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**List of Subjects**

34 CFR Part 36

Claims, Fraud, Penalties.

34 CFR Part 668

Administrative practice and procedure, Aliens, Colleges and universities, Consumer protection, Grant programs—education, Loan programs—education, Reporting and recordkeeping requirements, Selective Service System, Student aid, Vocational education.

**Miguel Cardona**,  
Secretary of Education.

For the reasons discussed in the preamble, the Secretary amends parts 36 and 668 of title 34 of the Code of Federal Regulations as follows:

**PART 36—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION**

■ 1. The authority citation for part 36 continues to read as follows:

**Authority:** 20 U.S.C. 1221e–3 and 3474; 28 U.S.C. 2461 note, as amended by § 701 of Pub. Law 114–74, unless otherwise noted.

■ 2. Section 36.2 is amended by revising the table to the section to read as follows:

**§ 36.2 Penalty adjustment.**

\* \* \* \* \*

TABLE 1 TO § 36.2—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

Statute	Description	New maximum (and minimum, if applicable) penalty amount
20 U.S.C. 1015(c)(5) (section 131(c)(5) of the Higher Education Act of 1965 (HEA)).	Provides for a fine, as set by Congress in 1998, of up to \$25,000 for failure by an institution of higher education (IHE) to provide information on the cost of higher education to the Commissioner of Education Statistics.	\$45,429
20 U.S.C. 1022d(a)(3) (section 205(a)(3) of the HEA).	Provides for a fine, as set by Congress in 2008, of up to \$27,500 for failure by an IHE to provide information to the State and the public regarding its teacher-preparation programs.	37,839
20 U.S.C. 1082(g) (section 432(g) of the HEA).	Provides for a civil penalty, as set by Congress in 1986, of up to \$25,000 for violations by lenders and guaranty agencies of title IV of the HEA, which authorizes the Federal Family Education Loan Program.	67,544
20 U.S.C. 1094(c)(3)(B) (section 487(c)(3)(B) of the HEA).	Provides for a civil penalty, as set by Congress in 1986, of up to \$25,000 for an IHE's violation of title IV of the HEA, which authorizes various programs of student financial assistance.	67,544
20 U.S.C. 1228c(c)(2)(E) (section 429 of the General Education Provisions Act).	Provides for a civil penalty, as set by Congress in 1994, of up to \$1,000 for an educational organization's failure to disclose certain information to minor students and their parents.	1,993
31 U.S.C. 1352(c)(1) and (c)(2)(A) .....	Provides for a civil penalty, as set by Congress in 1989, of \$10,000 to \$100,000 for recipients of Government grants, contracts, etc. that improperly lobby Congress or the executive branch with respect to the award of Government grants and contracts.	23,727 to 237,268
31 U.S.C. 3802(a)(1) and (a)(2) .....	Provides for a civil penalty, as set by Congress in 1986, of up to \$5,000 for false claims and statements made to the Government.	13,508

**PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS**

■ 3. The authority citation for part 668 continues to read in part as follows:

**Authority:** 20 U.S.C. 1001–1003, 1070g, 1085, 1088, 1091, 1092, 1094, 1099c, 1099c–1, 1221–3, and 1231a, unless otherwise noted.

\* \* \* \* \*

**§ 668.84 [Amended]**

■ 4. Section 668.84 is amended in paragraph (a)(1) introductory text by removing the number “\$62,689” and adding, in its place, the number “\$67,544”.

[FR Doc. 2023–01596 Filed 1–27–23; 8:45 am]

**BILLING CODE 4000–01–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 52 and 81**

[EPA–R05–OAR–2021–0949; FRL–9532–03–R5]

**Air Plan Approval; Ohio; Redesignation of the Ohio portion of the Cincinnati, Ohio-Kentucky Area to Attainment of the 2015 Ozone Standard; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects an error in a table posted in the June 9, 2022, rule redesignating the Ohio portion of the Cincinnati, Ohio-Kentucky area to attainment of the 2015 ozone National Ambient Air Quality Standard (NAAQS). The table contained motor

vehicle emissions budgets (Budgets) for volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) for the Ohio portion of the Cincinnati OH–KY area. The Budgets table in that action conflicts with the Budgets submitted by Ohio and set forth in the proposed rule. Therefore, EPA is correcting the erroneous table.

