

south shore crossing the Houston Ship Channel around the Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge) for the construction of the Southbound, Northbound lanes and demolition of the old Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge) will be completed March 2030. While this zone will be in effect for several years, the Coast Guard (CG) anticipates that the main navigable channel will remain open for the majority of the effective period. Normally such actions are 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 preliminary 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. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Docket Management System at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG-2025-0643 in the search box and click "Search." Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select "Supporting & Related Material" in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you click

on the Dockets tab and then the proposed rule, you should see a "Subscribe" option for email alerts. The option will notify you when comments are posted, or a final rule is published.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

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 is proposing to amend 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. 1.4.

- 2. Add § 165.T08-0643 to read as follows:

§ 165.T08-0643 Safety Zone; Beltway 8 Bridge Construction, Houston Ship Channel, Houston, TX.

(a) *Location.* The following area is a safety zone: All navigable waters within the area encompassed by a line connecting the following points on the north and south shore of the Houston Ship Channel around the Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge): Point 1 is the southeast corner at 29°44.033' N 95°8.733' W; thence west to Point 2 at 29°44.100' N 95°8.833' W; thence north to Point 3 at 29°44.267' N 95°8.817' W; thence east to Point 4 at 29°44.267' N 95°8.717' W; thence south returning to Point 1.

(b) *Definition.* As used in this section, *designated representative* means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Houston-Galveston (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section while overhead bridge construction or demolition activities are

occurring, unless authorized by the COTP or a designated representative.

(2) Persons or vessels seeking to enter the safety zone must request permission from the COTP on VHF-FM channel 16 or by telephone at 866-539-8114. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* The zone will be effective until the project ends, estimated completion date of MARCH 01, 2030. That date should include some margin for error in case of delays. Specific enforcement times and areas within the zone will depend on construction or demolition activities, and the CG will provide advance notice to the public through BNMs, LNMs, and the VTS.

Dated: September 3, 2025.

Nicole D. Rodriguez,

Captain, U.S. Coast Guard, Captain of the Port Houston-Galveston, Texas.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2025-0458; FRL-12915-01-R9]

Air Plan Revisions; Arizona; Maricopa County Air Quality Department; Particulate Matter; Incinerators, Burn-Off Ovens, and Crematories

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing an approval of revisions to the Maricopa County Air Quality Department (MCAQD) portion of the Arizona State Implementation Plan (SIP). These revisions concern emissions of particulate matter from incinerators, burn-off ovens, and crematories. We are proposing to approve revisions to a local rule that regulates these emissions sources under the Clean Air Act (CAA or "Act"). We are taking comments on this proposal and plan to follow with a final action.

DATES: Comments must be received on or before October 14, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R09-OAR-2025-0458 at <https://www.regulations.gov>. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments

cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. If you need assistance in a language other than

English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Eugene Chen, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 947-4304; email address: chen.eugene@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, “we,” “us,” and “our” refer to the EPA.

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I. The State’s Submittal

A. What did the State submit?

On December 23, 2024, the Arizona Department of Environmental Quality (ADEQ) submitted a SIP revision for the MCAQD portion of the Arizona SIP (“2024 SIP submittal”). The 2024 SIP submittal requests that the EPA approve MCAQD Rule 313—Incinerators, Burn-Off Ovens, and Crematories, revised December 11, 2024 (“Rule 313”). Additionally, the 2024 SIP submittal requests that the requirements in Rule 313 be used to replace two sets of requirements from the SIP: the version of Rule 313 currently in the SIP and MCAQD Rule 35—Incinerators, revised August 12, 1971 (“Rule 35”).

Table 1 lists the rule we are proposing for approval with the dates that it was adopted by the local air agency and submitted to the EPA by the ADEQ. Table 2 lists the rules proposed to be rescinded from the SIP with the dates that they were adopted by the local air agency and approved into the SIP.

TABLE 1—SUBMITTED RULE FOR APPROVAL

Local agency	Rule No.	Rule title	Amended	Submitted
MCAQD	313	Incinerators, Burn-Off Ovens, and Crematories	December 11, 2024	December 23, 2024.

