

Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

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; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegations No. 0170.1.

■ 2. Add § 165.T07–0756 to read as follows:

§ 165.T07–0756 Safety Zone, Wilmington River, Savannah, GA.

(a) *Regulated area.* The following areas are established as safety zones: All waters of the Wilmington River within 1,000 feet on the north and south side of the Islands Expressway Bridge, Wilmington River in Savannah, GA.

(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 or aircraft, and federal, state, and local officers designated by or assisting the Captain of the Port (COTP) Savannah in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area of the safety zone unless authorized by the COTP Savannah or a designated representative.

(2) Persons or vessels desiring to enter, transit through, anchor in, or remain within the safety zone may contact COTP Savannah by telephone at (912) 652–4353 × 243, or a designated representative via VHF radio on channel 16, to request authorization. If

authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the COTP Savannah or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the COTP Savannah or a designated representative.

(3) The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners, Marine Safety Information Bulletins, and on-scene designated representatives.

(d) *Effective and enforcement period.* This section is effective without actual notice from September 26, 2019 to 2:00 p.m. on October 22, 2019. For the purposes of enforcement, actual notice will be used from 8:00 a.m. on September 18, 2019 through September 26, 2019. This section will be enforced intermittently from 8:00 a.m. on September 18, 2019 to 2:00 p.m. on September 20, 2019, 8:00 a.m. on September 23, 2019 to 2:00 p.m. on September 27, 2019, 8:00 a.m. on September 30, 2019 to 2:00 p.m. on October 4, 2019, 8:00 a.m. on October 14, 2019 to 2:00 p.m. on October 18, 2019, 8:00 a.m. on October 21, 2019 to 2:00 p.m. on October 22, 2019.

(e) *Notice of suspension of enforcement.* If the safety zone described in paragraph (a) of this section is not enforced on the days listed in paragraph (d) of this section, the Coast Guard will notify the public via Broadcast Notice to Mariners and will update the Local Notice to Mariners.

Dated: September 16, 2019.

Judson A. Coleman,

Lieutenant Commander, U.S. Coast Guard, Acting Captain of the Port Savannah.

[FR Doc. 2019–20565 Filed 9–25–19; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2018–0813; FRL–10000–25–Region 4]

Air Plan Approval; Georgia; 2008 8-Hour Ozone Interstate Transport

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing approval of Georgia’s August 15, 2018, State Implementation Plan (SIP) submission

pertaining to the “good neighbor” provision of the Clean Air Act (CAA or Act) for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS). The good neighbor provision requires each state’s implementation plan to address the interstate transport of air pollution in amounts that contribute significantly to nonattainment, or interfere with maintenance, of a NAAQS in any other state. In this action, EPA is finalizing the determination that Georgia will not contribute significantly to nonattainment or interfere with maintenance of the 2008 8-hour ozone NAAQS in any other state. Therefore, EPA is approving Georgia’s August 15, 2018, SIP revision as meeting the requirements of the good neighbor provision for the 2008 8-hour ozone NAAQS.

DATES: This rule will be effective October 28, 2019.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2018–0813. All documents in the docket are listed on the www.regulations.gov website. Although listed in the index, some information may not be publicly available, *i.e.*, Confidential Business Information 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 electronically through www.regulations.gov or in hard copy at 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 if at all possible, 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:

Evan Adams, 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. Mr. Adams can also be reached via telephone at (404) 562–9009 and via electronic mail at adams.evan@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On March 12, 2008 (73 FR 16436), EPA promulgated an ozone NAAQS that revised the levels of the primary and secondary 8-hour ozone standards from 0.08 parts per million (ppm) to 0.075 ppm. See 73 FR 16436 (March 27, 2008). Pursuant to CAA section 110(a)(1), within three years after promulgation of a new or revised NAAQS (or shorter, if EPA prescribes), states must submit SIPs that meet the applicable requirements of section 110(a)(2). EPA has historically referred to these SIP submissions made for the purpose of satisfying the requirements of sections 110(a)(1) and 110(a)(2) as “infrastructure SIP” submissions. One of the structural requirements of section 110(a)(2) is section 110(a)(2)(D)(i), which generally requires SIPs to contain adequate provisions to prohibit in-state emissions activities from having certain adverse air quality effects on neighboring states due to interstate transport of air pollution.

