

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area.*

\* \* \* \* \*

**AWP NV E4 Battle Mountain, NV [NEW]**

Battle Mountain Airport, NV  
(Lat. 40°35'57" N, long. 116°52'28" W)

That airspace extending upward from the surface within 1.3 miles each side of the 228° bearing from the Battle Mountain Airport extending from the 4.2 mile radius to 7 miles southwest of Battle Mountain Airport, Battle Mountain NV.

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**AWP NV E5 Battle Mountain, NV [Amended]**

Battle Mountain Airport, NV  
(Lat. 40°35'57" N, long. 116°52'28" W)

That airspace extending upward from 700 feet above the surface within 16.5-mile radius of the Battle Mountain Airport beginning at the point where the 205° bearing intersects the 16.5-mile radius thence clockwise to the point where the 266° bearing intersects the 16.5-mile radius thence northeast along the 266° bearing to within 7 miles of the airport, thence clockwise along the 7-mile radius to the point where the 65° bearing intersects the 7-mile radius thence to the point where the 77° bearing intersects the 4.2-mile radius thence clockwise to the point where the 158° bearing intersects the 4.2 mile radius, thence to the point of beginning; and that airspace within 2 miles each side of the 49° bearing extending from the 4.2 mile radius to 10.5 miles from the airport.

Issued in Seattle, Washington, on March 26, 2020.

**Shawn M. Kozica,**

*Group Manager, Western Service Center, Operations Support Group.*

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA-R09-OAR-2019-0528; FRL-10007-00-Region 9]**

**Air Plan Approval; California; Northern Sierra Air Quality Management District; Reasonably Available Control Technology; Correcting Amendment**

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

**ACTION:** Correcting amendment.

**SUMMARY:** On January 15, 2020, the Environmental Protection Agency (EPA) published in the **Federal Register** a final rule entitled “Air Plan Approval; California; Northern Sierra Air Quality

Management District; Reasonably Available Control Technology.” That publication inadvertently listed in the regulatory text the wrong document number for a document entitled “Control Techniques Guidelines for the Oil and Natural Gas Industry.” This document corrects this error in the regulatory text.

**DATES:** This document is effective on April 3, 2020.

**FOR FURTHER INFORMATION CONTACT:**

Stanley Tong, Rules Office (Air 3-2), EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947-4122 or by email at [tong.stanley@epa.gov](mailto:tong.stanley@epa.gov).

**SUPPLEMENTARY INFORMATION:** On January 15, 2020 (85 FR 2313), the EPA published a final rule entitled “Air Plan Approval; California; Northern Sierra Air Quality Management District; Reasonably Available Control Technology”. This rule approved a revision to the California State Implementation Plan under the Clean Air Act consisting of the Northern Sierra Air Quality Management District’s demonstration that its rules satisfied applicable requirements regarding reasonably available control technology. Due to a typographical error, the EPA’s final rule published on January 15, 2020, inadvertently listed the wrong document number for a document entitled “Control Techniques Guidelines for the Oil and Natural Gas Industry,” which could make it difficult for members of the public to locate the document. The correct document number and title are: EPA-453/B-16-001 Oil and Natural Gas Industry. This action corrects the erroneous document number in Table 1 of 40 CFR 52.222(a)(9)(iv).

The EPA has determined that this action falls under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedure Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation where public notice and comment procedures are impracticable, unnecessary, or contrary to the public interest. Public notice and comment for this action is unnecessary because the underlying rule for which this correcting amendment has been prepared was already subject to a 30-day comment period, and this action is merely correcting a minor typographical error in the rule text. Further, this action is consistent with the purpose and rationale of the final rule, which is corrected herein. Because this action does not change the EPA’s analyses or overall actions, no purpose would be served by additional public notice and

comment. Consequently, additional public notice and comment are unnecessary.

The EPA also finds that there is good cause under APA section 553(d)(3) for this correction to become effective on the date of publication of this action. Section 553(d)(3) of the APA allows an effective date of less than 30 days after publication “as otherwise provided by the agency for good cause found and published with the rule.” 5 U.S.C. 553(d)(3). The purpose of the 30-day waiting period prescribed in APA section 553(d)(3) is to give affected parties a reasonable time to adjust their behavior and prepare before the final rule takes effect. This rule does not create any new regulatory requirements such that affected parties would need time to prepare before the rule takes effect. This action merely corrects a typographical error in a previous rulemaking. For these reasons, the EPA finds good cause under APA section 553(d)(3) for this correction to become effective on the date of publication of this action.

