

d. * * * For mailings presented under 7.0, mailers may document and pay postage using USPS Ship under 2.9.

* * * * *

8.0 Preparing Pallets

* * * * *

8.6 Pallet Labels

* * * * *

8.6.6 Line 3

[Revise the third sentence of the introductory text of 8.6.6 to read as follows:]

* * * Labels on containers of parcels prepared using USPS Ship under 2.9 must show "USPS Ship" either to the left of required line 3 information or directly below line 3 using the same size and lettering used for line 3. * * *

* * * * *

18.0 Priority Mail Express Open and Distribute and Priority Mail Open and Distribute

18.1 Prices and Fees

* * * * *

18.1.6 Postage Statement for Enclosed Mail

[Revise the text of 18.1.6 to read as follows:]

The mailer must provide the correct postage statement for the enclosed mail unless prepared under USPS Ship. If the enclosed mail is zone-priced, the mailer must either provide documentation that details the pieces and postage, by zone for each Priority Mail Express Open and Distribute or Priority Mail Open and Distribute shipment destination or provide a separate postage statement for each Priority Mail Express Open and Distribute or Priority Mail Open and Distribute shipment destination. The mailer must always present the mailing to the designated USPS acceptance unit for verification of postage and fees. A postage statement is not required for the Priority Mail Express or Priority Mail portion of the Open and Distribute shipment, unless Priority Mail postage is paid by permit imprint not prepared under USPS Ship.

* * * * *

18.5 Preparation

* * * * *

18.5.3 Tags 257 and 267—Priority Mail Express Open and Distribute

[Revise the second sentence of the introductory text of 18.5.3 to read as follows:]

* * * For mailings prepared under USPS Ship, use blue Tag 257—EVS and yellow Tag 267—EVS. * * *

* * * * *

18.5.4 Tags 161 and 190—Priority Mail Open and Distribute

[Revise the second sentence of the introductory text of 18.5.4 to read as follows:]

* * * For mailings prepared under USPS Ship, use green Tag 161—EVS and pink Tag 190—EVS. * * *

* * * * *

18.5.7 Address Label Service Barcode Requirement

[Revise the first sentence in the introductory text of 18.5.7 to read as follows:]

An electronic service barcode must include USS 128 or Intelligent Mail package barcode (IMpb) (USPS Ship approved mailers) symbology for Priority Mail Express Open and Distribute, and the IMpb symbology for Priority Mail Open and Distribute in the address label. * * *

* * * * *

18.6 Enter and Deposit

* * * * *

18.6.3 Postmark and Signing Tags and Labels

[Revise the text of 18.6.3 to read as follows:]

Upon completion of the verification and acceptance of the contents, all Open and Distribute tags and labels must be postmarked and signed in the space provided unless prepared under an authorized USPS Ship manifest mailing system. Open and Distribute USPS Ship tags and labels bear the marking "APPROVED USPS Ship MAILER" in the space normally designated for the postmark and signature.

* * * * *

21.0 Optional Combined Parcel Mailings

21.1 Basic Standards for Combining Parcel Select, Package Services, and USPS Marketing Mail Parcels

* * * * *

21.1.2 Postage Payment

[Revise the last sentence of 21.1.2 to read as follows:]

* * * Mailers may document and pay postage using USPS Ship under 2.9.

* * * * *

Index

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E

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[Delete the "Electronic Verification System (eVS), 705.2.9" line item.

* * * * *

U

* * * * *

[Alphabetically under "U" list the following:]

USPS Ship, 705.2.9

* * * * *

Colleen Hibbert-Kapler,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2024-08814 Filed 4-24-24; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R05-OAR-2021-0936; FRL-9859-02-R5]

Air Plan Approval; Indiana; Opacity Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a revision to the Indiana State Implementation Plan (SIP), authorizing temporary alternative opacity limitations at the BP Products North America, Inc. (BP) facility in Whiting, Indiana during startup and shutdown. This approval is consistent with the Clean Air Act (CAA) and EPA regulations regarding emissions during these periods in the refinery sector. EPA proposed to approve this SIP submission on August 17, 2022, and received no comments.

DATES: This final rule is effective May 28, 2024.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-R05-OAR-2021-0936. 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., 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 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. We recommend that you telephone Matt Rau at (312) 886-6524 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Matt Rau, Air and Radiation Division (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6524, rau.matthew@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

I. Background Information

On August 17, 2022 (87 FR 50594), EPA proposed to approve Indiana's opacity rule section 326 Indiana Administrative Code (IAC) 5-1-8, effective December 8, 2021, as a revision to the Indiana SIP. The rule revision provides BP's two fluidized catalytic cracking units (FCUs), FCU 500 and FCU 600, with a temporary alternative opacity limitation to address safety hazards during startup, shutdown, and hot standby.

As noted in EPA's proposal, the temporary alternative opacity limitation provided to BP in 326 IAC 5-1-8 is consistent with applicable requirements in 326 IAC 5-1-3, approved by EPA on July 16, 2002 (67 FR 46589). This revision applies only to opacity rules at 326 IAC 5-1-8 as allowed under 326 IAC 5-1-3. Emission limitations and monitoring for all other pollutants, including particulate matter, remain unchanged.

