

include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 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:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T05–1093 to read as follows:

### § 165.T05–1093 Safety Zone; Cable Laying Corridor, Atlantic Ocean, Virginia Beach, Virginia.

(a) *Location.* The following area is a moving safety zone: Any navigable waters located within 1000 yards in all directions from the Cable Laying Barge (CLB) ULISSE while operating off the coast of Virginia Beach, Virginia while it conducts work within 12 nm of the shore. The CLB operations will occur within a perimeter enclosed by positions: 36°49'4.8" N, 75°57'43.2" W; 36°49'13.9" N, 75°42'39.8" W; 36°47'11.7" N, 75°41'50.8" W and 36°48'28.8" N, 75°57'43.2" W.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Sector Virginia (COTP) in the enforcement of the safety zone. The term also includes the master of a U.S.-flagged vessel supporting the CLB ULISSE for the sole purpose of designating and establishing safe transit corridors, to permit passage into or through this safety zones, or to notify vessels and individuals of the actual hazards present if they have entered the safety zone and inform them of the safe direction to which they should depart.

#### (c) *Regulations.*

(1) Under the general safety zone regulations in subpart C of this part, no vessel or person may enter or remain in any safety zone described in paragraph

(a) of this section unless authorized by the COTP, or designated representative. If a vessel or person is notified by the COTP, or designated representative that they have entered one of these safety zones without permission, they are required to immediately depart in a safe manner following the directions given.

(2) Mariners requesting to transit this safety zone must first contact the designated representative who will be monitoring VHF–FM channels 13 and 16 while work is ongoing. If permission is granted, mariners must proceed at their own risk and strictly observe any and all instructions provided by the COTP, or designated representative to the mariner regarding the conditions of entry to and exit from any location within the moving safety zone.

(d) *Enforcement.* The Sector Virginia COTP may enforce the regulations in this section and may be assisted by any Federal, state, county, or municipal law enforcement agency.

(e) *Enforcement period.* This section will be subject to enforcement from January 25, 2025, until January 25, 2026. If cable laying work is completed before January 25, 2026, or for a different reason the COTP determines the zone need no longer be enforced, they will issue a general permission to enter.

Dated: December 26, 2024.

**Peggy M. Britton,**

*Captain, U.S. Coast Guard, Captain of the Port Sector Virginia.*

[FR Doc. 2024–31420 Filed 1–14–25; 8:45 am]

**BILLING CODE 9110–04–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 70

[EPA–R07–OAR–2023–0462; FRL–11395–01–R7]

### Air Plan Approval; Kansas; Annual Emission Inventory and Fees

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve revisions to the State Implementation Plan (SIP) and Operating Permits Program and the 112(l)plan submitted by the State of Kansas on February 20, 2023. The revised Kansas rules update the Class I emission fee and emissions inventory regulations, establish a Class II fee schedule and ensure that Kansas's Operating Permits Program is adequately funded. Approval of these revisions ensures consistency between

the State and federally-approved rules and does not impact air quality.

**DATES:** Comments must be received on or before February 14, 2025.

**ADDRESSES:** You may send comments, identified by Docket ID No. EPA–R07–OAR–2023–0462 to [www.regulations.gov](http://www.regulations.gov). Follow the online instructions for submitting comments.

*Instructions:* All submissions received must include the Docket ID No. for this rulemaking. Comments received will be posted without change to [www.regulations.gov](http://www.regulations.gov), including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the “Written Comments” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

William Stone, Environmental Protection Agency, Region 7 Office, Air Permitting and Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7714; email address: [stone.william@epa.gov](mailto:stone.william@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” refer to the EPA.

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#### I. Written Comments

Submit your comments, identified by Docket ID No. EPA–R07–OAR–2023–0462, at [www.regulations.gov](http://www.regulations.gov). Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For

additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit [www.epa.gov/dockets/commenting-epa-dockets](http://www.epa.gov/dockets/commenting-epa-dockets).

## II. What is being addressed in this document?

The EPA is proposing to approve revisions to the Kansas SIP and the Operating Permits Program received on February 20, 2023.

The revisions incorporate recent changes to Kansas Administrative Regulations (K.A.R.). The following regulations are amended:

- K.A.R. 28–19–517. *Class I operating permits; annual emission inventory and fees.*
- K.A.R. 28–19–546. *Class II operating permits; annual emission inventory and fees.* and
- K.A.R. 28–19–564. *Class II operating permits; permits-by-rule; sources with actual emissions less than 50 percent of major source thresholds.*

The revisions restructure and update the Kansas Class I Operating Permit Program fee schedule for calendar year 2025 and beyond to bring in adequate revenue to support the Class I Operating Permit Program and establish a fee schedule for the Class II Federally Enforceable State Operating Permit (FESOP) Program. EPA proposes to find that these revisions meet the requirements of the Clean Air Act, do not impact the stringency of the SIP, and do not adversely impact air quality. The full text of these changes can be found in the State's submission, which is included in the docket for this action.

On November 26, 2024, Kansas requested that EPA exclude the term "electronically" from two places in the February 20, 2023, submittal because KDHE's State and Local Emissions Inventory System (SLEIS) is not currently approved by the EPA to meet the Cross-Media Electronic Reporting Rule (CROMERR) at 40 CFR part 3.

