contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

B. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

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.

D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of $100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

E. 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 *et seq.*), 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 is a safety zone. 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.

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.T09–0995 to read as follows:

§ 165.T09–0995 Safety Zone; St. Clair River, Port Huron, MI.

(a) *Location.* A safety zone is established to include all U.S. navigable waters of southern Lake Huron and the St. Clair River adjacent to Port Huron, MI, beginning at Lighthouse Beach and encompassing all U.S. waters of the St. Clair River bounded by a line starting at a point on land north of Coast Guard Station Port Huron at position 43°00′24.96″ N. ; 082°25′19.98″W., extending east to the international boundary to a point at position 43°00′24.96″ N.; 082°25′01.98″ W., following south along the international boundary to a point at position 42°54′30″ N.; 082°27′40.98″ W., extending west to a point on land just north of Stag Island at position 42°54′30″ N.; 082°27′57.96″ W., and following north along the U.S. shoreline to the point of origin. All geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Detroit (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 unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF–FM channel 16. 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.* This section will be enforced from 12 p.m. through 6 p.m. on August 16, 2026.

Caren C. Damon,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. 2026–16644 Filed 8–13–26; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R02–OAR–2025–3588; FRL–13122–02–R2]

Approval of Source-Specific Air Quality Implementation Plan; New York; Big Six Towers Inc.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a revision to the State of New York's State Implementation Plan (SIP) for the ozone National Ambient Air Quality Standard (NAAQS) related to a source-specific SIP (SSSIP) revision for Big Six Towers Inc. (the Big Six), located at 59–55 47th Ave. Woodside, NY 11377 (the Facility). The EPA found that the control options in this SSSIP revision implement Reasonably Available Control Technology (RACT) with respect to oxides of nitrogen (NO_X) emissions from the relevant Facility sources, which are identified as three oil-fired engines. This SSSIP revision implements NO_X RACT for the relevant Facility sources in accordance with the requirements for implementation of the 2008 and 2015 ozone NAAQS. The EPA determined that this action will not interfere with ozone NAAQS requirements and meets all applicable requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on September 14, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R02–OAR–2025–3588. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (CBI), Proprietary Business Information (PBI), 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 electronically through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT:

Stephanie Lin, Air Programs Branch, Environmental Protection Agency, 290 Broadway, 25th Floor, New York, New York 10007–1866; telephone number: (212) 637–3711; email address *lin.stephanie@epa.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Executive Summary

A. What action is the EPA taking?

The EPA is approving the Facility's source-specific SIP (SSSIP) revision submittal dated July 24, 2024 because the limits included in the SSSIP are demonstrated to implement Reasonably Available Control Technology (RACT) for Emission Unit 1–STACK (EU 1–STACK), emission sources 0ENG2, 0ENG4, 0ENG6 (representing the Facility's three oil-fired engines).

Specifically, the EPA has determined the following limit and associated requirements as implementing RACT: (1) the Facility must not exceed the alternate NO_X RACT limit for the three oil-fired engines of 5.0 grams per brake horsepower-hour (grams/bhp-hr) as demonstrated in the June 2022 NO_X RACT analysis; (2) the Facility shall submit a testing protocol to NYSDEC for approval a minimum of 90 days prior to any stack testing; and (3) the owner or operator will maintain records on-site for a minimum of five years.

B. What is the legal authority and what are the requirements?

The NYSDEC RACT regulations establish RACT requirements for this category of sources in 6 NYCRR subpart 227–2, ''Reasonably Available Control Technology (RACT) For Major Facilities of Oxides of Nitrogen (NO_X),'' last approved into New York's SIP by the EPA on July 12, 2013 (78 FR 41846). The Facility's three oil-fired engines are subject to 6 NYCRR subpart 227–2.4(f)(3) because they are stationary internal combustion engines that run on oil. The subpart lists a presumptive RACT emission limit of 2.3 g/bhp-hr. However, the NYSDEC RACT regulations allow source-specific RACT determinations if the presumptive RACT requirements are not technologically or economically feasible.

