

because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

#### *E. Unfunded Mandates Reform Act*

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### *F. Environment*

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting less than 20 days that will prohibit entry in all navigable waters of the Bayou Teche from Jeanerette, LA to Linwood, LA. It is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

#### *G. Protest Activities*

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (waters), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 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:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T08–1121 to read as follows:

#### **§ 165.T08–1121 Safety Zone; Bayou Teche, Crude Oil Spill; Jeanerette, LA.**

(a) *Location.* The following area is a safety zone: All waters of Bayou Teche from Jeanerette, LA to Linwood, LA.

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

(c) *Regulations.* (1) Under the general safety zone regulations in 33 CFR part 165 subpart C, you may not enter the safety zones 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 via VHF–FM channel 16, or through Coast Guard Marine Safety Unit Morgan City at 985–380–5334. Those in the safety zones must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This rule will be enforced from March 29, 2016 through April 15, 2016 or until emergency spill response efforts are complete, whichever occurs earlier.

(e) *Informational broadcasts.* The COTP or a designated representative will inform the public through broadcasts notice to mariners of the enforcement period for the emergency safety zones as well as any changes in the dates and times of enforcement.

Dated: March 29, 2016.

**D.G. McClellan,**

*Captain, U.S. Coast Guard, Captain of the Port Morgan City, Louisiana.*

[FR Doc. 2016–07541 Filed 4–4–16; 8:45 am]

**BILLING CODE 9110–04–P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 9

[EPA–HQ–OPPT–2014–0486; FRL–9943–62]

### OMB Approvals Under the Paperwork Reduction Act; Technical Amendment

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

**ACTION:** Final rule.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA), this technical amendment updates the table that lists the Office of Management and Budget (OMB) control numbers issued under PRA for information collection requirements contained in EPA's regulations that are promulgated in title 40 of the Code of Federal Regulations (CFR). This technical amendment adds new approvals published in the **Federal Register** since January 8, 2016, and removes expired and terminated approvals.

**DATES:** This final rule is effective April 5, 2016.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2014–0486, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC. 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 is (202) 566–1744, and the telephone number for the OPPT Docket is (202) 566–0280. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

#### **FOR FURTHER INFORMATION CONTACT:**

Angela Hofmann, Regulatory Coordination Staff (7101M), Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (202) 564–0258; email address: [hofmann.angela@epa.gov](mailto:hofmann.angela@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

## I. Does this action apply to me?

This action is directed to the public in general. This action may, however, be of interest to those persons who are concerned about OMB approval for information collections required by EPA regulations. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

## II. Background

### A. Why is this technical amendment being issued?

This document updates the OMB control numbers listed in 40 CFR part 9 for various regulations promulgated under the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136), and the Federal Food, Drug, and Cosmetic Act (FFDCA) (21 U.S.C. 408). Under PRA (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to an information collection request unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are codified in title 40 of the CFR, after appearing in the preamble of the final rule. These numbers are listed in 40 CFR part 9, displayed in a subsequent publication in the **Federal Register**, or displayed by other appropriate means, such as on a related collection instrument or form, or as part of the instructions to respondents. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9. In addition to displaying the applicable OMB control number in the final rule and on the applicable collection instruments, the Office of Chemical Safety and Pollution Prevention (OCSPP) has also typically listed the OMB control number in the table at 40 CFR 9.1 for regulations it has issued under TSCA, FIFRA, and FFDCA. With this technical amendment, OCSPP is updating the table in 40 CFR 9.1 to list the new OMB control number that replaces the two OMB control numbers that have been consolidated under the new OMB control number.

### B. Why is this technical amendment issued as a final rule?

The information collection activities referenced in this document were previously subject to public notice and comment as part of the rulemaking process, and this action does not in any way affect the referenced information collection activities or rulemakings.

This action only amends the table at 40 CFR 9.1 to update the list of OMB control numbers listed there. Due to the technical nature of the table, EPA finds that further notice and comment about amending the table is unnecessary. As a result, EPA finds that there is "good cause" under section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)), to amend this table without further notice and comment.

