

### Adjustment of Civil Penalties

On November 2, 2015, the President signed into law the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015,<sup>2</sup> which requires agencies to adjust civil monetary penalties for inflation and to publish the adjustments in the **Federal Register**. An initial adjustment was required to be made by interim final rule published by July 1, 2016, and effective by August 1, 2016. Subsequent adjustments must be published by January 15 each year after 2016.

On December 23, 2020, the Office of Management and Budget issued memorandum M-21-10 on implementation of the 2021 annual inflation adjustment pursuant to the 2015 Act.<sup>3</sup> The memorandum provides agencies with the cost-of-living adjustment multiplier for 2021, which is based on the Consumer Price Index (CPI-U) for the month of October 2020, not seasonally adjusted. The multiplier for 2021 is 1.01182. The adjusted maximum amounts are \$2,259 for section 4071 penalties and \$301 for section 4302 penalties.

### Compliance With Regulatory Requirements

The Office of Management and Budget has determined that this rule is not a "significant regulatory action" under Executive Order 12866 and therefore not subject to its review. As this is not a significant regulatory action under E.O. 12866, it is not considered an E.O. 13771 regulatory action.

The Office of Management and Budget also has determined that notice and public comment on this final rule are unnecessary because the adjustment of civil penalties implemented in the rule is required by law. See 5 U.S.C. 553(b).

Because no general notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

### List of Subjects

29 CFR Part 4071

Penalties.

29 CFR Part 4302

Penalties.

In consideration of the foregoing, PBGC amends 29 CFR parts 4071 and 4302 as follows:

<sup>2</sup> Sec. 701, Public Law 114-74, 129 Stat. 599-601 (Bipartisan Budget Act of 2015).

<sup>3</sup> See M-21-10, Implementation of Penalty Inflation Adjustments for 2021, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, <https://www.whitehouse.gov/wp-content/uploads/2020/12/M-21-10.pdf>.

### PART 4071—PENALTIES FOR FAILURE TO PROVIDE CERTAIN NOTICES OR OTHER MATERIAL INFORMATION

■ 1. The authority citation for part 4071 continues to read as follows:

**Authority:** 28 U.S.C. 2461 note, as amended by sec. 701, Pub. L. 114-74, 129 Stat. 599-601; 29 U.S.C. 1302(b)(3), 1371.

#### § 4071.3 [Amended]

■ 2. In § 4071.3, the figures "\$2,233" are removed and the figures "\$2,259" are added in their place.

### PART 4302—PENALTIES FOR FAILURE TO PROVIDE CERTAIN MULTIEMPLOYER PLAN NOTICES

■ 3. The authority citation for part 4302 continues to read as follows:

**Authority:** 28 U.S.C. 2461 note, as amended by sec. 701, Pub. L. 114-74, 129 Stat. 599-601; 29 U.S.C. 1302(b)(3), 1452.

#### § 4302.3 [Amended]

■ 4. In § 4302.3, the figures "\$297" are removed and the figures "\$301" are added in their place.

Issued in Washington, DC, by:

**Gordon Hartogensis,**

*Director, Pension Benefit Guaranty Corporation.*

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**BILLING CODE 7709-02-P**

### DEPARTMENT OF COMMERCE

#### Patent and Trademark Office

#### 37 CFR Part 1

[Docket No. PTO-P-2019-0009]

RIN 0651-AD33

### Small Entity Government Use License Exception

#### Correction

In rule document 2020-27049 appearing on pages 82917-82923 in the issue of Monday, December 21, 2020, make the following correction:

On page 82917, in the third column, in the **DATES** section, change "January 20, 2021" to read "January 21, 2021."

[FR Doc. C1-2020-27049 Filed 1-12-21; 8:45 am]

**BILLING CODE 1301-00-D**

### DEPARTMENT OF COMMERCE

#### Patent and Trademark Office

#### 37 CFR Part 42

[Docket No. PTO-P-2019-0011]

RIN 0651-AD34

### Rules of Practice To Allocate the Burden of Persuasion on Motions To Amend in Trial Proceedings Before the Patent Trial and Appeal Board

#### Correction

In rule document 2020-28159 appearing on pages 82923-82936 in the issue of Monday, December 21, 2020, make the following correction:

(1) On page 82924, in the first column, in the **DATES** section, in the second line under the heading, change "January 20, 2021" to read "January 21, 2021."

(2) On page 82924, in the first column, in the **DATES** section, in the sixth line under the heading, change "January 20, 2021" to read "January 21, 2021."

[FR Doc. C1-2020-28159 Filed 1-12-21; 8:45 am]

**BILLING CODE 1301-00-D**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 60

[EPA-HQ-OAR-2013-0495; FRL-10019-30-OAR]

RIN 2060-AT56

### Pollutant-Specific Significant Contribution Finding for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units, and Process for Determining Significance of Other New Source Performance Standards Source Categories

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

**ACTION:** Final rule.

**SUMMARY:** In this final action, the U.S. Environmental Protection Agency (EPA) is finalizing a significant contribution finding (SCF) for purposes of regulating source categories for greenhouse gas (GHG) emissions, under section 111(b) of the Clean Air Act (CAA) for electric generating units (EGUs), and in doing so, reaffirming that EGUs remain a listed source category. The EPA has reached that conclusion by articulating a framework under which source categories are considered to contribute