

coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

VI. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision-Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2023–0466 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

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 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. 01.3.

■ 2. Add § 165.T07–0466 to read as follows:

§ 165.T07–0466 Safety Zone; Wilmington River, Savannah, GA.

(a) *Location.* All navigable waters, from surface to bottom, of the Wilmington River within a 300-yard radius of position: 32° 3.73’ N, 81° 1.78’ W in the vicinity of the Causton Bluff Bridge, Savannah, GA.

(b) *Definitions.* As used in this section, designated representative means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Savannah (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP’s designated representative.

(2) To seek permission to enter, contact the COTP or the COTP’s representative by calling (912) 247–0073. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP’s designated representative.

(d) *Enforcement periods.* The safety zone in paragraph (a) of this section is in effect from 12:01 a.m. on September 18, 2023, through 11:59 p.m. on November 20, 2023. This section will be subject to enforcement periodically during daylight hours as needed by the project manager to safely remove all remaining bridge structural components. Mariners will be informed of enforced zone and enforcement periods by Broadcast Notice to Mariners, Myrick’s safety boat on scene during working hours.

Dated: September 12, 2023.

Nathaniel L. Robinson,

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

[FR Doc. 2023–20004 Filed 9–14–23; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2023–0279; FRL–10989–02–R7]

Air Plan Approval; Missouri; Revisions to the Cross-State Air Pollution Rule SO₂ Group 1 Trading Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions to the State Implementation Plan (SIP) submitted on November 29, 2021, by the State of Missouri. This final action approves revisions to a state regulation related to the Cross-State Air Pollution Rule SO₂ Group 1 Trading Program. The revisions alter the amounts of CSAPR SO₂ Group 1 emission allowances that are allocated to two of the state’s units from the state’s annual emissions budgets. Additionally, the revisions make non-substantive revisions to rule language that excludes certain provisions in the Code of Federal Regulations from incorporation by reference into the state’s regulations. Approval of these revisions will ensure Federal enforceability of the State’s rules. The EPA’s approval of these SIP revisions is being done in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective October 16, 2023.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R07–OAR–2023–0279. All documents in the docket are listed on the www.regulations.gov website. Although listed in the index, some information is not publicly available, *i.e.*, 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 www.regulations.gov or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT:

Gerald McIntyre, Environmental Protection Agency, Region 7 Office, Air Permitting and Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 608–

8349; email address: mcintyre.gerald@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” refer to the EPA.

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I. Background

In the Notice of Proposed Rulemaking (NPRM) for this action (88 FR 39801), the EPA explained the background for the Cross-State Air Pollution Rule (CSAPR) and its relationship to the proposed revision to Missouri’s SIP. In this final rule, the EPA is providing additional background information from previous CSAPR actions that does not alter the EPA’s analysis or decision to approve the proposed revision to Missouri’s SIP.

As detailed in the NPRM, the Cross-State Air Pollution Rule (CSAPR) addresses air pollution from upwind states that crosses state lines and affects air quality in downwind states. CSAPR requires fossil fuel-fired electric generating units at coal-, gas-, and oil-fired facilities in 27 states, including Missouri, to reduce emissions to help downwind areas attain fine particle and/or ozone National Ambient Air Quality Standards (NAAQS).

The emissions reductions required by CSAPR are implemented through requirements for affected sources to participate in several CSAPR allowance trading programs for emissions of sulfur dioxide (SO₂) and/or nitrogen oxides. Under a given allowance trading program, after each control period, each affected source is required to surrender an amount of tradable emission allowances based on the source’s emissions during the control period. The trading programs achieve the required emissions reductions by limiting the total quantities of allowances made available for use by all participating sources rather than by imposing unit-specific emission control requirements. The total amount of allowances that may be newly allocated among the sources in each state for a given control period is referred to as the state’s emissions budget for the control period.

CSAPR was initially promulgated in the form of Federal Implementation Plan (FIP) requirements (76 FR 48208). However, the CSAPR regulations include provisions under which the

EPA will approve certain types of optional SIP revisions—referred to as “abbreviated CSAPR SIP” and “full CSAPR SIP” revisions—to modify or replace the FIP provisions while allowing states to continue to meet their underlying obligations using the CSAPR trading programs.¹

An approved abbreviated CSAPR SIP revision replaces the EPA’s default unit-level allowance allocation provisions for the state’s units with the state’s own unit-level allowance allocation provisions while leaving the corresponding CSAPR FIP and all other provisions of the relevant Federal trading program in place for the state’s units. Under such a SIP revision, a state has complete flexibility as to how to initially allocate allowances among its units for each control period, as long as the overall quantity of allowances allocated does not exceed the state’s emission budget for the control period.