**Statutory and Executive Order Reviews**

Under Executive Order (E.O.) 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and is therefore not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to E.O. 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This action is not an E.O. 13771 (82 FR 9339, February 2, 2017) regulatory action because this action is not significant under E.O. 12866. Because the agency has made a “good cause” finding that this action is not subject to notice-and-comment requirements under the Administrative Procedures Act or any other statute as indicated in the **SUPPLEMENTARY INFORMATION** section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. 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 E.O. 13175 (65 FR 67249, November 9, 2000). This rule will 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 governments, as specified by E.O. 13132 (64 FR 43255, August 10, 1999). This rule also is not subject to E.O. 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. This typographical correction action does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The rule also does not involve special consideration of environmental justice related issues as required by E.O. 12898 (59 FR 7629, February 16, 1994). In issuing this rule, the EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of E.O. 12988 (61 FR 4729, February 7, 1996). The EPA has complied with E.O. 12630 (53 FR 8859, March 15, 1998) by examining the takings implications of the rule in accordance with the “Attorney General’s Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings” issued under the executive order. This rule does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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. Section 808 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 previously, the EPA had made such a good cause finding, including the reasons therefore, and established an effective date April 3, 2020. The 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**. This correction to 40 CFR part 52 for California is not a “major rule” as defined by 5 U.S.C. 804(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, Volatile organic compounds.

Dated: March 21, 2020.

**John Busterud,**  
*Regional Administrator, Region IX.*

Chapter I, title 40 of the Code of Federal Regulations 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.*

#### Subpart F—California

- 2. In section 52.222(a)(9)(iv), amend the Table titled “Table-1 To paragraph (a)(9)(iv)—Negative Declarations for the 2008 Ozone NAAQS” by removing the entry for “EPA 452/B16-001 Oil and Natural Gas Industry.” and adding in its place “EPA-453/B-16-001 Oil and Natural Gas Industry.”, to read as follows:

##### § 52.222 Negative declarations.

- (a) \* \* \*
- (9) \* \* \*
- (iv) \* \* \*

TABLE 1 TO PARAGRAPH (a)(9)(iv)—  
NEGATIVE DECLARATIONS FOR THE  
2008 OZONE NAAQS

CTG document No.	Title
* * * * *	EPA-453/B-16-001. Oil and Natural Gas Industry.
* * * * *	

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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No.: 200324-0086; RTID 0648-XX040]

#### Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Adjustment of Georges Bank and Southern New England/Mid-Atlantic Yellowtail Flounder Annual Catch Limits

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary final rule; adjustment of annual catch limits.

**SUMMARY:** This action transfers unused quota of Georges Bank and Southern New England/Mid-Atlantic yellowtail flounder from the Atlantic scallop fishery to the Northeast multispecies fishery for the remainder of the 2019 fishing year. This quota transfer is authorized when the scallop fishery is not expected to catch its entire allocations of yellowtail flounder. The quota transfer is intended to provide additional fishing opportunities for groundfish vessels to help achieve the optimum yield for these stocks while ensuring sufficient amounts of yellowtail flounder remain available for the scallop fishery.

**DATES:** Effective April 2, 2020, through April 30, 2020.

**FOR FURTHER INFORMATION CONTACT:**  
Maria Fenton, Fishery Management Specialist, (978) 281-9196.

**SUPPLEMENTARY INFORMATION:** NMFS is required to estimate the total amount of yellowtail flounder catch from the scallop fishery by January 15 each year. If the scallop fishery is expected to catch less than 90 percent of its Georges Bank (GB) or Southern New England/Mid-Atlantic (SNE/MA) yellowtail flounder sub-annual catch limit (ACL), the Regional Administrator has the authority to reduce the scallop fishery sub-ACL for these stocks to the amount projected to be caught, and increase the groundfish fishery sub-ACL by the same amount. This adjustment is intended to help achieve optimum yield for these stocks, while not threatening an overage of the ACLs for the stocks by the groundfish and scallop fisheries.

Based on the most current available catch data, we project that the scallop fishery will have unused quota in the 2019 fishing year. Using the highest