

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards, in that it does not alter or create any new technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All

The EPA believes that the human health or environmental conditions that exist prior to this action result in or have the potential to result in disproportionate and adverse human health or environmental effects on communities with environmental justice concerns. The minor sources on the SUIT Reservation subject to the two CAA programs partially delegated to the SUIT were not previously under a regular compliance monitoring schedule under the CAA, potentially resulting in instances of noncompliance from uncontrolled emissions. Any uncontrolled emissions could have the potential to result in disproportionate and adverse human health or environmental effects on communities with environmental justice concerns in the SUIT Reservation.

The EPA believes that this action is likely to reduce existing disproportionate and adverse effects on communities with environmental justice concerns. This delegation levels the playing field, by ensuring that minor sources on the SUIT Reservation are inspected for compliance with CAA regulations similarly to those sources off the SUIT Reservation. This should reduce any noncompliance and unpermitted air pollution emissions that may exist on the SUIT Reservation, and therefore reduce any disproportionate and adverse effects associated with those emissions that could affect communities with environmental justice concerns in the SUIT Reservation.

The EPA identified and addressed environmental justice concerns by responding to the Tribe's identification of a potential gap in regulatory oversight of minor source air emissions, and the Tribe's willingness to assist the EPA in administering the two CAA minor source programs.

K. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. The CRA allows the issuing

agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and comment rulemaking procedures are impracticable, unnecessary or contrary to the public interest (5 U.S.C. 808(2)). The EPA has made a good cause finding for this rule as discussed in section II. of this preamble, including the basis for that finding.

V. Judicial Review

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 October 8, 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 be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 49

Environmental protection, Administrative practice and procedure, Air pollution control, Indians, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: August 4, 2024.

KC Becker, Regional Administrator, Region 8.

For the reasons set forth in the preamble, EPA is amending 40 CFR part 49 as follows:

PART 49—INDIAN COUNTRY: AIR QUALITY PLANNING AND MANAGEMENT

■ 1. The authority citation for part 49 continues to read as follows:

Authority: 42 U.S.C. 7401, et seq.

Subpart C—General Federal Implementation Plan Provisions

■ 2. Section 49.103 is amended by adding a note to the end of the section to read as follows:

§ 49.103 Delegation of authority of administration to Indian tribes.

* * * * *

Note to § 49.103:

EPA entered into an Agreement for Delegation of Partial Administrative Authority with the Southern Ute Indian Tribe on June 11, 2024 to assist the EPA in administering (1) the Federal Minor New Source Review Program in Indian country, 40 CFR part 49, subpart C,

§§ 49.151 through 49.164, and (2) the Federal Implementation Plan for Managing Air Emissions from True Minor Sources in Indian Country in the Oil and Natural Gas Production and Oil and Natural Gas Processing Segments of the Oil and Natural Gas Sector, 40 CFR part 49, subpart C, §§ 49.101 through 49.105.

■ 3. Section 49.161 is amended by adding a note to the end of the section to read as follows:

§ 49.161 Administration and delegation of the minor NSR program in Indian country.

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Note to § 49.161:

EPA entered into an Agreement for Delegation of Partial Administrative Authority with the Southern Ute Indian Tribe on June 11, 2024 to assist the EPA in administering (1) the Federal Minor New Source Review Program in Indian country, 40 CFR part 49, subpart C, §§ 49.151 through 49.164, and (2) the Federal Implementation Plan for Managing Air Emissions from True Minor Sources in Indian Country in the Oil and Natural Gas Production and Oil and Natural Gas Processing Segments of the Oil and Natural Gas Sector, 40 CFR part 49, subpart C, §§ 49.101 through 49.105.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R02-OAR-2022-0631; FRL-10786-02-R2]

Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; New Jersey; 2015 Ozone Infrastructure

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is partially approving and partially disapproving certain elements of a State Implementation Plan (SIP) submission from New Jersey regarding the infrastructure requirements of the Clean Air Act (CAA) for the 2015 8-hour Ozone National Ambient Air Quality Standards (NAAQS). The infrastructure requirements 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 CAA. Except as noted, this SIP revision satisfies the infrastructure requirements of the CAA

for the 2015 ozone NAAQS. The disapproval portion of this action does not begin a new Federal Implementation Plan (FIP) clock, because the FIPs are already in place. EPA proposed to approve this action on Friday, April 12, 2024 and received no adverse comments.

