

State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. 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. 4321-4370f), 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 involves a security zone to limit access near Naval Submarine Base New London, Groton, CT. It is categorically excluded from further review under paragraph L60a 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. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email 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 Delegation No. 00170.1, Revision No. 01.2.

■ 2. Revise § 165.154(a)(3) to read as follows:

§ 165.154 Safety and Security Zones; Captain of the Port Long Island Sound Zone Safety and Security Zones.

* * * * *

(a) * * *

(3) Naval Submarine Base New London, Groton, CT. All navigable waters of the Thames River, from surface to bottom, West of Naval Submarine Base New London, Groton, CT, enclosed by a line beginning at a point on the shoreline at 41°23'7.9" N, 072°05'13.7" W; then to 41°23'7.9" N, 072°05'16.9" W; then to 41°23'26.42" N, 72°5'30.771" W; then to 41°23'42.9" N, 072°05'40.1" W; then to 41°23'46.7" N, 072°05'42.3" W; then to 41°23'53.9" N, 072°05'44.5" W; then to 41°24'8.7" N, 072°05'44.5" W; then to 41°24'16.2" N, 072°05'43.4" W; then to a point on the shoreline 41°24'16.2" N, 072°05'36.4" W; then along the shoreline to the point of beginning (NAD 83).

* * * * *

Dated: July 21, 2022.
E.J. Van Camp,
Captain, U.S. Coast Guard, Captain of the Port Long Island Sound.
 [FR Doc. 2022-16622 Filed 8-2-22; 8:45 am]
BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2021-0818; FRL-9264-02-R9]

Air Plan Approval; California; Northern Sierra Air Quality Management District; Reasonably Available Control Technology

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Northern Sierra Air Quality Management District (NSAQMD or "District") portion of the California State Implementation Plan (SIP). This revision concerns NSAQMD's demonstration regarding reasonably available control technology (RACT) requirements and negative declarations for the 2015 8-hour ozone national ambient air quality standards

(NAAQS or "standards") in the Western Nevada County ozone nonattainment area, which is under the jurisdiction of the District.

DATES: This rule is effective September 2, 2022.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2021-0818. 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: Elijah Gordon, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 972-3158 or by email at gordon.elijah@epa.gov.

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

Table of Contents

- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Statutory and Executive Order Reviews

I. Proposed Action

On February 10, 2022 (87 FR 7779), the EPA proposed to approve the California Air Resources Board's (CARB) March 23, 2021 submittal of the Northern Sierra Air Quality Management District (NSAQMD or "District") Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) for the 2015 Ozone National Ambient Air Quality Standards (NAAQS) ("2015 ozone RACT SIP").

TABLE 1—SUBMITTED DOCUMENT

Local agency	Document	Adopted	Submitted
NSAQMD	Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Revision for Western Nevada County 8-Hour Ozone Nonattainment Area.	01/25/21	03/23/21

We proposed to approve this submittal because we determined that it complies with the relevant Clean Air Act (CAA or “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

No comments were submitted. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is fully approving the 2015 ozone RACT SIP into the California SIP.

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, 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 Clean Air Act. 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- 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 Clean Air Act; and
- Does not provide the 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, 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).

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. The 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 Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 3, 2022. 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, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: July 20, 2022.

Kerry Drake,

Acting Regional Administrator, Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations 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 F—California

- 2. Section 52.220 is amended by adding paragraph (c)(585) to read as follows:

§ 52.220 Identification of plan—in part.

(c) * * *

(585) The following plan was submitted on March 23, 2021, by the Governor’s designee as an attachment to a letter dated March 22, 2021.

(i) [Reserved]

(ii) *Additional materials.* (A) Northern Sierra Air Quality Management District.

(1) Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Revision for Western Nevada County 8-Hour Ozone Nonattainment Area, adopted on January 25, 2021.

(2) [Reserved]

(B) [Reserved]

- 3. Revise § 52.222(a)(9) to read as follows:

§ 52.222 Negative declarations. (i) The following negative declarations for the 1997 ozone NAAQS were adopted by the Northern Sierra Air Quality Management District.

(a) * * * (9) Northern Sierra Air Quality Management District.

