

thermal energy displaced equation image.

**DATES:** This rule is effective on August 24, 2023.

**FOR FURTHER INFORMATION CONTACT:** For questions concerning this direct final rulemaking, contact Luis Aguilar, Regulatory Specialist, by phone at (303) 231-3418, or by email at *ONRR\_RegulationsMailbox@onrr.gov*.

**SUPPLEMENTARY INFORMATION:** ONRR published a direct final rule in the *Federal Register* on December 8, 2011 (76 FR 76612). ONRR amended the *thermal energy displaced* equation in § 1206.356(a)(2) from “0.113681” to “0.133681.” Section 1206.356(a)(2) contained an image of the equation for

illustration purposes. However, ONRR did not provide an updated equation image. This document provides the correct equation image.

**List of Subjects in 30 CFR Part 1206**

Coal, Continental shelf, Government contracts, Indian lands, Mineral royalties, Oil and gas exploration, Public lands—mineral resources, Reporting and recordkeeping requirements.

Accordingly, ONRR amends 30 CFR part 1206 by making the following correcting amendment.

$$\text{thermal energy displaced} = \frac{(h_{\text{in}} - h_{\text{out}}) \times \text{density} \times 0.133681 \times \text{volume}}{\text{efficiency factor}}$$

\* \* \* \* \*

**Howard Cantor,**  
*Director, Office of Natural Resources Revenue.*

[FR Doc. 2023-18096 Filed 8-23-23; 8:45 am]

**BILLING CODE 4335-30-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG-USCG-0689]

**Safety Zones; Annual Events in the Captain of the Port Buffalo Zone**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce a safety zone that encompasses certain navigable waters on Lake Erie, for the Head of the Cuyahoga, in Cleveland, Ohio. This action is necessary and intended for the safety of life and property on navigable waters during this event. During the enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo or a designated representative.

**DATES:** The regulation listed in 33 CFR 165.939, Table 165.939 (d)(3) will be enforced from 5 a.m. through 5 p.m. on September 16, 2023.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email LT Jared

Stevens, Waterways Management Division, U.S. Coast Guard Marine Safety Unit Cleveland; telephone 216-937-0124, email *D09-SMB-MSUCLEVELAND-WWM@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce a Safety Zone; for the Annual Event in the Captain of the Port Buffalo Zone, listed in 33 CFR 165.939, Table 165.939(d)(3) for the Head of the Cuyahoga in Cleveland, Ohio. All U.S. waters of the Cuyahoga River, between a line drawn perpendicular to the river banks from position 41°29'55" N, 081°42'23" W (NAD 83) just past the Detroit-Superior Viaduct bridge at MM 1.42 of the Cuyahoga River south to a line drawn perpendicular to the river banks at position 41°28'32" N, 081°40'16" W (NAD 83) just south of the Interstate 490 bridge at MM 4.79 of the Cuyahoga River.

Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within the safety zone during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or a designated representative. Those seeking permission to enter the safety zone may request permission from the Captain of Port Buffalo via channel 16, VHF-FM. Vessels and persons granted permission to enter the safety zone shall obey the directions of the Captain of the Port Buffalo or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice of enforcement is issued under authority of 33 CFR 165.939 and 5 U.S.C. 552(a). In addition to this notice of enforcement in the **Federal**

**PART 1206—PRODUCT VALUATION**

■ 1. The authority citation for part 1206 continues to read as follows:

**Authority:** 5 U.S.C. 301 *et seq.*, 25 U.S.C. 396, 396a *et seq.*, 398, 398a *et seq.*, 2101 *et seq.*; 30 U.S.C. 181 *et seq.*, 351 *et seq.*, 1001 *et seq.*, 1701 *et seq.*; 43 U.S.C. 1301 *et seq.*, 1331 *et seq.*, and 1801 *et seq.*

■ 2. In § 1206.356, amend paragraph (a)(2) by revising the equation to read as follows:

**§ 1206.356 How do I calculate royalty or fees due on geothermal resources I use for direct use purposes?**

\* \* \* \* \*  
(a) \* \* \*  
(2) \* \* \*

**Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. If the Captain of the Port Buffalo determines that the safety zone need not be enforced for the full duration stated in this notice, he may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone.

