

§ 165.T01–0767 Safety Zone; 2021 Barge Based Fireworks, Hudson River, Manhattan, NY.

(a) *Location.* The safety zone will cover all navigable waters within a 600 foot radius of the fireworks launch site located on the Hudson River, Manhattan, NY, approximate position 40°45'39.4" N, 4°00'35.8" W, in the vicinity of the Hudson River Park and Pier 76.

(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 New York (COTP) in the enforcement of this section.

(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 Designated Representative via VHF–FM Marine Channel 16 or by contacting the Coast Guard Sector New York command center at (718) 354–4356 or on VHF 16 to obtain permission.

(d) *Enforcement period.* This rule will be enforced from 9:30 p.m. through 11:30 p.m. on November 18, 2021.

(e) *Information broadcasts.* The COTP or a designated representative will inform the public through Broadcast Notice to Mariners of any changes in the planned schedule.

Dated: October 25, 2021.

M. Sennick,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2021–23786 Filed 11–3–21; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS
38 CFR Part 1
RIN 2900–AR39
Release of Information From Department of Veterans Affairs' Records
AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs' (VA) regulations governing the submission and processing of requests for

information under the Freedom of Information Act (FOIA).

DATES: This rule is effective December 6, 2021.

FOR FURTHER INFORMATION CONTACT: Catherine Nachmann, Attorney, Office of General Counsel (024), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461–7742 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: On April 1, 2019, VA published a final rule in the **Federal Register** [84 FR 12122]. The final rule amended VA's regulations pertaining to release of information under 5 U.S.C. 552 and implementation of the FOIA, codified at 38 CFR 1.550 through 1.562, and implemented amendments in the FOIA Improvement Act of 2016, Public Law 114–185, and those governing release of information from claimant records protected under the Privacy Act of 1974, namely 38 CFR 1.577(c) and (e) and 1.580. VA also amended the regulations to clarify sections as needed and streamline VA processes regarding release of information.

VA is now revising its regulation at 38 CFR 1.552, General Provisions, to change VA FOIA Service's website address. A Notice of Proposed Rulemaking is not required because no substantive changes are being proposed.

Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501–3521).

Regulatory Flexibility Act

The Secretary of Veterans Affairs hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The provisions of this rulemaking only involve internal agency processes and no entities outside of VA. This final rule does not concern fees. Therefore, pursuant to 5 U.S.C. 605(b), the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604 do not apply.

Administrative Procedure Act

The Secretary of Veterans Affairs finds that there is good cause under the provisions of 5 U.S.C. 553(b)(B) to publish this rule without prior opportunity for public comment. Publication as a final rule will allow individuals who want to access VA FOIA Service's website to do so without delay or the additional effort required to access another website address after

redirection. Delay in updating the address would be contrary to the public interest because currently, individuals who seek information about VA's FOIA program are directed to a non-functioning website. To facilitate public access to such information, VA is issuing this rule as a final rule without a comment period.

Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. The Office of Information and Regulatory Affairs has determined that this rule is not a significant regulatory action under Executive Order 12866. The Regulatory Impact Analysis associated with this rulemaking can be found as a supporting document at www.regulations.gov.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in an expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any year. This final rule would have no such effect on state, local, and tribal governments, or on the private sector.

Catalog of Federal Domestic Assistance

There is no Catalog of Federal Domestic Assistance number for the program affected by this final rule.

Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this rule as not a major rule, as defined by 5 U.S.C. 804(2).

List of Subjects in 38 CFR Part 1

Administrative Practice and Procedure, Archives and Records, Cemeteries, Claims, Courts, Crime, Flags, Freedom of information, Government Contracts, Government Employees, Government Property,

Infants and Children, Inventions and Patents, Parking, Penalties, Privacy, Reporting and Recordkeeping Requirements, Seals and Insignia, Security Measures, and Wages.

Signing Authority

Denis McDonough, Secretary of Veterans Affairs, approved this document on October 26, 2021, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Consuela Benjamin,

Regulations Development Coordinator, Office of Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs.

For the reasons stated in the preamble, VA amends 38 CFR part 1 as follows:

PART 1—GENERAL PROVISIONS

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

Authority: 38 U.S.C. 501(a).

■ 2. In § 1.552, revise paragraph (a) to read as follows.

§ 1.552 General provisions.

* * * * *

(a) *Additional information.*

Information regarding VA’s FOIA and Privacy Act process generally, including how to file FOIA requests, and information made available by VA under the FOIA, is available at the following internet address: <https://www.va.gov/foia>.

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[FR Doc. 2021–23911 Filed 11–3–21; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2021–0524; FRL–8808–02–R9]

Air Plan Approval; California; Eastern Kern Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Eastern Kern Air Pollution Control District (EKAPCD) portion of the California State Implementation Plan (SIP). This revision concerns EKAPCD’s demonstration regarding reasonably available control technology (RACT) requirements and negative declarations for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS or “standards”) in the portion of the Kern County nonattainment area under the jurisdiction of EKAPCD.

DATES: This rule will be effective on December 6, 2021.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2021–0524. 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) 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 through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with disabilities 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:

Nicole Law, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947–4126 or by email at Law.Nicole@epa.gov.

SUPPLEMENTARY INFORMATION:

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

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I. Proposed Action

On August 25, 2021 (86 FR 47435), the EPA proposed to approve the California Air Resources Board’s (CARB) August 9, 2017 submittal of the Eastern Kern Air Pollution Control District Reasonable Available Control Technology (RACT) State Implementation Plan (SIP) for the 2008 Ozone National Ambient Air Quality Standards (NAAQS) (“2017 RACT SIP”).

Local agency	Document	Adopted	Submitted
EKAPCD	Eastern Kern Air Pollution Control District Reasonable Available Control Technology (RACT) State Implementation Plan (SIP) for the 2008 Ozone National Ambient Air Quality Standards (NAAQS) (“2017 RACT SIP”).	05/11/2017	08/09/2017

We proposed to approve this submittal because we determined that it complies with the relevant Clean Air Act (“Act”) requirements. Our proposed action contains more information on the submittal and our evaluation.

II. Public Comments and EPA Responses

The EPA’s proposed action provided a 30-day public comment period. During this period, we received no comments.

III. EPA Action

This action is one of three EPA actions on the EKAPCD 2017 RACT SIP submittal. The other two actions are as follows:

(1) On January 14, 2021 (86 FR 3816), the EPA approved EKAPCD’s negative declaration for the Control Techniques Guidelines (CTG) category associated with the Oil and Natural Gas Industry (EPA–453/B–16–001). We assessed internet sites for California’s Department of Conservation Geologic Energy Management Division’s (CalGEM) Well Finder, CARB’s pollution mapping tool, and the California Energy

Commission’s California Natural Gas Pipelines and determined there were no oil and gas operations within EKAPCD’s jurisdiction covered by the Oil and Natural Gas CTG.¹

(2) The amended rules for major source oxides of nitrogen (NO_x) were submitted separately on May 23, 2018, and August 22, 2018. These rules and the RACT certification

¹ Technical Support Document for EPA’s Clean Air Act Rulemaking for the California State Implementation Plan Eastern Kern County Air Pollution Control District Negative Declaration for Control Techniques Guidelines for the Oil and Natural Gas Industry, dated August 2020 and prepared by Sina Schwenk-Mueller.