

**List of Subjects in 33 CFR Part 100**

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

**PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS**

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T05–0361 to read as follows:

**§ 100.T05–0361 Ocean City Air Show, North Atlantic Ocean, Ocean City, MD.**

(a) *Regulated area.* The regulations in this section apply to all navigable waters of the North Atlantic Ocean within an area bounded by the following coordinates: Commencing at a point near the shoreline in vicinity of 33rd Street, Ocean City, MD, latitude 38°21'48.8" N, longitude 075°04'10" W, thence eastward to latitude 38°21'32" N, latitude 075°03'12" W, thence south to latitude 38°19'22.7" N, longitude 075°04'09.5" W, thence west to latitude 38°19'38.5" N, longitude 075°05'05.4" W, thence north along the shoreline to point of origin, located adjacent to Ocean City, MD. These coordinates are based on datum NAD 1983.

(b) *Definitions.* As used in this section—

*Captain of the Port (COTP) Maryland-National Capital Region* means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region or any Coast Guard commissioned, warrant or petty officer who has been authorized by the COTP to act on his behalf.

*Coast Guard Patrol Commander (PATCOM)* means a commissioned, warrant, or petty officer of the U.S. Coast Guard who has been designated by the Commander, Coast Guard Sector Maryland-National Capital Region.

*Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Maryland-National Capital Region with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

*Participant* means all persons and vessels registered with the event sponsor as participating in the Ocean City Air Show or otherwise designated by the event sponsor as having a function tied to the event.

(c) *Regulations.* (1) Except for participants and vessels already at berth, everyone other than participants are prohibited from entering, transiting

through, anchoring in, or remaining within the regulated area described in paragraph (a) of this section unless authorized by the COTP Maryland-National Capital Region or PATCOM.

(2) To seek permission to enter, contact the COTP Maryland-National Capital Region at telephone number 410–576–2693 or on Marine Band Radio, VHF–FM channel 16 (156.8 MHz) or the PATCOM on Marine Band Radio, VHF–FM channel 16 (156.8 MHz). Those in the regulated area must comply with all lawful orders or directions given to them by the COTP Maryland-National Capital Region, PATCOM, or official patrol.

(3) Vessels are required to operate at a safe speed that minimizes wake while within the regulated area in a manner that would not endanger event participants or any other craft.

(4) The air show aerobatics area located within the regulated area described in paragraph (a) of this section is restricted to participants.

(5) The COTP Maryland-National Capital Region will provide notice of the regulated area through advanced notice via Fifth Coast Guard District Local Notice to Mariners, broadcast notice to mariners, and on-scene official patrols.

(d) *Enforcement officials.* The Coast Guard may be assisted with marine event patrol and enforcement of the regulated area by other Federal, State and local agencies.

(e) *Enforcement periods.* This section will be enforced from 9 a.m. to 6 p.m. on August 13, 2020, from 9 a.m. to 6 p.m. on August 14, 2020, from 9 a.m. to 6 p.m. on August 15, 2020, and, from 9 a.m. to 6 p.m. on August 16, 2020.

Dated: August 4, 2020.

**Joseph B. Loring,**

*Captain, U.S. Coast Guard, Captain of the Port Maryland-National Capital Region.*

[FR Doc. 2020–17480 Filed 8–7–20; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket No. USCG–2012–1036]

**Safety Zone Regulations; Recurring Marine Event in the Long Island Sound Captain of the Port Zone**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce two safety zones in the Sector Long

Island Sound area of responsibility on the dates and times listed in the table below. This action is necessary to provide for the safety of life on navigable waterways during the event. During the enforcement period, no person or vessel may enter the safety zone without permission of the Captain of the Port (COTP) Sector Long Island Sound or designated representative.

**DATES:** The Coast Guard will enforce the regulations in 33 CFR 165.151 Table 1 for the Lawrence Beach Club Fireworks on September 6, 2020, from 8:30 p.m. to 10:30 p.m.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Petty Officer Chris Gibson, Waterways Management Division, U.S. Coast Guard Sector Long Island Sound; telephone 203–468–4565, email [Chris.A.Gibson@uscg.mil](mailto:Chris.A.Gibson@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zones listed in 33 CFR 165.151 Table 1 for the Lawrence Beach Club fireworks and the Town of Babylon fireworks.

Under the provisions of 33 CFR 165.151, these events listed are established as a safety zone. During the enforcement period, persons and vessels are prohibited from entering into, transiting through, mooring, or anchoring within the safety zones unless they receive permission from the COTP or designated representative.

The Coast Guard will enforce the safety zones for item 7.5 in Table 1 in § 165.151 for the Lawrence Beach Club Fireworks on September 6, 2020, with a rain date of September 7. The safety zone is in effect from 8:30 p.m. to 10:30 p.m. for the waters of the Atlantic Ocean off Lawrence Beach Club, Atlantic Beach, NY in approximate position, 40°34'42.65" N, 073°42'56.02" W (NAD 83).

On August 5, the Coast Guard will enforce a safety zone for the Town of Babylon Annual Fireworks from 8:30 p.m. to 10:30 p.m. The safety zone is for the waters off Cedar Beach Town Park, Babylon, NY in approximate position, 40°37'53" N, 073°20'12" W (NAD 83). The rain date for the event is August 6.

This notice is issued under authority of 33 CFR 165 and 5 U.S.C. 552 (a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners or marine information broadcasts. If the COTP determines that either safety zone 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.