TABLE 1 TO PARAGRAPH (a)(9)(i)—NEGATIVE DECLARATIONS FOR THE 1997 OZONE NAAQS

CTG document No.	Title	Adopted: 05/19/2008 Submitted: 08/14/2008 SIP Approved: 04/18/2012	Adopted: 04/25/2011 Submitted: 05/17/2011 SIP Approved: 04/18/2012	Adopted: 06/25/2007 Submitted: 02/07/2008 SIP Approved: 04/13/2015
EPA-450/2-77-008.	Surface Coating of Cans .....	.....	.....	X
EPA-450/2-77-008.	Surface Coating of Coils .....	.....	.....	X
EPA-450/2-77-008.	Surface Coating of Paper .....	.....	.....	X
EPA-450/2-77-008.	Surface Coating of Fabric .....	.....	.....	X
EPA-450/2-77-008.	Surface Coating of Automobiles and Light-Duty Trucks.	.....	.....	X
EPA-450/2-77-022.	Solvent Metal Cleaning .....	.....	.....	X
EPA-450/2-77-025.	Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds.	.....	.....	X
EPA-450/2-77-026.	Tank Truck Gasoline Loading Terminals.	.....	.....	X
EPA-450/2-77-032.	Surface Coating of Metal Furniture .....	.....	.....	X
EPA-450/2-77-033.	Surface Coating of Insulation of Magnet Wire.	.....	.....	X
EPA-450/2-77-034.	Surface Coating of Large Appliances ...	.....	.....	X
EPA-450/2-78-029.	Manufacture of Synthesized Pharmaceutical Products.	.....	.....	X
EPA-450/2-78-030.	Manufacture of Pneumatic Rubber Tires.	.....	.....	X
EPA-450/2-78-032.	Factory Surface Coating of Flat Wood Paneling.	.....	.....	X
EPA-450/2-78-033.	Graphic Arts—Rotogravure and Flexography.	.....	.....	X
EPA-450/2-78-036.	Leaks from Petroleum Refinery Equipment.	.....	.....	X
EPA-450/2-78-047.	Petroleum Liquid Storage in External Floating Roof Tanks.	.....	.....	X
EPA-450/3-82-009.	Large Petroleum Dry Cleaners .....	.....	.....	X
EPA-450/3-83-006.	Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment.	.....	.....	X
EPA-450/3-83-007.	Leaks from Natural Gas/Gasoline Processing Plants.	.....	.....	X
EPA-450/3-83-008.	Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins.	.....	.....	X
EPA-450/3-84-015.	Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry.	.....	.....	X
EPA-450/4-91-031.	Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry.	.....	.....	X
EPA-453/R-96-007.	Wood Furniture Manufacturing Operations.	.....	.....	X
EPA-453/R-94-032.	ACT Surface Coating Operations at Shipbuilding and Ship Repair Facilities.	.....	.....	X
EPA-453/R-97-004.	Shipbuilding and Ship Repair Operations (Surface Coating), <i>see the Federal Register of 08/27/96.</i>	.....	.....	X
EPA-453/R-97-004.	Coating Operations at Aerospace Manufacturing and Rework Operations. NESHAPS Aerospace Manufacturing and Rework, <i>see the Federal Register of 06/06/94.</i>	.....	.....	X

TABLE 1 TO PARAGRAPH (a)(9)(i)—NEGATIVE DECLARATIONS FOR THE 1997 OZONE NAAQS—Continued

CTG document No.	Title	Adopted: 05/19/2008 Submitted: 08/14/2008 SIP Approved: 04/18/2012	Adopted: 04/25/2011 Submitted: 05/17/2011 SIP Approved: 04/18/2012	Adopted: 06/25/2007 Submitted: 02/07/2008 SIP Approved: 04/13/2015
EPA-453/R-06-001.	Industrial Cleaning Solvents	X	.....	.....
EPA-453/R-06-002.	Offset Lithographic Printing and Letterpress Printing.	X	.....	.....
EPA-453/R-06-003.	Flexible Package Printing	X	.....	.....
EPA-453/R-06-004.	Flat Wood Paneling Coatings	X	.....	.....
EPA 453/R-07-003.	Paper, Film, and Foil Coatings	X	.....	.....
EPA 453/R-07-004.	Large Appliance Coatings	X	.....	.....
EPA 453/R-07-005.	Metal Furniture Coatings	X	.....	.....
EPA 453/R-08-004.	Fiberglass Boat Manufacturing Materials.	.....	X	.....
EPA 453/R-08-005.	Miscellaneous Industrial Adhesives .....	.....	X	.....
EPA 453/R-08-006.	Automobile and Light-Duty Truck Assembly Coatings.	.....	X	.....
—N/A—	Major non-CTG VOC sources .....	.....	.....	X
—N/A—	Major non-CTG NO _x sources .....	.....	.....	X

(ii) [Reserved]
(iii) [Reserved]

(iv) The following negative declarations for the 2008 ozone NAAQS

were adopted by the Northern Sierra Air Quality Management District.

