

if pallet contains machinable letters; followed by "MAN" if pallet contains nonmachinable letters.\*\*\*

\* \* \* \* \*

10.0 Merging Bundles of Flats Using the City State Product

\* \* \* \* \*

10.2 USPS Marketing Mail

\* \* \* \* \*

10.2.5 Pallet Preparation and Labeling

\* \* \* \* \*

[Revise the text in 10.2.5a2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR-RTS SCHEME" followed by HD/HD+ if the pallet contains High Density/High Density plus flats.

[Revise the text in 10.2.5b2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR/5D SCHEME" followed by HD/HD+ if the pallet contains High Density/High Density plus flats

[Revise the text in 10.2.5c2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS," followed by "CARRIER ROUTES" or "CR-RTS" followed by HD/HD+ if the pallet contains High Density/High Density plus flats.

[Revise the text in 10.2.5d2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR/5D" followed by HD/HD+ if the pallet contains High Density/High Density plus flats. \* \* \*

\* \* \* \* \*

12.0 Merging Bundles of Flats on Pallets Using a 5% Threshold

\* \* \* \* \*

12.2 USPS Marketing Mail

\* \* \* \* \*

12.2.3 Pallet Preparation and Labeling

\* \* \* \* \*

\* \* \* Mailers must label pallets according to the Line 1 and Line 2 information listed below and under 8.6.

[Revise the text in 12.2.3a2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR-RTS SCHEME" followed by HD/HD+ if the pallet contains High Density/High Density plus flats.

[Revise the text in 12.2.3b2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR/5D SCHEME" followed by HD/HD+ if the pallet contains High Density/High Density plus flats.

[Revise the text in 12.2.3c2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS"; followed by "CARRIER ROUTES" or

"CR-RTS" followed by HD/HD+ if the pallet contains High Density/High Density plus flats.

[Revise the text in 12.2.3d2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR/5D" followed by HD/HD+ if the pallet contains High Density/High Density plus flats.

\* \* \* \* \*

13.0 Merging Bundles of Flats on Pallets Using the City State Product and a 5% Threshold

\* \* \* \* \*

13.2 USPS Marketing Mail

\* \* \* \* \*

13.2.4 Pallet Preparation and Labeling

\* \* \* Mailers must label pallets according to the Line 1 and Line 2 information listed below and under 8.6

[Revise the text in 13.2.4a2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR-RTS SCHEME" followed by "HD/HD+" if the pallet contains High Density/High Density plus flats.

[Revise the text in 13.2.4b2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR/5D SCHEME" followed by "HD/HD+" if the pallet contains High Density/High Density plus flats.

[Revise the text in 13.2.4c2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS," followed by HD/HD+ if the pallet contains High Density/High Density plus flats and "CARRIER ROUTES" or "CR-RTS"

[Revise the text in 13.2.4d2; to read as follows:]

\* \* \* 2. Line 2: "STD FLTS CR/5D" followed by "HD/HD+" if the pallet contains High Density/High Density plus flats. \* \* \*

\* \* \* \* \*

Notice 123 (Price List)

[Revise prices as applicable.]

\* \* \* \* \*

We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes.

Ruth B. Stevenson,

Chief Counsel, Ethics and Legal Compliance.

[FR Doc. 2021-16985 Filed 8-5-21; 11:15 am]

BILLING CODE P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R07-OAR-2021-0298; FRL-8709-02-R7]

Air Plan Approval; Nebraska; Revisions to Title 129 of the Nebraska Administrative Code; General Conformity

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the State Implementation Plan (SIP) for the State of Nebraska. This final action will amend the SIP to revise title 129 of the Nebraska Administrative Code by removing a portion of the SIP that addresses general conformity. General Conformity ensures that the actions taken by federal agencies do not interfere with a state's plan to attain and maintain national standards for air quality. Since states are no longer required to include general conformity requirements in SIPs, the revisions remove unnecessary language and do not substantively change any existing statutory or regulatory requirement. The revisions do not impact the stringency of the SIP or air quality nor do they impact the State's ability to attain or maintain the National Ambient Air Quality Standards.

