

or mooring facility, along with the following information:

- (A) Date and time of entry and departure; and
 (B) The names of any hazardous cargo which the vessel is carrying.
 (6) The person in charge of a facility shall ensure continuous visual surveillance of all vessels at the facility.
 (7) The person who observes the vessels shall:

(i) Inspect for movements that are unusual for properly secured vessels; and
 (ii) Take immediate action to correct each deficiency.
 (f) *Mooring Requirements.* Facility owners shall consider all requirements within this section as minimum standards. Title 33 CFR 165.803, United Facilities Criteria (UFC) 4-159 and American Society of the Civil Engineers (ASCE)7 should be utilized by Professional Engineers in the certification of the Annual Hurricane Operations Plan.

(1) No person may secure a vessel to trees or to other vegetation.

(2) No person may allow a vessel to be moored with unraveled or frayed lines or other defective or worn mooring.

(3) No person may moor barges side to side unless they are secured to each other from fittings as close to each corner of abutting sides as practicable.

(4) No person may moor barges end to end unless they are secured to each other from fittings as close to each corner of abutting ends as practicable.

(5) A vessel may be moored to mooring devices if both ends of that vessel are secured to mooring devices.

(6) Barges may be moored in tiers if each shoreward barge is secured to mooring devices at each end.

(7) A vessel must be secured as near as practicable to each abutting corner by:

- (i) Three parts of wire rope of at least 1¼ inch diameter with an eye at each end of the rope passed around the timberhead, caval, or button;
 (ii) A mooring of natural or synthetic fiber rope that has at least the breaking strength of three parts of 1¼ inch diameter wire rope; or
 (iii) Fixed rigging that is at least equivalent to three parts of 1¼ inch diameter wire rope.

(8) The person in charge shall ensure that all mooring devices, wires, chains, lines and connecting gear are of sufficient strength and in sufficient number to withstand forces that may be exerted on them by moored vessels/barges.

(g) *Towboat Requirements.* The person in charge of a fleeting or mooring facility must ensure:

(1) Each facility consisting of eight or more vessels that are not under their own power must be attended by at least one radar-equipped towboat for every 50 vessels.

- (2) Each towboat required must be:
 (i) Able to secure any breakaways;
 (ii) Capable of safely withdrawing or moving any vessel at the fleeting or mooring facility;
 (iii) Immediately operational;
 (iv) Radio-equipped;
 (v) No less than 800 horsepower;
 (vi) Within 500 yards of the vessels.

(3) The person in charge of each towboat required must maintain a continuous guard on the frequency specified by current Federal Communications Commission regulations found in 47 CFR part 83; a continuous watch on the vessels moored at facility; and report any breakaway as soon as possible to the COTP via telephone, radio or other means of rapid communication.

(h) Transient vessels will not be permitted to seek safe haven in the RNA except in accordance with a prearranged agreement between the vessel and a facility within the RNA.

(i) *Penalties.* Failure to comply with this section may result in civil or criminal penalties pursuant to the Ports and Waterways Safety Act, 33 U.S.C. 1221 *et seq.*

Dated: April 1, 2014.

K.S. Cook,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 2014-08265 Filed 4-14-14; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R07-OAR-2013-0672; FRL-9909-43-Region 7]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve a revision to the State Implementation Plan (SIP) submitted by the State of Missouri for the purpose of incorporating administrative changes to the Missouri rule entitled "Municipal Solid Waste Landfills". EPA is approving this SIP revision based on EPA's finding that the rule is as stringent as the rule it replaces and

fulfills the requirements of the Clean Air Act (CAA or Act) for the protection of the ozone National Ambient Air Quality Standards (NAAQS) in St. Louis.

DATES: This direct final rule will be effective June 16, 2014, without further notice, unless EPA receives adverse comment by May 15, 2014. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R07-OAR-2013-0672, by one of the following methods:

1. *www.regulations.gov.* Follow the on-line instructions for submitting comments.

2. *Email:* Bernstein.craig@epa.gov.

3. *Mail or Hand Delivery:* Craig Bernstein, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219.

Instructions: Direct your comments to Docket ID No. EPA-R07-OAR-2013-0672. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through

www.regulations.gov or email information that you consider to be CBI or otherwise protected. The *www.regulations.gov* Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov*, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in www.regulations.gov or in hard copy at the Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219. The Regional Office's official hours of business are Monday through Friday, 8:00 to 4:30 excluding Federal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

FOR FURTHER INFORMATION CONTACT:

Craig Bernstein, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at 913-551-7688, or by email at Bernstein.craig@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document "we," "us," or "our" refer to EPA. This section provides additional information by addressing the following:

- I. What is being addressed in this document?
- II. Have the requirements for approval of a SIP revision been met?
- III. What action is EPA taking?