There are four sub-elements, or “prongs,” within section 110(a)(2)(D)(i) of the CAA. CAA section 110(a)(2)(D)(i)(I), also known as the “good neighbor” provision, requires SIPs to include provisions prohibiting any source or other type of emissions activity in one state from emitting any air pollutant in amounts that will contribute significantly to nonattainment, or interfere with maintenance, of the NAAQS in another state. The two provisions of this section are referred to as prong 1 (significant contribution to nonattainment) and prong 2 (interference with maintenance). Section 110(a)(2)(D)(i)(II) requires SIPs to contain adequate provisions to prohibit emissions that will interfere with measures required to be included in the applicable implementation plan for any other state under part C to prevent significant deterioration of air quality (prong 3) or to protect visibility (prong 4).

On August 15, 2018, the Georgia Environmental Protection Division provided a SIP submittal to EPA to address the interstate transport requirements of CAA section 110(a)(2)(D)(i)(I) for the 2008 8-hour ozone NAAQS, containing a certification that the State’s SIP meets the requirements of prongs 1 and 2. Georgia’s certification is based on available emissions data, air quality monitoring and modeling data, SIP-approved¹ provisions regulating

emissions of ozone precursors within the State, and an analysis of recent trends in emissions of ozone precursors (VOCs and NO_x) from Georgia sources.

In a notice of proposed rulemaking (NPRM) published on July 11, 2019 (84 FR 33027), EPA proposed to determine that Georgia will not contribute significantly to nonattainment or interfere with maintenance of the 2008 8-hour ozone NAAQS in any other state and to approve Georgia’s August 15, 2018, SIP submission as meeting the CAA requirements of prongs 1 and 2 under section 110(a)(2)(D)(i)(I) for the 2008 8-hour ozone NAAQS.² In that notice, EPA discussed the final determination made in the update to the Cross-State Air Pollution Rule ozone season program, which addresses good neighbor obligations for the 2008 8-hour ozone NAAQS (known at the “CSAPR Update”),³ that emissions activities within Georgia will not significantly contribute to nonattainment or interfere with maintenance of that NAAQS in any other state. The NPRM provides additional detail regarding the background and rationale for EPA’s action. Comments on the NPRM were due on or before August 12, 2019. EPA received no comments on the NPRM.

II. Final Action

EPA is taking final action to determine that Georgia will not contribute significantly to nonattainment or interfere with maintenance of the 2008 8-hour ozone NAAQS in any other state. Therefore, EPA is finalizing approval of Georgia’s August 15, 2018, SIP submission as meeting the CAA requirements of prongs 1 and 2 under section 110(a)(2)(D)(i)(I) for the 2008 8-hour ozone NAAQS. EPA is taking final action to approve the SIP submission

Control 391–3–1–.02(2)(sss)—Multipollutant Control for Electric Utility Steam Generating Units.

² This action addresses only prongs 1 and 2 of section 110(a)(2)(D)(i). All other infrastructure SIP elements for Georgia for the 2008 8-hour ozone NAAQS were addressed in separate rulemakings. See 83 FR 19637 (May 4, 2018); 80 FR 61109 (October 9, 2015); and 80 FR 14019 (March 18, 2015).