Dated: July 24, 2020

**E.J. Van Camp,**

*Captain, U.S. Coast Guard, Captain of the Port Long Island Sound.*

[FR Doc. 2020-16524 Filed 8-7-20; 8:45 am]

**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2020-0363; FRL-10012-84-Region 6]

#### Findings of Failure To Submit State Implementation Plans Required for Attainment of the 2010 1-Hour Primary Sulfur Dioxide (SO<sub>2</sub>) National Ambient Air Quality Standard (NAAQS)

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to find that Texas has failed to submit State Implementation Plans (SIPs) to satisfy certain nonattainment area planning requirements of the Clean Air Act (CAA) for the 2010 1-hour primary Sulfur Dioxide (SO<sub>2</sub>) National Ambient Air Quality Standard (NAAQS). The purpose for the development and implementation of a nonattainment area SIP is to provide for attainment of the NAAQS as expeditiously as practicable following the designation of an area as nonattainment. This action establishes certain CAA deadlines for the EPA to impose sanctions if Texas does not submit a complete SIP for each nonattainment area addressing the outstanding requirements and for the EPA to promulgate a Federal Implementation Plan (FIP) to address any outstanding SIP requirements.

**DATES:** This action is effective on September 9, 2020.

**FOR FURTHER INFORMATION CONTACT:** General questions concerning this document should be addressed to Robert Imhoff, EPA Region 6, Air and Radiation Division, by telephone (214) 665-7262 or by email at [Imhoff.Robert@epa.gov](mailto:Imhoff.Robert@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Notice and Comment Under the Administrative Procedure Act (APA)

Section 553 of the APA, Title 5 United States Code (U.S.C.) Section 553(b)(3)(B), provides that, when an

agency for good cause finds that notice and public procedures are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. The EPA has determined that there is good cause for making this final agency action without prior proposal and opportunity for comment because no significant EPA judgment is involved in making findings of failure to submit SIPs, or elements of SIPs, required by the CAA, where states have made no submission to meet the requirement. Thus, notice and public procedures are unnecessary to take this action. The EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

###### B. How can I get copies of this document and other related information?

The EPA has established a docket for this action under Docket ID No. EPA-R06-OAR-2020-0363. Publicly available docket materials are available electronically through <http://www.regulations.gov>. Out of an abundance of caution for members of the public and our staff, the EPA Region 6 office will be closed to the public to reduce the risk of transmitting COVID-19. Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

###### C. How is the preamble organized?

#### Table of Contents

- I. General Information
  - A. Notice and Comment Under the Administrative Procedure Act (APA)
  - B. How can I get copies of this document and other related information?
  - C. How is the preamble organized?
- II. Background
- III. Consequences of Findings of Failure To Submit
- IV. Findings of Failure To Submit for State That Failed to Make a Nonattainment Area SIP Submittal
- V. Environmental Justice Considerations
- VI. Statutory and Executive Order Reviews
  - A. Executive Order 12866: Regulatory Planning and Executive Order 13563: Improving Regulation and Regulatory Review
  - B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs
  - C. Paperwork Reduction Act (PRA)
  - D. Regulatory Flexibility Act (RFA)
  - E. Unfunded Mandates Reform Act of 1995 (UMRA)
  - F. Executive Order 13132: Federalism
  - G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
  - H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

- I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use
- J. National Technology Transfer and Advancement Act (NTTAA)
- K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority and Low Income Populations
- L. Congressional Review Act (CRA)
- M. Judicial Review

## II. Background

In June 2010, the EPA promulgated a new 1-hour primary SO<sub>2</sub> NAAQS of 75 parts per billion (ppb), which is met when the 3-year average of the annual 99th percentile of daily maximum 1-hour average concentrations does not exceed 75 ppb, as determined in accordance with Appendix T of Title 40 Code of Federal Regulations (40 CFR) part 50. See 40 CFR 50.17(a)-(b). On June 30, 2016, the EPA signed the final action designating 61 areas as part of the second round of area designations for the 2010 SO<sub>2</sub> NAAQS (published at 81 FR 45039, July 12, 2016).<sup>1</sup> On November 29, 2016, the EPA supplemented its Round 2 designations by signing a supplemental final action that included nonattainment designations for the 2010 1-hour primary SO<sub>2</sub> NAAQS for portions of Rusk and Panola Counties, portions of Freestone and Anderson Counties, and a portion of Titus County ("Round 2 Supplement") (81 FR 89870, December 13, 2016). These latter area designations had an effective date of January 12, 2017.

Areas designated as nonattainment for the SO<sub>2</sub> NAAQS are subject to the general nonattainment area planning requirements of CAA section 172 and to the SO<sub>2</sub>-specific planning requirements of subpart 5 of part D of Title I of the CAA (sections 191 and 192). All components of the SO<sub>2</sub> part D nonattainment area SIP, including the emissions inventory, attainment demonstration, reasonably available control measures (RACM) including reasonably available control technology (RACT), enforceable emission limitations and control measures, reasonable further progress (RFP) plan, nonattainment new source review (NNSR), and contingency measures, are

<sup>1</sup> The EPA completed its first round of initial area designations for the 2010 1-hour primary SO<sub>2</sub> NAAQS on August 5, 2013, with an effective date of October 4, 2013. Under a court order issued on March 2, 2015, the EPA is required to complete designations in three additional rounds of designations. The EPA must complete the final, Round 4 designations for the remaining undesignated areas of the country by no later than December 31, 2020. The findings in this document apply only to those areas that were designated as part of Round 2 on December 13, 2016, and where, as of signature of this action, Texas failed to submit required complete plans.