Lake Michigan to act on his or her behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Lake Michigan or an on-scene representative to obtain permission to do so. The Captain of the Port Lake Michigan or an on-scene representative may be contacted via VHF Channel 16 or at 414–747–7182. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Lake Michigan, or an on-scene representative.

Dated: August 22, 2019.

Thomas J. Stuhlreyer,

Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.

[FR Doc. 2019–18605 Filed 8–28–19; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2019–0005; FRL–9996–59–Region 9]

Air Plan Approval; California; Imperial County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions to the Imperial County Air Pollution Control District (ICAPCD) portion of the California state implementation plan (SIP). These revisions concern emissions of particulate matter (PM) from open areas and wood burning appliances and update certain definitions relevant to stationary source permitting. We are approving local rules that regulate these emission sources under the Clean Air Act (CAA or the Act).

DATES: This rule is effective on September 30, 2019.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2019–0005. 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 (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 *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Christine Vineyard, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947–4125 or by email at *vineyard.christine@epa.gov.*

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

Table of Contents

I. Proposed Action
II. Public Comments and EPA Responses
III. EPA Action
IV. Incorporation by Reference
V. Statutory and Executive Order Reviews

I. Proposed Action

On May 3, 2019 (84 FR 19005), the EPA proposed to approve the following rules into the California SIP.

Local agency	Rule No.	Rule title	Adopted/ amended/ revised	Submitted
ICAPCD ..	101	Definitions	09/11/18	10/29/18
ICAPCD ..	428	Wood Burning Appliances [1]	09/11/18	10/29/18
ICAPCD ..	429	Mandatory Episodic Curtailment of Wood and Other Solid Fuel Burning	09/11/18	10/29/18
ICAPCD ..	804	Open Areas	09/11/18	10/29/18

[1] We are not acting on the opacity limit in section E.4.2. of Rule 428 at this time. However, ICAPCD Rule 401 has been approved into the California SIP (54 FR 5448 February 3, 1989) and established a 20% opacity limit that applies to most sources, including wood burning appliances. Our action on Rule 428 will not affect the applicability of this existing limit.

We proposed to approve these rules because we determined that they comply with the relevant CAA requirements. Our proposed action contains more information on the rules and our evaluation.

II. Public Comments and EPA Responses

The EPA's proposed action provided a 30-day public comment period. During this period, we received one comment, which expressed support for our proposed action.

III. EPA Action

No comments were submitted that change our assessment of the rules as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is fully approving these rules into the California SIP.

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 of the ICAPCD rules described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents available through *www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the 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);

• Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;

• 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);

• 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; and

• Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action 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**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. 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 October 28, 2019. 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, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: June 28, 2019.

Deborah Jordan,

Acting Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations 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.*

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(424)(i)(A)(*5*), (c)(485)(i)(A)(*4*), and (c)(523) to read as follows:

§ 52.220 Identification of plan-in part.

* * * * *

(c) * * *

(424) * * *

(i) * * *

(A) * * *

(*5*) Previously approved on April 22, 2013 in paragraph (c)(424)(i)(A)(2) of this section and now deleted with replacement in (c)(523)(i)(A)(4), Rule 804, "Open Areas," amended on October 16, 2012.

* * * * *

(485) * * *

(i) * * *

(A) * * *

(*4*) Previously approved on June 8, 2017 in paragraph (c)(485)(i)(A)(1) of this section and now deleted with replacement in (c)(523)(i)(A)(1), Rule 101, "Definitions," revised on February 9, 2016.

* * * * *

(523) New and amended regulations for the following Air Pollution Control Districts were submitted on October 29, 2018 by the Governor's Designee.

(i) *Incorporation by reference.* (A) Imperial County Air Pollution Control District.

(*1*) Rule 101, "Definitions," revised on September 11, 2018.

(*2*) Rule 428, "Wood Burning Appliances" except section E.4.2, adopted on September 11, 2018.

(*3*) Rule 429, "Mandatory Episodic Curtailment of Wood and Other Solid Fuel Burning," adopted on September 11, 2018.

(*4*) Rule 804, "Open Areas," revised on September 11, 2018.

[FR Doc. 2019–18589 Filed 8–28–19; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2018–0809; FRL–9998–71–Region 10]

Air Plan Approval; AK: Adoption Updates and Permitting Rule Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions to the Alaska State Implementation Plan (SIP) submitted on October 25, 2018. The revisions adopt changes to federal emissions factors and modeling guidelines, update pre-construction permitting of stationary sources, and fix typographical and grammatical errors. The EPA is also approving the submitted revisions as meeting major source pre-construction permitting requirements for the Fairbanks North Star Borough fine particulate matter nonattainment area. On the effective date of this rule, the Alaska SIP will include provisions for electronic permit applications, online notice of draft permits, revised modeling guidelines, and updated fine particulate matter requirements in nonattainment areas.

DATES: This final rule is effective September 30, 2019.

ADDRESSES: The EPA has established a docket for this action under Docket ID