II. Background

On May 28, 2026 (91 FR 31694), the EPA published a proposed rulemaking that proposed to approve a State Implementation Plan (SIP) revision submitted by the State of New York on July 24, 2024. In that notice, the EPA proposed to determine that the NO_X RACT emission limit submitted by the State for the three oil-fired engines implements RACT. The State's July 24, 2024 SIP submittal consists of the SSSIP Revision for the Facility, the NO_X RACT demonstration from June 2022, and the public notice in the Environmental Notice Bulletin posted on September 6, 2023.

The Facility generates electrical power and steam for an apartment complex and mixed retail space and is located at 59–55 47th Avenue in Woodside, Queens. Under the Facility-wide Title V Operating Permit, the Big Six is permitted to operate six internal combustion engines (consisting of three natural gas-fired engines and three oil-fired engines) and three boilers (that fire natural gas as primary fuel and No. 2 fuel oil as backup). All of the emission sources are grouped under EU 1–STACK. The natural gas-fired engines meet the presumptive RACT limit of 1.5 g/bhp-hr and are not required to be addressed in this action. The sources evaluated in this action are the Facility's three oil-fired engines (EU 1–STACK, emission sources 0ENG2, 0ENG4, 0ENG6). The three oil-fired engines do not meet the presumptive limits of 2.3 g/bhp-hr. To minimize NO_X emissions, the Facility employs good combustion practices for the oil-fired engines without any add-on controls.

The NYSDEC RACT regulations establish RACT requirements for this category of sources in 6 NYCRR subpart 227–2, ''Reasonably Available Control Technology (RACT) For Major Facilities of Oxides of Nitrogen (NO_X),'' last approved into New York's SIP by the EPA on July 12, 2013 (78 FR 41846). The three oil-fired engines are subject to 6 NYCRR subpart 227–2.4(f)(3) because they are stationary internal combustion engines that run on oil. The subpart lists a presumptive RACT emission limit of 2.3 g/bhp-hr. However, as explained above, the NYSDEC RACT regulations allow source-specific RACT determinations if the presumptive RACT requirements are not technologically or economically feasible; such source-specific determinations must be submitted to the EPA as a SSSIP.

This SSSIP was submitted to the EPA by NYSDEC on July 24, 2024. As described in the proposed action, the EPA reviewed New York's RACT determination for the three oil-fired engines in this SSSIP submittal for consistency with the CAA and the EPA regulations, as interpreted through the EPA actions and guidance.[1] The intended effect of this SSSIP revision was to establish an emission limit for the process specific control measure for the three oil-fired engines.

The EPA has determined through this SSSIP rulemaking that the NO_X RACT emission limit submitted by the State for the three oil-fired engines is the lowest emission limit with the application of control technology that is reasonably available given technological and economic feasibility considerations. The relevant NO_X RACT emission limit is contained in the Facility's air permit, Permit ID 2–6304–00404/00004, under conditions 19, 30, 31, 32, and 40, which was issued by the State on April 4, 2024, and expires on April 3, 2029. The EPA is approving the incorporation of permit conditions 19, 30, 31, 32, and 40 into the SIP. In addition to the emission limit, these conditions include monitoring, reporting, and recordkeeping requirements for the proposed three oil-fired engines.

The Facility submitted a RACT demonstration, dated June 2022, to NYSDEC for the emission limit requirements, and NYSDEC reviewed and approved the variance emission limit as adequately implementing RACT for the source. NYSDEC then submitted the SSSIP revision package at issue in the proposed action for the EPA's approval, and the EPA has determined the variance emission limit as implementing RACT for this source. The RACT variance emission limit for the Facility becomes part of the federally enforceable SIP upon the EPA's final approval of this SSSIP.