I. What is being addressed in this document?

EPA is approving a revision to the State Implementation Plan (SIP) submitted by the State of Missouri for the purpose of incorporating administrative changes to the Missouri rule entitled "Municipal Solid Waste Landfills" rule, 10 CSR 10-5.490. This revision updates the rule to maintain consistency with the Federal requirements, corrects typographical errors, includes formatting changes, and corrects inconsistencies from previous final rule actions. Missouri's request to move definitions to rule 10 CSR 10-6.020 "Definitions and Common Reference Tables" will be addressed in a separate rulemaking action.

Specifically, the State of Missouri made the following changes in rule 10 CSR 10-5.490 "Municipal Solid Waste Landfills". Subsections (1)(B) and (1)(C) were amended to add and correct legal citations. Subsection (1)(D) was added to match the text of 40 CFR 60, subpart Cc. Section (2) was amended to move all definitions to Missouri rule 10 CSR 10-

6.020 which will be addressed in a separate action. Section (3) was amended and sections (4) through (7) were amended and renumbered to match the format of rule 10 CSR 10-6.310 "Restriction of Emissions from Municipal Solid Waste Landfills" and text of 40 CFR 60, subpart WWW, and correct legal citations. Subpart (3)(C) was added to incorporate by reference parts of the Code of Federal Regulations. Section (4) was added to match rule 10 CSR 10-6.310 and the most current 40 CFR 60, subpart WWW. Sections (9) and (10) were added to match rule 10 CSR 10-6.310 and the text of 40 CFR 60, subpart WWW.

In a separate action being published in today's **Federal Register**, EPA is taking action to approve Missouri's state plan for designated facilities for Municipal Solid Waste Landfills under CAA 111(d) authority. This separate action pertains to Missouri rules 10 CSR 10-5.490 and 10 CSR 10-6.310.

II. Have the requirements for approval of a SIP revision been met?

The Missouri Air Conservation Commission adopted these actions on February 12, 2012, after considering comments received at public hearing. The rule became effective on May 30, 2012. The commission has full legal authority to develop rules pursuant to Section 643.050 of the Missouri Air Conservation Law. The state followed all applicable administrative procedures in proposing and adopting the rule actions.

The state submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfies the completeness criteria of 40 CFR part 51, appendix V. In addition the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

III. What action is EPA taking?

EPA is approving the revision to the SIP submitted by the State of Missouri for the purpose of incorporating administrative changes to the "Municipal Solid Waste Landfills" rule 10 CSR 10-5.490. EPA is approving this SIP revision based on EPA's finding that the rule is as stringent as the rule it replaces and fulfills the requirements of the CAA.

EPA is publishing this rule without a prior proposed rule because we view this as a noncontroversial action and anticipate no adverse comment because the revisions are administrative and consistent with Federal regulations. However, in the "Proposed Rules" section of today's **Federal Register**, we

are publishing a separate document that will serve as the proposed rule to approve the SIP revision. If EPA receives adverse comments on this direct final rule, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule will not take effect. We would address all public comments in any subsequent final rule based on the proposed rule.

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, 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);
- 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).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not 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 June 16, 2014. Filing a petition for reconsideration by the Administrator of this direct final rule does not affect the finality of this rule 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today’s **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: April 3, 2014.

Karl Brooks,
Regional Administrator, Region 7.

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

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

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

Subpart AA—Missouri

■ 2. In § 52.1320 the table in paragraph (c) is amended by revising the entry for 10–5.490 as follows:

§ 52.1320 Identification of plan.
* * * * *
(c) * * *

EPA-APPROVED MISSOURI REGULATIONS

Missouri citation	Title	State effective date	EPA Approval date	Explanation
Missouri Department of Natural Resources				
* * *	* * *	* * *	* * *	* * *
Chapter 5—Air Quality Standards and Air Pollution Control Regulations for the St. Louis Metropolitan Area				
* * *	* * *	* * *	* * *	* * *
10–5.490	Municipal Solid Waste Landfills. ..	5/30/12	4/15/14 <i>insert</i> FEDERAL REGISTER <i>page number where the document begins</i> .	
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[FR Doc. 2014–08338 Filed 4–14–14; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R06–OAR–2014–0145; FRL–9909–53–Region 6]

Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Clean Data Determination for the Baton Rouge Area for the 2008 Ozone National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) has determined that the Baton Rouge, Louisiana marginal 2008 8-hour ozone nonattainment area is currently attaining the 2008 8-hour National Ambient Air Quality Standard (NAAQS) for ozone. This determination is based upon complete, quality assured, certified ambient air monitoring data that show the area has monitored attainment of the 2008 8-hour ozone NAAQS during the 2011–2013 monitoring period, and continues to