### C. What specific changes are being made?

On January 8, 2016, OMB approved the consolidation of three existing, approved OMB control numbers into a single, new OMB control number. Specifically, OMB control numbers 2070–0155, 2070–0158, and 2070–0181 were consolidated into a single information collection approved under OMB control number 2070–0195. This consolidated OMB control number covers the information collection activities imposed on entities conducting lead-based paint related activities. The previous OMB control numbers for these information collection activities will be discontinued.

## III. Statutory and Executive Order Reviews

This action implements technical amendments to 40 CFR part 9 to reflect changes to OMB approvals under PRA. It does not otherwise impose or amend any requirements. As such, this action does not require review by OMB under Executive Order 12866, entitled "Regulatory Planning and Review" (58 FR 51735, October 4, 1993), the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), or Executive Order 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997). Nor does it impose any enforceable duty, contain any unfunded mandate, or impose any significant or unique impact on small governments as described in the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action will not have substantial direct effects on State or tribal governments, on the relationship between the Federal Government and States or Indian tribes, or on the distribution of power and responsibilities between the Federal Government and States or Indian tribes. As such, it will not have any "federalism implications" as described by Executive Order 13132, entitled "Federalism" (64 FR 43255, August 10, 1999) or "tribal implications" as described by Executive Order 13175, entitled "Consultation and Coordination

with Indian Tribal Governments" (65 FR 67249, November 9, 2000). Nor does it involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (15 U.S.C. 272 note), environmental justice-related issues that would require consideration under Executive Order 12898, entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (59 FR 7629, February 16, 1994), or otherwise involve anything that would have any adverse effect on the supply, distribution, or use of energy that would require consideration under Executive Order 13211, entitled "Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001).

In addition, since this action is not subject to notice-and-comment requirements under the APA or any other statute, it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

## IV. Congressional Review Act

Pursuant to the Congressional Review Act, 5 U.S.C. 801 *et seq.*, EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

### List of Subjects in 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

Dated: March 29, 2016.

**James Jones,**

*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

Therefore, 40 CFR chapter I is amended as follows:

## PART 9—OMB APPROVALS UNDER THE PAPERWORK REDUCTION ACT

■ 1. The authority citation for part 9 continues to read as follows:

**Authority:** 7 U.S.C. 135 *et seq.*, 136–136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601–2671, 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 *et seq.*, 1311, 1313d, 1314, 1318, 1321, 1326, 1330, 1342, 1344, 1345(d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g–1, 300g–2, 300g–3, 300g–4, 300g–5, 300g–6, 300j–1, 300j–2, 300j–3, 300j–4, 300j–9, 1857 *et seq.*,

6901–6992k, 7401–7671q, 7542, 9601–9657, 11023, 11048.

■ 2. In § 9.1, the table is amended by revising the undesignated center heading “Lead-Based Paint Poisoning Prevention in Certain Residential Structures” to read “Lead-Based Paint Poisoning Prevention in Certain Residential Structures” and revising the following entries underneath it:

- a. Part 745, subpart E;
- b. Part 745, subpart L; and
- c. Part 745, subpart Q.

The revisions read as follows:

**§ 9.1 OMB approvals under the Paperwork Reduction Act.**

\* \* \* \* \*

40 CFR citation	OMB control No.
* * *	* *
<b>Lead-Based Paint Poisoning Prevention in Certain Residential Structures</b>	
Part 745, subpart E .....	2070–0195
* * *	* *
Part 745, subpart L .....	2070–0195
Part 745, subpart Q .....	2070–0195
* * *	* *

\* \* \* \* \*

[FR Doc. 2016–07797 Filed 4–4–16; 8:45 am]

BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R09–OAR–2015–0048; FRL–9943–78–Region 9]

**Clean Air Plans; 1-Hour and 1997 8-Hour Ozone Nonattainment Area Requirements; San Joaquin Valley, California**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a state implementation plan revision submitted by the State of California to provide for attainment of the 1-hour ozone national ambient air quality standard in the San Joaquin Valley, California ozone nonattainment area and to meet other Clean Air Act requirements. Specifically, with respect to the 1-hour ozone standard, the EPA is taking final action to find the

emissions inventories to be acceptable and to approve the reasonably available control measures demonstration, the rate of progress demonstrations, the attainment demonstration, contingency measures for failure to meet rate of progress milestones, the provisions for advanced technology/clean fuels for boilers, and the demonstration that the plan provides sufficient transportation control strategies and measures to offset emissions increases due to increases in motor vehicle activity. For the 1997 8-hour ozone standard, the EPA is taking final action to approve the demonstration that the plan provides sufficient transportation control strategies and measures to offset emissions increases due to increases in motor vehicle activity.

