

supplemental data and analysis related to anticipated economic effects of the Proposed Rule.¹²

We believe that the information presented in the memorandum has the potential to be informative for purposes of further evaluating the Proposed Rule. We are, therefore, reopening the comment period to permit interested parties to comment on the staff memorandum, which has been included in the comment file. Given the information presented in the memorandum, we seek comment regarding whether the Reporting Threshold Amounts in the Proposed Rule should be higher or lower. Specifically, in addition to the requests for comment included in the Proposing Release, the Commission seeks comments on the following:

Request for Comment

1. In general, the Commission requests comment on the proposed Reporting Threshold Amount for each asset class (e.g., equity security-based swaps, CDS, non-CDS debt security-based swaps, etc.).

2. With respect to each asset class, should the Reporting Threshold Amount in any final rule be higher or lower than the proposed Reporting Threshold Amount if:

a. Consistent with the Proposed Rule, such final rule requires, at an interim threshold, the inclusion of the value of related securities owned by the holder of the security-based swap position in the calculation of the Reporting Threshold Amount?

b. Such final rule does not require the inclusion of related securities owned by the holder of the security-based swap position in those calculations?

c. Such final rule permits offsetting of security-based swap positions with identical terms (e.g., offsetting long positions with short positions, but only if the security-based swap positions reference the same product identifier)?

d. Consistent with the Proposed Rule, such final rule requires aggregation of security-based swap positions by any person (and any entity controlling, controlled by or under common control with such person) or group of persons, who through any contract, arrangement, understanding or relationship, after acquiring or selling directly or indirectly, any security-based swap, is directly or indirectly the owner or seller of a security-based swap position that

exceeds the Reporting Threshold Amount?

e. Such final rule does not require aggregation of security-based swap positions across entities that are both separately legally established and capitalized (unless a guarantee exists)?

f. Such final rule does not require aggregation of security-based swap positions across entities that are both separately legally established and capitalized (unless a guarantee exists), unless acting as a group with a common purpose?

g. Such final rule requires aggregation of security-based swap positions established by transactions effected for such person's own account and of security-based swap positions established by transactions effected for the account of others, when that person shares in the economic risk in the other accounts or otherwise controls the account?

h. Such final rule does not require the Reporting Threshold Amount to include security-based swap positions entered into by a person with an entity or person controlling, controlled by, or under common control with that person?

i. Such final rule requires or does not require aggregation or inclusion of transactions pursuant to any combination of the options listed in items (a) through (h) above?

We encourage any interested person to submit comments, including comments on the data or methodology used in the analysis contained in the memorandum and on how this analysis should inform our consideration of the economic effects of the Proposed Rule. If any commenters who have already submitted a comment letter wish to provide supplemental or updated comments, we encourage them to do so. Comments are of particular assistance if accompanied by supporting data and analysis of the issues addressed in those comments.

By the Commission.

Dated: June 20, 2023.

Vanessa A. Countryman,
Secretary.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG-110412-23]

RIN 1545-BQ81

Additional Guidance on Low-Income Communities Bonus Credit Program; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to notice of proposed rulemaking.

SUMMARY: This document contains corrections to a notice of proposed rulemaking (REG-110412-23) that was published in the **Federal Register** on June 1, 2023. The notice of proposed rulemaking contains proposed regulations concerning the low-income communities bonus energy investment credit program established pursuant to the Inflation Reduction Act of 2022.

DATES: Written or electronic comments are still being accepted and must be received by June 30, 2023.

ADDRESSES: Stakeholders are strongly encouraged to submit public comments electronically. Submit electronic submissions via the Federal eRulemaking Portal at <https://www.regulations.gov> (indicate IRS and REG-110412-23) by following the online instructions for submitting comments. Once submitted to the Federal eRulemaking Portal, comments cannot be edited or withdrawn. The Department of the Treasury (Treasury Department) and the IRS will publish for public availability any comments submitted, whether electronically or on paper, to the IRS's public docket. Send paper submissions to: CC:PA:LPD:PR (REG-110412-23), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: Concerning the proposed regulations, Office of Associate Chief Counsel (Passthroughs & Special Industries), at (202) 317-6853 (not a toll-free number); concerning submissions of written comments, Vivian Hayes, at (202) 317-6901 (not a toll-free number), preferably at publichearings@irs.gov.

SUPPLEMENTARY INFORMATION:

Background

The proposed regulation that is the subject of this correction is under section 48(e) of the Internal Revenue Code.

¹² Memorandum of the Staff of the Division of Economic and Risk Analysis, *Supplemental data and analysis regarding the proposed reporting thresholds in the equity security-based swap market* (June 20, 2023), available at <https://www.sec.gov/comments/s7-32-10/s73210.htm>.

Need for Correction

As published, the notice of proposed rulemaking (REG–110412–23) contains an error that needs to be corrected.