An approved full CSAPR SIP revision replaces a CSAPR Federal trading program for the state’s units with a state trading program integrated with the Federal trading program. For a full CSAPR SIP revision to be approvable, the state’s trading program regulations must be substantively identical to the corresponding Federal CSAPR trading program regulations with two exceptions. First, the state has the same flexibility with respect to unit-level allowance allocations it would have under an abbreviated CSAPR SIP revision. Second, the state must not regulate units located in Indian country not subject to the state’s Clean Air Act planning jurisdiction, with the consequence that if the state’s trading program regulations incorporate the relevant Federal trading program regulations by reference, the incorporation by reference must exclude the provisions of the Federal regulations that relate to units in Indian country.

In 2015, Missouri adopted state regulations at 10 Code of State Regulations (CSR) 10–6.376 establishing state-determined unit-level allocations of CSAPR SO₂ Group 1 allowances to replace the EPA’s default allocations. The EPA approved the state’s regulations as an abbreviated CSAPR SIP revision on June 28, 2016 (see 81 FR 41838). Missouri’s allocations replicated the EPA’s default allocations with the exception that the state allocated 1,300 more allowances to Asbury Unit 1 and 1,300 fewer allowances to Iatan Unit 1.

¹ See 40 CFR 52.38, 52.39. States also retain the ability to submit SIP revisions to meet their underlying obligations using mechanisms other than the CSAPR federal trading programs or integrated state trading programs.

In 2018, Missouri adopted revisions to 10 CSR 10–6.376 incorporating into the state’s regulations by reference all the provisions of the Federal CSAPR SO₂ Group 1 Trading Program regulations at 40 CFR 97.602 through 97.635 except the EPA’s default unit-level allowance allocation provisions and the provisions relating to units located in Indian country. The EPA approved the revisions as a full CSAPR SIP revision on December 4, 2019 (see 84 FR 66316). The revisions replaced the Federal CSAPR SO₂ Group 1 Trading Program regulations for Missouri units with Missouri’s CSAPR SO₂ Group 1 Trading Program regulations but made no changes to the previously adopted provisions of 10 CSR 10–6.376 concerning Missouri’s unit-level allowance allocations.

On November 29, 2021, Missouri submitted further revisions to 10 CSR 10–6.376 for approval by the EPA into the state’s SIP.

II. What is being addressed in this document?

The EPA is approving the SIP revision submitted by the State of Missouri on November 29, 2021. Missouri requested the EPA to approve revisions to 10 CSR 10–6.376 in the Missouri SIP.

First, the state has revised its rule to reallocate 1,300 CSAPR SO₂ Group 1 emission allowances for each control period from Asbury Unit 1, which was retired in March 2020, to Iatan Unit 1. The total amount of CSAPR SO₂ Group 1 allowances allocated by the state to Iatan Unit 1 will increase from 9,833 to 11,133. The total amount of CSAPR SO₂ Group 1 allowances allocated by the state to Asbury Unit 1 will decrease from 4,480 to 3,180. (Under other existing provisions of 10 CSR 10–6.376, the remaining 3,180 allowances allocated to Asbury Unit 1 will be transferred to the new unit set-aside and then redistributed to other units in the state.) The state’s revisions do not change the overall quantity of allowances made available under the trading program and will therefore have no environmental effect. Because the regulations at 40 CFR 52.39 governing approvability of CSAPR SIP revisions give a state complete flexibility as to how the state initially allocates the allowances in its emissions budget for each control period among the state’s units, Missouri’s revision to the unit-level allocation provisions of its rule is approvable.

Second, Missouri has made non-substantive revisions to the rule language concerning the provisions excluded from incorporation by reference. The revisions do not change

the set of provisions of the Federal regulations that are excluded from the state's regulations—*i.e.*, the provisions relating to the EPA's default unit-level allowance allocations and the provisions relating to units located in Indian country. The regulations at 40 CFR 52.39 do not prescribe specific language that must be used to accomplish the exclusion of these provisions, so Missouri's editorial revision to the rule language is approvable.

III. Have the requirements for approval of a SIP revision been met?

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP revision from April 15, 2021 to May 27, 2021 and received no comments. The NPRM and supporting information contained in the docket were made available for public comment from June 20, 2023, to July 20, 2023 (88 FR 39801) and no comments were received. In addition, as explained above, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

IV. What action is the EPA taking?

The EPA is taking final action to amend the SIP by approving the State's request in its submission dated November 29, 2021 to revise 10 CSR 10–6.376 “Cross-State Air Pollution Rule Annual SO₂ Group 1 Trading Program.” Because the EPA has already recorded Missouri's previously submitted unit-level allocations of CSAPR SO₂ Group 1 allowances issued for control periods through 2024 in the sources' compliance accounts, Missouri's revised unit-level allocations will take effect starting with allowances issued for the 2025 control period, in accordance with 40 CFR 52.39(f)(1)(iv) and 10 CSR 10–6.376(3)(A)1.D.

