

Federal, State, and local officer designated by or assisting the First Coast Guard District Commander in the enforcement of the safety zones.

(c) *Regulations.* No vessel may enter or remain in the safety zone in paragraph (a) of this section except for the following:

(1) An attending vessel as defined in § 147.20; and

(2) A vessel authorized by the First Coast Guard District Commander or a designated representative.

(d) *Request for permission.* Persons or vessels seeking to enter the safety zone must request authorization from the First Coast Guard District Commander or a designated representative. If permission is granted, all persons and vessels must comply with lawful instructions of the First Coast Guard District Commander or designated representative via VHF-FM channel 16 or by phone at 866-842-1560 (First Coast Guard District Command Center).

(e) *Effective and enforcement periods.* This section is effective from January 1, 2024, through 11:59 p.m. on May 31, 2024. But it will only be enforced during active construction or other instances which may cause a hazard to navigation deemed necessary by the First Coast Guard District Commander. The First Coast Guard District Commander will make notification of the exact dates and times in advance of each enforcement period for the locations in paragraph (a) of this section to the local maritime community through the Local Notice to Mariners and will issue a Broadcast Notice to Mariners via marine channel 16 (VHF-FM) as soon as practicable in response to an emergency. If the project is completed before May 31, 2024, enforcement of the safety zones will be suspended, and notice given via Local Notice to Mariners. The First Coast Guard District Local Notice to Mariners can be found at: <https://www.navcen.uscg.gov>.

Dated: December 13, 2023.

J.W. Mauger,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2023-0953]

Safety Zones; New Year's Fireworks Display, Hood Canal, Washington

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce safety zone surrounding the Alderbrook Resort dock involved in a fireworks display in Hood Canal, WA, from December 31, 2023, through January 1, 2024 to provide for the safety of life on navigable waterways during the event. Our regulation for marine events within the Thirteenth Coast Guard District identifies the regulated area for this event in Hood Canal, WA. During the enforcement period, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

DATES: The regulations in 33 CFR 165.1332 will be enforced for the Alderbrook Resort and Spa Fireworks regulated area identified in the fourth row of the table in § 165.1332, from 11 p.m. on December 31, 2023, through 1 a.m. on January 1, 2024.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email MST1 Steve Barnett, Sector Puget Sound Waterways Management Division, U.S. Coast Guard; telephone 206-217-6051, email SectorPugetSoundWWM@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce safety zone regulations in 33 CFR 165.1332 for the annual Alderbrook Resort and Spa Fireworks display in Hood Canal from 11 p.m. on December 31, 2023, through 1 a.m. on January 1, 2024. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Thirteenth Coast Guard District, § 165.1332, specifies the location of the regulated area for the Alderbrook Resort and Spa Fireworks display which encompasses portions of Hood Canal. During the enforcement periods, if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners.

Dated: December 12, 2023.

M.A. McDonnell,

Captain, U.S. Coast Guard, Captain of the Port Sector Puget Sound.

[FR Doc. 2023-27771 Filed 12-18-23; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2023-0962]

Safety Zone; Lower Mississippi River, Mile Markers 94 to 97 Above Head of Passes, New Orleans, LA

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone on December 30, 2023, for the University of Texas Sugar Bowl Barge Show fireworks display located on the navigable waters of the Lower Mississippi River between Mile Marker (MM) 95.5 and MM 96.5. Our regulation for Safety Zone; Lower Mississippi River, Mile Markers 94 to 97 above Head of Passes, New Orleans, LA, identifies the regulated area for this event. This action is necessary to provide for the safety of life on these navigable waterways during this event. During the enforcement period, entry into this safety zone is prohibited unless authorized by the Captain of the Port or a designated representative.

DATES: The regulations in 33 CFR 165.845 will be enforced from 9:45 p.m. through 10:30 p.m. on December 30, 2023.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Commander William Stewart, Sector New Orleans, U.S. Coast Guard; telephone (504) 365-2246, email William.A.Stewart@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone for the University of Texas Sugar Bowl Barge Show fireworks display from 9:45 p.m. through 10:30 p.m. on December 30, 2023, to provide for the safety of life on the navigable waterways during this event. Our regulation for Safety Zone; Lower Mississippi River, mile markers 94 to 97 above Head of Passes, New

Orleans, LA, in 33 CFR 165.845(a), specifies the location of the regulated area on the Lower Mississippi River, between MM 95.5 and MM 96.5. During the enforcement period, as reflected in 33 CFR 165.845(c), entry into this safety zone is prohibited unless authorized by the Captain of the Port or a designated representative.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via Marine Safety Information Bulletin and Broadcast Notice to Mariners.

Dated: December 13, 2023.

K.K. Denning,

Captain, U.S. Coast Guard, Captain of the Port Sector New Orleans.

