

substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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. The EPA will submit a report containing this action 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**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 19, 2021. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

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

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: February 5, 2021.

**Deborah Jordan,**

*Acting Regional Administrator, Region IX.*

For the reasons stated in the preamble, the Environmental Protection Agency amends Part 52, chapter I, title 40 of the Code of Federal Regulations 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. Section 52.220 is amended by adding paragraph (c)(307)(i)(C)(3) to read as follows:

**§ 52.220 Identification of plan-in part.**

\* \* \* \* \*  
 (c) \* \* \*  
 (307) \* \* \*  
 (i) \* \* \*  
 (C) \* \* \*

(3) Previously approved on June 5, 2003 at (c)(307)(i)(C)(2) of this section and now deleted without replacement, Rule 67.11.1, adopted on September 25, 2002.

\* \* \* \* \*  
 [FR Doc. 2021-02901 Filed 2-17-21; 8:45 am]  
**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA-R10-OAR-2020-0174, FRL-10018-23-Region 10]**

**Air Plan Approval; Washington: Inspection and Maintenance Program**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a revision to the Washington State Implementation Plan (SIP) submitted by the State of Washington on June 2, 2019, through the Washington Department of Ecology. The revision, applicable in Clark, King, Pierce, Snohomish, and Spokane Counties, Washington, removes the Inspection and Maintenance (I/M) program from the active control measure portion of the SIP. The I/M program was previously approved into the SIP for use as a component of the State’s plans to address on-road sources in certain former nonattainment areas and is now part of the contingency portion of the applicable SIP for each area. The EPA has determined that Washington’s June 2, 2019 SIP revision is consistent with the applicable portions of the Clean Air Act (CAA).

**DATES:** This final rule is effective March 22, 2021.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R10-OAR-2020-0174. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., CBI or other information the disclosure of which is restricted by

statute. Certain other material, such as copyrighted material, is not placed on the internet and is publicly available only in hard copy form. Publicly available docket materials are available at <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Karl Pepple, EPA Region 10, 1200 Sixth Avenue—Suite 155, Seattle, WA 98101, at (206) 553-1778, or [pepple.karl@epa.gov](mailto:pepple.karl@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document wherever “we,” “us,” or “our” is used, it is intended to refer to the EPA.

**I. Background Information**

On October 30, 2020, the EPA proposed to approve Washington’s June 2, 2019 SIP revision moving the I/M program located at Washington Administrative Code (WAC) 173-422 from the actively implemented portion of the Washington SIP to the contingency measure portion of the SIP (85 FR 68822). The reasons for our proposed approval are included in the proposal and will not be restated here. The public comment period for our proposal closed on November 30, 2020. We received no public comments and are finalizing our action as proposed.

**II. Final Action**

The EPA is moving the I/M program located at WAC 173-422 from the actively implemented portion of the Washington SIP incorporated by reference at 40 CFR 52.2470(c) to the contingency measure and attainment planning portion of the SIP at 40 CFR 52.2470(e).

**III. Incorporation by Reference**

In this document, the EPA is removing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is removing the current incorporation by reference of WAC Chapter 173-422 in 40 CFR 52.2470(c) as identified in Section II of this preamble. The EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been incorporated by reference by the EPA into that plan, are

fully Federally-enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.<sup>1</sup>

#### IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- 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 the requirements would be inconsistent with the CAA; and
- Does not provide the 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 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 Executive Order 13175 (65 FR 67249, November 9, 2000). Washington's SIP is approved to apply on non-trust land within the exterior boundaries of the Puyallup Indian Reservation, also known as the 1873 Survey Area. Under the Puyallup Tribe of Indians Settlement Act of 1989, 25 U.S.C. 1773, Congress explicitly provided state and local agencies in Washington authority over activities on non-trust lands within the 1873 Survey Area. Consistent with EPA policy, the EPA provided a consultation opportunity to the Puyallup Tribe in a letter dated August 9, 2019.

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. The EPA will submit a report containing this action 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**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 19, 2021. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

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

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and

recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: February 9, 2021.

**Michelle L. Pirzadeh,**

*Acting Regional Administrator, Region 10.*

For the reasons set forth in the preamble, 40 CFR part 52 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 WW—Washington