Dated: August 17, 2023.

**M.I. Kuperman,**  
*Captain, U.S. Coast Guard, Captain of the Port Buffalo.*

[FR Doc. 2023-18268 Filed 8-23-23; 8:45 am]

**BILLING CODE 9110-04-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R06-OAR-2022-0307; FRL-10892-02-R6]

**Air Plan Approval; Texas; Updates to Public Notice and Procedural Rules and Removal of Obsolete Provisions**

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

**ACTION:** Final rule.

**SUMMARY:** Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is approving portions of three revisions to the Texas State Implementation Plan (SIP) submitted by the Texas Commission on Environmental Quality (TCEQ) on July 9, 2021, and January 21, 2022, that update the air permitting

program by removing obsolete provisions and enhancing public notice requirements of the air permitting program. We are also making ministerial edits to correct several errors identified in the amendatory language for the Texas SIP.

**DATES:** This rule is effective on September 25, 2023.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R06-OAR-2022-0307. 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 or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Adina Wiley, EPA Region 6 Office, Air Permits Section, 214-665-2115, [wiley.adina@epa.gov](mailto:wiley.adina@epa.gov). Please call or email the contact listed above if you need alternative access to material indexed but not provided in the docket.

**SUPPLEMENTARY INFORMATION:** Throughout this document “we,” “us,” and “our” means the EPA.

## I. Background

The background for this action is discussed in detail in our April 21, 2023, proposal (88 FR 24518). In that document we proposed to approve portions of three revisions to the Texas SIP submitted by the TCEQ on July 9, 2021, and January 21, 2022. The first revision, adopted on April 22, 2020, submitted on January 21, 2022, updates internal cross-references and removes or replaces obsolete provisions identified during a routine review of the Texas permitting regulations. The second revision, adopted on June 9, 2021, submitted July 9, 2021, repeals obsolete permitting provisions, and makes necessary corresponding edits to other permitting provisions. The third revision, adopted on August 25, 2021, submitted January 21, 2022, enhances the public notice requirements of the air permitting program. As detailed in our proposed approval, we found that the submitted revisions are consistent with the CAA and the EPA’s regulations, policy, and guidance for permitting SIP requirements. We did not receive any comments regarding our proposal. Therefore, we are finalizing as proposed.

## II. Final Action

Pursuant to section 110, of the Act, we are finalizing the submitted revisions to the Texas SIP that update the air permitting program by removing obsolete provisions and enhancing public notice by extending requirements for alternative language notices to notices for public meetings in certain circumstances.

We are approving the following revisions adopted on June 9, 2021, effective on July 1, 2021, submitted to the EPA on July 9, 2021:

- Revisions to 30 TAC Section 116.910—Applicability,
- Revisions to 30 TAC Section 116.911—Electric Generating Facility Permit Application,
- Revisions to 30 TAC Sections 116.920—Public Participation for Initial Issuance,
- Revisions to 30 TAC Sections 116.1530—Best Available Retrofit Technology (BART) Control Implementation, and
- Repeal of 30 TAC Sections 116.770—116.772, 116.774, 116.775, 116.777—116.781, 116.783, 116.785—116.788, and 116.790.

The EPA is approving the following revisions adopted on April 22, 2020, effective on May 14, 2020, submitted to the EPA on January 21, 2022:

- Revisions to 30 TAC Section 39.405—General Notice Provisions,
- Revisions to 30 TAC Section 39.411—Text of Public Notice,
- Revisions to 30 TAC Section 39.419—Notice of Application and Preliminary Decision,
- Revisions to 30 TAC Section 39.420—Transmittal of the Executive Director’s Response to Comments and Decision,
- Revisions to 30 TAC Section 39.601—Applicability,
- Revisions to 30 TAC Section 39.603—Newspaper Notice,
- Revisions to 30 TAC Section 55.154—Public Meetings,
- Revisions to 30 TAC Section 55.156—Public Comment Processing,
- Revisions to 30 TAC Section 101.306—Emission Credit Use,
- Revisions to 30 TAC Section 116.111—General Application, and
- Revisions to 30 TAC Section 116.112—Distance Limitations.