[FR Doc. 2023-27842 Filed 12-18-23; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R08-OAR-2023-0375; EPA-HQ-OAR-2021-0663; FRL-11233-02-R8]

Air Plan Approval; Wyoming; Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing approval of the portion of a Wyoming State Implementation Plan (SIP) submission addressing interstate transport for the 2015 8-hour ozone national ambient air quality standards (NAAQS). The “good neighbor” or “interstate transport” provision requires that each state’s SIP contain adequate provisions to prohibit emissions from within the state from significantly contributing to nonattainment or interfering with maintenance of the NAAQS in other states. This requirement is part of the broader set of “infrastructure” requirements, which are designed to ensure that the structural components of each state’s air quality management program are adequate to meet the state’s responsibilities under the Clean Air Act (CAA).

DATES: This rule is effective on January 18, 2024.

ADDRESSES: There are two dockets supporting this action, EPA-R08-OAR-2023-0375 and EPA-HQ-OAR-2021-0663. Docket No. EPA-R08-OAR-2023-0375 contains information specific to

Wyoming, including the August 14, 2023 notice of proposed rulemaking that supports this final action. Docket No. EPA-HQ-OAR-2021-0663 contains additional modeling files, emissions inventory files, technical support documents, and other relevant supporting documentation regarding interstate transport of emissions for the 2015 8-hour ozone NAAQS which are being used to support this action. All documents in the docket are listed in the <https://www.regulations.gov> index. Although listed in the docket, some information may not be publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas Uher, Office of Air Quality Planning and Standards, Air Quality Policy Division, Mail Code C539-04, 109 TW Alexander Drive, Research Triangle Park, NC 27711; telephone number: (919) 541-5534; email address: uher.thomas@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean the EPA.

I. Background

On August 14, 2023 (88 FR 54998), the EPA proposed to approve the interstate transport prongs 1 and 2 portions of Wyoming’s January 3, 2019 submission. An explanation of the CAA requirements and the EPA’s reasons for proposing approval were provided in the notice of proposed rulemaking and will not be restated here. The public comment period for the proposed approval ended on September 13, 2023. The EPA received eight comment submissions on the proposed action, one of which was submitted in error as it pertains to a rulemaking by a different agency. Of the seven remaining submissions, six of the commenters were in support of our proposed action, and one commenter (Sierra Club) was opposed. A summary of the relevant comments and the EPA’s responses are provided below.

II. Response to Comments

Comment: Commenter PacifiCorp argued that the EPA lacks the authority to withdraw and re-propose action on Wyoming’s SIP, stating that “EPA does not have or need the authority to undertake the current re-proposal to

solicit additional record evidence when the existing record is adequate and appropriate to approve Wyoming’s SIP.” The commenter asserts that, because the information available to the EPA (specifically the 2016v3 modeling) was also available to us when we did not take final action on Wyoming’s SIP (citing 88 FR 9336; Feb. 13, 2023), the EPA “cannot artificially extend its action by deferral and then re-propose to obtain more information.” The commenter states that the EPA did not provide a reason why a new rulemaking for Wyoming was necessary when we were able to take final action on Minnesota and Wisconsin’s SIPs although our modeling-based determination had changed between proposal and final. The commenter also states that “EPA’s re-proposal unlawfully attempts to manipulate and unilaterally extend EPA’s statutorily-fixed deadlines for SIP actions” because the CAA deadline for final action on Wyoming’s SIP had passed when the commenter alleges we chose to not take final action on Wyoming’s SIP. Other commenters also noted that the EPA had exceeded our statutory deadline for final action on Wyoming’s SIP, and commenter Basin Electric urged the EPA to finalize our proposed approval as expeditiously as practicable because our delays had caused them regulatory uncertainty.

Response: These comments are not germane to the basis for the EPA’s action. Commenters repeat arguments that have been raised in a challenge to the EPA’s separate final action disapproving 21 other states’ interstate transport SIP submissions for the 2015 ozone NAAQS (88 FR 9336; Feb. 13, 2023).¹ There is nothing unlawful or improper in providing an additional opportunity for public comment when the EPA finds, on the basis of updated modeling information, that a SIP submission on which it had proposed disapproval, may be approved. This is consistent with the EPA’s approach in numerous prior interstate transport SIP rulemakings.² The EPA has responded to commenters’ legal arguments against the separate disapproval action in the *Wyoming v. EPA* litigation.³

Regarding comments that the EPA has exceeded our statutory deadlines, the EPA is subject to a consent decree in *Downwinders at Risk v. EPA*, No. 21-cv-03551 (N.D. Cal.) under which the

¹ See *Wyoming et. al. v U.S. EPA*, No. 23-9529, Doc. 0101108374342 (10th Cir. June 15, 2023).

² See, e.g., 84 FR 71854 (Dec. 30, 2019) and 87 FR 9545 (Feb. 22, 2022); 85 FR 12232 (Mar. 2, 2020) and 87 FR 9477 (Feb. 22, 2022).

³ *Wyoming et. al. v U.S. EPA*, No. 23-9529, Doc. 010110896632 (10th Cir. July 31, 2023).