V. 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, the EPA is finalizing the incorporation by reference of the revised version of Missouri 10 CSR 10–6.376, state effective date July 29, 2021, setting forth the revised version of the state's CSAPR SO₂ Group 1 Trading Program. The EPA has made, and will continue to make, these materials generally available through www.regulations.gov and at the EPA Region 7 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 the EPA for inclusion in the State Implementation Plan, 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 the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.²

VI. 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 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); 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

² 62 FR 27968, May 22, 1997.

application of those requirements would be inconsistent with the Clean Air Act;

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).

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 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. 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.” 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.”

Missouri 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. EPA did not perform an EJ analysis and did not consider EJ in this action. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

This action is subject to the Congressional Review Act, and 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 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 November 14, 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: September 11, 2023.
Meghan A. McCollister,
Regional Administrator, Region 7.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as set forth below:

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 AA—Missouri

■ 2. In § 52.1320, the table in paragraph (c) is amended by revising the entry “10–6.376” to read as follows:

§ 52.1320 Identification of plan.

* * * * *
 (c) * * *

EPA-APPROVED MISSOURI REGULATIONS

| Missouri citation | Title | State effective date | EPA approval date | Explanation |
|--|---|----------------------|--|-------------|
| Missouri Department of Natural Resources | | | | |
| * | * | * | * | * |
| Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods, and Air Pollution Control Regulations for the State of Missouri | | | | |
| * | * | * | * | * |
| 10–6.376 | Cross-State Air Pollution Rule SO ₂ Group 1 Trading Program. | 7/29/2021 | 9/15/2023, [insert Federal Register citation]. | |
| * | * | * | * | * |

* * * * *
 [FR Doc. 2023–19947 Filed 9–14–23; 8:45 am]
BILLING CODE 6560–50–P

GENERAL SERVICES ADMINISTRATION

41 CFR Chapter 302

[Notice—MA–2023–08; Docket No. 2023–0002; Sequence No. 31]

Federal Travel Regulation (FTR); Relocation Allowances—Waiver of Certain Provisions for Official Relocation Travel to Locations in Florida and South Carolina Impacted by Hurricane Idalia

AGENCY: Office of Government-wide Policy (OGP), General Services Administration (GSA).

ACTION: Notification of GSA Bulletin FTR 23–08.

SUMMARY: GSA Bulletin FTR 23–08, Waiver of certain Federal Travel Regulation (FTR) provisions for official relocation travel to locations in Florida and South Carolina impacted by Hurricane Idalia, informs Federal

agencies that certain provisions of the FTR governing official relocation travel are temporarily waived for Florida and South Carolina locations impacted by Hurricane Idalia. As a result of the storm damage caused by Hurricane Idalia, agencies should consider delaying all non-essential relocations to the affected areas given the statutory 120-day maximum for payment of temporary quarters subsistence expenses (TQSE). Due to the lasting effects of the storm damage to these affected areas, finding lodging facilities and/or adequate meals may be difficult, and distance involved may be great, resulting in increased cost for relocation subsistence expenses.

DATES: *Applicability date:* The notification is retroactively applicable for official relocation travel impacted by Hurricane Idalia that is/was performed on or after the incident period start dates: (a) August 27, 2023, based on Presidential Disaster Declaration EM–3596–FL dated August 28, 2023, to designated areas in Florida, (b) August 27, 2023, based on Presidential Disaster Declaration DR–4734–FL dated August 31, 2023, to designated areas in Florida,

and (c) August 29, 2023, based on Presidential Disaster Declaration EM–3597–SC dated August 31, 2023, to designated areas in South Carolina. The FTR Bulletin expires 180 days from the respective applicability dates, unless extended or rescinded by this office.

FOR FURTHER INFORMATION CONTACT: Mr. Rick Miller, Senior Policy Analyst, Office of Government-wide Policy, Office of Asset and Transportation Management, at 202–501–3822 or by email at travelpolicy@gsa.gov. Please cite Notice of GSA Bulletin FTR 23–08.

SUPPLEMENTARY INFORMATION:

Background

Federal agencies authorize relocation entitlements to those individuals listed at FTR § 302–1.1 and those assigned under the Government Employees Training Act (GETA) (5 U.S.C. Chapter 41) which must be used within one year. Some agencies will authorize TQSE and a Househunting trip (HHT) to assist employees with temporary expenses incurred in connection with relocating to a new duty station. The FTR limits where temporary lodging may occur, how long employees may