

coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### 7. *Unfunded Mandates Reform Act*

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### 8. *Taking of Private Property*

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### 9. *Civil Justice Reform*

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### 10. *Protection of Children*

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### 11. *Indian Tribal Governments*

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### 12. *Energy Effects*

This action is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

#### 13. *Technical Standards*

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### 14. *Environment*

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone established for the protection of spectators from the hazards associated with a personal watercraft race competition. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A checklist and categorical exclusion determination will be provided in the docket accessible as indicated under

#### ADDRESSES.

#### 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 amends 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:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1; 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. A new temporary section, § 165.T08–0236, is added to read as follows:

#### § 165.T08–0236 Safety Zone; Sabine River, Orange, TX.

(a) *Location.* The following area is a safety zone: All waters of the Sabine River, shoreline to shoreline, adjacent to the Orange public boat ramps located in Orange, TX. The northern boundary is from the end of old Navy Pier One at 30°05′50″ N. 93°43′15″ W. then easterly to the rivers eastern shore. The southern boundary is a line shoreline to shoreline at latitude 30°05′33″ N. (NAD83).

(b) *Effective dates and enforcement times.* This rule is effective on May 30 and 31, 2015. This rule will be enforced from 8:30 a.m. until 6:00 p.m. on May 30 and 31, 2015.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, no person or vessel may enter

into or remain in the zone without permission of the Captain of the Port.

(2) Persons or vessels requiring entry into or passage through the zone may contact the Captain of the Port, Port Arthur, or a designated representative. They may be contacted on VHF–FM Channels 16, or by phone at (409) 719–5070.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port, Port Arthur and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(d) *Information Broadcasts.* The Captain of the Port, Port Arthur or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone as well as any changes in the planned schedule.

Dated: March 31, 2015.

**R.S. Ogrydziak,**

*Captain, U.S. Coast Guard, Captain of the Port, Port Arthur.*

[FR Doc. 2015–08759 Filed 4–15–15; 8:45 am]

**BILLING CODE 9110–04–P**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 52

[EPA–R04–OAR–2014–0220; FRL–9926–34–Region 4]

#### Air Quality Implementation Plan; Florida; Attainment Plan for the Hillsborough Area for the 2008 Lead National Ambient Air Quality Standards

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve revisions to the state implementation plan (SIP), submitted by the State of Florida through the Florida Department of Environmental Protection (FL DEP), on June 29, 2012, as amended on June 27, 2013, for the purpose of providing for attainment of the 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS) in the Hillsborough 2008 Lead nonattainment area (hereafter referred to as the “Hillsborough Area” or “Area”). The Hillsborough Area is comprised of a portion of Hillsborough County in Florida surrounding EnviroFocus Technologies, LLC (hereafter referred to as “EnviroFocus”). The attainment plan

includes the base year emissions inventory, an analysis of reasonably available control technology (RACT) and reasonably available control measures (RACM), reasonable further progress (RFP) plan, modeling demonstration of lead attainment, and contingency measures for the Hillsborough Area. This action is being taken in accordance with the Clean Air Act (CAA or Act).

**DATES:** This rule will be effective May 18, 2015.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2014-0220. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information 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 either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air Regulatory Management Section (formerly the Regulatory Development Section), Air Planning and Implementation Branch, Air (formerly the Air Planning Branch), Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays. **FOR FURTHER INFORMATION CONTACT:** Zuri Farngalo, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Zuri Farngalo may be reached by phone at (404) 562-9152 or via electronic mail at [farngalo.zuri@epa.gov](mailto:farngalo.zuri@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. What is the background for this action?**

On November 12, 2008 (73 FR 66964), EPA revised the Lead NAAQS, lowering the level from 1.5 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) to 0.15  $\mu\text{g}/\text{m}^3$  calculated over a three-month rolling average. EPA established the NAAQS based on significant evidence and numerous

health studies demonstrating that serious health effects are associated with exposures to lead emissions.

Following promulgation of a new or revised NAAQS, EPA is required by the CAA to designate areas throughout the United States as attaining or not attaining the NAAQS; this designation process is described in section 107(d)(1) of the CAA. On November 22, 2010 (75 FR 71033), EPA promulgated initial air quality designations for the 2008 Lead NAAQS, which became effective on December 31, 2010, based on air quality monitoring data for calendar years 2007-2009, where there was sufficient data to support a nonattainment designation. Designations for all remaining areas were completed on November 22, 2011 (76 FR 72097), which became effective on December 31, 2011, based on air quality monitoring data for calendar years 2008-2010. Effective December 31, 2010, the Hillsborough Area was designated as nonattainment for the 2008 Lead NAAQS. This designation triggered a requirement for Florida to submit a SIP revision with a plan for how the Area would attain the 2008 Lead NAAQS, as expeditiously as practicable, but no later than December 31, 2015.

FL DEP submitted its 2008 Lead NAAQS attainment SIP for the Hillsborough Area on June 29, 2012, as amended on June 27, 2013, which included the base year emissions inventory and the attainment demonstration. EPA proposed to approve the Hillsborough Area attainment SIP for the 2008 Lead NAAQS on February 5, 2015. EPA's analysis of the submitted attainment demonstration included a review of the pollutant addressed, emissions inventory requirements, modeling, RACT and RACM requirements, RFP plan, and contingency measures for the Hillsborough Area. Refer to EPA's February 5, 2015, proposed rulemaking for a detailed rationale on EPA's analysis of the Hillsborough area attainment demonstration. *See* 80 FR 6485.

**II. What is the action EPA is taking?**

EPA is taking final action to approve Florida's SIP submittal for the Hillsborough Area, as submitted through FL DEP to EPA on June 29, 2012, as amended on June 27, 2013, for the purpose of demonstrating attainment of the 2008 Lead NAAQS. Florida's lead attainment plan for the Hillsborough Area includes a base year emissions inventory, a modeling demonstration of lead attainment, an

analysis of RACM/RACT, a RFP plan, and contingency measures.

EPA has determined that Florida's attainment plan for the 2008 Lead NAAQS for the Hillsborough Area meets the applicable requirements of the CAA. Thus, EPA is taking final action to approve Florida's attainment plan for the Hillsborough Area. EPA's analysis for this final action is discussed in Section IV of EPA's February 5, 2015, proposed rulemaking. *See* 80 FR 6485.

**III. Why is EPA taking this action?**

EPA has determined that all the criteria for Florida's lead attainment plan for the Hillsborough Area have been met. EPA has determined that Florida's June 29, 2012, SIP submission, as amended on June 27, 2013, meets the applicable requirements of the CAA. Specifically, EPA is taking final action to approve Florida's June 29, 2012, SIP submission (as amended on June 27, 2013), which includes the attainment demonstration, base year emissions inventory, RACM/RACT analysis, contingency measures and RFP plan.

**IV. EPA's Response to Comments**

EPA received one comment on March 9, 2015, from the Center for Biological Diversity and Center for Environmental Health (hereafter referred to as the "Commenter"), in response to EPA's proposed rule to approve the attainment demonstration for the Hillsborough Area for the 2008 Lead NAAQS. A summary of the comment and EPA's response is provided below.

*Comment:* The Commenter mentions that FDEP fails to account for the significant lead air pollution being generated by leaded aviation fuel ("avgas") from regional airports. Specifically, the Commenter states that that the "SIP must address the significant contributions of lead air pollution from Hillsborough County's regional aviation airports and include Reasonably Available Control Technology and Reasonably Available Control Measures ("RACT/RACM") to reduce those lead air pollution threats."

*Response:* EPA does not believe that it is necessary for the attainment demonstration for the Hillsborough Area for the 2008 lead NAAQS to regulate the lead emissions resulting from avgas emitted by aircrafts using regional airports that are located near to the nonattainment area. First, although this is not determinative, there are no airports within the 2008 Lead nonattainment boundary for the Hillsborough Area to which RACT/RACM could be applied. Second, and more importantly, available information does not indicate that lead emissions

from nearby airports or from general aviation aircrafts that use them are impacting receptors in the Hillsborough Area. The nonattainment area is about a 1.14 mile radius circle encompassing the EnviroFocus facility, the source that available information indicates is the sole cause of the lead NAAQS violations in this nonattainment area. Prior to making the determination concerning the appropriate boundary for the nonattainment area, EPA reviewed the technical supporting data<sup>1</sup> and considered all the potential sources of lead in Hillsborough County. EPA determined, based on this information that lead emissions from aircraft combusting avgas and using the regional airports did not cause or contribute to the monitored violations of the 2008 Lead NAAQS. Therefore, the designation of the Hillsborough County area excluded those airports. The closest airport where leaded avgas is used, Tampa Executive Airport is located approximately 4 miles outside the designated nonattainment boundary. Monitoring data from other locations confirm that there is a sharp decrease in lead concentrations as the distance from a lead source increases. The available technical data for the Hillsborough Area continues to support the EPA's prior conclusion that the airport sources of lead are located too distant from the area to contribute significantly to receptors in the designated nonattainment area. Consequently, EPA believes that the control measures described in the proposed rule for the EnviroFocus facility should be adequate to bring this area into attainment with the 2008 Lead NAAQS.

## V. Final Action

EPA is taking final action to approve Florida's lead attainment plan for the Hillsborough Area. EPA has determined that the SIP meets the applicable requirements of the CAA. Specifically, EPA is taking final action to approve Florida's June 29, 2012, SIP submission (as amended on June 27, 2013), which includes the attainment demonstration, base year emissions inventory, RACM/RACM analysis, contingency measures and RFP plan.

