

- (a) Be logically organized;
- (b) Use the active voice to address readers directly;
- (c) Use common, everyday words and clear language rather than jargon;
- (d) Be divided into short sections and sentences; and
- (e) Use lists and tables wherever possible;

If you feel that ONRR has not met these requirements, send your comments to *ONRR*

*RegulationsMailbox@onrr.gov*. Your comments should be as specific as possible. For example, you should identify the number of the sections or paragraphs that you find unclear, which sections or sentences are too long, the sections where you feel lists or tables would be useful, etc.

#### *M. Administrative Procedure Act*

The Act requires agencies to publish annual inflation adjustments by January 15 of each year, notwithstanding section 553 of the Administrative Procedure Act. OMB has interpreted this direction to mean that the usual APA public procedure for rulemaking—which includes public notice of a proposed rule, an opportunity for public comment, and a delay in the effective date of a final rule—is not required when agencies issue regulations to implement the annual adjustments to civil penalties that the 2015 Act requires. See OMB Memorandum, M-24-07, at pages 3–4. Accordingly, ONRR is issuing the 2024 annual adjustments as a final rule without prior notice or an opportunity for comment and with an effective date immediately upon publication in the **Federal Register**.

#### **List of Subjects in 30 CFR Part 1241**

Administrative practice and procedure, Coal, Geothermal energy, Indian—lands, Mineral royalties, Natural gas, Oil and gas exploration, Penalties, Public lands—mineral resources.

**Howard M. Cantor,**  
Director, Office of Natural Resources Revenue.

#### **Authority and Issuance**

For the reasons discussed in the preamble, ONRR amends 30 CFR part 1241 as set forth below:

#### **PART 1241—PENALTIES**

- 1. The authority citation for part 1241 continues to read as follows:

**Authority:** 25 U.S.C. 396 *et seq.*, 396a *et seq.*, 2101 *et seq.*; 30 U.S.C. 181 *et seq.*, 351 *et seq.*, 1001 *et seq.*, 1701 *et seq.*; 43 U.S.C. 1301 *et seq.*, 1331 *et seq.*, 1801 *et seq.*

#### **§ 1241.52 [Amended]**

- 2. Amend § 1241.52 by:
  - a. In paragraph (a)(2), removing “\$1,474” and adding in its place “\$1,522”.
  - b. In paragraph (b) introductory text, removing “\$14,754” and adding in its place “\$15,232”.

#### **§ 1241.60 [Amended]**

- 3. Amend § 1241.60 by:
  - a. In paragraph (b)(1), removing “\$29,505” and adding in its place “\$30,461”.
  - b. In paragraph (b)(2), removing “\$73,764” and adding in its place “\$76,155”.

[FR Doc. 2024-01110 Filed 1-19-24; 8:45 am]

**BILLING CODE 4335-30-P**

the Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960. EPA requests that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office’s official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

#### **FOR FURTHER INFORMATION CONTACT:**

Tiereny Bell, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street SW, Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9088. Ms. Bell can also be reached via electronic mail at *bell.tiereny@epa.gov*.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

On April 1, 2022, FDEP submitted a SIP revision to EPA regarding Chapter 62-296, Florida Administrative Code (F.A.C.), *Stationary Sources*, of the Florida SIP. In Florida’s April 1, 2022, submission, the State is requesting that EPA approve changes to the following rules in the Florida SIP: Rule 62-296.320(4), *General Pollutant Emission Limiting Standards*;<sup>1</sup> Rule 62-296.406, *Fossil Fuel Steam Generators with Less Than 250 Million Btu Per Hour Heat Input, New and Existing Emissions Units*; Rule 62-296.602, *Primary Lead-Acid Battery Manufacturing Operations*; Rule 62-296.603, *Secondary Lead Smelting Operations*; Rule 62-296.604, *Electric Arc Furnace Equipped Secondary Steel Manufacturing Operations*; Rule 62-296.700, *Reasonably Available Control Technology (RACT) Particulate Matter*; Rule 62-296.702, *Fossil Fuel Steam Generators*; Rule 62-296.704, *Asphalt Concrete Plants*; Rule 62-296.705, *Phosphate Processing Operations*; Rule 62-296.707, *Electric Arc Furnaces*; Rule 62-296.708, *Sweat or Pot Furnaces*; Rule 62-296.711, *Materials Handling, Sizing, Screening, Crushing and Grinding Operations*; and Rule 62-296.712, *Miscellaneous Manufacturing Process Operations*.<sup>2</sup>

<sup>1</sup> On October 13, 2023, the State submitted a letter to EPA withdrawing its request to revise subsection (3) of Rule 62-296.320. Thus, EPA is not acting on Rule 62-296.320(3). For further information, please see the docket for this rulemaking, which includes Florida’s October 13, 2023, withdrawal letter.