The EPA is approving the following revisions adopted on August 25, 2021, effective September 16, 2021, submitted to the EPA on January 21, 2022:

- Revisions to 30 TAC Section 39.405—General Notice Provisions,
- Revisions to 30 TAC Section 39.412—Combined Notice for Certain Greenhouse Gases Permit Applications,

- Revisions to 30 TAC Section 39.418—Notice of Receipt of Application and Intent to Obtain Permit,

- Revisions to 30 TAC Section 39.419—Notice of Application and Preliminary Decision,

- New 30 TAC Section 39.426—Alternative Language Requirements,

- Revisions to 30 TAC Section 39.602—Mailed Notice,

- Revisions to 30 TAC Section 39.604—Sign-Posting,

- Revisions to 30 TAC Sections 55.154—Public Meetings, and

- Revisions to 30 TAC Sections 55.156—Public Comment Processing.

The EPA is also correcting several errors identified in the amendatory language for the Texas SIP at 40 CFR 52.2270(c). The EPA is making these necessary, ministerial edits to the Texas SIP without notice and comment under the “good cause” exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding “good cause,” authorizes agencies to dispense with public participation. Under section 553 of the APA, an agency may find good cause where procedures are “impractical, unnecessary, or contrary to the public interest.” Public comment is “unnecessary” and “contrary to the public interest” since the ministerial corrections update the amendatory language at 40 CFR 52.2270(c) to correctly reference prior EPA actions that were previously subject to notice and comment consistent with section 553 of the APA. The public benefits by having these updated citations.

- The EPA’s January 11, 2011, final rule at 76 FR 1525, 1531–1532, inadvertently used the wrong section names in the Title/Subject field for several of the section numbers that were approved into the Texas SIP. We are correcting the Title/Subject field for 30 TAC Sections 116.911, 116.912, 116.916, 116.917, 116.918, 116.920, 116.930.

- The EPA’s February 13, 2020, final rule at 85 FR 8185, 8188, inadvertently omitted the information identifying the EPA’s approval date from the SIP-approved sections for 30 TAC Sections 116.164, 116.196, 116.198, 116.310, 116.611, and 116.615. We are correcting these sections to include the EPA approval date and FR citation.

## III. Environmental Justice Consideration

The EPA reviewed demographic data and provided the results in our April 21, 2023, proposed rule. See 88 FR 24518, 24520–24521.

#### IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference revisions to the Texas regulations as described in Section II of this preamble, Final Action. The EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](http://www.regulations.gov) (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 in the next update to the SIP compilation.

#### V. 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 Clean Air Act 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 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 14094 (88 FR 21879, April 11, 2023);
- 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- 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.

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on minority populations and low-income populations to the greatest extent practicable and permitted by law. The EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.”

The state air agency did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. The EPA performed an environmental justice analysis, as is described above in the section titled, “Environmental Justice Considerations.” The analysis was done for the purpose of providing additional context and information about this rulemaking to the public, not as a basis of the action. Due to the nature of the action being taken here, this action is expected to have a neutral to positive impact on the air quality of the affected area. In addition, there is no information in the record upon which this decision is based inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

In addition, the 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 Executive Order 13175 (65 FR 67249, November 9, 2000).

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 23, 2023. 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: August 15, 2023.

#### Earthea Nance,

*Regional Administrator, Region 6.*

For the reasons stated in the preamble, the Environmental Protection Agency amends 40 CFR part 52 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 SS—Texas

- 2. In § 52.2270, the table in paragraph (c) titled “EPA Approved Regulations in the Texas SIP” is amended by
  - i. Revising the entries for sections 39.405, 39.411, 39.412, 39.418, 39.419, 39.420, 39.426, 39.601, 39.602, 39.603, 39.604, 55.154, 55.156, 101.306, 116.111, 116.112, 116.164, 116.196, 116.198, 116.310, 116.615, 116.910, 116.911, 116.912, 116.920, and 116.1530, and

■ ii. Removing the heading “Subchapter H—Permits for Grandfathered Facilities” and sub-heading “Division 1—General Applicability”, consisting of entries for sections 116.770–116.772 and sub-heading “Division 2—Small

Business Stationary Source Permits, Pipeline Facilities Permits, and Existing Facility Permits”, consisting of entries for sections 116.774, 116.775, 116.777–116.781, 116.783, 116.785–116.788, and 116.790.