## VI. 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,

EPA's role is to approve state choices, provided that they meet the criteria of the CAA. 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);

- 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 CAA; and

- Does not provide 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 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. 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 15, 2015. 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, Lead, Reporting and recordkeeping requirements.

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

Dated: April 3, 2015.

**V. Anne Heard,**

*Acting Regional Administrator, Region 4.*

Therefore, 40 CFR part 52 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 K—Florida

■ 2. In § 52.520, the table in paragraph (e) is amended by adding entries for "2008 Lead Attainment Demonstration for the Hillsborough Area" and "2008 Lead Attainment Demonstration for Hillsborough Area Amendment" at the end of the table to read as follows:

document can also be found in EPA-R04-OAR-2014-0220.

<sup>1</sup> The analysis of the technical data supporting the boundary can be found in the 2008 Lead

Designation Technical Support Document (TSD) for Florida. *See* EPA-HQ-OAR-2009-0443-0316. This

## § 52.520 Identification of plan.

(e) \* \* \*

\* \* \* \* \*

## EPA-APPROVED FLORIDA NON-REGULATORY PROVISIONS

Provision	State effective date	EPA approval date	Federal Register notice	Explanation
2008 Lead Attainment Demonstration for Hillsborough Area.	6/29/2012	4/16/2015	[Insert <b>Federal Register</b> citation].	
2008 Lead Attainment Demonstration for Hillsborough Area Amendment.	6/27/2013	4/16/2015	[Insert <b>Federal Register</b> citation].	

[FR Doc. 2015-08666 Filed 4-15-15; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 745**

[EPA-HQ-OPPT-2014-0304; FRL-9925-71]

RIN 2070-AK04

**Lead-Based Paint Programs; Extension of Renovator Certifications****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

**SUMMARY:** The Agency is extending the certifications of certain renovators under the Lead Renovation, Repair, and Painting (RRP) rule. In January 2015, the Agency published a proposed rule that would, among other things, change the requirements for the refresher training course that renovators must take to become recertified. EPA is extending certifications of thousands of renovators that will otherwise expire before that rule can be finalized. EPA is taking this action so that, if and when the changes in the proposed rule are finalized, these renovators can take advantage of the changes.

**DATES:** This final rule is effective on April 16, 2015.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2014-0304, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPPT Docket is (202) 566-0280. Please review

the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** For technical information contact: Marc Edmonds, National Program Chemicals Division, Office of Pollution Prevention and Toxics (7404M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (202) 566-0758; email address: [edmonds.marc@epa.gov](mailto:edmonds.marc@epa.gov).

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

**SUPPLEMENTARY INFORMATION:****I. Does this action apply to me?**

You may be potentially affected by this action if you operate a training program required to be accredited under 40 CFR 745.225, or if you are an individual who must be certified to conduct renovation activities in accordance with 40 CFR 745.90. This rule applies only in states, territories, and tribal areas that do not have authorized programs pursuant to 40 CFR 745.324. For further information regarding the authorization status of States, territories, and Tribes, contact the National Lead Information Center at 1-800-424-LEAD (5323).

The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Building construction (NAICS code 236), e.g., single-family housing construction, multi-family housing construction, residential remodelers.
- Specialty trade contractors (NAICS code 238), e.g., plumbing, heating, and air-conditioning contractors, painting and wall covering contractors, electrical contractors, finish carpentry contractors, drywall and insulation contractors,

siding contractors, tile and terrazzo contractors, glass and glazing contractors.

- Real estate (NAICS code 531), e.g., lessors of residential buildings and dwellings, residential property managers.

- Child day care services (NAICS code 624410).

- Elementary and secondary schools (NAICS code 611110), e.g., elementary schools with kindergarten classrooms.

- Other technical and trade schools (NAICS code 611519), e.g., training providers.

If you have any questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

**II. Background****A. What action is the agency taking?**

On January 14, 2015, EPA published a proposed rule (Ref. 1) that would, among other things, amend the RRP rule's refresher training requirements (Ref 2). Specifically, EPA proposed to eliminate the hands-on requirement in the refresher training that renovators must take to maintain their certification as required by the RRP rule. This change would make it easier for renovators to take the refresher training, especially renovators who live far from a training facility. Renovators would save time and travel costs by taking the course from a single location, possibly their own home. If taking the training is made easier, EPA believes that more renovators would take the refresher training and become recertified. Having more renovators take the refresher training would lead to a higher number of certified renovators, resulting in a workforce better able to perform renovations in a lead-safe manner.

If the Agency issues a final rule eliminating the hands-on requirement, it would not happen until near the end of 2015. Unfortunately, many renovator certifications will expire before the final rule can be published. In light of this,