DATES: This final rule is effective on September 8, 2021.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R07-OAR-2021-0298. 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, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through https://www.regulations.gov or please contact the person identified in the FOR FURTHER INFORMATION CONTACT section for additional information.

FOR FURTHER INFORMATION CONTACT: Allie Donohue, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number (913) 551-7986; email address: donohue.allie@epa.gov

**SUPPLEMENTARY INFORMATION:**

Throughout this document “we,” “us,” and “our” refer to EPA.

**Table of Contents**

- I. What is being addressed in this document?
- II. Have the requirements for approval of a SIP revision been met?
- III. What action is the EPA taking?
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

**I. What is being addressed in this document?**

The EPA is amending Nebraska’s SIP to include revisions to title 129 of the Nebraska Administrative Code. The EPA is approving revisions to the Nebraska SIP submitted by the State of Nebraska on July 16, 2020. Specifically, the EPA is amending the Nebraska SIP by removing a portion of the SIP as follows: Title 129, Chapter 40. General Conformity. EPA is approving these revisions as they remove unnecessary language and do not substantively change any existing statutory or regulatory requirement. The EPA solicited comments on the proposed revision to Nebraska’s SIP, and received no comments.

**II. Have the requirements for approval of a SIP revision been met?**

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice of this SIP revision from September 28, 2019 to November 6, 2019 and held a public hearing on November 7, 2019. In a letter to the state dated November 7, 2019, the EPA stated that the agency “has no comment on the proposed repeal of this regulation.” The SIP revision meets the substantive SIP requirements of the Clean Air Act (CAA), including section 110 and implementing regulations.

**III. What action is the EPA taking?**

The EPA is taking final action to amend the Nebraska SIP by approving the state’s request to remove Title 129 Chapter 40. General Conformity. The removal of this portion of the SIP will remove unnecessary language and does not substantively change any existing statutory or regulatory requirement. The EPA has determined that these changes will not impact the stringency of the SIP or adversely impact air quality.

**IV. Incorporation by Reference**

In this document, the EPA is amending regulatory text that includes incorporation by reference. As described in the amendments to 40 CFR part 52 set

forth below, the EPA is removing provisions of the EPA-Approved Nebraska Regulations from the Nebraska State Implementation Plan, which is incorporated by reference in accordance with the requirements of 1 CFR part 51.

**V. 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, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this 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 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 the National Technology Transfer and Advancement Act (NTTA) because this rulemaking does not involve technical standards; 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 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).

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. 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 October 8, 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.

Dated: July 30, 2021.

**Edward H. Chu,**

*Acting Regional Administrator, Region 7.*

For the reasons stated in the preamble, EPA amends 40 CFR part 52 as set forth below:

**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 CC [Amended]****§ 52.1420 [Amended]**

■ 2. In § 52.1420, the table in paragraph (c) is amended by removing the entry for “129–40” under the heading “Title 129–Nebraska Air Quality Regulations”.

[FR Doc. 2021–16767 Filed 8–6–21; 8:45 am]

BILLING CODE 6560–50–P

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 635**

[Docket No. 180117042–8884–02]

RTID 0648–XB214

**Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries**

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

**ACTION:** Temporary rule; quota transfer.

**SUMMARY:** NMFS is transferring 30 metric tons (mt) of Atlantic bluefin tuna (BFT) quota from the Reserve category to the Harpoon category. With this transfer, the adjusted Harpoon category quota for the 2021 fishing season is 76 mt. The 2021 Harpoon category fishery is open until November 15, 2021, or until the Harpoon category quota is reached, whichever comes first. The action is based on consideration of the regulatory determination criteria regarding inseason adjustments, and applies to Atlantic Tunas Harpoon category (commercial) permitted vessels.

**DATES:** Effective August 4, 2021, through November 15, 2021.

**FOR FURTHER INFORMATION CONTACT:**

Larry Redd, Jr., [larry.redd@noaa.gov](mailto:larry.redd@noaa.gov), 301–427–8503, Nicholas Velseboer, [nicholas.velsboer@noaa.gov](mailto:nicholas.velsboer@noaa.gov), 978–675–2168, or Lauren Latchford, [lauren.latchford@noaa.gov](mailto:lauren.latchford@noaa.gov), 301–427–8503.