DATES: This final rule is effective on September 9, 2024.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA-R02-OAR-2022-0631. 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: Ysabel Banon, Air Programs Branch, Environmental Protection Agency, 290 Broadway, New York, New York 10007-1866, at (212) 637-3382, or by email at banon.ysabel@epa.gov.

SUPPLEMENTARY INFORMATION:

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I. What is the background for this action?

Under sections 110(a)(1) and (2) of the Clean Air Act (CAA), each State is required to submit a SIP that provides for the implementation, maintenance, and enforcement of a revised primary or secondary NAAQS or standard. CAA sections 110(a)(1) and (2) require each State to make a new SIP submission within three years after the EPA promulgates a new or revised NAAQS for approval into the existing federally approved SIP to assure that the SIP meets the applicable requirements for such new and revised NAAQS.

On April 12, 2024 (89 FR 25841), the EPA proposed to approve most elements of a submission from the New Jersey Department of Environmental Protection (NJDEP) submitted on May 13, 2019, as fully meeting the infrastructure requirements for the 2015 8-hour ozone NAAQS (89 FR 25841) for the following

section 110(a)(2) elements and sub-elements: (A), (B), (C) (enforcement program only), (D)(i)(II) prong 4 (visibility), (E), (F), (G), (H), (J) (consultation and public notification only), (K), (L), and (M) of the CAA. EPA is proposing to disapprove the portion of the submission that relates to prevention of significant deterioration (PSD). An explanation of the CAA requirements, a detailed analysis of the revisions, and EPA's reasons for proposing approval were provided in the notice of proposed rulemaking (NPRM) and will not be restated here.

II. What comments were received in response to the EPA's proposed action?

In response to the EPA's April 12, 2024, proposed rulemaking on New Jersey's SIP revisions, the EPA received three comments during the 30-day public comment period that ended on May 13, 2024. The specific comments may be viewed under Docket ID Number EPA-R02-OAR-2022-0631 on the <https://www.regulations.gov> website.

Comments 1 & 2

Two public comments were submitted that support the EPA's action.

Response 1 & 2

The EPA acknowledges the commenters' support of the EPA's proposed rule.

Comment 3

A third comment asked about the establishment of infrastructure requirements for cannabis dispensaries. Specifically, the commenter believes that these requirements should be imposed on dispensaries and their owners rather than on taxpayers.

Response 3

After reviewing the comment, EPA has determined that the comment is outside the scope of our proposed action or fails to identify any material issue necessitating a response. The comment does not raise issues germane or relevant to the EPA's proposed action. The comment lacks the required specificity to the proposed SIP revision and the relevant requirements of CAA section 110. Moreover, the comment does not address a specific regulation or provision in question or recommend a different action on the SIP submission from what EPA proposed, and therefore is not adverse to this action. For this reason, the EPA will not provide a specific response to the comment.

III. What action is the EPA taking?

The EPA is approving NJDEP's SIP revision submitted on May 13, 2019, for

the 2015 ozone NAAQS for the following section 110(a)(2) elements and sub-elements: (A), (B), (C) (enforcement program only), (D)(i)(II) prong 4 (visibility), (E), (F), (G), (H), (J) (consultation and public notification only), (K), (L), and (M).

New Jersey has elected to comply with the Federal PSD requirements by accepting delegation of the Federal rules and has been successfully implementing this program for many years. However, EPA does not recognize a delegated PSD program as satisfying the Infrastructure SIP requirements. Therefore, as discussed in the proposed approval, 89 FR 2584, EPA is disapproving New Jersey's submittal for the 2015 8-hour ozone NAAQS section 110(a)(2) sub-elements: (C), prong 3 of (D)(i)(II), and (J), as they relate to the State's lack of a State adopted PSD program, as well as (D)(ii), which relates to interstate and international pollution abatement and PSD. However, these disapprovals will not trigger any sanctions or additional Federal Implementation Plan obligation since a PSD Federal Implementation Plan is already in place.

