

that complies with the provisions of the Act and applicable Federal regulations. See 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. 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."

FDEP did not evaluate EJ 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. Due to the nature of the action being taken here, this action is expected to have a neutral impact on the air quality of the affected area. 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 EJ 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 4, 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, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: September 27, 2023.

Jeaneanne Gettle,

Acting Regional Administrator, Region 4.

For the reasons stated in the preamble, EPA 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 K—Florida

§ 52.520 [Amended]

- 2. In § 52.520 in paragraph (c) amend the table under the heading "Chapter 62-296 Stationary Sources-Emission Standards" by removing the entries for "Rules 62-296.470, *Implementation of Federal Clean Air Interstate Rule*," "62-296.701, *Portland Cement Plants*," "62-296.703, *Carbonaceous Fuel Burners*," "62-296.706, *Glass Manufacturing Process*," "62-296.709, *Lime Kilns*," and "62-296.710, *Smelt Dissolving Tanks*."

[FR Doc. 2023-21723 Filed 10-2-23; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3195

[BLM_HQ_FRN_MO4500172196]

RIN 1004-AE93

Helium Contracts

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: The Helium Stewardship Act of 2013 (HSA) required the Bureau of Land Management (BLM) to sell the Federal Helium System (FHS) and end the Federal Helium In-Kind Program. Accordingly, on September 24, 2021, the BLM declared the FHS as excess to the General Services Administration (GSA), and on September 30, 2022, ceased operation of the Federal Helium In-Kind Program. This final rule removes the Federal Helium In-Kind Program's associated provisions from the BLM's regulations.

DATES: This final rule is effective on October 3, 2023.

ADDRESSES: You may send inquiries or suggestions to Director (630), Bureau of Land Management, 1849 C St. NW, Room 5646, Washington, DC 20240; Attention: RIN 1004-AE93.

FOR FURTHER INFORMATION CONTACT:

Amy Hay, Division Chief, Division of Business Resources, 303–236–6629, ahay@blm.gov; or Faith Bremner, Regulatory Analyst, Division of Regulatory Affairs, fbremner@blm.gov. Individuals in the United States who are deaf, blind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services for contacting Ms. Hay. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:**I. Background**

The BLM operates and maintains the FHS, which includes a helium storage reservoir, enrichment plant, pipeline system, and related infrastructure near Amarillo, Texas. The BLM will continue to operate the system until the sale is completed. Crude helium is extracted from the storage reservoir and transported to private helium refineries in Oklahoma and Kansas through the Federal Helium Pipeline. These refiners process the crude helium gas into refined liquid helium that is transported via tanker truck for use by private industry and Federal users. Helium is important for scientific research and medical imaging devices and is used by the Department of Defense (DoD), the National Aeronautics and Space Administration (NASA), and the Department of Homeland Security, among others. Over the past 3 years, the FHS provided roughly 14 percent of the domestic helium supply.

The BLM's regulations at 43 CFR part 3195, entitled "Helium Contracts," implemented the requirements of the Helium Privatization Act of 1996 to establish the BLM's Federal Helium In-Kind Program (Pub. L. 104–273, amended by the HSA, codified at 50 U.S.C. 167 (2013)). The BLM issued the regulations on July 28, 1998, establishing procedures for the BLM's Federal Helium In-Kind Program and defining the obligations of Federal helium suppliers and users. See 63 FR 40175. Under the BLM's Federal Helium In-Kind Program, Federal agencies were required to purchase all of their refined helium from private suppliers who, in turn, were required to purchase an equivalent amount of crude helium from the FHS.

Congress later enacted the HSA (Pub. L. 113–40), which amended the Helium Privatization Act and required the Secretary of the Interior to dispose of the FHS. The Act continued the Federal

Helium In-Kind Program until the disposal of the FHS.

The Department of the Interior and the BLM have complied with the requirements of the HSA. In April 2020, the BLM announced the disposal process for the FHS and explained that the Federal Helium In-Kind Program would end on September 30, 2022. The BLM has turned the FHS over to the GSA so that the GSA can sell the FHS. The BLM ended the Federal Helium In-Kind Program on September 30, 2022, in preparation for the sale. Since that time, Federal users have been procuring helium on the open market.

The GSA has modified the Federal Acquisition Regulation to comply with the HSA. On September 19, 2022, the GSA, DoD, and NASA published a proposed rule that would remove the requirements for government contractors to purchase helium from the Federal Government through the Federal Helium In-Kind Program. See 87 FR 57166. On April 26, 2023, the GSA, DoD, and NASA published the final rule. See 88 FR 25474.

II. Discussion of Final Rule

This final rule is an administrative action that simply removes 43 CFR part 3195 from the BLM's regulations in its entirety. These regulations are no longer in effect due to the pending sale of the FHS as required by the HSA. This action will implement Federal law. The BLM does not have the discretion to continue operating the in-kind program. Therefore, the Department of the Interior for good cause finds under 5 U.S.C. 533(b)(B) and (d)(3) that notice and public comment procedures are unnecessary.

Procedural Matters**Regulatory Planning and Review (E.O. 12866, E.O. 14094, E.O. 13563)**

This document is not a significant rule, and the Office of Management and Budget (OMB) has not reviewed this final rule under Executive Order (E.O.) 12866. The BLM has determined that this final rule will not have an annual effect on the economy of \$200 million or more. It will not adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities. This final rule simply removes the Federal Helium In-Kind Program regulations from the Code of Federal Regulations (CFR). These regulations are no longer in effect, due to the pending sale of the FHS, as required by the HSA.