The EPA has determined that the emission limit of 5.0 g/bhp-hr for the three oil-fired engines implements RACT because: (1) the 6 NYCRR subpart 227–2.4 presumptive NO_X limit for the three oil-fired engines of 2.3 g/bhp-hr is not economically and technologically feasible for this source; (2) no additional control technologies beyond what are currently used at the three oil-fired engines (*i.e.* good combustion practices)

[1] 91 FR 31694 (May 28, 2026).

are both technically and economically feasible; and (3) the SIP revision contains sufficient monitoring and reporting requirements associated with the emission limit.

III. Summary of New York's Submittal

The specific details of New York's SIP submittal are not restated in this final action. For this detailed information, the reader is referred to the EPA's May 28, 2026, proposed rulemaking.[2]

IV. The EPA's Evaluation of New York's Submittal

The rationale for the EPA's approval action is explained in the EPA's proposed rulemaking and is not restated in this final action. For this detailed information, the reader is referred to the EPA's May 28, 2026, proposed rulemaking.[3] With this final rulemaking, the EPA is approving conditions 19, 30, 31, 32, and 40 from Permit ID 2–6304–00404/00004 for incorporation by reference into New York's SIP.

V. Comments the EPA Received on Its Proposed Action

The EPA provided a 30-day review and comment period for the May 28, 2026 proposed rule. The comment period ended on June 29, 2026. The EPA received no comments on the proposed May 2026 action.[4]

VI. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference revisions to the Facility's Title V operating permit conditions 19, 30, 31, 32, and 40 as described in section I of this preamble. These documents are available in the docket of this rulemaking through *https://www.regulations.gov.* Therefore, these materials have been approved by the EPA for inclusion in the State Implementation Plan, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under CAA sections 110 and 113 as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[5]

VII. 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 (*See* 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 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 Order 12866 (58 FR 51735, October 4, 1993);
- Is not an Executive Order 14192 (90 FR 9065, February 6, 2025) regulatory action because this action is not significant 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 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 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).

This rule is exempt from the Congressional Review Act because it is a rule of particular applicability.

Under CAA section 307(b)(1), petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 13, 2026. 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* CAA section 307(b)(2)).

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.

Michael Martucci,

Regional Administrator, Region 2.

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart HH—New York

■ 2. Amend § 52.1670, in the table titled, "EPA-Approved New York Source-Specific Provisions" in paragraph (d), by adding the entry "Big Six Towers" at the end of the table to read as follows:

§ 52.1670 Identification of plan.

* * * * *

(d) * * *

[2] 91 FR 31694 (May 28, 2026).

[3] 91 FR 31694 (May 28, 2026).

[4] 91 FR 31694 (May 28, 2026).

[5] 62 FR 27968 (May 22, 1997).

EPA—APPROVED NEW YORK SOURCE-SPECIFIC PROVISIONS

Name of source	Identifier No.	State effective date	EPA approval date	Comments
*	*	*	* *	* *
Big Six Towers	2–6304–00404/00004	04/04/2024	08/14/2026, 91 FR [INSERT FEDERAL REGISTER PAGE WHERE THE DOCUMENT BEGINS].	RACT emission limit for conditions 19, 30, 31, 32, and 40, emission unit 1–STACK, emission sources 0ENG2, 0ENG4, 0ENG6.

* * * * *

[FR Doc. 2026–16627 Filed 8–13–26; 8:45 am]

BILLING CODE 6560–50–P

GENERAL SERVICES ADMINISTRATION

41 CFR Parts 101–4, 101–6, 101–8, and 105–10

[GSPMR Case 2026–03; Docket No. GSA–GSA–2026–0199; Sequence No. 01]

RIN 3090–AL09

General Services Administration Property Management Regulation (GSPMR): Nondiscrimination in Programs Receiving Federal Financial Assistance

AGENCY: Office of Government-wide Policy (OGP), U.S. General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: The General Services Administration (GSA) revises its regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI) and moves those regulations from the Federal Property Management Regulations (FPMR) to the General Services Administration Property Management Regulations (GSPMR). Title VI prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. This final rule updates GSA's Title VI regulations to reflect current statutory interpretation, applicable executive orders, and government-wide regulatory structure. This final rule also improves clarity, consistency, and administrative efficiency. These revisions align with changes made by the U.S. Department of Justice (DOJ) to its Title VI Regulations.