<sup>2</sup> On April 1, 2022, FDEP submitted a number of SIP revisions to Chapter 62-296, *Stationary Sources*. These other SIP revisions not described herein will be acted on through other rulemakings.

Through a notice of proposed rulemaking (NPRM) published on November 28, 2023 (88 FR 83062), EPA proposed to approve the April 1, 2022, SIP submittal, which corrects definitions, updates and removes outdated references, clarifies applicability in these rules, and removes methods to determine visible emissions in Rules 62–296.320 and 62–296.406. The details of the submission, as well as EPA's rationale for changing these rules, are described in more detail in EPA's November 28, 2023, NPRM. Comments on the November 28, 2023, NPRM were due on or before December 28, 2023. EPA received one comment on the November 28, 2023, NPRM, and it supports EPA's action. No adverse comments were received.

## II. Incorporation by Reference

In this document, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, and as discussed in Section I of this preamble, EPA is finalizing the incorporation by reference of Rule 62–296.320(4), *General Pollutant Emission Limiting Standards*, state effective on July 10, 2014;<sup>3</sup> Rule 62–296.406, *Fossil Fuel Steam Generators with Less Than 250 Million Btu Per Hour Heat Input*, state effective on November 5, 2020; Rule 62–296.602, *Primary Lead-Acid Battery Manufacturing Operations*, state effective on July 10, 2014; Rule 62–296.603, *Secondary Lead Smelting Operations*, state effective on July 10, 2014; Rule 62–296.604, *Electric Arc Furnace Equipped Secondary Steel Manufacturing Operations*, state effective on July 10, 2014; Rule 62–296.700, *Reasonably Available Control Technology (RACT) Particulate Matter*, state effective on August 14, 2019; Rule 62–296.702, *Fossil Fuel Steam Generators*, state effective on July 10, 2014; Rule 62–296.704, *Asphalt Concrete Plants*, state effective on July 10, 2014; Rule 62–296.705, *Phosphate Processing Operations*, state effective on July 10, 2014; Rule 62–296.707, *Electric Arc Furnaces*, state effective on July 10, 2014; Rule 62–296.708, *Sweat or Pot Furnaces*, state effective on July 10, 2014; Rule 62–296.711, *Materials Handling, Sizing, Screening, Crushing and Grinding Operations*, state effective on July 10, 2014; and Rule 62–296.712, *Miscellaneous Manufacturing Process Operations*, state effective on July 10, 2014.

See also, footnote 1 regarding subsection (3) of Rule 62–296.320.

<sup>3</sup> Subsections (1), (2), and (3) of Rule 62–296.320 remain in the SIP with a state effective date of March 13, 1996.

2014. EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region 4 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 EPA for inclusion in the State implementation plan, have been incorporated by reference by 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 EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.<sup>4</sup>

## III. Final Action

EPA is approving the changes to Rule 62–296.320(4), *General Pollutant Emission Limiting Standards*; Rule 62–296.406, *Fossil Fuel Steam Generators with Less Than 250 Million Btu Per Hour Heat Input*; Rule 62–296.602, *Primary Lead-Acid Battery Manufacturing Operations*; Rule 62–296.603, *Secondary Lead Smelting Operations*; Rule 62–296.604, *Electric Arc Furnace Equipped Secondary Steel Manufacturing Operations*; Rule 62–296.700, *Reasonably Available Control Technology (RACT) Particulate Matter*; Rule 62–296.702, *Fossil Fuel Steam Generators*; Rule 62–296.704, *Asphalt Concrete Plants*; Rule 62–296.705, *Phosphate Processing Operations*; Rule 62–296.707, *Electric Arc Furnaces*; Rule 62–296.708, *Sweat or Pot Furnaces*; Rule 62–296.711, *Materials Handling, Sizing, Screening, Crushing and Grinding Operations*; and Rule 62–296.712, *Miscellaneous Manufacturing Process Operations*, into the Florida SIP. EPA is approving these changes because they are consistent with the CAA.