**SUPPLEMENTARY INFORMATION:** Atlantic highly migratory species (HMS) fisheries, including BFT fisheries, are managed under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*). The 2006 Consolidated Atlantic HMS Fishery Management Plan (FMP) and its amendments are implemented by regulations at 50 CFR part 635.

Section 635.27 divides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and as implemented by the United States among the various domestic fishing categories, per the allocations established in the 2006 Consolidated HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

The current baseline quotas for the Harpoon and Reserve categories are 46 mt and 29.5 mt, respectively. To date for 2021, NMFS has published one action that has adjusted the available 2021 Reserve category quota, which currently is 168 mt (86 FR 8717, February 9, 2021). The 2021 Harpoon category fishery opened June 1, and is open through November 15, 2021, or until the Harpoon category quota is reached, whichever comes first.

**Transfer of 30 mt From the Reserve Category to the Harpoon Category**

Under § 635.27(a)(9), NMFS has the authority to transfer quota among fishing categories or subcategories after considering the determination criteria provided under § 635.27(a)(8). NMFS has considered all of the relevant determination criteria and their applicability to the Harpoon category fishery. These criteria include, but are not limited to, the following:

Regarding the usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock (§ 635.27(a)(8)(i)), biological samples collected from BFT landed by Harpoon category fishermen and provided by BFT dealers continue to provide NMFS with valuable parts and data for ongoing scientific studies of BFT age and growth, migration, and reproductive status. Additional opportunity to land BFT in the Harpoon category would support the collection of a broad range of data for these studies and for stock monitoring purposes.

NMFS also considered the catches of the Harpoon category quota to date and the likelihood of closure of that segment of the fishery if no adjustment is made (§ 635.27(a)(8)(ii) and (ix)). As of August 3, 2021, the Harpoon category has landed 39.7 mt. Commercial-size BFT are currently readily available to vessels fishing under the Harpoon category quota. Without a quota transfer at this time, Harpoon category participants would have to stop BFT fishing

activities with very short notice, while commercial-sized BFT remain available in the areas Harpoon category permitted vessels operate. Transferring 30 mt of BFT quota from the Reserve category would result in a total of 76 mt being available for the Harpoon category for the 2021 Harpoon category fishing season.

Regarding the projected ability of the vessels fishing under the Harpoon category to harvest the additional amount of BFT before the end of the fishing year (§ 635.27(a)(8)(iii)), NMFS considered Harpoon category landings over the last several years. Landings are highly variable and depend on access to commercial-sized BFT and fishing conditions, among other factors. NMFS anticipates that the Harpoon category could harvest the transferred 30 mt prior to the end of the Harpoon category season, subject to weather conditions and BFT availability. NMFS may transfer unused Harpoon category quota to other quota categories, as appropriate. NMFS also anticipates that some underharvest of the 2020 adjusted U.S. BFT quota will be carried forward to 2021 and placed in the Reserve category, in accordance with the regulations. Thus, this quota transfer would allow fishermen to take advantage of the availability of fish on the fishing grounds, consider the expected increases in available 2021 quota, and provide a reasonable opportunity to harvest the available U.S. BFT quota.

NMFS also considered the estimated amounts by which quotas for other gear categories of the fishery might be exceeded (§ 635.27(a)(8)(iv)) and the ability to account for all 2020 landings and dead discards. In the last several years, total U.S. BFT landings have been below the available U.S. quota such that the United States has carried forward the maximum amount of underharvest allowed by ICCAT from one year to the next. NMFS will need to account for 2021 landings and dead discards within the adjusted U.S. quota, consistent with ICCAT recommendations, and anticipates having sufficient quota to do that.

NMFS also considered the effects of the adjustment on the BFT stock and the effects of the transfer on accomplishing the objectives of the FMP (§ 635.27(a)(8)(v) and (vi)). This transfer would be consistent with established quotas and subquotas, which are implemented consistent with ICCAT recommendations, (established in Recommendation 17–06 and maintained in Recommendation 20–06), ATCA, and the objectives of the 2006 Consolidated HMS FMP and amendments. In