This final rule will not create inconsistencies or otherwise interfere

with an action taken or planned by another agency. In addition, this final rule does not materially affect the budgetary impact of entitlements, grants, or loan programs, or the rights and obligations of their recipients. Finally, this final rule does not raise novel legal or policy issues. As explained earlier, the final rule removes regulations from the CFR that are no longer in effect.

Regulatory Flexibility Act

This final rule will not have a significant economic effect on a substantial number of small entities as defined under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). As a result, a Regulatory Flexibility Analysis is not required. The final rule will not affect small entities in any material way, because this final rule simply removes regulations from the CFR that are no longer in effect.

Congressional Review Act

This final rule is not a "major rule" as defined at 5 U.S.C. 804(2). The final rule will not have an annual effect on the economy greater than \$100 million; it will not result in major cost or price increases for consumers, industries, government agencies, or regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. Accordingly, a Small Entity Compliance Guide is not required.

Federalism (E.O. 13132)

This final rule will not have a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. In accordance with E.O. 13132, the BLM therefore finds that the final rule does not have federalism implications, and a federalism assessment is not required.

The Paperwork Reduction Act of 1995

The Paperwork Reduction Act (44 U.S.C. 3501–3521) generally provides that an agency may not conduct or sponsor and, notwithstanding any other provision of law, a person is not required to respond to a collection of information, unless it displays a currently valid OMB control number. Collections of information include any request or requirement that persons obtain, maintain, retain, or report information to an agency, or disclose information to a third party or to the

public (44 U.S.C. 3502(3) and 5 CFR 1320.3(c)).

OMB has generally approved the information collection requirements contained in 43 CFR part 3195 under OMB control number 1004–0179. Since this final rule removes 43 CFR part 3195 in its entirety, including all information collection requirements contained therein, the BLM has requested that OMB discontinue that OMB control number, along with the associated public paperwork burdens. This action also results in discontinuing the following BLM form numbers: 3195–1; 3195–2; 3195–3; and 3195–4. Discontinuing OMB control number 1004–0179 results in reducing the BLM’s information collection burdens by 94 annual responses and 642 annual burden hours.

Takings Implication Assessment (E.O. 12630)

As required by E.O. 12630, the BLM has determined that this final rule will not cause a taking of private property. The BLM therefore certifies that this final rule does not represent a governmental action capable of interference with constitutionally protected property rights.

Civil Justice Reform (E.O. 12988)

In accordance with E.O. 12988, the BLM finds that this final rule will not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Executive Order.

The National Environmental Policy Act (NEPA)

The BLM has determined that this final rule qualifies as an administrative, housekeeping action that is categorically excluded from environmental review under NEPA pursuant to 43 CFR 46.205 and 46.210(i). The final rule does not meet any of the 12 criteria for exceptions to categorical exclusions listed at 43 CFR 46.215. Therefore, neither an environmental assessment nor an environmental impact statement is required in connection with the rule (40 CFR 1501.3).

The Unfunded Mandates Reform Act of 1995

The BLM has determined that this final rule is not significant under the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501 *et seq.*, because it will not result in State, local, private sector, or Tribal government expenditures of \$100 million or more in any one year, 2 U.S.C. 1532. This rule will not significantly or uniquely affect small governments. Therefore, the BLM is not required to prepare a statement

containing the information required by the Unfunded Mandates Reform Act.

Consultation and Coordination With Indian Tribal Governments (E.O. 13175)

In accordance with E.O. 13175, the BLM has determined that this final rule does not include policies that have Tribal implications. Specifically, the rule will not have substantial direct effects on one or more Indian Tribes. Consequently, the BLM did not use the consultation process set forth in section 5 of the Executive Order.

Information Quality Act

In developing this final rule, the BLM did not conduct or use a study, experiment, or survey requiring peer review under the Information Quality Act (Pub. L. 106–554).

Effects on the Nation’s Energy Supply (E.O. 13211)

In accordance with E.O. 13211, the BLM has determined that this final rule will not have a significant adverse effect on the supply, distribution, or use of energy. The final rule removes regulations from the CFR that are no longer in effect.

Delegation of Signing Authority

The action taken herein is pursuant to an existing delegation of authority.

List of Subjects

Government contracts, Helium, Mineral royalties, Oil and gas exploration, Public lands—mineral resources, Reporting and recordkeeping requirements, and Surety bonds.

Laura Daniel-Davis,

Principal Deputy Assistant Secretary, Land and Minerals Management.

Under the authority of 5 U.S.C. 301, 50 U.S.C. 167, and for the reasons stated in the preamble, 43 CFR Chapter II is amended as follows:

PART 3195—[REMOVED]

■ 1. Remove part 3195.

[FR Doc. 2023–21711 Filed 10–2–23; 8:45 am]

BILLING CODE 4331–31–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Part 11

[Docket No. USCG–2020–0492]

RIN 1625–AC64

Towing Vessel Firefighting Training

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is issuing this final rule to revise the training requirements for national Merchant Mariner Credential endorsements as master of towing vessels (limited) or mate (pilot) of towing vessels on inland waters or Western Rivers routes. Consistent with recommendations from two Federal advisory committees, this rule gives mariners seeking these endorsements the option of taking a modified basic firefighting course. That course excludes training on equipment that is not required to be carried on towing vessels operating on inland waters or the Western Rivers. Applicants who take the modified basic firefighting course will reduce their costs because it is shorter and less expensive than the basic firefighting course.

DATES: This final rule is effective April 1, 2024.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to www.regulations.gov, type USCG–2020–0492 in the search box, and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: For information about this document, call or email Mr. James Cavo, Coast Guard; telephone 202–372–1205, email James.D.Cavo@uscg.mil.

SUPPLEMENTARY INFORMATION:

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