## III. What operating permit plan revisions are being proposed by EPA?

The EPA is proposing to approve the following revision to the Operating Permit Program:

K.A.R. 28–19–517. *Class I operating permits; annual emission inventory and fees.* The State amended K.A.R. 28–19–517(b) annual emission fee language to maintain the existing fee schedule of \$1,000 base fee or \$53 per ton criteria emissions fee for calendar year 2022, 2023 and 2024 and to establish a new fee schedule for calendar year 2025 and each subsequent year to be the sum of

the facility fee, the hazardous air pollutant (HAP) emissions fee, and the criteria emissions fee. The revisions to K.A.R. 28–19–517(b)(2)(A) maintains the minimum \$1,000 facility fee, but applies it in addition to the revised criteria emissions fee and new hazardous air pollutant (HAP) fee; all applied in calendar year 2025 and beyond. The revision to K.A.R. 28–19–517(b)(2)(B) establishes an annual hazardous air pollutant (HAP) fee of \$80.00 per ton of total HAP emissions for calendar year 2025 and beyond. The revisions to K.A.R. 28–19–517(b)(2)(C) amends the existing criteria emissions fee from \$53.00 (effective through calendar year 2024) to \$56.00 per ton of criteria emissions for calendar year 2025 and beyond.

EPA finds these changes meet the requirements of 40 CFR part 70 and do not negatively impact the stringency of the Operating Permit Program.

## IV. What SIP revisions are being proposed by EPA?

The EPA is proposing the following revisions to the Kansas SIP:

K.A.R. 28–19–546. *Class II operating permits; annual emission inventory and fees:* The State amended K.A.R. 28–19–546 by adding new paragraphs (a) through (d) to align with the Class I annual emissions inventory and fee regulation K.A.R. 28–19–517. New paragraph (b) establishes annual emission fees beginning in calendar year 2025 of \$56 per ton of criteria emissions and \$80 per ton of HAP emissions. New paragraph (c) describes the submittal requirements for both inventory and fees and new paragraph (d) adds late fee and refund language. EPA finds this change meets the requirements of CAA section 110 and does not negatively impact the stringency of the SIP.

K.A.R. 28–19–564. *Class II operating permits; permits-by-rule; sources with actual emissions less than 50 percent of major source thresholds:* The State amended K.A.R. 28–19–564 paragraph (e) to require all permits-by-rule Class II sources and those with actual emissions less than 50 percent of major source thresholds to submit annual emissions inventory and fees by April 1 of each year (currently February 15) as required by the proposed K.A.R. 28–19–546. EPA finds this change meets the requirements of CAA section 110 and does not negatively impact the stringency of the SIP.

## V. Have the requirements for approval of a SIP and the operating permit plan revisions been met?

The State submission has met the public notice requirements for SIP

submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP revision from August 25, 2022, to November 3, 2022, and received four comments. Kansas did not revise the rule based on public comment prior to submitting to EPA, as noted in the State submission included in the docket for this action. In addition, as explained above the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

## VI. What action is the EPA taking?

We are processing this as a proposed action because we are soliciting comments on this proposed action. Final rulemaking will occur after consideration of any comments.

## VII. Incorporation by Reference

In this document, the EPA is proposing to include regulatory text in an EPA final rule that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of K.A.R. 28–19–546 and K.A.R. 28–19–564 as discussed in sections II and IV of this preamble and set forth below in the proposed amendments to 40 CFR part 52. The EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

## VIII. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Clean Air Act and applicable Federal regulations. 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 Clean Air 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 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 Clean Air Act.

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,

Feb. 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on communities with environmental justice (EJ) concerns to the greatest extent practicable and permitted by law. Executive Order (E.O.) 14096 (Revitalizing Our Nation’s Commitment to Environmental Justice for All, 88 FR 25251, April 26, 2023) builds on and supplements E.O. 12898 and defines EJ as, among other things, the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, or Tribal affiliation, or disability in agency decision-making and other Federal activities that affect human health and the environment.

The Kansas Department of Health and Environment (KDHE) 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 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. 12898/14096 of achieving EJ for communities with EJ concerns.

**List of Subjects**

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide,

Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

40 CFR Part 70

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

Dated: December 30, 2024.

**Meghan A. McCollister,**  
Regional Administrator, Region 7.

For the reasons stated in the preamble, the EPA proposes to amend 40 CFR part 52 as set forth below:

**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 R—Kansas**

- 2. In § 52.870, the table in paragraph (c) is amended by revising the entries “K.A.R. 28–19–546” and “K.A.R. 28–19–564” to read as follows:

**§ 52.870 Identification of plan.**

\* \* \* \* \*  
(c) \* \* \*

**EPA-APPROVED KANSAS REGULATIONS**

Kansas citation	Title	State effective date	EPA approval date	Explanation
<b>Kansas Department of Health and Environment Ambient Air Quality Standards and Air Pollution Control</b>				
*	*	*	*	*
<b>Class II Operating Permits</b>				
K.A.R. 28–19–546 ..	Definitions Class II operating permits; annual emission inventory.	12/23/2022		[Date of publication of the final rule in the <b>Federal Register</b> ], [Federal Register citation of the final rule].
K.A.R. 28–19–564 ..	Permit-by-Rule; Sources with Actual Emissions Less Than 50 Percent of Major Source Thresholds.	12/23/2022		[Date of publication of the final rule in the <b>Federal Register</b> ], [Federal Register citation of the final rule].
*	*	*	*	*

\* \* \* \* \*

**PART 70—STATE OPERATING PERMIT PROGRAMS**

■ 3. The authority citation for part 70 continues to read as follows:

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

■ 4. Appendix A to part 70 is amended by adding paragraph (h) under “Kansas” to read as follows:

**Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs**

\* \* \* \* \*

**Kansas**

\* \* \* \* \*

(h) The Kansas Department of Health and Environment submitted revisions to Kansas rules K.A.R. 28–19–517, on February 20, 2023. The State effective date is December 23, 2022. This revision is effective [30 days after date of publication of the final rule in the **Federal Register**].

\* \* \* \* \*

[FR Doc. 2024–31626 Filed 1–14–25; 8:45 am]

BILLING CODE 6560–50–P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 60**

[EPA–HQ–OAR–2024–0358; FRL–12031–01–OAR]

RIN 2060–AW35

**Reconsideration of Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing amendments to the New Source Performance Standards and Emission Guidelines for Existing Sources for the Crude Oil and Natural Gas Source Category in response to petitions for reconsideration. Specifically, this action proposes discrete technical changes to two different aspects of the rules. First, this action proposes discrete technical changes to the temporary flaring provisions for associated gas in certain situations. Second, this action proposes discrete technical changes to the vent gas net heating value (NHV) continuous monitoring requirements and alternative performance test (sampling demonstration) option for flares and enclosed combustion devices. In a letter dated May 6, 2024, the EPA notified

petitioners and the public that the Agency granted reconsideration on these two aspects of the March 8, 2024 (89 FR 16820) final rule. These amendments neither propose changes to any other aspect of the final rule, nor propose to alter the substance of any emission standards within the final rule. Also, in this action, the EPA proposes to make formatting changes to the regulatory text to meet the required formatting standards of the Office of the Federal Register.

**DATES:** *Comments.* Comments must be received on or before March 3, 2025.

*Public Hearing.* If anyone contacts us requesting a public hearing on or before January 20, 2025, we will hold a virtual public hearing. Please refer to the **SUPPLEMENTARY INFORMATION** for information on requesting and registering for a public hearing.

**ADDRESSES:** You may send comments, identified by Docket ID No. EPA–HQ–OAR–2024–0358, by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov> (our preferred method). Follow the online instructions for submitting comments.

- *Email:* [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov). Include Docket ID No. EPA–HQ–OAR–2024–0358 in the subject line of the message.

- *Mail:* U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPA–HQ–OAR–2024–0358, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- *Hand/Courier Delivery:* EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center’s hours of operation are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal Holidays).

*Instructions:* All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Frank Benjamin-Eze, Sector Policies and Programs Division (E143–05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055 RTP, North Carolina 27711; telephone number: (919) 541–3753; and email address: [benjaminze.frank@epa.gov](mailto:benjaminze.frank@epa.gov). Additional questions may be

directed to the following email address: [O&GMethaneRule@epa.gov](mailto:O&GMethaneRule@epa.gov).

**SUPPLEMENTARY INFORMATION:**

*Participation in virtual public hearing.* To request a virtual public hearing, contact the public hearing team at (888) 372–8699 or by email at [SPPDpublichearing@epa.gov](mailto:SPPDpublichearing@epa.gov). If requested, the virtual public hearing will be held via virtual platform. The EPA will announce the date of the hearing and further details on the virtual public hearing at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations>. The hearing will convene at 11:00 a.m. Eastern Time (ET) and will conclude at 4:00 p.m. ET. The EPA may close a session 15 minutes after the last pre-registered speaker has testified if there are not additional speakers.

The EPA will begin pre-registering speakers for the hearing no later than 1 business day after a request has been received. To register to speak at the virtual hearing, please use the online registration form available at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations> or contact the public hearing team at (888) 372–8699 or by email at [SPPDpublichearing@epa.gov](mailto:SPPDpublichearing@epa.gov). The last day to pre-register to speak at the hearing will be January 27, 2025. Prior to the hearing, the EPA will post a general agenda that will list pre-registered speakers at: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations>.

The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearings to run either ahead of schedule or behind schedule. Each commenter will have 4 minutes to provide oral testimony. The EPA encourages commenters to submit a copy of their oral testimony as written comments to the rulemaking docket. The EPA may ask clarifying questions during the oral presentations but will not respond to the presentations at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as oral testimony and supporting information presented at the public hearing.

Please note that any updates made to any aspect of the hearing will be posted online at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations>. While the EPA expects the hearing to go forward as set forth above, please monitor these websites or contact the public hearing team at (888) 372–8699 or by email at [SPPDpublichearing@epa.gov](mailto:SPPDpublichearing@epa.gov) to