## 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 Act and applicable Federal regulations. See 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 14094 (88 FR 21879, April 11, 2023);

- 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- 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 those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where 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).

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on minority populations and low-income populations to the greatest extent practicable and permitted by law. EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and

<sup>4</sup> 62 FR 27968 (May 22, 1997).

commercial operations or programs and policies.”

FDEP did not evaluate EJ considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. EPA did not perform an EJ analysis and did not consider EJ in this action. Due to the nature of the action being taken here, this action is expected to have a neutral to positive impact on the air quality of the affected area.

Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving EJ for people of color, low-income populations, and Indigenous peoples.

This action is subject to the Congressional Review Act, and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. 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 March 22, 2024. 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) of the CAA.

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

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

Dated: January 16, 2024.

**Jeaneanne Gettle,**

*Acting Regional Administrator, Region 4.*

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as follows:

#### EPA-APPROVED FLORIDA LAWS AND REGULATIONS

State citation (section)	Title/subject	State effective date	EPA approval date	Explanation
*	*	*	*	*
<b>Chapter 62-296 Stationary Sources—Emission Standards</b>				
62-296.320 .....	General Pollutant Emission Limiting Standards.	7/10/2014	1/22/2024, [Insert citation of publication].	Except 62-296.320(1), (2), and (3), approved on 6/16/1999, state effective 3/13/1996.
62-296.406 .....	Fossil Fuel Steam Generators with Less Than 250 million Btu per Hour Heat Input.	11/5/2020	1/22/2024, [Insert citation of publication].	*
62-296.602 .....	Primary Lead-Acid Battery Manufacturing Operations.	7/10/2014	1/22/2024, [Insert citation of publication].	*
62-296.603 .....	Secondary Lead Smelting Operations .....	7/10/2014	1/22/2024, [Insert citation of publication].	*
62-296.604 .....	Electric Arc Furnace Equipped Secondary Steel Manufacturing Operations.	7/10/2014	1/22/2024, [Insert citation of publication].	*
62-296.700 .....	Reasonably Available Control Technology (RACT) Particulate Matter.	8/14/2019	1/22/2024, [Insert citation of publication].	*
62-296.702 .....	Fossil Fuel Steam Generators .....	7/10/2014	1/22/2024, [Insert citation of publication].	*
62-296.704 .....	Asphalt Concrete Plants .....	7/10/2014	1/22/2024, [Insert citation of publication].	*
62-296.705 .....	Phosphate Processing Operations .....	7/10/2014	1/22/2024, [Insert citation of publication].	*
62-296.707 .....	Electric Arc Furnaces .....	7/10/2014	1/22/2024, [Insert citation of publication].	*
62-296.708 .....	Sweat or Pot Furnaces .....	7/10/2014	1/22/2024, [Insert citation of publication].	*

#### 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 K—Florida

- 2. In § 52.520(c), amend the table by revising the entries for “62-296.320,” “62-296.406,” “62-296.602,” “62-296.603,” “62-296.604,” “62-296.700,” “62-296.702,” “62-296.704,” “62-296.705,” “62-296.707,” “62-296.708,” “62-296.711,” and “62-296.712” to read as follows:

#### § 52.520 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

## EPA-APPROVED FLORIDA LAWS AND REGULATIONS—Continued

State citation (section)	Title/subject	State effective date	EPA approval date	Explanation
62-296.711 .....	Materials Handling, Sizing, Screening, Crushing and Grinding Operations.	7/10/2014	1/22/2024, [Insert citation of publication].	
62-296.712 .....	Miscellaneous Manufacturing Process Operations.	7/10/2014	1/22/2024, [Insert citation of publication].	