³ See 81 FR 74504 (October 26, 2016). The CSAPR Update establishes statewide nitrogen oxide (NO_x) budgets for certain affected electricity generating units in 22 eastern states for the May–September ozone season to reduce the interstate transport of ozone pollution in the eastern United States, and thereby help downwind states and communities meet and maintain the 2008 8-hour ozone NAAQS. The rule also determined that emissions from 14 states (including Georgia) will not significantly contribute to nonattainment or interfere with maintenance of the 2008 ozone NAAQS in downwind states. Accordingly, EPA determined that it need not require further emission reductions from sources in those states to address the good neighbor provision with regard to the 2008 ozone NAAQS. *Id.*

because it is consistent with section 110 of the CAA.

III. 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. This action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
 - Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted 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 an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
 - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
 - Is not subject to requirements of 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; and
 - Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).
- The SIP is not approved to apply on any Indian reservation land or in any

¹ Although not relied upon for purposes of approval, GA EPD also identified state-only provisions of the Georgia Rules for Air Quality

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 as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it

is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 25, 2019. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. *See* section 307(b)(2).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Ozone, Reporting and

recordkeeping requirements, Volatile organic compounds.

Dated: September 11, 2019.

Mary S. Walker,
Regional Administrator, Region 4.

40 CFR part 52 is amended 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 L—Georgia

■ 2. Section 52.570(e) is amended by adding an entry for “110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS” at the end of the table to read as follows:

§ 52.570 Identification of plan.

* * * * *
(e) * * *

EPA-APPROVED GEORGIA NON-REGULATORY PROVISIONS

| Name of nonregulatory SIP provision | Applicable geographic or non-attainment area | State submittal date/effective date | EPA approval date | Explanation |
|--|--|-------------------------------------|--|---|
| 110(a)(1) and (2) Infrastructure Requirements for the 2008 8-Hour Ozone NAAQS. | Georgia | 8/15/2018 | 9/26/2019, [Insert citation of publication]. | Addressing prongs 1 and 2 of section 110(a)(2)(D)(i)(I) only. |

[FR Doc. 2019–20551 Filed 9–25–19; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2019–0240; FRL–10000–01–Region 9]

Designation of Areas for Air Quality Planning Purposes: California; Coachella Valley 8-Hour Ozone Nonattainment Area; Reclassification to Extreme; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: On July 10, 2019, the Environmental Protection Agency (EPA) published in the **Federal Register** a rule entitled “Designation of Areas for Air Quality Planning Purposes; California; Coachella Valley 8-Hour Ozone Nonattainment Area; Reclassification to

Extreme.” That publication inadvertently included the incorrect docket number for the rule. This document corrects that error.

DATES: This document is effective on September 26, 2019.

FOR FURTHER INFORMATION CONTACT: Tom Kelly, Air Planning Office (AIR–2), EPA Region IX, (415) 972–3856, *kelly.thomas@epa.gov*.

SUPPLEMENTARY INFORMATION: On July 10, 2019 (84 FR 32841), the EPA published a final rule entitled “Designation of Areas for Air Quality Planning Purposes; California; Coachella Valley 8-Hour Ozone Nonattainment Area; Reclassification to Extreme” that granted a request from the State of California to reclassify the Coachella Valley nonattainment area from “Severe-15” to “Extreme” for the 1997 ozone national ambient air quality standards. That publication incorrectly identified the docket number, which could make it difficult for members of the public to locate documents related

to the reclassification. This document corrects the docket number in that rule.

In FR Doc. 2019–14612, published July 10, 2019 (84 FR 32841), make the following corrections:

1. On page 32841, in the third column, correct the docket number for “Designation of Areas for Air Quality Planning Purposes; California; Coachella Valley 8-Hour Ozone Nonattainment Area; Reclassification to Extreme” to read: “[EPA–OAR–R09–2019–0240; FRL–9996–12–Region 9]”

2. On page 32842, in the first column, correct the first sentence of the **ADDRESSES** caption to read:

“The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2019–0240”.

Dated: September 6, 2019.

Deborah Jordan,
Acting Regional Administrator, Region IX.

[FR Doc. 2019–20424 Filed 9–25–19; 8:45 am]

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