- 2. In § 52.2470:
  - a. Amend Table 1 in paragraph (c) by:
    - i. Removing the heading "Washington Administrative Code, Chapter 173-422—Motor Vehicle Emission Inspection"; and
    - ii. Removing the entries "173-422-010", "173-422-020", "173-422-030", "173-422-031", "173-422-035", "173-422-040", "173-422-050", "173-422-060", "173-422-065", "173-422-070", "173-422-075", "173-422-090", "173-422-095", "173-422-100", "173-422-120", "173-422-145", "173-422-160", "173-422-170", "173-422-175", "173-422-090", and "173-422-095"; and
    - b. Amend Table 2 in paragraph (e) by:
      - i. Under the heading "Attainment and Maintenance Planning—Carbon Monoxide":
        - A. Revising the entries "Carbon Monoxide Maintenance Plan 10-Year Update" (Applicable Geographic or Nonattainment Area, Puget Sound); and "Carbon Monoxide Maintenance Plan 10-Year Update" (Applicable Geographic or Nonattainment Area, Vancouver); and
        - B. Revising the entry for "Carbon Monoxide 2nd 10-Year Limited Maintenance Plan"; and
        - ii. Under the heading "Attainment and Maintenance Planning—Ozone" revising the entries for "8-Hour Ozone 110(a)(1) Maintenance Plan" (Applicable Geographic or Nonattainment Area, Seattle—Tacoma); and "8-Hour Ozone 110(a)(1) Maintenance Plan" (Applicable Geographic or Nonattainment Area, Vancouver);
        - iii. Under the heading "Attainment and Maintenance Planning—Particulate Matter (PM<sub>10</sub>)" revising the entry for "Particulate Matter (PM<sub>10</sub>) 2nd 10-Year Limited Maintenance Plan" (Applicable Geographic or Nonattainment Area, Kent, Seattle, and Tacoma); and
        - iv. Under the heading "Other Federally Mandated Plans" removing

<sup>1</sup> 62 FR 27968 (May 22, 1997).

the entry for “Motor Vehicle Inspection & Maintenance Program”.

The revisions read as follows:

(e) \* \* \*

**§ 52.2470 Identification of plan.**  
\* \* \* \* \*

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanations
<b>Attainment and Maintenance Planning—Carbon Monoxide</b>				
* Carbon Monoxide Maintenance Plan 10-year Update.	* Puget Sound .....	* 12/17/03; 6/3/19	* 8/5/04, 69 FR 47365; 2/18/2021, [Insert <b>Federal Register</b> citation].	* 6/3/19 submission moved Motor Vehicle Inspection and Maintenance Program from control measure to contingency measure.
* Carbon Monoxide Maintenance Plan 10-year Update.	* Vancouver .....	* 4/25/07; 6/3/19	* 6/27/08, 73 FR 36439; 2/18/2021, [Insert <b>Federal Register</b> citation].	* 6/3/19 submission moved Motor Vehicle Inspection and Maintenance Program from control measure to contingency measure.
* Carbon Monoxide 2nd 10-Year Limited Maintenance Plan.	* Spokane .....	* 5/11/16; 6/3/19	* 7/14/16, 81 FR 45419; 2/18/2021, [Insert <b>Federal Register</b> citation].	* 6/3/19 submission moved Motor Vehicle Inspection and Maintenance Program from control measure to contingency measure.
<b>Attainment and Maintenance Planning—Ozone</b>				
* 8-Hour Ozone 110(a)(1) Maintenance Plan.	* Seattle—Tacoma .....	* 2/5/08; 6/3/19	* 5/2/14, 79 FR 25010; 2/18/2021, [Insert <b>Federal Register</b> citation].	* 6/3/19 submission moved Motor Vehicle Inspection and Maintenance Program from control measure to contingency measure.
* 8-Hour Ozone 110(a)(1) Maintenance Plan.	* Vancouver .....	* 1/17/07; 6/3/19	* 8/11/15, 80 FR 48033; 2/18/2021, [Insert <b>Federal Register</b> citation].	* 6/3/19 submission moved Motor Vehicle Inspection and Maintenance Program from control measure to contingency measure.
<b>Attainment and Maintenance Planning—Particulate Matter (PM<sub>10</sub>)</b>				
* Particulate Matter (PM <sub>10</sub> ) 2nd 10-Year Limited Maintenance Plan.	* Kent, Seattle, and Tacoma	* 11/29/13; 6/3/19	* 8/20/14, 79 FR 49244; 2/18/2021, [Insert <b>Federal Register</b> citation].	* 6/3/19 submission moved Motor Vehicle Inspection and Maintenance Program from control measure to contingency measure.

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[FR Doc. 2021-03033 Filed 2-17-21; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**
**Federal Emergency Management Agency****44 CFR Parts 59, 61 and 62**

[Docket ID FEMA-2018-0026]

RIN 1660-AA95

**National Flood Insurance Program: Conforming Changes To Reflect the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12) and the Homeowners Flood Insurance Affordability Act of 2014 (HFIAA), and Additional Clarifications for Plain Language; Correction**

**AGENCY:** Federal Emergency Management Agency; DHS.

**ACTION:** Final rule; correction.

**SUMMARY:** On July 20, 2020, FEMA published in the **Federal Register** a final rule revising the National Flood Insurance Program (NFIP) regulations to codify certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and the Homeowner Flood Insurance Affordability Act of 2014, and to clarify certain existing NFIP rules relating to NFIP operations and the Standard Flood Insurance Policy. This final rule provides corrections to those instructions, to be used in lieu of the information published July 20.

