

develop in other products of the same type design, and began proceedings to address the unsafe condition. On August 6, 2020, the FAA issued a notice of proposed rulemaking (NPRM) proposing an Airworthiness Directive that would apply to U.S.-registered Boeing Company Model 737-8 and Boeing Company Model 737-9 airplanes and would require owners and operators to complete certain corrective action necessary to address the unsafe condition. See 85 FR 47698. On November 18, 2020, after considering public comments on the NPRM, the FAA issued Airworthiness Directive 2020-24-02 as a final rule that requires certain corrective action to address the unsafe condition before further flight and conforms the aircraft to the amended Model 737-8 and 737-9 type designs that FAA approved on November 17, 2020. The Airworthiness Directive will become effective upon its publication in the **Federal Register**.

Together, the Airworthiness Directive and the design approval address the unsafe condition as to the existing U.S.-registered fleet of Boeing Company Model 737-8 and 737-9 airplanes and as to any Model 737-8 and 737-9 airplanes for which The Boeing Company hereafter seeks airworthiness certificates and export certificates of airworthiness. It is now practicable for the FAA to give preference to the proceedings that the FAA began in response to the emergency.

First, the Emergency Order of Prohibition is no longer necessary as to any Boeing Company Model 737-8 and 737-9 airplanes that hereafter receive original FAA airworthiness certificates and export certificates of airworthiness based on the amended type designs.

Second, for any Boeing Company Model 737-8 and 737-9 airplanes not falling into that first category, the Emergency Order of Prohibition is unnecessary as to foreign-registered airplanes operating in U.S. airspace. With respect to foreign-registered Boeing Company Model 737-8 and 737-9 airplanes, the FAA will apply Article 33 and Annex 8 of the Convention on International Civil Aviation (the Chicago Convention) to take appropriate action to restrict access to U.S. airspace and address any non-compliance with U.S. laws where the foreign civil aviation authority of the state of registry does not require conformance with the newly amended type design or an alternative that achieves at least an equivalent level of safety.

Finally, upon the publication of Airworthiness Directive 2020-24-02 in the **Federal Register**, the legal force of that Airworthiness Directive will

supersede any need to apply the Emergency Order of Prohibition as to the existing U.S.-registered fleet of Boeing Company Model 737-8 and 737-9 airplanes that the FAA previously certificated. With respect to those airplanes, Airworthiness Directive 2020-24-02 requires corrective action before further flight.

Importantly, in the scenarios identified above, before returning Boeing Company Model 737-8 and 737-9 airplanes to service, operators must also meet all other applicable requirements, such as completing new training for pilots and conducting maintenance activity.

#### Rescission

For the foregoing reasons, the March 13, 2019 Emergency Order of Prohibition is rescinded as follows:

- (1) Effective immediately as to any Boeing Company Model 737-8 and 737-9 airplanes that hereafter receive FAA airworthiness certificates and export certificates of airworthiness;
- (2) Effective immediately as to any foreign-registered Boeing Company Model 737-8 and 737-9 airplanes operating in U.S. airspace; and
- (3) Effective upon publication in the **Federal Register** of Airworthiness Directive 2020-24-02 as to all U.S.-registered Boeing Company Model 737-8 and 737-9 airplanes.

#### Rescission Contact Official

Direct any questions concerning this rescission, to Ian Won, Federal Aviation Administration, Aircraft Certification Service, Seattle ACO Branch, 2200 South 216th Street, Des Moines, WA 98198 (Email: [9/FAA/SACO/AD-Inquiry@faa.gov](mailto:9/FAA/SACO/AD-Inquiry@faa.gov); Tel: 206-231-3500).

Issued in Washington, DC, on November 18, 2020.

**Steve Dickson,**  
*Administrator.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket Number USCG-2020-0128]

**RIN 1625-AA08**

#### Special Local Regulation: Fort Lauderdale Air Show; Atlantic Ocean, Fort Lauderdale, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary special local regulation (SLR) in the Atlantic Ocean east of Fort Lauderdale, Florida in connection with the Ft Lauderdale Air Show. The Ft Lauderdale Air Show is listed as typically occurring annually over one weekend in May. This year, however, the sponsor changed the event's date to the weekend of November 20, 2020. The SLR extends north of the Port Everglades Inlet approximately six miles and is necessary to ensure the safety of the public, spectators, participating vessels, and marine environment during aerobatic maneuvers by low-flying airplanes and high-speed surface demonstrations during the Fort Lauderdale Air Show. This SLR prohibits persons and non-participant vessels from entering, transiting, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port (COTP) Miami or a designated representative.

**DATES:** This rule is effective from 10 a.m. to 5 p.m. daily from November 20, 2020, through November 22, 2020.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2020-0128 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, contact Omar Beceiro, Sector Miami Waterways Management Division, U.S. Coast Guard by telephone at 305-535-4317 or by email at [Omar.Beceiro@uscg.mil](mailto:Omar.Beceiro@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a

notice of proposed rulemaking (NPRM) with respect to this rule since this event has previously undergone the NPRM process and is listed as a recurring event in 33 CFR 100.702, on Line 3 of Table 1 to § 100.702. In addition, the sponsor notified the Coast Guard of the event with insufficient time to prepare and publish an NPRM. Immediate action is needed to respond to the potential safety hazards associated with aerobatic and high-speed surface demonstrations associated with the Fort Lauderdale Air Show. It is impracticable to publish an NPRM because we must establish this safety zone by November 20, 2020.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to respond to the potential safety hazards associated with aerobatic and high-speed surface demonstrations associated with the Fort Lauderdale Air Show.

### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The COTP Miami has determined potential hazards associated with aerobatic and high-speed surface demonstrations from November 20, 2020, through November 22, 2020, will be a safety concern for anyone within the regulated area. This rule is needed to protect spectators, vessels, and the marine environment in the navigable waters within the SLR.

### IV. Discussion of the Rule

This rule establishes a temporary SLR in connection with the Ft Lauderdale Air Show from 10 a.m. to 5 p.m. daily from November 20, 2020 through November 22, 2020. The Ft Lauderdale Air Show is listed in 33 CFR 100.702, on Line 3 of Table 1 to § 100.702 as typically occurring annually over one weekend in May. This year; however, the sponsor changed the event's date to the weekend of November 20, 2020. The SLR extends north of the Port Everglades Inlet approximately six miles and is necessary to ensure the safety of the public, spectators, participating vessels, and marine environment during aerobatic maneuvers by low-flying airplanes and high-speed surface demonstrations during the Fort Lauderdale Air Show. Non-participant vessels are prohibited from entering, transiting, anchoring in, or remaining within the regulated area without obtaining permission from the COTP Miami or a designated representative.

### V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

#### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, duration, and scope of the SLR. The SLR will affect a small designated area of the Atlantic Ocean over a period of three days during the month of November, making it limited in size, location and duration. Vessel traffic will be able to safely transit around the regulated area and vessels may seek permission to enter the zone, making it limited in scope. Moreover, the Coast Guard will notify the public of the regulated area through an entry in the Local Notice to Mariners and Broadcast Notice to Mariners on VHF-FM marine channel 16. In addition, the rule would allow.

#### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the regulated area may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

#### C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, 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.

#### E. 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.

#### F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–1, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined 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 SLR lasting seven hours per day over three days that will prohibit persons and vessels from entering or transiting the regulated area during the air show. In April 2018, the Coast Guard prepared a Supplemental Environmental Assessment to assess the effects of the Ft Lauderdale Air show on the human environment resulting in a finding of no significant impact. The Supplemental Environmental Assessment and Finding of No Significant Impact (FONSI) are available in the docket where indicated under **ADDRESSES**.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### List of Subjects in 33 CFR Part 100

Marine safety; Navigation (water); Waterways; Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 46 U.S.C. 70041; 33 CFR 1.05–1.

■ 2. Add § 100.T07–0128 to read as follows:

#### § 100.T07–0128 Special Local Regulation; Fort Lauderdale Air Show; Atlantic Ocean, Fort Lauderdale, FL.

(a) *Regulated area.* The regulations in this section apply to the following area on the Atlantic Ocean in Fort Lauderdale, FL: All waters of the Atlantic Ocean encompassed within an imaginary line connecting the following points: Starting at Point 1 in position 26°11'01" N 080°05'42" W; thence due east to Point 2 in position 26°11'01" N 080°05'00" W; thence south west to Point 3 in position 26°05'42" N 080°05'35" W; thence west to Point 4 in position 26°05'42" N 080°06'17" W; thence following the shoreline north back to the point of origin. These coordinates are based on North American Datum 1983.

(b) *Definition.* The term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the COTP Miami in the enforcement of the regulated area.

(c) *Regulations.* (1) All non-participant vessels or persons are prohibited from entering, transiting, anchoring in, or remaining within the regulated area unless authorized by the COTP Miami or a designated representative.

(2) Persons and vessels desiring to enter, transit, anchor in, or remain within the regulated area may contact the COTP Miami by telephone at (305) 535–4472, or a designated representative via VHF–FM radio on channel 16 to request authorization. If authorization is granted, all persons and vessels receiving such authorization must comply with the instructions of the COTP Miami or a designated representative.

(d) *Enforcement period.* This rule is will be enforced from 10 a.m. to 5 p.m. daily from November 20, 2020, through November 22, 2020.

Dated: November 17, 2020.

**J.F. Burdian,**

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

[FR Doc. 2020–25748 Filed 11–19–20; 8:45 am]

**BILLING CODE 9110–04–P**

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA–R09–OAR–2020–0418; FRL–10016–28–Region 9]

#### Air Quality Implementation Plan; California; Northern Sierra Air Quality Management District; Stationary Source Permits

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is finalizing a revision to the Northern Sierra Air Quality Management District (NSAQMD or “District”) portion of the California State Implementation Plan (SIP). In this action, we are approving a rule submitted by the NSAQMD that governs the issuance of permits for stationary sources, which focuses on the preconstruction review and permitting of major sources and major modifications under part D of title I of the Clean Air Act (CAA or “the Act”).

**DATES:** This rule will be effective on December 21, 2020.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2020–0418. 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., Confidential Business Information (CBI) or other information the disclosure of which 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 through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with disabilities who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. **FOR FURTHER INFORMATION CONTACT:** Amber Batchelder, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; by phone: (415) 947–4174, or by email to [batchelder.amber@epa.gov](mailto:batchelder.amber@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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

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I. Proposed Action