DATES: This rule is effective September 14, 2026.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact Lisa Lee Anderson, External Programs Branch Chief, Office of Civil Rights (OCR), at 202–501–0767 or *lisa.anderson@gsa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

A. Purpose

GSA is rescinding portions of its regulations promulgated pursuant to Title VI, 42 U.S.C. 2000d–1, to more closely align its regulations to the statute, which prohibits intentionally discriminatory conduct, *see* 42 U.S.C. 2000d. There are serious statutory and constitutional concerns with the legality of GSA's current Title VI regulations because they go beyond intentional discrimination by prohibiting conduct that has an unintentional disparate impact. This rule accordingly rescinds those portions of the regulations, which are in considerable tension with both the statute and the Constitution and do not sufficiently serve the public interest.

GSA's revisions also conform to Executive Order 14281, *Restoring Equality of Opportunity and Meritocracy,* 90 FR 17537 (Apr. 23, 2025). That Order states that ''[i]t is the policy of the United States to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible to avoid violating the Constitution, Federal civil rights laws, and basic American ideals.'' *Id.* at 17537. That Order also directs Federal agencies to ensure that their civil rights regulations are consistent with Title VI. In furtherance of that directive, on December 10, 2025, DOJ issued a final rule revising its regulations implementing Title VI. Although GSA would take this action independent of Executive Order 14281, GSA's revisions align with Executive Order 14281 and DOJ's revised Title VI rule, *see Rescinding Portions of Department of Justice Title VI Regulations To Conform More Closely with the Statutory Text and To Implement Executive Order 14281,* 90 FR 57141 (Dec. 10, 2025). This final rule is consistent with Executive Order 12250, *Leadership and Coordination of Nondiscrimination Laws,* 45 FR 72995 (Nov. 2, 1980), which authorizes the Attorney General to coordinate the implementation and enforcement of Title VI and related nondiscrimination statutes across Federal agencies.

Finally, this final rule migrates GSA's Title VI regulations from the FPMR to the GSPMR and updates outdated terminology, cross-references, and citations. Due to the migration, this rule also contains technical, non-substantive changes to sections in 41 CFR 101–4 and 101–8 to update cross-references to the sections being migrated. This will ensure accuracy and clarity for both federal employees and the public.

This final rule does not alter the statutory nondiscrimination obligation imposed by Title VI. This rule makes clear that GSA's Title VI regulations do not prohibit conduct or activities that have a disparate impact and prohibit only intentional discrimination, and GSA thus will not pursue Title VI disparate-impact liability claims against its Federal-funding recipients.

B. Statutory and Regulatory History

Title VI provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance. *See* 42 U.S.C. 2000d. The statute directs Federal agencies that extend Federal financial assistance to effectuate the provisions of Title VI by issuing rules, regulations, or orders of general applicability. *See* 42 U.S.C. 2000d–1. GSA's Title VI regulations apply to recipients of Federal financial assistance from GSA. Consistent with this authority, GSA's regulations establish requirements for GSA's compliance oversight and coordination.

GSA initially issued its Title VI implementing regulations in December 1964, shortly after enactment of Title VI, and codified them in the FPMR as Subpart 101–6.2. *See* 29 FR 16287 (Dec. 4, 1964). In July 1973, GSA revised and republished portions of these regulations following a notice of proposed rulemaking issued in December 1971. *See* 38 FR 17973 (July 5, 1973). The 1973 revisions updated and clarified regulatory coverage and