**DATES:** This correction is effective October 1, 2021.

**ADDRESSES:** The docket for this rulemaking is available for inspection using the Federal eRulemaking Portal at <http://www.regulations.gov> and can be viewed by following that website's instructions.

**FOR FURTHER INFORMATION CONTACT:** Kelly Bronowicz, Director, Policyholder Services Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 557-9488.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 2020-09260, beginning on page 43946 in the **Federal Register** of Monday, July 20, 2020, the following corrections are made:

**PART 61—INSURANCE COVERAGE AND RATES****§ 61.6 [Corrected]**

■ 1. On page 43958, in the amendment to § 61.6, in “Table 1 to Paragraph (a)—Maximum Amounts of Coverage Available”, the center heading “Bulding Coverage” is corrected to read “Building Coverage”;

**Appendix A(1) to Part 61 [Corrected]**

■ 2. On page 43968, in the first column, in Appendix A(1) to part 61, article VIII.D.3.c, “If this policy is cancelled pursuant to VIII.D.4.b,” is corrected to read “If this policy is cancelled pursuant to VIII.D.3.b.”;

**Appendix A(2) to Part 61 [Corrected]**

■ 3. On page 43976, in the second column, in Appendix A(2) to part 61, article VIII.D.3.c, “If this policy is cancelled pursuant to VIII.D.4.b,” is corrected to read “If this policy is cancelled pursuant to VIII.D.3.b.”

**Appendix A(3) to Part 61 [Corrected]**

■ 4. On page 43984, in the third column, in Appendix A(3) to part 61, article IX.D.3.c, “If this policy is cancelled pursuant to VIII.D.3.a,” is corrected to read “If this policy is cancelled pursuant to IX.D.3.b.”;

**§ 62.6 [Corrected]**

■ 5. On page 43986, in the third column, instruction number 18 and the corresponding CFR text is corrected to read as follows:

18. In § 62.6, revise the section heading, redesignate paragraphs (a) and (b) as paragraphs (b) and (c), add new paragraph (a), and revise newly redesignated paragraph (b) introductory text.

The addition and revision read as follows:

**§ 62.6 Brokers and agents writing NFIP policies through the NFIP Direct Servicing Agent.**

(a) A broker or agent selling policies of flood insurance placed with the NFIP at the offices of its servicing agent must be duly licensed by the state insurance regulatory authority in the state in which the property is located.

(b) The earned commission which will be paid to any property or casualty insurance agent or broker, with respect to each policy or renewal the agent duly procures on behalf of the insured, in connection with policies of flood insurance placed with the NFIP at the offices of its servicing agent, but not with respect to policies of flood insurance issued pursuant to subpart C

of this part, will not be less than \$10 and is computed as follows:

\* \* \* \* \*

**MaryAnn Tierney,**

*Acting Deputy Administrator, Federal Emergency Management Agency.*

[FR Doc. 2021-02644 Filed 2-17-21; 8:45 am]

BILLING CODE 9111-52-P

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**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**
**National Endowment for the Arts****45 CFR Parts 1149 and 1158**

RIN 3135-AA33

**Civil Penalties Adjustment for 2021**

**AGENCY:** National Endowment for the Arts, National Foundation on the Arts and the Humanities.

**ACTION:** Final rule.

**SUMMARY:** The National Endowment for the Arts (NEA) is adjusting the maximum civil monetary penalties (CMPs) that may be imposed for violations of the Program Fraud Civil Remedies Act (PFCRA) and the NEA's Restrictions on Lobbying to reflect the requirements of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the 2015 Act). The 2015 Act further amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (the Inflation Adjustment Act) to improve the effectiveness of civil monetary penalties and to maintain their deterrent effect. This final rule provides the 2021 annual inflation adjustments to the initial “catch-up” adjustments made on June 15, 2017, and reflects all other inflation adjustments made in the interim.

**DATES:** This rule is effective February 18, 2021.

**FOR FURTHER INFORMATION CONTACT:** Daniel Fishman, Assistant General Counsel, National Endowment for the Arts, 400 7th St. SW, Washington, DC 20506, Telephone: 202-682-5418.

**SUPPLEMENTARY INFORMATION:****1. Background**

On December 12, 2017, the NEA issued a final rule titled “Federal Civil Penalties Adjustments”<sup>1</sup> which finalized the NEA's June 15, 2017 interim final rule titled “Implementing the Federal Civil Penalties Adjustment Act Improvements Act of 2015”,<sup>2</sup> implementing the 2015 Act (section 701 of Pub. L. 114-74), which amended the

<sup>1</sup> 82 FR 58348.<sup>2</sup> 82 FR 27431.