IV. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at <https://www.epa.gov/lawsregulations/laws-and-executive-orders>.

A. Executive Order 12866: Regulatory Planning and Review, Executive Order 13563: Improving Regulation and Regulatory Review, and Executive Order 14094: Modernizing Regulatory Review

This action is not a significant regulatory action as defined in Executive Order 12866, as amended by Executive Order 14094, and was therefore not submitted to the Office of Management and Budget (OMB) for review.

B. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA because this action does not impose additional requirements beyond those imposed by State law.

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities beyond those imposed by State law.

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action does not impose additional requirements beyond those imposed by State law. Accordingly, no additional costs to State, local, or Tribal governments, or to the private sector, will result from this action.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects 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.

F. Executive Order 13175: Coordination With Indian Tribal Governments

This action does not have Tribal implications, as specified in Executive Order 13175, because 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 and will not impose substantial direct costs on Tribal governments or preempt Tribal law. Thus, Executive Order 13175 does not apply to this action.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive order. This action is not subject to Executive Order 13045 because it does not impose additional requirements beyond those imposed by State law.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act (NTTAA)

Section 12(d) of the NTTAA directs the EPA to use voluntary consensus

standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. The EPA believes that this action is not subject to the requirements of section 12(d) of the NTTAA because application of those requirements would be inconsistent with the CAA.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 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.”

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 review State choices, and approve those choices if they meet the minimum criteria of the Act. Accordingly, this final action is approving in part, and disapproving in part a State implementation plan as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law.

The State evaluated environmental justice considerations as part of its SIP submittal even though the CAA and applicable implementing regulations neither prohibit nor require an evaluation. EPA reviewed and considered the air agency’s evaluation of environmental justice considerations of this action. Due to the nature of the action being taken here, this action is expected to have a neutral to positive 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 environmental justice for people of color, low-income populations, and Indigenous peoples.

K. Congressional Review Act (CRA)

This action is subject to the CRA, and the 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).

L. Petitions for Judicial Review

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 8, 2024. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule 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, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Lisa Garcia,

Regional Administrator, Region 2.

For the reasons set forth in the preamble, EPA is amending 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 FF—New Jersey

■ 2. In § 52.1570 paragraph (e), the table is amended by adding the entry for “NJ Infrastructure SIP for the 2015 ozone NAAQS” at the end of the table to read as follows:

§ 52.1570 Identification of plan.

*	*	*	*	*
(e)	*	*	*	

EPA-APPROVED NEW JERSEY NONREGULATORY AND QUASI-REGULATORY PROVISIONS

SIP element	Applicable geographic or nonattainment area	New Jersey submittal date	EPA approval date	Explanation
NJ Infrastructure SIP for the 2015 ozone NAAQS.	Statewide	05/13/2019	8/9/2024, [insert Federal Register citation].	<ul style="list-style-type: none"> • Full approval. • This action addresses the following CAA elements: 110(a)(2)(A), (B), (C) (enforcement program only), (D)(i)(II) prong 4 (visibility), (E), (F), (G), (H), (J) (consultation and public notification only), (K), (L), and (M).

■ 3. Section 52.1586 is amended by revising paragraphs (c)(1) and (2) to read as follows:

§ 52.1586 Section 110(a)(2) Infrastructure requirements.

* * * * *

(c) * * *
 (1) *Approval.* New Jersey SIP revision submitted on May 13, 2019 to address CAA infrastructure requirements of 110(a)(2) for the 2015 8-hour ozone NAAQS is approved for (A), (B), (C)(enforcement program only), (D)(i)(II) prong 4 (visibility), (E), (F), (G),(H), (J)(consultation and public notification only),(K), (L), and (M).

