

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a security zone to limit access near Quonset Point, North Kingstown, RI. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security Measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6 and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

- 2. Add § 165.124 to read as follows:

§ 165.124 Security Zone; Electric Boat Shipyard, Narragansett Bay, Quonset Point, North Kingstown, RI

(a) **Location.** The following area is a security zone: All navigable waters of Narragansett Bay, from surface to bottom, South of Quonset Point, North Kingstown, RI, enclosed by a line beginning at a point on the shoreline at 41°35'06.3" N, 71°25'33.2" W; then to 41°34'59.6" N, 71°25'20.5" W; then to 41°35'01.0" N, 71°25'08.7" W; then to 41°35'08.7" N, 71°25'08.7" W; then along the shoreline to the point of beginning. These coordinates are based on North American Datum 1983.

(b) **Definitions.** As used in this section, vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, except vessels of the Armed Forces, as defined at 14 U.S.C 527(e).

(c) **Regulations.** (1) Under the general security zone regulations in subpart D of this part, no person or vessel may enter or remain in the security zone described in paragraph (a) of this section without the permission of the Captain of the Port, other than vessels of the Armed Forces, U.S. Government-owned vessels or vessels owned by, under hire to, or performing work for, the Electric Boat Division when operating in the security zone.

(2) This security zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port (COTP) or a designated representative. Vessel operators given permission to enter or operate in the security zones must comply with all directions given to them by the COTP or the designated representative.

(3) The “designated representative” is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port to act on his/

her behalf. The on-scene representative may be on a Coast Guard vessel, a state or local law enforcement vessel, or other designated craft, or may be on shore and will communicate with vessels via VHF-FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

(4) Vessel operators desiring to enter or operate within the security zones shall request permission to do so by contacting the Coast Guard Sector Southeastern New England Command Center at 866–819–9128, or via VHF Channel 16.

Youngmee Moon,

CAPTAIN, U.S. Coast Guard, Captain of the Port, Sector Southeastern New England.

[FR Doc. 2025–15092 Filed 8–7–25; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

33 CFR Parts 207 and 326

RIN 0710–AB57

Civil Monetary Penalty Inflation Adjustment Rule

AGENCY: U.S. Army Corps of Engineers, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: The U.S. Army Corps of Engineers (Corps) is issuing this final rule to adjust its civil monetary penalties (CMP) under the Rivers and Harbors Appropriation Act of 1922 (RHA), the Clean Water Act (CWA), and the National Fishing Enhancement Act (NFEA) to account for inflation.

DATES: This final rule is effective on August 8, 2025.

FOR FURTHER INFORMATION CONTACT: For the RHA portion, please contact Mr. Joseph R. Wilson, 202–761–7697 or by email at joseph.r.wilson@usace.army.mil, or for the CWA and NFEA portion, please contact Mr. Matt Wilson, 202–761–5856 or by email at Matthew.S.Wilson@usace.army.mil or access the Corps Regulatory Home Page at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/>.

SUPPLEMENTARY INFORMATION: The Federal Civil Penalties Inflation Adjustment Act of 1990, Public Law 101–410, codified at 28 U.S.C. 2461, as amended, requires agencies to annually adjust the level of CMP for inflation to improve their effectiveness and

maintain their deterrent effect, as required by the Federal Civil Penalties Adjustment Act Improvements Act of 2015, Public Law 114–74, sec. 701, November 2, 2015 (“Inflation Adjustment Act”).

With this rule, the new statutory maximum penalty levels listed in Table 1 will apply to all statutory civil penalties assessed on or after the effective date of this rule. Table 1 shows the calculation of the 2025 annual inflation adjustment based on the guidance provided by the Office of

Management and Budget (OMB) (see December 17, 2024, Memorandum for the Heads of Executive Departments and Agencies, Subject: Implementation of Penalty Inflation Adjustments for 2025, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015). The OMB provided to agencies the cost-of-living adjustment multiplier for 2025, based on the Consumer Price Index for All Urban Consumers (CPI-U) for the month of October 2024, not seasonally adjusted,

which is 1.02598. Agencies are to adjust “the maximum civil monetary penalty or the range of minimum and maximum civil monetary penalties, as applicable, for each civil monetary penalty by the cost-of-living adjustment.” For 2025, agencies multiply each applicable penalty by the multiplier, 1.02598, and round to the nearest dollar. The multiplier should be applied to the most recent penalty amount, *i.e.*, the one that includes the 2024 annual inflation adjustment.

