

- 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, the SIP is not approved to apply on any Indian reservation land or in any other area where 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), because redesignation is an action that affects the status of a geographical area and does not impose any new regulatory requirements on tribes, impact any existing sources of air pollution on tribal lands, nor impair the maintenance of ozone national ambient air quality standards in tribal lands.

#### List of Subjects

##### 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur oxides.

##### 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: September 5, 2019.

**Cheryl L. Newton,**

*Acting Regional Administrator, Region 5.*

[FR Doc. 2019-20196 Filed 9-19-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 60

[EPA-HQ-OAR-2017-0757; FRL-10000-05-OAR]

RIN 2060-AT90

### Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review

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

**ACTION:** Proposed rule; notice of public hearing.

**SUMMARY:** On August 28, 2019, the Administrator of the U.S. Environmental Protection Agency (EPA) signed the proposed rulemaking, “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review.” The EPA also requested public comment on the proposed action. The EPA is announcing that it will hold a public hearing to provide interested parties the opportunity to present data, views, or arguments concerning the proposed action.

**DATES:** The EPA will hold a public hearing on October 17, 2019, in Dallas, Texas. Please refer to the

**SUPPLEMENTARY INFORMATION** section for additional information on the public hearing.

**ADDRESSES:** The hearing will be held at the Earle Cabell Federal Courthouse, 1100 Commerce Street, Dallas, Texas 75242 in the Red River and Live Oak conference rooms on the 7th floor. Because this hearing is being held at a U.S. government facility, individuals planning to attend the hearing should be prepared to show valid picture identification to the security staff to gain access to the meeting room. Please note that the REAL ID Act, passed by Congress in 2005, established new requirements for entering federal facilities. For purposes of the REAL ID Act, the EPA will accept government-issued IDs, including driver’s licenses from the District of Columbia and all states and territories. Acceptable alternative forms of identification include: Federal employee badges, passports, enhanced driver’s licenses, and military identification cards. Additional information on the REAL ID Act is available at: <https://www.dhs.gov/real-id>. Any objects brought into the building need to fit through the security screening system, such as a purse, laptop bag, or small backpack. Demonstrations will not be allowed on federal property for security reasons.

**FOR FURTHER INFORMATION CONTACT:** The EPA will begin pre-registering speakers for the hearing upon publication of this document in the **Federal Register**. To register to speak at the October 17, 2019, hearing, please use the online registration form available at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/proposed-policy-amendments-2012-and-2016-new> or contact Virginia Hunt at (919) 541-0832 to register to speak at the hearing. The last day to pre-register to speak at the hearing will be October 14, 2019. If the EPA receives a high volume of requests, we may continue the public hearing on October 18, 2019, at the location described above. We encourage the public to register to speak as soon as possible after this document publishes in order to inform that decision. The EPA does not intend to publish a document in the **Federal Register** announcing the potential addition of a second day for the public hearing or any updates to the information on the hearing described in this document. Please monitor <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/proposed-policy-amendments-2012-and-2016-new> or contact Virginia Hunt at (919) 541-0832 to determine if there are any updates to the information on the hearing. If a second day of the public hearing is scheduled, we will update the website with this information by October 10, 2019.

On October 15, 2019, the EPA will post at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/proposed-policy-amendments-2012-and-2016-new> a general agenda for the hearing that will list pre-registered speakers in approximate order. The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearing to run either ahead of schedule or behind schedule. Additionally, requests to speak will be taken the day of the hearing at the hearing registration desk. The EPA will make every effort to accommodate all speakers who arrive and register, although preferences on speaking times may not be able to be fulfilled.

**SUPPLEMENTARY INFORMATION:** The hearing will convene at 8:00 a.m. local time and will conclude at 6:00 p.m. local time on October 17, 2019. Lunch breaks will be scheduled as time will allow depending on the number of registered speakers.

Each commenter will have 5 minutes to provide oral testimony. If there are no additional registered speakers, the EPA will end the hearing 2 hours after the

last registered speaker has concluded their comments.

The EPA may ask clarifying questions during the oral presentations but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral comments and supporting information presented at the public hearing. Verbatim transcripts of the hearings and written statements will be included in the docket for the rulemaking. The EPA also encourages commenters to provide the EPA with a copy of their oral testimony electronically (via email) or in hard copy form.

If you require the service of a translator or special accommodations such as audio description, please pre-register for the hearing and describe your needs by October 14, 2019. We may not be able to arrange accommodations without advanced notice.