The revisions read as follows:

**§ 52.2270 Identification of plan.**

\* \* \* \* \*  
(c) \* \* \*

**EPA APPROVED REGULATIONS IN THE TEXAS SIP**

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
*	*	*	*	*
<b>Chapter 39—Public Notice</b>				
<b>Subchapter H—Applicability and General Provisions</b>				
*	*	*	*	*
Section 39.405	General Notice Provisions	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.411	Text of Public Notice	4/22/2020	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.412	Combined Notice for Certain Greenhouse Gases Permit Applications.	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.418	Notice of Receipt of Application and Intent to Obtain Permit.	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.419	Notice of Application and Preliminary Decision.	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.420	Transmittal of the Executive Director’s Response to Comments and Decisions.	4/22/2020	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.426	Alternative Language Requirements	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
<b>Subchapter K—Public Notice of Air Quality Permit Applications</b>				
Section 39.601	Applicability	4/22/2020	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.602	Mailed Notice	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.603	Newspaper Notice	4/22/2020	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 39.604	Sign-Posting	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
*	*	*	*	*
<b>Chapter 55—Requests for Reconsideration and Contested Case Hearings; Public Comment</b>				
<b>Subchapter E—Public Comment and Public Meetings</b>				
*	*	*	*	*
Section 55.154	Public Meetings	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 55.156	Public Comment Processing	8/25/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
<b>Chapter 101—General Air Quality Rules</b>				
*	*	*	*	*
<b>Subchapter H—Emissions Banking and Trading</b>				
<b>Division 1—Emission Credit Program</b>				
*	*	*	*	*
Section 101.306	Emission Credit Use	4/22/2020	8/24/2023, [Insert <b>Federal Register</b> citation].	
*	*	*	*	*
<b>Chapter 116 (Reg 6)—Control of Air Pollution by Permits for New Construction or Modification</b>				
*	*	*	*	*
<b>Subchapter B—New Source Review Permits</b>				
<b>Division 1—Permit Application</b>				