TABLE 1

Citation	Civil Monetary Penalty (CMP) amount established by law	2024 CMP amount in effect prior to this rulemaking	2025 Inflation adjustment multiplier	CMP amount as of August 8, 2025
Rivers and Harbors Act of 1922 (33 U.S.C. 555). CWA, 33 U.S.C. 1319(g)(2)(A). CWA, 33 U.S.C. 1344(s)(4) ...	\$2,500 per violation \$10,000 per violation, with a maximum of \$25,000. Maximum of \$25,000 per day for each violation. Maximum of \$10,000 per violation.	\$6,975 per violation \$26,686 per violation, with a maximum of \$66,713. Maximum of \$66,713 per day for each violation. Maximum of \$29,221 per violation.	1.02598 1.02598 1.02598 1.02598	\$7,156 per violation. \$27,379 per violation, with a maximum of \$68,446. Maximum of \$68,446 per day for each violation. Maximum of \$29,980 per violation.
National Fishing Enhancement Act, 33 U.S.C. 2104(e).				

Section 4 of the Inflation Adjustment Act directs Federal agencies to publish annual penalty inflation adjustments. In accordance with section 553 of the Administrative Procedure Act (APA), many rules are subject to notice and comment and are effective no earlier than 30 days after publication in the **Federal Register**. Section 4(b)(2) of the Inflation Adjustment Act further provides that each agency shall make the annual inflation adjustments “notwithstanding section 553” of the APA. According to the December 2024 OMB guidance issued to Federal agencies on the implementation of the 2025 annual adjustment, the phrase “notwithstanding section 553” means that, “the public procedure the APA generally requires—notice, an opportunity for comment, and a delay in effective date—is not required for agencies to issue regulations implementing the annual adjustment.” Consistent with the language of the Inflation Adjustment Act and OMB’s implementation guidance, this rule is not subject to notice and opportunity for public comment or a delay in effective date. This rule adjusts the value of current statutory civil penalties to reflect and keep pace with the levels originally set by Congress when the statutes were enacted, as required by the Inflation Adjustment Act. This rule will apply prospectively to penalty assessments beginning on the effective date of this final rule.

Regulatory Procedures

Plain Language

In compliance with the principles in the President’s Memorandum of June 1, 1998, regarding plain language, this preamble is written using plain language. The use of “we” in this notice refers to the Corps and the use of “you” refers to the reader. We have also used the active voice, short sentences, and common everyday terms except for necessary technical terms.

Executive Order 12866, “Regulatory Planning and Review,” as Amended by Executive Order 13563, “Improving Regulation and Regulatory Review”

This rule has been designated not significant under section 3(f) of Executive Order 12866, as amended by Executive Order 13563. Moreover, this final rule makes nondiscretionary adjustments to existing CMP in accordance with the Inflation Adjustment Act and OMB guidance. The Corps, therefore, did not consider alternatives and does not have the flexibility to alter the adjustments of the civil monetary penalty amounts as provided in this rule.

Executive Order 14192, “Unleashing Prosperity Through Deregulation”

Executive Order 14192 establishes a regulatory cap for Fiscal Year 2025 and requires agencies to identify 10 existing regulations to be repealed unless the

regulation meets certain exemptions. This final rule is not an Executive Order 14192 regulatory action under OMB M-25-20, “Guidance Implementing Section 3 of Executive Order 14192,” because it does not impose any more than *de minimis* regulatory costs.

Public Law 96–511, “Paperwork Reduction Act” (44 U.S.C. Chapter 35)

The DoD determined that provisions of the Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this rule because there are no new or revised recordkeeping or reporting requirements. This action merely increases the level of statutory civil penalties that could be imposed in the context of a Federal civil administrative enforcement action or civil judicial case for violations of Corps-administered statutes and implementing regulations.

Executive Order 13132, “Federalism”

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a rule that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has federalism implications. This final rule will not have a substantial effect on State and local governments.

Public Law 96–354, “Regulatory Flexibility Act” (5 U.S.C. Chapter 6)

The Assistant Secretary of the Army (Civil Works) certified that this rule is not subject to the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*) because it would not, if promulgated, have a significant economic impact on a substantial number of small entities. Because notice of proposed rulemaking and opportunity for comment are not required pursuant to 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act are inapplicable. Therefore, the Regulatory Flexibility Act, as amended, does not require the Corps to prepare a regulatory flexibility analysis.