(2) *Disapproval.* New Jersey SIP revision submitted on May 13, 2019, to address the CAA infrastructure requirements of 110(a)(2) for the 2015 8-hour ozone NAAQS, is disapproved for (C)(Preconstruction PSD program only), (D)(i)(I) (prongs 1 and 2), (D)(i)(II) prong 3, (D)(ii), and (J)(PSD program only). PSD program requirements are being addressed by § 52.1603 which has been delegated to New Jersey to implement.

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[FR Doc. 2024-17335 Filed 8-8-24; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 5, 25, and 97

[**IB Docket Nos. 18-313, 22-271; FCC 20-54, FCC 22-74, FCC 24-6; FR ID 235363**]

Space Innovation; Mitigation of Orbital Debris in the New Space Age

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (FCC or Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the new information collection as a result of

changes adopted in a Report and Order titled “Mitigation of Orbital Debris in the New Space Age” (*Orbital Debris Report and Order*) and a Second Report and Order titled “Space Innovation; Mitigation of Orbital Debris in the New Space Age” (*Orbital Debris Second Report and Order*), and affirmed and further clarified in an Order on Reconsideration titled “Mitigation of Orbital Debris in the New Space Age” (*Orbital Debris Reconsideration Order*). This document announces the effective date of rules adopted in those orders that contained new or modified information collection requirements that required review and approval by OMB and that had not already been announced as effective. This document also summarizes and makes effective the rules adopted in the *Orbital Debris Second Report and Order*, which required space stations ending their mission in, or passing through, the low-Earth orbit region below 2000 km altitude and planning disposal through uncontrolled atmospheric re-entry to complete disposal as soon as practicable following end of mission, and no later than five years after the end of the mission.

DATES:

Effective date: The amendments to 47 CFR 25.114(d)(14), 25.121(f), 25.122(c) and (d), and 25.123(b) published at 85 FR 52422 on August 25, 2020, and the amendments to 47 CFR 5.64(b)(7)(iv)(A), 25.114(d)(14)(vii)(D)(1), 25.283(b), (d), and (e), and 97.207(g)(1)(vii)(D)(1) in this final rule are effective September 9, 2024.

Compliance date: Compliance with the amendments to 47 CFR 5.64(b)(7)(iv)(A), 25.114(d)(14)(vii)(D)(1), and 97.207(g)(1)(vii)(D)(1) is not required until September 29, 2024.

FOR FURTHER INFORMATION CONTACT: Scott Mackoul, Space Bureau, at (202) 418-7498 or Scott.Mackoul@fcc.gov. For information regarding the Paperwork Reduction Act (PRA) information collection requirements contained in the

PRA, contact Cathy Williams, Office of Managing Director, at (202) 418-2918 or Cathy.Williams@fcc.gov.

SUPPLEMENTARY INFORMATION: This document announces that, on July 2, 2024, OMB approved the information collection requirements in 47 CFR 25.114(d)(14), 25.121(f), 25.122(c) and (d), and 25.123(b). These rules were modified in the *Orbital Debris Report and Order* (FCC 20-54, IB Docket No. 18-313) (85 FR 52422, August 25, 2020) and the *Orbital Debris Second Report and Order* (FCC 22-74, IB Docket Nos. 18-313 and 22-271), and affirmed and clarified in the *Orbital Debris Reconsideration Order* (FCC 24-6, IB Docket No. 18-313) (89 FR 13276, February 22, 2024). This document also provides a summary of the *Orbital Debris Second Report and Order*, the full text of which is available at <https://www.fcc.gov/document/fcc-adopts-new-5-year-rule-deorbiting-satellites-0>.

If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Cathy.Williams@fcc.gov, regarding OMB Control Number 3060-1327. Please include the applicable OMB Control Number(s) in your correspondence. The Commission will also accept your comments via email at PRA@fcc.gov.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Final Regulatory Flexibility Analysis. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Commission prepared a Final Regulatory Flexibility Analysis (FRFA) of the possible significant economic impact on small entities of the policies and rules adopted in the *Orbital Debris*