The EPA will not provide audiovisual equipment for presentations. Any media presentations should be submitted to the public docket at <https://www.regulations.gov/>, identified by Docket ID No. EPA-HQ-OAR-2017-0757. The EPA must receive comments on the proposed action no later than 60 days after it publishes in the **Federal Register**.

Dated: September 13, 2019.

**Panagiotis Tsirigotis,**

Director, Office of Air Quality Planning and Standards.

[FR Doc. 2019-20242 Filed 9-19-19; 8:45 am]

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## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 1, 12, 25, 29, and 52

[FAR Case 2016-013; Docket No. FAR-2016-0013, Sequence No. 1]

RIN 9000-AN38

#### Federal Acquisition Regulation: Tax on Certain Foreign Procurement

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule.

**SUMMARY:** DoD, GSA, and NASA are proposing to amend the Federal

Acquisition Regulation (FAR) to withhold a 2 percent tax on contract payments made by the United States Government to foreign persons pursuant to certain contracts. This rule applies to Federal government contracts for goods or services that are awarded to foreign persons.

**DATES:** Interested parties should submit written comments to the Regulatory Secretariat Division at one of the addresses shown below on or before November 19, 2019 to be considered in the formation of the final rule.

**ADDRESSES:** Submit comments in response to FAR Case 2016-013 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for “FAR Case 2016-013”. Select the link “Comment Now” that corresponds with “FAR Case 2016-013”. Follow the instructions provided on the screen. Please include your name, company name (if any), and “FAR Case 2016-013” on your attached document.

- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), ATTN: Lois Mandell, 1800 F Street NW, 2nd Floor, Washington, DC 20405.

*Instructions:* Please submit comments only and cite “FAR Case 2016-013” in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check <http://www.regulations.gov>, approximately 2 to 3 days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** Ms. Zenaída Delgado, Procurement Analyst, at 202-969-7207 or [zenaida.delgado@gsa.gov](mailto:zenaida.delgado@gsa.gov) for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202-501-4755. Please cite “FAR Case 2016-013”.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

DoD, GSA, and NASA are proposing to amend the FAR to implement the Department of the Treasury final regulations published in the **Federal Register** at 81 FR 55133 on August 18, 2016, under section 5000C of the Internal Revenue Code relating to the 2 percent tax on payments made by the United States (U.S.) Government to

foreign entities pursuant to certain contracts. This proposed rule only addresses the collection of the section 5000C tax from contract payments on certain foreign contracts by withholding up to 2 percent of the payment. The agency merely withholds the tax for the Internal Revenue Service (IRS). All substantive issues regarding the underlying section 5000C tax, e.g., the imposition of, and exemption from the tax, are matters under the jurisdiction of the IRS. FAR 29.204 and 29.402-3 give more information on the contracts that are covered, and exemptions or exceptions that might apply.

On January 2, 2011, section 301 of the James Zadroga 9/11 Health and Compensation Act of 2010, Public Law 111-347 (the Act), added section 5000C to the Internal Revenue Code (Code). 26 U.S.C. 5000C, Imposition of tax on certain foreign procurement, and its implementing regulations at 26 CFR 1.5000C-1 through 1.5000C-7, imposed, unless exempted, a 2 percent excise tax of the amount of a specified Federal procurement payment on any foreign person receiving such payment. 26 CFR 1.5000C-1(c) defines the term *specified Federal procurement payment* as any payment made pursuant to a contract with the U.S. Government for goods or services if the goods are manufactured or produced, or the services are provided, in any country that is not a party to an international procurement agreement with the United States (see FAR 25.003 for the definitions of “World Trade Organization Government Procurement Agreement (WTO GPA) country” and “Free Trade Agreement country”, per the IRS definition at 1.5000C-1(a)(8)). Section 301(a)(3) of the Act provides that section 5000C applies to payments received pursuant to contracts entered into on and after the date of enactment of the Act, January 2, 2011. Additionally, section 301(c) of the Act states that this section must be applied in a manner consistent with U.S. obligations under international agreements. Section 5000C(d)(1) provides that the amount deducted and withheld under chapter 3 shall be increased by the amount of tax imposed under 26 U.S.C. 5000C.

DoD, GSA, and NASA issued a final rule under FAR Case 2011-011, Unallowability of Costs Associated With Foreign Contractor Excise Tax, amending the FAR to disallow the cost associated with the 2 percent excise tax on certain foreign procurements. The final rule was published in the **Federal Register** at 78 FR 6189 on January 29, 2013.