**DATES:** This correction is effective on January 30, 2023.

**ADDRESSES:** EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2021–0949. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) website. Although listed in the index, some information is not publicly available, *i.e.*, 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 either through [www.regulations.gov](http://www.regulations.gov) or at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays and facility closures due to COVID-19. We recommend that you telephone Olivia Davidson, Environmental Scientist, at (312) 886-0266 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:**

Olivia Davidson, Environmental Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-0266, [davidson.olivia@epa.gov](mailto:davidson.olivia@epa.gov).

**SUPPLEMENTARY INFORMATION:** EPA published a final rule redesignating the Ohio portion of the Cincinnati area to attainment of the 2015 ozone NAAQS on June 9, 2022 (87 FR 35104). That rule also approved VOC and NO<sub>x</sub> Budgets for the Ohio portion of the Cincinnati area for transportation conformity purposes. In that rule, EPA erroneously identified the 2015 ozone Budgets as 14.15 and 10.58 tons per day (tpd) for NO<sub>x</sub> in 2026 and 2035, respectively, and 25.30 and 18.98 tpd for VOC in 2026 and 2035, respectively. The table in that action conflicts with the Budgets submitted by Ohio and set forth in the proposed rule. The Budgets submitted by Ohio are 14.15 and 10.58 tpd for VOC in 2026 and 2035, and 25.30 and 18.98 tpd in 2026 and 2035 for NO<sub>x</sub>. Therefore, the table is being revised to reflect the correct Budgets.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. We have determined that there is good cause for making this rule final without prior proposal and opportunity for comment because we are merely correcting an incorrect citation in a previous action. Thus, notice and public procedure are unnecessary. We find that this constitutes good cause under 5 U.S.C. 553(b)(B).

**Statutory and Executive Order Reviews**

This action is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders (E.O.s) 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011). This action does not impose an information collection burden under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Because the agency has made a “good cause” finding that this action is not subject to notice-and-comment requirements under the Administrative Procedures Act or any other statute as indicated in the section above, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4). This action will not have substantial direct effects 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 governments, as specified by E.O. 13132 (64 FR 43255, August 10, 1999). In addition, the State Implementation Plan (SIP) is not approved to apply on any Indian reservation land or in any 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 and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by E.O. 13175 (65 FR 67249, November 9, 2000). This action is not subject to E.O. 13045 (62 FR 19885, April 23, 1997), because it is not economically significant. This action is also not subject to E.O. 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This technical correction action does not involve technical standards; thus the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. The action also does not involve special consideration of environmental justice related issues as required by E.O. 12898 (59 FR 7629, February 16, 1994).

This action is subject to the Congressional Review Act (CRA), and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding

that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This determination must be supported by a brief statement. 5 U.S.C. 808(2). As stated previously, EPA had made such a good cause finding, including the reasons therefore, and established an effective date of January 30, 2023. This correction to 40 CFR 52 for Ohio is not a “major rule” as defined by 5 U.S.C. 804(2).

**Correction**

In FR Doc. 2022-12318, published in the **Federal Register** on June 9, 2022 (87 FR 35104), on page 35108, in first column, the table entitled “**TABLE 2—2026 AND 2035 BUDGETS FOR THE OHIO PORTION FOR THE 2015 OZONE NAAQS MAINTENANCE AREA** [Tons per summer day, TPSD]” is corrected to read:

TABLE 2—2026 AND 2035 BUDGETS FOR THE OHIO PORTION FOR THE 2015 OZONE NAAQS MAINTENANCE AREA

[Tons per summer day, TPSD]

Pollutant	2026 Budget	2035 Budget
NO <sub>x</sub> .....	25.30	18.98
VOC .....	14.15	10.58

Dated: January 19, 2023.

**Debra Shore,**

*Regional Administrator, Region 5.*

[FR Doc. 2023-01505 Filed 1-27-23; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 721**

[EPA-HQ-OPPT-2020-0588; FRL-8582-03-OCSP]

RIN 2070-AB27

**Significant New Use Rules on Certain Chemical Substances (21-1.5e); Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** EPA issued a final rule in the **Federal Register** of Friday, December 2, 2022, concerning significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for chemical substances that were the subject of premanufacture notices (PMNs) and a Microbial Commercial Activity Notice (MCAN). This document corrects a typographical error in the