TABLE 2—RULES TO BE RESCINDED

Local agency	Rule No.	Rule title	Local revision date	SIP approved date	FR citation
MCAQD	313	Incinerators, Burn-Off Ovens, and Crematories.	May 9, 2012	September 25, 2014 ...	79 FR 57445.
MCAQD	35	Incinerators	August 12, 1971	July 27, 1972	37 FR 15080.

On June 23, 2025, the 2024 SIP submittal was deemed complete by operation of law. We have reviewed the submittal to ensure it meets the completeness criteria in 40 CFR part 51, appendix V.

B. Are there other related submittals?

In 2016, the EPA reformatted the Arizona SIP as codified in the Code of Federal Regulations (CFR) into a tabulated “notebook” format. While developing the updated SIP tables for that conversion, the EPA worked closely with ADEQ and the local air agencies to clarify what was in their applicable SIP, including older provisions that had not been updated or replaced to reflect local rulemakings. On September 13, 2017, because of that coordination, ADEQ submitted a SIP revision from MCAQD that requested to rescind or replace many obsolete rules in their federally

enforceable SIP in favor of rules that reflect their current locally enforceable rulebook (“2017 SIP submittal”). The 2017 SIP submittal requested that the EPA rescind the SIP-approved version of Rule 35 and replace it with the version of Rule 313 currently in the SIP. However, the 2024 SIP submittal clarifies that this request has been superseded by the request to replace Rule 35 with the currently submitted revised version of Rule 313. If we finalize this rulemaking as proposed, the December 11, 2024 version of Rule 313 will replace the SIP-approved version of Rule 313 and Rule 35 in the MCAQD portion of the Arizona SIP.

C. What is the purpose of the submittal?

Rule 313 contains particulate matter (PM) and opacity standards for incinerators, burn-off ovens, and crematories. It also contains additional

requirements such as work practice standards for specific cremation procedures (such as large charges or nighttime operations), as well as monitoring, recordkeeping, and reporting requirements. Rule revisions in the version adopted on December 14, 2024, include additional monitoring provisions and PM performance testing requirements, clarifications to several definitions, additional detail and clarity regarding recordkeeping requirements, and the addition of provisions or requirements established in Rule 35 to ensure that Rule 35 rescission does not result in interference with any existing CAA requirements. There are no revisions to the existing PM or opacity standards. In addition, MCAQD does not rely upon the standards established in Rule 313 to meet any nonattainment area requirements. A technical support document (TSD) that provides further

analysis of Rule 313 revisions is included in the docket for this rulemaking. Rule 35 controls the emissions of PM from any incinerators located in the MCAQD. The rule includes permit conditions, daily limits, and monitoring for PM and opacity. A separate TSD that provides further analysis of Rule 35 rescission is included in the docket for this rulemaking.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rule and the request for rescission and replacement?

Emissions limitations in the SIP must be enforceable (see CAA section 110(a)(2)) and must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)). Once a rule has been approved as part of a SIP, the rescission of that rule from the SIP constitutes a SIP revision. To approve such a revision, the EPA must determine whether the revision meets relevant CAA criteria for stringency, if any, and complies with restrictions on relaxation of SIP measures under CAA section 110(l), and the General Savings Clause in CAA section 193 for SIP approved control requirements in effect before November 15, 1990.

Guidance and policy documents that we use to evaluate enforceability, revision/relaxation and rule stringency requirements for the applicable criteria pollutants include the following:

1. "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations," EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).
2. "Guidance Document for Correcting Common VOC & Other Rule Deficiencies," EPA Region 9, August 21, 2001 (the Little Bluebook).

B. Does the rule revision, and rule rescissions, meet the evaluation criteria?

Rule 313 strengthens the SIP by clarifying monitoring and recordkeeping provisions. This rule meets CAA requirements and is consistent with relevant guidance regarding enforceability and SIP revisions. A portion of Maricopa County regulated by MCAQD is designated nonattainment for the particulate matter with a diameter of 10 micrometers or smaller (PM₁₀) national ambient air quality standard. However, since the Rule 313 requirements are not relied upon to meet any nonattainment area requirements, we have not evaluated it for stringency.