**DATES:** This rule is effective on May 5, 2016.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID Number EPA–R09–OAR–2015–0048. Generally, documents in the docket for this action are available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at [www.regulations.gov](http://www.regulations.gov), some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., confidential business information or “CBI”). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** John Ungvarsky, Air Planning Office (AIR–2), U.S. Environmental Protection Agency, Region 9, (415) 972–3963, [ungvarsky.john@epa.gov](mailto:ungvarsky.john@epa.gov).

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

**Table of Contents**

- I. Proposed Action
- II. Public Comments
- III. Final Action
- IV. Statutory and Executive Order Reviews

**I. Proposed Action**

On January 15, 2016 (81 FR 2140), the EPA proposed, under section 110(k)(3) of the Clean Air Act (CAA or “Act”), to approve a revision to the California state implementation plan (SIP) submitted by the California Air Resources Board (CARB) on December 20, 2013. The SIP submittal consists of the San Joaquin Valley’s “2013 Plan for the Revoked 1-Hour Ozone Standard” (“2013 Ozone

Plan”) and related documentation.<sup>1</sup> More specifically, we proposed to approve all of the elements contained in the 2013 Ozone Plan, with the exception of the attainment contingency provisions for which the EPA is deferring action, based on the documentation contained in or submitted with the plan itself and supplemental documentation provided by CARB on June 19, 2014 related to the vehicle-miles-traveled (VMT) emissions offset requirement in CAA section 182(d)(1)(A).

As explained in more detail in our proposed rule, the 2013 Ozone Plan was prepared by the San Joaquin Valley Unified Air Pollution Control District (SJVUACPD or “District”) and CARB in response to the EPA’s regulatory responses to two specific court decisions issued by the Ninth Circuit Court of Appeals (“Ninth Circuit”),<sup>2</sup> one of which remanded to the EPA the approval of the previous San Joaquin Valley 1-hour ozone plan. Although the 1-hour ozone national ambient air quality standard has been revoked, certain SIP requirements that had applied to 1-hour ozone nonattainment areas, such as the San Joaquin Valley, at the time of revocation continue to apply under “anti-backsliding” regulations that the EPA promulgated to govern the transition from the 1-hour ozone standard to the 8-hour ozone standard.

In our proposed rule, we also discussed the implications on our action on the 2013 Ozone Plan of a third Ninth Circuit decision, *Committee for a Better Arvin v. EPA*, 786 F.3d 1169 (9th Cir. 2015) (“*Committee for a Better Arvin*”), and indicated that, in response to the decision in *Committee for a Better Arvin*, the EPA had proposed in a separate rulemaking (i.e., 80 FR 69915 (November 12, 2015)) to approve (as a revision to the California SIP) a number of CARB mobile source regulations for which the EPA has issued waivers or authorizations under CAA section 209 (referred to herein as “waiver measures.”) See our January 15, 2016 proposed rule at 81 FR 2141–2144.

<sup>1</sup> Ground-level ozone is formed when oxides of nitrogen (NO<sub>x</sub>) and volatile organic compounds (VOC) react in the presence of sunlight. The 1-hour ozone national ambient air quality standard is 0.12 parts per million (ppm) averaged over a 1-hour period (“1-hour ozone standard”). See 40 CFR 50.9.

<sup>2</sup> The two cases are *Sierra Club v. EPA*, 671 F.3d 955 (9th Cir. 2012) (Remand of the EPA’s approval of previous San Joaquin Valley 1-hour ozone plan) (“*Sierra Club*”); and *Association of Irrigated Residents v. EPA*, 632 F.3d 584, at 596–597 (9th Cir. 2011), reprinted as amended on January 27, 2012, 686 F.3d 668, further amended February 13, 2012 (Remand of the EPA’s approval of the state’s VMT emissions offset demonstration for the South Coast) (“*Association of Irrigated Residents*”).