Unfunded Mandates Reform Act (2 U.S.C. Chapter 25)

Section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) requires agencies to assess anticipated costs and benefits before issuing any rule the mandates of which require spending in any year of \$100 million in 1995 dollars, updated annually for inflation. This rule will not mandate any requirements for State, local, or tribal governments, nor will it affect private sector costs.

Public Law 104–113, “National Technology Transfer and Advancement Act (15 U.S.C. Chapter 7)

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113 (15 U.S.C. 272 note), directs us to use voluntary consensus standards in our regulatory activities, unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs us to provide Congress, through OMB, explanations when we decide not to use available and applicable voluntary consensus standards. This rule does not involve technical standards. Therefore, we did not consider the use of any voluntary consensus standards.

Executive Order 13045, “Protection of Children From Environmental Health Risks and Safety Risks”

Executive Order 13045 applies to any rule that: (1) is determined to be “economically significant” as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that we have reason to believe may have a disproportionate

effect on children. If the regulatory action meets both criteria, we must evaluate the environmental health or safety effects of the rule on children, and explain why the regulation is preferable to other potentially effective and reasonably feasible alternatives. This rule is not subject to this Executive Order because it is not economically significant as defined in Executive Order 12866. In addition, it does not concern an environmental or safety risk that we have reason to believe may have a disproportionate effect on children.

Executive Order 13175, “Consultation and Coordination With Indian Tribal Governments”

Executive Order 13175 requires agencies to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” The phrase “policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.” This rule does not have tribal implications. The rule imposes no new substantive obligations on tribal governments. Therefore, Executive Order 13175 does not apply to this rule.

Public Law 104–121, “Congressional Review Act,” (5 U.S.C. Chapter 8)

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as amended 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. We will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use”

This rule is not a “significant energy action” as defined in Executive Order 13211 because it is not likely to have a

significant adverse effect on the supply, distribution, or use of energy.

List of Subjects**33 CFR Part 207**

Navigation (water), Penalties, Reporting and recordkeeping requirements, Waterways.

33 CFR Part 326

Administrative practice and procedure, Intergovernmental relations, Investigations, Law enforcement, Navigation (water), Water pollution control, Waterways.

Approved by:

D. Lee Forsgren,

Acting Assistant Secretary of the Army, (Civil Works).

For the reasons set out in the preamble, title 33, chapter II, part 207 of the Code of Federal Regulations is amended as follows:

PART 207—NAVIGATION REGULATIONS

- 1. The authority citation for part 207 continues to read as follows:

Authority: 33 U.S.C. 1; 33 U.S.C. 555; 28 U.S.C. 2461 note.

- 2. Amend § 207.800 by revising paragraph (c)(2) to read as follows:

§ 207.800 Collection of navigation statistics.

* * * * *

(c) * * *

(2) In addition, any person or entity that fails to provide timely, accurate, and complete statements or reports required to be submitted by the regulation in this section may also be assessed a civil penalty of up to \$7,156 per violation under 33 U.S.C. 555, as amended.

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PART 326—ENFORCEMENT

- 3. The authority citation for part 326 continues to read as follows:

Authority: 33 U.S.C. 401 *et seq.*; 33 U.S.C. 1344; 33 U.S.C. 1413; 33 U.S.C. 2104; 33 U.S.C. 1319; 28 U.S.C. 2461 note.

- 4. Amend § 326.6 by revising paragraph (a)(1) to read as follows:

§ 326.6 Class I administrative penalties.

(a) * * *

(1) This section sets forth procedures for initiation and administration of Class I administrative penalty orders under Section 309(g) of the Clean Water Act, judicially-imposed civil penalties under Section 404(s) of the Clean Water Act, and Section 205 of the National Fishing Enhancement Act. Under

Section 309(g)(2)(A) of the Clean Water Act, Class I civil penalties may not exceed \$27,379 per violation, except that the maximum amount of any Class I civil penalty shall not exceed \$68,446.

Under Section 404(s)(4) of the Clean Water Act, judicially-imposed civil penalties may not exceed \$68,446 per day for each violation. Under Section 205(e) of the National Fishing

Enhancement Act, penalties for violations of permits issued in accordance with that Act shall not exceed \$29,980 for each violation.