TABLE 1 TO PARAGRAPH (a)(9)(iv)—NEGATIVE DECLARATIONS FOR THE 2008 OZONE NAAQS

CTG document No.	Title	Adopted: 03/26/2018 Submitted: 06/07/2018 SIP Approved: 01/15/2020
EPA-450/2-77-008	Surface Coating of Cans	X
EPA-450/2-77-008	Surface Coating of Coils	X
EPA-450/2-77-008	Surface Coating of Paper	X
EPA-450/2-77-008	Surface Coating of Fabric	X
EPA-450/2-77-008	Surface Coating of Automobiles and Light-Duty Trucks	X
EPA-450/2-77-022	Solvent Metal Cleaning	X
EPA-450/2-77-025	Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds.	X
EPA-450/2-77-026	Tank Truck Gasoline Loading Terminals	X
EPA-450/2-77-032	Surface Coating of Metal Furniture	X
EPA-450/2-77-033	Surface Coating of Insulation of Magnet Wire	X
EPA-450/2-77-034	Surface Coating of Large Appliances	X
EPA-450/2-77-035	Bulk Gasoline Plants	X
EPA-450/2-77-036	Storage of Petroleum Liquids in Fixed-Roof Tanks	X
EPA-450/2-78-029	Manufacture of Synthesized Pharmaceutical Products	X
EPA-450/2-78-030	Manufacture of Pneumatic Rubber Tires	X
EPA-450/2-78-032	Factory Surface Coating of Flat Wood Paneling	X
EPA-450/2-78-033	Graphic Arts-Rotogravure and Flexography	X
EPA-450/2-78-036	Leaks from Petroleum Refinery Equipment	X
EPA-450/2-78-047	Petroleum Liquid Storage in External Floating Roof Tanks	X
EPA-450/3-82-009	Large Petroleum Dry Cleaners	X
EPA-450/3-83-006	Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment.	X
EPA-450/3-83-007	Leaks from Natural Gas/Gasoline Processing Plants	X
EPA-450/3-83-008	Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins	X
EPA-450/3-84-015	Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry	X
EPA-450/4-91-031	Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry.	X
EPA-453/R-96-007	Wood Furniture Manufacturing Operations	X
EPA-453/R-94-032	ACT Surface Coating Operations at Shipbuilding and Ship Repair Facilities	X
	Shipbuilding and Ship Repair Operations (Surface Coating), <i>see the Federal Register of 08/27/96.</i>	
EPA-453/R-97-004	Coating Operations at Aerospace Manufacturing and Rework Operations	X
	NESHAPS Aerospace Manufacturing and Rework, <i>see the Federal Register of 06/06/94.</i>	
EPA-453/R-06-001	Industrial Cleaning Solvents	X

TABLE 1 TO PARAGRAPH (a)(9)(iv)—NEGATIVE DECLARATIONS FOR THE 2008 OZONE NAAQS—Continued

CTG document No.	Title	Adopted: 03/26/2018 Submitted: 06/07/2018 SIP Approved: 01/15/2020
EPA-453/R-06-002	Offset Lithographic Printing and Letterpress Printing	X
EPA-453/R-06-003	Flexible Package Printing	X
EPA-453/R-06-004	Flat Wood Paneling Coatings	X
EPA 453/R-07-003	Paper, Film, and Foil Coatings	X
EPA 453/R-07-004	Large Appliance Coatings	X
EPA 453/R-07-005	Metal Furniture Coatings	X
EPA 453/R-08-003	Miscellaneous Metal Parts and Plastic Parts Coatings Tables 3-6	X
EPA 453/R-08-004	Fiberglass Boat Manufacturing Materials	X
EPA 453/R-08-005	Miscellaneous Industrial Adhesives	X
EPA 453/R-08-006	Automobile and Light-Duty Truck Assembly Coatings	X
EPA 453/B-16-001	Oil and Natural Gas Industry	X
-N/A-	Major non-CTG VOC sources	X
-N/A-	Major non-CTG NO _x sources	X

(v) The following negative declarations for the 2015 ozone NAAQS were adopted by the Northern Sierra Air Quality Management District.