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[FR Doc. 2024-01030 Filed 1-19-24; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R05-OAR-2021-0615; EPA-R05-OAR-2021-0616; EPA-R05-OAR-2021-0617; FRL-11003-02-R5]

**Air Plan Approval; Ohio; Canton, Cleveland, and Steubenville Second 10-Year 2006 24-Hour PM<sub>2.5</sub> Limited Maintenance Plans****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** Under the Clean Air Act (CAA), the Environmental Protection Agency (EPA) is approving the limited maintenance plans (LMPs) submitted by the Ohio Environmental Protection Agency (OEPA) for the Canton-Massillon (Stark County), Cleveland-Akron-Lorain (Cuyahoga, Lake, Lorain, Medina, Portage, and Summit Counties) and Steubenville-Weirton Ohio-West Virginia (Jefferson County) maintenance areas. The plans address the second 10-year maintenance periods for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (PM<sub>2.5</sub>). EPA is approving Ohio's LMP submissions for Canton-Massillon, Cleveland-Akron-Lorain, and Steubenville-Weirton because they provide for the maintenance of the 2006 PM<sub>2.5</sub> national ambient air quality standards (NAAQS) through the end of the second 10-year portion of the maintenance periods. EPA finds adequate and is approving the LMPs as meeting the appropriate transportation conformity requirements. EPA proposed to approve this action on July 5, 2023, and received no adverse comments.

**DATES:** This final rule is effective on February 21, 2024.

**ADDRESSES:** EPA has established dockets for this action under Docket ID No. EPA-R05-OAR-2021-0615 (Canton-

Massillon), EPA-R05-OAR-2021-0616 (Cleveland-Akron-Lorain), or EPA-R05-OAR-2021-0617 (Steubenville-Weirton). All documents in the dockets are listed on the [www.regulations.gov](http://www.regulations.gov) website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (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 either through [www.regulations.gov](http://www.regulations.gov) or at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays and facility closures due to COVID-19. We recommend that you telephone Cecilia Magos, at (312) 886-7336 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:**

Cecilia Magos, Attainment Planning and Maintenance Section, Air Programs Branch (AR18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-7336, [magos.cecilia@epa.gov](mailto:magos.cecilia@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

**I. Background Information**

On November 13, 2009, EPA designated the Canton-Massillon (Canton), Cleveland-Akron-Lorain (Cleveland), and Steubenville-Weirton (Steubenville) areas as PM<sub>2.5</sub> nonattainment areas due to measured violations of the 2006 PM<sub>2.5</sub> NAAQS (74 FR 58688). On June 18, May 30, and May 25, 2012, OEPA submitted requests to redesignate the Canton, Cleveland, and Steubenville nonattainment areas to attainment of the 2006 PM<sub>2.5</sub> NAAQS. These submissions included plans to provide for maintenance of the 2006

2PM<sub>2.5</sub> NAAQS in the areas for 10 years. EPA redesignated the Canton, Cleveland, and Steubenville areas to attainment for the 2006 PM<sub>2.5</sub> NAAQS on October 22, 2013 (78 FR 62459), and September 18, 2013 (78 FR 57270 and 78 FR 57273), respectively, and approved the associated maintenance plans into the Ohio State Implementation Plan (SIP). The purpose of OEPA's September 8, 2021, LMP submissions is to fulfill the second 10-year planning requirement of CAA section 175A(b) to ensure PM<sub>2.5</sub> NAAQS compliance for these areas.

On July 5, 2023 (88 FR 42900), EPA proposed to approve the second 10-year PM<sub>2.5</sub> LMPs, for the Canton, Cleveland, and Steubenville maintenance areas addressing the 2006 PM<sub>2.5</sub> maintenance areas. EPA's approval of these LMPs will satisfy the CAA section 175A requirements for the second 10-year period for the Canton, Cleveland, and Steubenville 2006 PM<sub>2.5</sub> maintenance areas through 2033. Further explanation of the CAA requirements, a detailed analysis of the revisions, and EPA's reasons for proposing approval were provided in the notice of proposed rulemaking (88 FR 42900) and will not be restated here. The public comment period for this proposed rule ended on August 4, 2023. EPA received no comments on the proposal and is finalizing our action as proposed.

**II. Final Action**

EPA is approving the second 10-year PM<sub>2.5</sub> LMPs for Canton, Cleveland, and Steubenville 2006 PM<sub>2.5</sub> maintenance areas submitted by OEPA. EPA's review of the air quality data for the maintenance areas indicates that they continue to show attainment well below the level of the 2006 PM<sub>2.5</sub> NAAQS and meet all the LMP qualifying criteria set forth in the PM<sub>2.5</sub> LMP Guidance. The Canton, Cleveland, and Steubenville maintenance areas will no longer be required to perform regional emissions analyses as part of the conformity process, but must meet project-level conformity analyses requirements as