The temporary alternative opacity limit is also consistent with the requirements of 40 CFR part 63, subpart UUU, the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units. The NESHAP allows units to demonstrate compliance during periods of startup, shutdown, or hot standby by maintaining the inlet velocity to the primary internal cyclones of the FCU catalyst regenerator at or above 20 feet per second. 326 IAC 5-1-8(c) requires BP to follow the same requirement as the NESHAP for FCU 500 and FCU 600, including the operating, data collection, and recordkeeping requirements. 326 IAC 5-1-8 (c)(3)(G) also requires BP to minimize emissions consistent with the NESHAP.

The public comment period for this proposed rule ended on September 16, 2022. EPA received no comments. EPA is finalizing this action as proposed.

II. Final Action.

EPA is approving Indiana's opacity rule section 326 IAC 5-1-8 as a revision to the Indiana SIP.

III. Incorporation by Reference.

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the Indiana Regulations described in Section I of this preamble and set forth in the amendments to 40 CFR part 52 below. EPA has made, and will continue to make, these documents

generally available through www.regulations.gov, and at the EPA Region 5 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.¹

IV. 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 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 CAA.

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, 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. 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."

Indiana did not evaluate environmental justice considerations as part of its SIP submission; 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.

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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 24, 2024. 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

¹62 FR 27968 (May 22, 1997).

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, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 18, 2024.
Debra Shore,
Regional Administrator, Region 5.
 For the reasons stated in the preamble, title 40 CFR part 52 is amended 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.*

■ 2. In § 52.770, the table in paragraph (c) is amended by revising the entry for “5–1–8” to read as follows:

§ 52.770 Identification of plan.

* * * * *
 (c) * * *

EPA—APPROVED—INDIANA REGULATIONS

Indiana citation	Subject	Indiana effective date	EPA approval date	Notes
5–1–8	Site-specific temporary alter-nate opacity limitations.	12/8/2021	4/25/2024, [INSERT FIRST PAGE OF FEDERAL REG-ISTER CITATION].	

* * * * *
 [FR Doc. 2024–08712 Filed 4–24–24; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R02–OAR–2023–0636, FRL–11638–02–R2]

Approval and Promulgation of Plans for Designated Facilities; New Jersey; Delegation of Authority

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a request from the New Jersey Department of Environmental Protection (NJDEP) for delegation of authority to implement and enforce the Federal Plan Requirements for Municipal Solid Waste (MSW) landfills that commenced construction on or before July 17, 2014, and have not been modified or reconstructed since July 17, 2014. On November 21, 2023, the NJDEP Assistant Commissioner signed a memorandum of agreement (MoA) concerning the delegation of authority of the Federal Plan for existing MSW landfills to the NJDEP by the EPA. Subsequently, on November 28, 2023, the MoA became effective upon the EPA Region 2 Regional Administrator’s signature. The signed MoA serves as the mechanism for the transfer of the EPA’s authority to the NJDEP. The purpose of

this delegation is to acknowledge the NJDEP’s ability to implement the Federal Plan and to transfer primary implementation and enforcement responsibilities from the EPA to the NJDEP for existing sources of MSW landfills. This notice informs the public of the MoA, provides a copy of the signed document, and amends regulatory text to promulgate the delegation of authority.

DATES: This rule is effective on May 28, 2024.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R02–OAR–2023–0636. 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.*, Controlled Unclassified Information (CUI) (formally referred to as 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: Fausto Taveras, Environmental Protection Agency, Region 2, Air Programs Branch, 290 Broadway, New York, New York 10007–1866, at (212) 637–3378, or by email at Taveras.Fausto@epa.gov.

SUPPLEMENTARY INFORMATION: The **SUPPLEMENTARY INFORMATION** section is arranged as follows:

- I. What is the background for this action?
- II. What comments were received in response to the EPA’s proposed action?
- III. What action is the EPA taking?
- IV. Statutory and Executive Order Reviews

I. What is the background for this action?

On February 20, 2024 (89 FR 12796), the EPA published a Notice of Proposed Rulemaking (NPRM) that proposed approving the New Jersey Department of Environmental Protection (NJDEP) request, dated May 8, 2023, for delegation of authority of the Federal Plan Requirements for Municipal Solid Waste (MSW) Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014, (Federal Plan), codified at 40 CFR part 62, subpart OOO, for existing sources of MSW Landfills. New Jersey’s request letter included a commitment to enter a memorandum of agreement (MoA) developed by the NJDEP and the EPA, which defines the policies, responsibilities, and procedures that the NJDEP and the EPA will conform to in administering the Federal Plan requirements. The MoA was signed by the NJDEP Assistant Commissioner on November 21, 2023, and the EPA Region 2 Regional Administrator on November 28, 2023. The NPRM informed the public of the MoA, provided a copy of the signed document, and proposed amending associated regulatory text at 40 CFR part 62, subpart FF—New Jersey to promulgate the approved delegation of authority to the NJDEP for implementing and enforcing the Federal Plan Requirements for Municipal Solid