TABLE 1 TO PARAGRAPH (a)(9)(v)—NEGATIVE DECLARATIONS FOR THE 2015 OZONE NAAQS

CTG document No.	Title	Adopted: 01/25/2021 Submitted: 03/23/2021 SIP Approved: 08/03/2022
EPA-450/2-77-008	Surface Coating of Cans	X
EPA-450/2-77-008	Surface Coating of Coils	X
EPA-450/2-77-008	Surface Coating of Paper	X
EPA-450/2-77-008	Surface Coating of Fabric	X
EPA-450/2-77-008	Surface Coating of Automobiles and Light-Duty Trucks	X
EPA-450/2-77-022	Solvent Metal Cleaning	X
EPA-450/2-77-025	Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds.	X
EPA-450/2-77-026	Tank Truck Gasoline Loading Terminals	X
EPA-450/2-77-032	Surface Coating of Metal Furniture	X
EPA-450/2-77-033	Surface Coating for Insulation of Magnet Wire	X
EPA-450/2-77-034	Surface Coating of Large Appliances	X
EPA-450/2-77-035	Bulk Gasoline Plants	X
EPA-450/2-77-036	Storage of Petroleum Liquids in Fixed-Roof Tanks	X
EPA-450/2-78-015	Surface Coating of Miscellaneous Metal Parts and Products	X
EPA-450/2-78-029	Manufacture of Synthesized Pharmaceutical Products	X
EPA-450/2-78-030	Manufacture of Pneumatic Rubber Tires	X
EPA-450/2-78-032	Factory Surface Coating of Flat Wood Paneling	X
EPA-450/2-78-033	Graphic Arts—Rotogravure and Flexography	X
EPA-450/2-78-036	Leaks from Petroleum Refinery Equipment	X
EPA-450/2-78-047	Petroleum Liquid Storage in External Floating Roof Tanks	X
EPA-450/3-82-009	Large Petroleum Dry Cleaners	X
EPA-450/3-83-006	Leaks from Synthetic Organic Chemical and Polymer Manufacturing Equipment	X
EPA-450/3-83-007	Equipment Leaks from Natural Gas/Gasoline Processing Plants	X
EPA-450/3-83-008	Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins	X
EPA-450/3-84-015	Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry	X
EPA-450/4-91-031	Reactor Processes and Distillation Operations Processes in the Synthetic Organic Chemical Manufacturing Industry.	X
EPA-453/R-96-007	Wood Furniture Manufacturing Operations	X
EPA-453/R-94-032	ACT Surface Coating Operations at Shipbuilding and Ship Repair Facilities Shipbuilding and Ship Repair Operations (Surface Coating), <i>see the Federal Register of 08/27/96.</i>	X
EPA-453/R-97-004	Coating Operations at Aerospace Manufacturing and Rework Operations NESHAPS Aerospace Manufacturing and Rework, <i>see the Federal Register of 06/06/94.</i>	X
EPA-453/R-06-001	Industrial Cleaning Solvents	X
EPA-453/R-06-002	Offset Lithographic Printing and Letterpress Printing	X
EPA-453/R-06-003	Flexible Package Printing	X
EPA-453/R-06-004	Flat Wood Paneling Coatings	X
EPA 453/R-07-003	Paper, Film, and Foil Coatings	X
EPA 453/R-07-004	Large Appliance Coatings	X
EPA 453/R-07-005	Metal Furniture Coatings	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 2—Metal Parts and Products.	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 3—Plastic Parts and Products.	X

TABLE 1 TO PARAGRAPH (a)(9)(v)—NEGATIVE DECLARATIONS FOR THE 2015 OZONE NAAQS—Continued

CTG document No.	Title	Adopted: 01/25/2021 Submitted: 03/23/2021 SIP Approved: 08/03/2022
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 4—Automotive/Transportation and Business Machine Plastic Parts.	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 5—Pleasure Craft Surface Coating.	X
EPA 453/R-08-003	Miscellaneous Metal and Plastic Parts Coatings; Table 6—Motor Vehicle Materials	X
EPA 453/R-08-004	Fiberglass Boat Manufacturing Materials	X
EPA 453/R-08-005	Miscellaneous Industrial Adhesives	X
EPA 453/R-08-006	Automobile and Light-Duty Truck Assembly Coatings	X
EPA 453/B-16-001	Oil and Natural Gas Industry	X
—N/A—	Major non-CTG sources of VOC	X
—N/A—	Major sources of NO _x	X

