

will thereafter be continuously published in the Chart Supplement.

*Paragraph 6004 Class E Airspace Designated as an Extension to Class D Surface Area.*

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#### ASO FL E4 Fort Pierce, FL [Removed]

Issued in College Park, Georgia, on August 19, 2022.

**Andree C. Davis,**

*Manager, Airspace & Procedures Team South, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2022-18288 Filed 8-24-22; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket No. USCG-2022-0697]

#### Special Local Regulations; Marine Events Within the Captain of the Port Charleston

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a special local regulation for the Swim Around Charleston on September 18, 2022, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Captain of the Port Charleston identifies the regulated area for this event in Charleston, SC. During the enforcement periods, the operator of any vessel in the regulated area must comply with directions from the Captain of the Port Charleston or a designated representative.

**DATES:** The regulations in 33 CFR 100.704 will be enforced for the location identified in Item 9 of Table 1 to § 100.704, from 9 a.m. through 3 p.m. on September 18, 2022.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email Petty Officer Thomas Welker, Sector Charleston, Waterways Management Division, U.S. Coast Guard; telephone 843-740-3186, email [Thomas.J.Welker@uscg.mil](mailto:Thomas.J.Welker@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce special local regulations in 33 CFR 100.704, Table 1 to § 100.704, Item 9, for the Swim Around Charleston regulated area from 9 a.m. to 3 p.m. on September 18, 2022. This action is being taken to provide for

the safety of life on navigable waterways during this event. Our regulation for marine events within the Captain of the Port Charleston, § 100.704, specifies the location of the regulated area for the Swim Around Charleston as a moving safety zone including all waters 50 yards in front of the lead safety vessel preceding the first race participants, 50 yards behind the safety vessel trailing the last race participants, and at all times extends 100 yards on either side of safety vessels. The Swim Around Charleston swimming race consists of a 12 mile course that starts at Remley's Point on the Wando River in approximate position 32°48'49" N, 79°54'27" W, crosses the main shipping channel under the main span of the Ravenel Bridge, and finishes at the I-526 bridge and boat landing on the Ashley River in approximate position 32°50'14" N, 80°01'23" W. During the enforcement periods, as reflected in § 100.704(c)(1), if you are the operator of a vessel in the regulated area you must comply with directions from the Captain of the Port Charleston or a designated representative.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: August 19, 2022.

**J.D. Cole,**

*Captain, U.S. Coast Guard, Captain of the Port Charleston.*

[FR Doc. 2022-18289 Filed 8-24-22; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2022-0062]

RIN 1625-AA00

#### Safety Zone, Saint Simons Sound, GA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing an existing temporary safety zone which was put in place in response to the grounding of the M/V GOLDEN RAY. Salvage operations pertaining to the M/V GOLDEN RAY have concluded, therefore a safety zone is no longer required.

**DATES:** This rule is effective September 26, 2022.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2022-0062 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email MSTC Ashley Schad, Marine Safety Unit Savannah Office of Waterways Management, Coast Guard, 912-652-4188 extension 242, or email [Ashley.M.Schad@uscg.mil](mailto:Ashley.M.Schad@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

COTP Captain of the Port  
CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### II. Background Information and Regulatory History

On September 19, 2019, an emergency safety zone was put into place to protect vessels using the waterway from response and salvage operations pertaining to the capsizing of the M/V GOLDEN RAY. On January 25, 2022, the Unified Command in charge of the M/V GOLDEN RAY response and salvage operations notified the Captain of the Port (COTP) Marine Safety Unit Savannah that salvage operations were concluded, therefore the safety zone in Saint Simons Sound is no longer required. On March 31, 2022, the Coast Guard published a notice of proposed rulemaking (NPRM) titled, "Safety Zone, Saint Simons Sound, GA"<sup>1</sup> proposing to remove the regulation in 33 CFR 165.T07-0794, "Safety Zone M/V Golden Ray; Saint Simons Sound." During the comment period that ended May 2, 2022, we received 0 comments.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The COTPPort Savannah has determined that a safety zone previously established for the response to the M/V GOLDEN RAY incident is no longer required.

##### IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on the NPRM that published on March 31, 2022. There are no changes in the regulatory text of this rule from the proposed rule.

<sup>1</sup> 87 FR 18753.

This rule disestablishes the temporary safety zone in § 165.T07–0794 which is located at 31°07'39.66 North, 081°24'10.58 West, between Saint Simons Lighthouse and the north end of Jekyll Island, in the vicinity of green buoy #19, near Saint Simons Sound, GA.

## V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders and we discuss First Amendment rights of protestors.

### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on waterway usage and the temporary nature of the previously established safety zone. While the temporary safety zone that we are removing was in place for more than two years, it was never intended to be permanent. There were many obstructions and hazards in the waterway, including the M/V GOLDEN RAY, other artificial obstructions that were used in its salvage, and the associated pollution prevention measures. These obstructions created a necessity for the temporary safety zone, but the obstructions have been removed, therefore there is no longer a need for the temporary safety zone. The temporary safety zone is now removed, and all waterway users regain unrestricted access to the waterway.

### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received 00 comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this

rule will not have a significant economic impact on a substantial number of small entities.

This rule does not have a significant economic impact on any vessel owner or operator as full access to the waterway is reestablished and would not prevent any vessel from entering the previously established safety zone.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 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.

### C. 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).

### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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.

### E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a 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 removing a previously established temporary safety zone. Normally such actions are categorically excluded from further review under paragraph L(60b) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. It is categorically excluded from further review under paragraph L60(b) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

### G. Protest Activities

The Coast Guard respects the First Amendment rights of protestors. 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. 0170.1, Revision No. 01.2.

**§ 165.T07–0794 [Removed]**

■ 2. Remove § 165.T07–0794.

Dated: August 16, 2022.

**K.A. Broyles,**

*Commander, U.S. Coast Guard, Captain of the Port Savannah, GA.*

[FR Doc. 2022–18290 Filed 8–24–22; 8:45 am]

**BILLING CODE 9110–04–P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA–R02–OAR–2022–0450; FRL–9927–02–R2]

**Approval and Promulgation of Implementation Plans; New York; Oil and Natural Gas Control Measures**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the state of New York. The revision provides the State’s control measures for facilities within its borders subject to EPA’s 2016 Control Techniques Guideline (CTG) for the oil and natural gas industry. The intended effect of this action is to approve this item into the New York SIP and satisfy the requirement for the CTG. This action is being taken in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on September 26, 2022.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID Number EPA–R02–OAR–2022–0450. 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 electronically through <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Omar Hammad, Environmental Protection Agency, 290 Broadway, New York, New York 10007–1866, at (212) 637–3347, or by email at [Hammad.Omar@epa.gov](mailto:Hammad.Omar@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document, whenever “we,” “us,” or “our” is used, we mean EPA.

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**I. Background**

On March 21, 2022, New York submitted for approval a SIP revision to incorporate the adoption of Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Part 200, “General Provisions,” and Part 203, “Oil and Natural Gas Sector,” as adopted on January 18, 2022. Part 200, section 200.9, amends Table 1 to add regulation 203–7.1(a) with a Code of Federal Regulations (CFR) citation of “40 CFR part 60, appendix A–7 (July 1, 2017).” Part 203 sets monitoring, operational, and reporting requirements for the oil and natural gas sector statewide. The adoption of Part 203 is meant to satisfy the requirements to implement EPA’s 2016 Oil and Natural Gas CTG within the 2008 and 2015 ozone nonattainment areas and statewide OTR requirements.

On June 15, 2022 (87 FR 36096, June 15, 2022), the EPA published a Notice of Proposed Rulemaking in which the EPA proposed to approve New York’s Part 200, “General Provisions,” section 200.9 amendment to Table 1 to add regulation 203–7.1(a) with a CFR citation of “40 CFR part 60, appendix A–7 (July 1, 2017).” EPA also proposed to approve Part 203, “Oil and Natural Gas Sector” control measure because it satisfies the 2016 Oil and Natural Gas Industry CTG.

**II. Evaluation of Comments**

In response to the EPA’s June 15, 2022, proposed rulemaking on New York’s SIP revision submittal, the EPA received one comment during the 30-day public comment period. After reviewing the comment, EPA has determined that the comment is outside the scope of our proposed action or fails to identify any material issue necessitating a response. The comment does not raise issues germane to the EPA’s proposed action. For this reason, the EPA will not provide a specific

response to the comment. The specific comment may be viewed under Docket ID Number EPA–R02–OAR–2022–0450 on the <https://www.regulations.gov> website.

**III. Final Action**

EPA is approving New York’s Part 200, “General Provisions,” section 200.9 amendment to Table 1 to add regulation 203–7.1(a) with a CFR citation of “40 CFR part 60, appendix A–7 (July 1, 2017).” EPA is also approving Part 203, “Oil and Natural Gas Sector” control measure, with a State effective date of March 18, 2022, because it satisfies the 2016 Oil and Natural Gas Industry CTG.

**IV. 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, as discussed in section I of this preamble, the EPA is finalizing the incorporation by reference of Title 6 of the NYCRR Part 203, “Oil and Natural Gas Sector” of the New York Administrative Code that implements New York’s RACT regulations for the oil and gas CTG, including attendant revisions to 6 NYCRR Part 200, “General Provisions,” section 200.9, Table 1, “Referenced material.”

The EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](https://www.regulations.gov) and/or at the EPA Region 2 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA’s approval, and will be incorporated by reference in the next update to the SIP compilation.<sup>1</sup>

**V. 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. 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

<sup>1</sup> See 62 FR 27968 (May 22, 1997).