](a) in Table 3-1 of U.S. Coast Guard Environmental Planning Implementing Procedures 5090.1. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T09–0669 to read as follows:

#### § 165.T09–0669 Safety Zone; Toledo Country Club Fireworks, Maumee River, Toledo, OH.

(a) **Location.** The following area is a temporary safety zone: All U.S. navigable waters of the Maumee River within a 250 foot radius of the fireworks launch site located at position 41°35'38" N 083°35'48.6" W. All geographic

coordinates are North American Datum of 1983 (NAD 83).

(b) **Enforcement Period.** This regulation will be enforced from 8:30 p.m. until 9:15 p.m. on August 17, 2019. The Captain of the Port Detroit, or a designated representative may suspend enforcement of the safety zone at any time.

(c) **Regulations.** (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated representative.

(3) The “designated representative” of the Captain of the Port Detroit is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port Detroit to act on his behalf. The designated representative of the Captain of the Port Detroit will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port Detroit or his designated representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Detroit or his designated representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Detroit or his designated representative.

Dated: August 7, 2019.

**Jeffrey W. Novak,**  
*Captain, U.S. Coast Guard, Captain of the Port Detroit.*

[FR Doc. 2019-17259 Filed 8-12-19; 8:45 am]

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### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

**[EPA-R06-OAR-2018-0811; FRL-9997-58-Region 6]**

#### Air Plan Approval; Texas; Control of Air Pollution From Motor Vehicles

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

**ACTION:** Partial withdrawal of direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is withdrawing a portion of a direct final rule published on June

6, 2019, because relevant adverse comments were received. The rule pertained to EPA approval of revisions to the Texas State Implementation Plan (SIP) submitted by the Texas Commission on Environmental Quality. The revisions remove rules from the Texas SIP that address motor vehicle anti-tampering requirements and the Low Income Repair Assistance Program (LIRAP) for certain participating counties. In a separate subsequent final rulemaking, EPA will address the portion of the direct final rule on which relevant adverse comments were received.

**DATES:** Effective August 13, 2019, the EPA withdraws amendatory instruction 2 from the direct final rule published on June 6, 2019, at 84 FR 26349.

**FOR FURTHER INFORMATION CONTACT:** Carrie Paige, EPA Region 6 Office, 214-665-6521, [paige.carrie@epa.gov](mailto:paige.carrie@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document “we,” “us,” and “our” means the EPA. On June 6, 2019, we published a direct final rule to approve revisions to the Texas SIP to remove two rules from the Texas SIP. The revisions remove 30 TAC 114, Subchapter B (the Motor Vehicle Anti-tampering Requirements) in its entirety; and 30 TAC 114, Section 114.86 (the LIRAP for Participating Early Action Compact (EAC) Counties) from the SIP (see 84 FR 26349, June 6, 2019). The direct final rule was published without prior proposal because we anticipated no adverse comments. We stated in the direct final rule that if we received relevant adverse comments by July 8, 2019, we would publish a timely withdrawal in the **Federal Register**. We received relevant adverse comments on the portion of the direct final rule regarding our approval of revisions to the Texas SIP to remove rules from the Texas SIP that address the LIRAP for Participating EAC Counties at 30 TAC 114, Section 114.86 and accordingly are withdrawing that portion of the direct final rule on which adverse comments were received. In a separate subsequent final rulemaking, we will address the comments received. The portion of the direct final rule approving revisions to remove 30 TAC 114, Subchapter B (the Motor Vehicle Anti-tampering Requirements)<sup>1</sup> in its entirety from the Texas SIP received only supportive comments and will be effective on

September 4, 2019, as provided in the direct final action at 84 FR 26349.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Ozone, Volatile organic compounds.

Dated: August 1, 2019.

**David Gray,**  
Acting Regional Administrator, Region 6.

■ Accordingly, amendatory instruction 2 from the direct final rule published in the **Federal Register** on June 6, 2019 (84 FR 26349), which was to become effective on September 4, 2019, is withdrawn.

[FR Doc. 2019-16934 Filed 8-12-19; 8:45 am]

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 258

[EPA-R05-RCRA-2019-0319; FRL-9997-83-Region 5]

#### Determination of Adequacy of Wisconsin's Research, Development and Demonstration Permit Provisions for Municipal Solid Waste Landfills

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

**ACTION:** Notification of approval.

**SUMMARY:** On May 10, 2016, EPA revised the maximum permit term for Municipal Solid Waste Landfills (MSWLF) units operating under Research, Development and Demonstration (RD&D) permits. The revision allows states to increase the number of RD&D permit renewals issued to six, 3-year permit renewals, for a total permit term of up to 21 years. On May 6, 2019, Wisconsin Department of Natural Resources (WDNR) submitted a notification to EPA Region 5 seeking Federal approval of its revised RD&D requirements per the procedures in Requirements for State Permit Program Determination of Adequacy. Subject to public review and comment, this document approves Wisconsin's revised RD&D permit requirements.

**DATES:** This determination of adequacy of the RD&D permit program for Wisconsin are *effective* October 15, 2019 unless adverse comments are received. If adverse comments are received, EPA will review those comments and publish another **Federal Register** document responding to those comments and either affirm or revise EPA's initial decision. Comments on

this determination of adequacy must be received on or before October 15, 2019.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-RCRA-2019-0319, by one of the following methods:

- [www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.
- *Email*: [schilf.julie@epa.gov](mailto:schilf.julie@epa.gov).
- *Mail*: Julie Schilf, U.S. EPA Region 5, Land, Chemicals and Redevelopment Division, 77 West Jackson Boulevard LM-16J, Chicago, Illinois 60604.

**Instructions:** Identify your comments as relating to Docket ID No. EPA-R05-RCRA-2019-0319. EPA's policy is that all comments received will be included in the public docket without change and may be available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information claimed to be Confidential Business Information or claimed to be other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION, CONTACT:** Julie Schilf, U.S. EPA Region 5, Land, Chemicals and Redevelopment Division, 77 West Jackson Boulevard LM-16J, Chicago, Illinois 60604, (312) 886-0407, [schilf.julie@epa.gov](mailto:schilf.julie@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

On March 22, 2004, EPA issued a final rule amending the MSWLF criteria in 40 CFR 258 to allow for RD&D permits (69 FR 13242). This rule allows for variances from specified criteria for a limited period of time, to be implemented through state-issued RD&D permits. RD&D permits are available only in states with approved MSWLF permit programs that have been modified to incorporate RD&D permit authority. On May 10, 2016, EPA revised the maximum permit term for MSWLF units operating under RD&D permits (81 FR 28720). The revision allows states to increase the number of RD&D permit renewals issued to six, 3-year permit renewals, for a total permit term of up to 21 years (40 CFR 258.4). While states are not required to incorporate this new provision, those states interested in providing RD&D permits must seek approval from EPA before issuing such permits. On January 10, 2006, Wisconsin received EPA approval of its RD&D permit program (71 FR 3293). On May 6, 2019, WDNR submitted a notification to EPA Region 5 seeking Federal approval of its revised RD&D requirements per the procedures in 40 CFR 239.12. Wisconsin's revised RD&D provisions can be found in

<sup>1</sup> Due to an apparent oversight, 30 TAC 114 Subchapter B (Motor Vehicle Anti-Tampering Requirements) was not included in Table (c) “EPA Approved Regulations in the Texas SIP” at 40 CFR 52.2270, so there is no amendatory instruction in the direct final rule to remove those provisions.