Correction of Publication

Accordingly, the notice of proposed rulemaking (REG–110412–23) that is the subject of FR Doc. 2023–11718, published on June 1, 2023, at (88 FR 35791), is corrected to read as follows:

1. On page 35791, in the third column, the third line from the top of the column is corrected to read “26 CFR part 1”.

2. On page 35793, in the third column, the fifth line from the bottom of the column is corrected to read, “rating of the energy storage technology (in kW)”.

Oluwafunmilayo A. Taylor,

Branch Chief, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. 2023–13510 Filed 6–23–23; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[EPA–R05–OAR–2020–0699; FRL–10754–01–R5]

Air Plan Approval; Indiana; ArcelorMittal and NIPSCO Sulfur Dioxide Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the sulfur dioxide (SO₂) portion of the Indiana State Implementation Plan (SIP). The state of Indiana is requesting revisions to emission limits at the Northern Indiana Public Service Company Bailly Station (NIPSCO) facility reflecting permanently shut down units. Indiana is also requesting SIP revisions for two facilities formerly owned by ArcelorMittal USA LLC and currently owned by Cleveland-Cliffs LLC (Indiana Harbor East and Indiana Harbor West). The Indiana Harbor East facility is required to demonstrate continuous compliance with final SO₂ emission limits as a daily (24-hour) average. These revisions will result in decreases in allowable SO₂ emissions at all three facilities, maintaining SO₂ attainment/unclassifiable designations for the 2010 1-hour SO₂ national ambient air quality standards (NAAQS).

DATES: Comments must be received on or before July 26, 2023.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–OAR–2020–0699 at <https://www.regulations.gov>, or via email to arra.sarah@epa.gov. For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www2.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Cecilia Magos, Life Scientist, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–7336, magos.cecilia@epa.gov. The EPA Region 5 office 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.

SUPPLEMENTARY INFORMATION:

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

I. Background

On March 31, 2021, the Indiana Department of Environmental Management (IDEM) submitted a site-specific SO₂ SIP revision request to EPA for the NIPSCO facility in Porter County, and SIP revision requests for Indiana Harbor West and Indiana Harbor East both located in Lake County. The revisions for NIPSCO and ArcelorMittal LLC (Indiana Harbor West) are administrative clean-up revisions removing limits that apply to

permanently shut down units. The revisions for ArcelorMittal LLC (Indiana Harbor East) remove limits that apply to permanently shut down units and include a demonstration of continuous compliance with SO₂ emission limits as a daily (24-hour) average SO₂ pounds per hour (lbs/hr) emission limit.

II. Content in IDEM’s SIP Revision Request

The revised rule 326 Indiana Administrative Code (IAC) 7–4–14(2) reduces the SO₂ emissions at the NIPSCO facility by removing boilers 7 and 8 and their limits of 6.0 pounds per million British thermal units (lbs/MMBtu) each, described in Table 1 below. These boilers have been permanently shut down.

Additionally, revisions to 326 IAC 7–4.1–10 update the name of the ISG Indiana Harbor Inc. facility to ArcelorMittal USA LLC (Indiana Harbor West). The revised rule changes language of Utility Boilers 5, 6, 7 and 8 emission unit requirements from “shall” to “must” concerning total actual heat input from fuel oil usage at all boilers combined, the fuel boilers are fired on, and sulfur percentage and lb/MMBtu of fuel oil burned. For shut down units, the revision includes removal of the hot strip mill slab heat reheat furnaces 1, 2, and 3 with emission limits of 531.1 lbs/hr each, as well as removal of the sinter plant windbox with emission limits of 240 lbs/hour. Removal of emission units and limits results in a total of 19.67 lbs/hour sulfur emission limit reductions at the Indiana Harbor West facility.

Rule revisions to 326 IAC 7–4.1–11 update the name of the Ispat Inland Inc. facility to ArcelorMittal USA LLC (Indiana Harbor East). The revisions include removal of a series of shut down emission units and listings including: No. 1 blast furnace stove; No. 2 blast furnace stove; No. 5 and No. 6 blast furnace stoves; No. 2AC boilers 207, 208, 209, and 210; No. 2AC boilers 211, 212, and 213; No. 4AC boilers 401, 402, 403, 404, and 405; stack 1 (boilers 401 and 402); stack 2 (boilers 403 and 404); stack 3 (boiler 405); anneal 3, 4. In regard to the boilers that feed into stacks 1, 2, and 3 being shut down, the SIP revision removes the requirements to operate continuous emission monitoring systems on those stacks. The SIP revision also removes the equations to calculate sulfur dioxide emissions in units of pounds per MMBtu of the aforementioned units.

For the Indiana Harbor East facility, the revised rule at 326 IAC 7–4.1–11 combines the No. 7 Blast Furnace Canopy and No. 7 Blast Furnace Baghouse into a combined No. 7 Blast