Additionally, we have concluded that Rule 35 is appropriate for rescission

from the SIP. The requirements in Rule 35 will be replaced with analogous requirements in Rule 313 that are at least as stringent. For example, incineration is allowed during nighttime, requirements to test PM emissions are added, opacity testing now follows federal requirements, and monitoring and recordkeeping requirements are clearer. As such, the replacement of Rule 35 would not impact the overall stringency of the Arizona SIP.

The two TSDs in the docket have more detailed information on our evaluation.

C. Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to approve the submitted rule because it fulfills all relevant requirements. The EPA also proposes to approve the requested rescission of the rest of Rule 35, and replacement with Rule 313, because it fulfills all relevant requirements. We will accept comments from the public on this proposal until October 14, 2025. If we take final action to approve Rule 313, our final action will incorporate this rule into the federally enforceable SIP.

III. Incorporation by Reference

In this document, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference Maricopa County Air Quality District, Rule 313, Incinerators, Burn-Off Ovens, and Crematories, revised December 11, 2024, which establishes emissions standards for particulate matter and opacity. In addition, the EPA is proposing to rescind Rule 35 and replace it with the submitted Rule 313 in the MCAQD portion of the Arizona SIP, because the requested replacement fulfills all relevant requirements. The EPA has made, and will continue to make, these materials available through <https://www.regulations.gov> and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

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. 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 proposes to approve 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 Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- 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 proposes to approve 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 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).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2025–17501 Filed 9–10–25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0317; FRL–12851–01–R9]

Air Plan Approval; Arizona; Maricopa County Air Quality Department; Volatile Organic Compounds; Architectural Coatings

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Maricopa County Air Quality Department (MCAQD or “County”) portion of the Arizona State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOC) from architectural coatings. Architectural coatings include house paints, stains, industrial maintenance coatings, traffic coatings, and other similar products. We are proposing to approve local rules to regulate these emission sources under the Clean Air Act (CAA or “Act”). The revisions would update the Arizona SIP by replacing an outdated rule version with the current version in effect and would lower VOC emissions limits for some architectural coatings if contingency measures are triggered in the future. We are taking comments on this proposal and plan to follow with a final action.

DATES: Comments must be received on or before October 14, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–0317 at <https://www.regulations.gov>. For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Allison Kawasaki, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–

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SUPPLEMENTARY INFORMATION:

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

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I. The State’s Submittal

A. What rules did the State submit?

Table 1 lists the rules addressed by this proposal with the dates that they were adopted by the local air agency and submitted to the EPA by the Arizona Department of Environmental Quality (ADEQ). This proposal addresses two versions of MCAQD Rule 335—Architectural Coatings (“Rule 335”). Because these rules have identical titles and are regulating the same source category they will be differentiated in this proposal by the year in which they were submitted to the EPA. On September 8, 2017, ADEQ submitted a SIP revision requesting that the EPA approve Rule 335, as revised on September 25, 2013, into the Maricopa County portion of the Arizona SIP (“2017 submittal”). On December 23, 2024, ADEQ submitted a SIP revision requesting that the EPA approve Rule 335, as revised on December 11, 2024, into the Maricopa County portion of the Arizona SIP (“2024 submittal”).

TABLE 1—SUBMITTED RULES

Local agency	Rule No.	Rule title	Revised	Submitted
MCAQD	335	Architectural Coatings	September 25, 2013	September 8, 2017.
MCAQD	335	Architectural Coatings	December 11, 2024	December 23, 2024.

On March 13, 2018, the 2017 submittal was deemed by operation of law to be complete. On June 11, 2025, the 2024 submittal was deemed by operation of law to be complete. We have reviewed the submittals to ensure they meet the completeness criteria in 40 CFR part 51, appendix V.

B. Are there other versions of these rules?

We approved an earlier version of Rule 335 (adopted on July 13, 1988) into the SIP on January 6, 1992 (57 FR 354). In both the 2017 submittal and 2024 submittal, ADEQ requested that, upon approval of the revised version of Rule 335, the EPA remove the 1988 version of this rule from the SIP. If we finalize this rulemaking as proposed, then both

the 2017 submittal and 2024 submittal of Rule 335 will replace the 1988 version of this rule in the SIP. The 2024 submittal of Rule 335 will not become effective until and unless contingency measures are triggered for the 2015 8-hour ozone national ambient air quality standards (NAAQS).