* * * * *

[FR Doc. 2022-16019 Filed 8-2-22; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 206**

[Docket ID FEMA-2022-0020]

RIN 1660-AB10

Public Assistance Program's Simplified Procedures Large Project Threshold**AGENCY:** Federal Emergency Management Agency, DHS.**ACTION:** Final rule and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) is revising its regulations governing the Public Assistance program that provides grants to State, local, Tribal, and territorial governments, as well as eligible private nonprofit organizations, for debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged facilities after a presidentially-declared major disaster to update the monetary threshold for when FEMA will process an application using “simplified procedures.”

DATES: This rule is effective August 3, 2022. Comments must be received on or before October 3, 2022.

ADDRESSES: The docket for this rulemaking is available for inspection using the Federal eRulemaking Portal at <http://www.regulations.gov> and can be viewed by following that website's instructions.

FOR FURTHER INFORMATION CONTACT: Tod Wells, Recovery Directorate, Federal

Emergency Management Agency, 500 C Street SW, Washington, DC 20472, Tod.Wells@fema.dhs.gov, (202) 646-3834. Persons with speech or hearing difficulties may reach this number via teletype at 711.

SUPPLEMENTARY INFORMATION:**1. Public Participation**

Interested persons are invited to participate in this rulemaking by submitting comments and related materials. We will consider all comments and material received during the comment period.

If you submit a comment, include the Docket ID FEMA-2022-0020, indicate the specific section of this document to which each comment applies, and give the reason for each comment. All submissions may be posted, without change, to the Federal e-Rulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. For more information about privacy and the docket, see 83 FR 48645.

Viewing comments and documents: For access to the docket to read background documents or comments received, go to the Federal e-Rulemaking Portal at <http://www.regulations.gov>.

2. Background and Discussion of Rule

FEMA's Public Assistance (PA) program provides grants to State, local, Tribal, and territorial governments, as well as eligible private nonprofit (PNP) organizations, for debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged facilities after a Presidential-declared major disaster.¹ FEMA categorizes each grant award as

¹ The PA program is authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. 5170b, 5172, 5173, 5192.

either a small or large project,² which is determined by a monetary threshold set each year by FEMA pursuant to statute. See section 422 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), codified at 42 U.S.C. 5189.³ FEMA obligates money for a small project based on an estimate of the project costs, and FEMA obligates money for a large project based on actual project costs as the project progresses and cost documentation is provided to FEMA.⁴

In 2013, the Sandy Recovery Improvement Act (SRIA)⁵ amended section 422(b) of the Stafford Act and required FEMA to complete an analysis to determine whether an increase in the large project threshold was appropriate and submit to Congress a report on its findings not later than one year after January 29, 2013.⁶ On January 29, 2014, FEMA submitted its report to Congress, which recommended increasing the maximum threshold from \$68,500⁷ to \$120,000.⁸ Section 422(b)(2) of the Stafford Act required FEMA to implement the new threshold “immediately” following submission of the report to Congress, “without regard

² A project is a logical grouping of work required as a result of the declared major disaster or emergency and may include eligible work at several sites. See 44 CFR 206.201(k); FEMA Policy 104-009-2, *Public Assistance Program and Policy Guide*, v.4 (PAPPG), pp. 60-63 (June 1, 2020), available at https://www.fema.gov/sites/default/files/documents/fema_pappg-v4-updated-links_policy_6-1-2020.pdf.

³ See also 44 CFR 206.203(c), 206.205. FEMA obligates money for a small project based on an estimate of the project costs; FEMA obligates money for a large project based on actual project costs as the project progresses and cost documentation is provided to FEMA.

⁴ See 44 CFR 206.203(c); PAPPG, pp. 199-202.

⁵ Public Law 113-2, section 1107.

⁶ 42 U.S.C. 5189(b)(1).

⁷ The large project threshold for Fiscal Year (FY) 2014. 78 FR 64232 (Oct. 28, 2013). See also <https://www.fema.gov/assistance/public/applicants/per-capita-impact-indicator>.

⁸ A copy of this report is on [regulations.gov](http://www.regulations.gov) under docket ID FEMA-2014-0009.