TABLE 1 TO PARAGRAPH (a)(1)

Environmental statute and U.S. code citation	Statutory civil monetary penalty amount for violations that occurred after November 2, 2015, and are assessed on or after August 8, 2025
Clean Water Act (CWA), Section 309(g)(2)(A), 33 U.S.C. 1319(g)(2)(A) CWA, Section 404(s)(4), 33 U.S.C. 1344(s)(4)	\$27,379 per violation, with a maximum of \$68,446. Maximum of \$68,446 per day for each violation.
National Fishing Enhancement Act, Section 205(e), 33 U.S.C. 2104(e)	Maximum of \$29,980 per violation.

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[FR Doc. 2025-15110 Filed 8-7-25; 8:45 am]

BILLING CODE 3720-58-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA-R03-OAR-2024-0586; FRL-10536-02-R3]

Air Plan Approval; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Liberty-Clairton Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard and Maintenance Plan for the Allegheny County Area for the 2012 Annual Fine Particulate Matter Standard

Correction

In Rule Document 2025-13893, appearing on pages 34770-34773 in the issue of Thursday, July 24, 2025, make the following correction:

§ 52.2020 Identification of plan [Corrected].

- 1. On page 34772, in section 52.2020, in the table in paragraph (e)(1), in the fourth column, in the first row, in the first line, “7/24/26” should read “7/24/25”.
- 2. On page 34772, in section 52.2020, in the table in paragraph (e)(1), in the fourth column, in the second row, in the first line, “7/24/26” should read “7/24/25”.

§ 52.2059 Control strategy: Particulate matter [Corrected].

- 3. On page 34773, in the table titled “Table 15 to Paragraph (aa)—Allegheny County Area’s Motor Vehicle Emission Budgets for the 2012 Annual PM_{2.5} NAAQS in Tons Per Year”, in the fifth column, in the first row, in the first line, “7/24/26” should read “7/24/25”.

[FR Doc. C1-2025-13893 Filed 8-7-25; 8:45 am]

BILLING CODE 0099-10-D

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 8, 20, and 51

[GN Docket No. 25-133; WC Docket Nos. 23-320, 17-108; CC Docket Nos. 96-48, 95-185; DA 25-613; FR ID 306349]

Delete, Delete, Delete; Safeguarding and Securing the Open Internet; Restoring Internet Freedom; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996; Interconnection Between Local Exchange Carriers and Commercial Mobile Radio Service Providers

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Wireline Competition Bureau (Bureau) of the Federal Communication Commission (Commission) conforms certain rule parts in the Code of Federal Regulations to reflect the rules that are actually in effect as a result of the *Ohio Telecom* and *Iowa Utilities Board II* decisions.

DATES: Effective August 8, 2025.

ADDRESSES: Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: For further information about the *Order*, contact Aurélie Mathieu, Attorney Advisor, Competition Policy Division, Wireline Competition Bureau, at *Aurelie.Mathieu@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Order in GN Docket No. 25-133; WC Docket No. 23-320; WC Docket No. 17-108; CC Docket No. 96-48; CC Docket No. 95-185; DA 25-613, adopted and released on July 11, 2025. The complete text of this document is available for download at <https://docs.fcc.gov/public/attachments/DA-25-613A1.pdf>.

Paperwork Reduction Act. This document does not contain information

collections subject to the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501-3521. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, 44 U.S.C. 3506(c)(4).

Congressional Review Act. The Bureau has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is non-major under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of this Order to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

Synopsis

By this Order, we conform Parts 8, 20, and 51 of the Commission’s rules to court decisions nullifying certain provisions within those Parts. In the *Delete, Delete, Delete* proceeding, the Commission made clear its goal to “review its rules to identify and eliminate those that are unnecessary in light of current circumstances.” The Wireline Competition Bureau takes this action in furtherance of that goal, finding that these rules “no longer have any operative effect,” and therefore should not remain in the Code of Federal Regulations. Specifically, this action will remove from our regulations approximately 5 pages, 2,991 words, and 41 rules or requirements.

We first conform Parts 8 and 20 of the Commission’s rules to the decision of the Sixth Circuit Court of Appeals (Sixth Circuit) in *Ohio Telecom Ass’n v. FCC (Ohio Telecom)*, which set aside the *Second Title II Order*, by restoring the text of those rules to how they would have read absent the changes adopted in the *Second Title II Order* (89 FR 45404 (May 22, 2024)). The Commission adopted the *Second Title II Order* on April 25, 2024, reclassifying broadband internet access service