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
* * *	* * *	* * *	* * *	* * *
Section 116.111 ....	General Application .....	4/22/2020	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 116.112 ....	Distance Limitations .....	4/22/2020	8/24/2023, [Insert <b>Federal Register</b> citation].	
* * *	* * *	* * *	* * *	* * *
<b>Division 6—Prevention of Significant Deterioration Review</b>				
* * *	* * *	* * *	* * *	* * *
Section 116.164 ....	Prevention of Significant Deterioration Applicability for Greenhouse Gases Sources.	10/31/2018	2/13/2020, 85 FR 8187 .....	The PSD SIP does NOT include 30 TAC Section 116.164(b).
* * *	* * *	* * *	* * *	* * *
<b>Subchapter C—Plant-wide Applicability Limits Division 1—Plant-wide Applicability Limits</b>				
* * *	* * *	* * *	* * *	* * *
Section 116.196 ....	Renewal of a Plant-wide Applicability Limit Permit.	10/31/2018	2/13/2020, 85 FR 8187.	
Section 116.198 ....	Expiration of Voidance .....	10/31/2018	2/13/2020, 85 FR 8187.	
<b>Subchapter D—Permit Renewals</b>				
* * *	* * *	* * *	* * *	* * *
Section 116.310 ....	Notification of Permit Holder .....	10/31/2018	2/13/2020, 85 FR 8187.	
* * *	* * *	* * *	* * *	* * *
<b>Subchapter F—Standard Permits</b>				
* * *	* * *	* * *	* * *	* * *
Section 116.611 ....	Registration to Use a Standard Permit ....	10/31/2018	2/13/2020, 85 FR 8187 .....	30 TAC Section 116.611(b) is SIP-approved as adopted by the State as of 11/20/2002. The SIP does NOT include 30 TAC Section 116.611(c)(3), (c)(3)(A), and (c)(3)(B).
* * *	* * *	* * *	* * *	* * *
Section 116.615 ....	General Conditions .....	10/31/2018	2/13/2020, 85 FR 8187.	
* * *	* * *	* * *	* * *	* * *
<b>Subchapter G—Flexible Permits</b>				
* * *	* * *	* * *	* * *	* * *
Section 116.765 ....	Compliance Schedule .....	7/31/2014	7/20/2015, 80 FR 42729 .....	SIP includes 30 TAC Section 116.765(b) and (c)
* * *	* * *	* * *	* * *	* * *
<b>Subchapter I—Electric Generating Facility Permits</b>				
* * *	* * *	* * *	* * *	* * *
Section 116.910 ....	Applicability .....	6/9/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 116.911 ....	Electric Generating Facility Permit Application.	6/9/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	Section 116.911(a)(2) is authorized for Minor NSR only.
Section 116.912 ....	Electing Electric Generating Facilities .....	12/16/1999	1/11/2011, 76 FR 1525.	
* * *	* * *	* * *	* * *	* * *
Section 116.916 ....	Permits for Grandfathered and Electing Electric Generating Facilities in El Paso County.	12/16/1999	1/1/2011, 76 FR 1525.	
Section 116.917 ....	Electric Generating Facility Permit Application for Certain Grandfathered Coal-Fired Electric Generating Facilities and Certain Grandfathered Facilities Located at Electric Generating Facility Sites.	5/22/2002	1/11/2011, 76 FR 1525.	
Section 116.918 ....	Additional General and Special Conditions for Grandfathered Coal-Fired Electric Generating Facilities and Certain Grandfathered Facilities Located at Electric Generating Facility Sites.	5/22/2002	1/11/2011, 76 FR 1525.	

## EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/subject	State approval/ submittal date	EPA approval date	Explanation
Section 116.920 ....	Public Participation for Initial Issuance ....	6/9/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	
Section 116.930 ....	Amendments and Alterations of Permits Issued Under this Subchapter.	5/22/2002	1/11/2011, 76 FR 1525.	
<b>Subchapter M—Best Available Retrofit Technology (BART)</b>				
Section 116.1530 ..	Best Available Retrofit Technology (BART) Control Implementation.	6/9/2021	8/24/2023, [Insert <b>Federal Register</b> citation].	

[FR Doc. 2023–17945 Filed 8–23–23; 8:45 am]

BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 180****[EPA–HQ–OPP–2020–0004; FRL–11246–01–OCSPP]****Pyraclonil; Pesticide Tolerances****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** This regulation establishes tolerances for residues of pyraclonil in or on rice, grain. Nichino America, Inc. requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

**DATES:** This regulation is effective August 24, 2023. Objections and requests for hearings must be received on or before October 23, 2023 and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2020–0004, is available at <https://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room and OPP Docket

is (202) 566–1744. Please review the visitor instructions and additional information about the docket available at <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Charles Smith, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (202) 566–1030; email address: [RDFFRNotices@epa.gov](mailto:RDFFRNotices@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. General Information***A. Does this action apply to me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

*B. How can I get electronic access to other related information?*

You may access a frequently updated electronic version of EPA’s tolerance regulations at 40 CFR part 180 through the Office of the Federal Register’s e-CFR site at <https://www.ecfr.gov/current/title-40>.

*C. How can I file an objection or hearing request?*

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2020–0004 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before October 23, 2023. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b), although the Office of Administrative Law Judges encourages parties to file electronically. See [https://www.epa.gov/sites/default/files/2020-05/documents/2020-04-10\\_-\\_order\\_urgening\\_electronic\\_service\\_and\\_filing.pdf](https://www.epa.gov/sites/default/files/2020-05/documents/2020-04-10_-_order_urgening_electronic_service_and_filing.pdf).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2020–0004, by one of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically