

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; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1

■ 2. Add § 165.T05–0827, to read as follows:

### § 165.T05–0827 Safety Zone, Submerged Dredge Pipeline and Dredging, Deepwater Point Anchorage No. 6; Delaware River, Wilmington, DE.

(a) *Regulated Area.* The following area is a safety zone: The safety zone will encompass all waters of Deepwater Anchorage No. 6, Delaware River, Wilmington, DE from the northeast corner of the anchorage at position 39°42.675' N, 075°29.872' W to the northwest corner of Anchorage No. 6, next to the channel at position 39°42.842' N, 075°30.386' W, south along the eastern channel boundary to position 39°42.214' N, 075°30.619' W, east to position 39°42.223' N, 075°30.287' W, then north to the first position.

(b) *Regulations.* The general safety zone regulations found in 33 CFR 165.23 apply to the safety zone created by this section § 165.T05–0827.

(1) All persons and vessels are prohibited from entering this zone, except as authorized by the Coast Guard Captain of the Port or her designated representative.

(2) All persons or vessels wishing to transit through the Safety Zone must request authorization to do so from the Captain of the Port or her designated representative aboard the on-scene Coast Guard vessel one hour prior to the intended time of transit.

(3) Vessels granted permission to transit through the Safety Zone must do so in accordance with the directions provided by the Captain of the Port or her designated representative to the vessel.

(4) To seek permission to transit this safety zone, the Captain of the Port or her designated representative can be contacted via Sector Delaware Bay Command Center (215) 271–4940.

(5) This section applies to all vessels wishing to transit through the safety zone except vessels that are engaged in the following operations:

- (i) Enforcing laws;
- (ii) Servicing aids to navigation, and

(iii) Emergency response vessels.

(6) No person or vessel may enter or remain in a safety zone without the permission of the Captain of the Port;

(7) Each person and vessel in a safety zone shall obey any direction or order of the Captain of the Port;

(8) No person may board, or take or place any article or thing on board, any vessel in a safety zone without the permission of the Captain of the Port; and

(9) No person may take or place any article or thing upon any waterfront facility in a safety zone without the permission of the Captain of the Port.

(c) *Definitions.*

(1) *Captain of the Port* means the Commander, Coast Guard Sector Delaware Bay, or any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port to act on her behalf.

(2) *Designated representative* means any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port Delaware Bay to assist in enforcing the safety zone described in paragraph (a) of this section.

(d) *Enforcement.* The U.S. Coast Guard may be assisted by Federal, State, and local agencies in the patrol and enforcement of the zone.

(e) *Enforcement period.* This section will be enforced for a 36 day period from September 10, 2013, at 5:00 a.m. until October 15, 2013 at 11:00 p.m. unless cancelled earlier by the Captain of the Port.

Dated: September 6, 2013.

**Benjamin A. Cooper,**

*Captain, U.S. Coast Guard, Alternate Captain of the Port, Delaware Bay.*

[FR Doc. 2013–22761 Filed 9–27–13; 8:45 am]

**BILLING CODE 9110–04–P**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### 36 CFR Part 1958

[FDMS No. NARA–13–0004; Agency No. NARA–2013–045]

**RIN 3095–AB81**

### Fees

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Direct final rule.

**SUMMARY:** The National Archives and Records Administration (NARA) is changing its records fees regulation to remove the payment policy section, which sets out methods of payment. This is being done to allow NARA more

flexibility in the way it accepts payment.

**DATES:** This rule is effective October 30, 2013, without further action, unless adverse comment is received is received by October 21, 2013. If adverse comment is received, NARA will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** You may submit comments, identified by RIN 3095–AB81, by any of the following methods:

■ **Federal eRulemaking Portal:** <http://www.regulations.gov>

■ **Email:** [regulation\\_comments@nara.gov](mailto:regulation_comments@nara.gov)

■ **Mail:** (For paper, disk, or CD–ROM submissions.) Regulations Comments Desk, Strategy Division (SP); Suite 4100; National and Archives Records Administration; 8601 Adelphi Road; College Park, MD 20740–6001

■ **Hand delivery or courier:** Deliver comments to 8601 Adelphi Road; College Park, MD.

**Instructions:** All submissions received must include the agency name and Regulatory Information Number (RIN) for this rulemaking (RIN 3095–AB81). All comments received may be published without changes, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** For information or questions on this regulatory action, contact Kimberly Keravuori, by telephone at 301–837–3151, by email to [regulation\\_comments@nara.gov](mailto:regulation_comments@nara.gov), or by mail to Kimberly Keravuori, Regulations Program Manager; Strategy Division (SP), Suite 4100; National Archives and Records Administration; 8601 Adelphi Road; College Park, MD 20740–6001.

**SUPPLEMENTARY INFORMATION:** NARA has facilities throughout the country that have different capacities for handling types of payment. In addition, new technology and reductions in funding cause changes to that capacity in different ways at different facilities. Due to the changing nature and complexity of this situation, it is not practical or helpful to keep a general statement of methods of payment in the regulation on fees. The proposed change also includes notice that the methods of payment information is available on NARA's Web site, along with the fee schedules. This change will affect all customers who do business with NARA.

This rule is effective upon publication for good cause as permitted by the Administrative Procedure Act (5 U.S.C. 553(d)(3)). NARA believes that delaying the effective date for 30 days is unnecessary as this rule makes only minor changes to methods of payment.

This direct final rule is not a significant regulatory action for the purposes of E.O. 12866 and has been reviewed by the Office of Management and Budget (OMB). The proposed amendment is also not a major rule as defined in 5 U.S.C. Chapter 8, Congressional Review of Agency Rulemaking. As required by the Regulatory Flexibility Act, we certify that this rule will not have a significant impact on a substantial number of small entities because it makes changes only to methods of payment for those using NARA services.

#### List of Subjects in 36 CFR Part 1258

Archives and records.

For the reasons stated in the preamble, NARA amends Title 36 of the Code of Federal Regulations, part 1258, as follows:

#### PART 1258—FEES

■ 1. The authority citation for part 1258 continues to read as follows:

**Authority:** 44 U.S.C. 2116(c) and 2307.

##### § 1258.14 [Removed]

■ 2. Remove § 1258.14.

##### § 1258.18 [Amended]

■ 3. In § 1258.18(a), add two commas and the words “, methods of payment,” after the words “NARA’s fee schedule.”

Dated: September 25, 2013.

**David S. Ferriero,**

*Archivist of the United States.*

[FR Doc. 2013–23904 Filed 9–27–13; 8:45 am]

**BILLING CODE 7515–01–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R05–OAR–2010–0954 and EPA–R05–OAR–2010–0037; FRL9901–31–Region 5]

#### Approval and Promulgation of Air Quality Implementation Plans; States of Michigan and Minnesota; Regional Haze

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

**ACTION:** Final rule.

**SUMMARY:** In this notice of final rulemaking, EPA is disapproving in part the Michigan and Minnesota regional haze State Implementation Plans (SIPs) for failure to mandate best available retrofit technology (BART) for taconite facilities within these states. This final rule supplements a February 6, 2013, action that established Federal emission

limits representing BART for these facilities.

**DATES:** This final rule is effective on October 30, 2013.

**ADDRESSES:** EPA has established dockets for this action under Docket ID Numbers EPA–R05–OAR–2010–0954 and EPA–R05–OAR–2010–0037. All documents in the dockets 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 (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 either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Steven Rosenthal, Environmental Engineer, at (312) 886–6052 before visiting the Region 5 office.

**FOR FURTHER INFORMATION CONTACT:** Steven Rosenthal, Environmental Engineer, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6524, [rosenthal.steven@epa.gov](mailto:rosenthal.steven@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA. This supplementary information section is arranged as follows:

- I. What is the background for this action?
- II. What are EPA’s responses to the public comments it received?
- III. What action is EPA taking?
- IV. Statutory and Executive Order Reviews

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

Minnesota submitted its regional haze SIP on December 30, 2009, a draft supplement on January 5, 2012, and a final supplemental submission on May 8, 2012. EPA proposed approval of the Minnesota regional haze SIP on January 25, 2012 (77 FR 3681). Among other actions, the proposed rule proposed to conditionally approve Minnesota’s regional haze SIP as satisfying the BART requirements of the Clean Air Act (CAA or the “Act”) section 169A(b)(2)(A) and 40 CFR 51.308(e) for the State’s six taconite plants, provided that Minnesota

submit emission limits representing BART prior to EPA’s final action. During the comment period on EPA’s proposed rule, EPA received comments providing evidence that better, cost-effective technology for the control of taconite plant emissions was available that Minnesota (and Michigan) failed to adequately consider in the SIP revision. Therefore, EPA published a final rule approving other aspects of the Minnesota regional haze SIP on June 12, 2012 (77 FR 34801), but deferred action on BART for Minnesota’s taconite facilities.

Michigan submitted its regional haze SIP on November 5, 2010. EPA proposed action on the Michigan regional haze SIP on August 6, 2012 (77 FR 46912). In this action, EPA proposed to approve several aspects of Michigan’s regional haze SIP, and proposed to disapprove Michigan’s BART determinations for a Portland cement plant and a paper mill and proposed Federal limits for those two facilities. EPA published final action pursuant to this proposal on December 3, 2012 (77 FR 71533). However, similar to Minnesota, EPA deferred action on BART for the Tilden Mining taconite facility in Michigan.

On August 15, 2012 (77 FR 49308), EPA published a proposed partial disapproval and Federal Implementation Plan (FIP) for BART for taconite plants in Minnesota and Michigan. In that action, EPA reviewed relevant information regarding the technical feasibility of various options for the control of emissions from taconite plants and reviewed other information relevant to determining BART for these plants. On February 6, 2013 (78 FR 8706), EPA published a final rule establishing a FIP to implement BART for the taconite facilities in Minnesota and Michigan.

Also on February 6, 2013 (78 FR 8478), EPA supplemented its proposed partial disapproval of the Minnesota and Michigan SIPs for failure to require BART for taconite facilities within these states. EPA published this notice in response to comments that EPA had not adequately explained its rationale for proposing to disapprove the States’ BART determinations for taconite in its August 15, 2012 proposed action.

#### II. What are EPA’s responses to the public comments it received?

In response to its supplemental proposed rulemaking, EPA received comments from ArcelorMittal Minnoria Mine, Incorporated (ArcelorMittal), Cliffs Natural Resources, Inc. (Cliffs), U.S. Representative Richard M. Nolan, the Minnesota Pollution Control Agency