

Court of Appeals for the appropriate circuit by March 11, 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 52**

Environmental protection, Air pollution control, Incorporation by

reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: December 29, 2023.

**Jeaneanne Gettle,**  
*Acting Regional Administrator, Region 4.*

For the reasons stated in the preamble, the EPA amends 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 S—Kentucky**

■ 2. In § 52.920, in table 2 to paragraph (c), under the center heading “Reg 1—General Provision,” revise the entry for 1.06 to read as follows:

**§ 52.920 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

TABLE 2 TO PARAGRAPH (c)—EPA-APPROVED JEFFERSON COUNTY REGULATIONS FOR KENTUCKY

Reg	Title/subject	EPA approval date	Federal Register notice	District effective date	Explanation
<b>Reg 1—General Provisions</b>					
1.06 ...	Stationary Source Self-Monitoring, Emissions Inventory Development, and Reporting.	1/10/2024	[Insert citation of publication].	3/16/2022	Except Section 5 and any references to Section 5 in this regulation.

\* \* \* \* \*  
[FR Doc. 2024–00012 Filed 1–9–24; 8:45 am]  
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**FEDERAL MARITIME COMMISSION**

**46 CFR Part 506**

[Docket No. FMC–2024–0002]

RIN 3072–AC98

**Inflation Adjustment of Civil Monetary Penalties**

**AGENCY:** Federal Maritime Commission.  
**ACTION:** Final rule.

**SUMMARY:** The Federal Maritime Commission (Commission) is publishing this final rule to adjust for inflation the civil monetary penalties assessed or enforced by the Commission, pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act). The 2015 Act requires that agencies adjust and publish their new civil penalties by January 15 each year.

**DATES:** This rule is effective January 15, 2024.

**FOR FURTHER INFORMATION CONTACT:** David Eng, Secretary; Phone: (202) 523–5725; Email: *secretary@fmc.gov*.

**SUPPLEMENTARY INFORMATION:** This rule adjusts the civil monetary penalties assessable by the Commission in accordance with the 2015 Act, which became effective on November 2, 2015. Public Law 114–74, section 701. The 2015 Act further amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (FCPIAA), Public Law 101–410, 104 Stat. 890 (codified as amended at 28 U.S.C. 2461 note), in order to improve the effectiveness of civil monetary penalties and to maintain their deterrent effect.

The 2015 Act requires agencies to adjust civil monetary penalties under their jurisdiction by January 15 each year, based on changes in the consumer price index (CPI–U) for the month of October in the previous calendar year. On December 19, 2023, the Office of Management and Budget published guidance stating that the CPI–U multiplier for October 2023 is 1.03241.<sup>1</sup> In order to complete the annual adjustment, the Commission must multiply the most recent civil penalty amounts in 46 CFR part 506 by the multiplier, 1.03241.

<sup>1</sup> Office of Management and Budget, M–24–07, Implementation of Penalty Inflation Adjustments for 2023, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, at 1 (Dec. 19, 2023) (M–23–05).

**Rulemaking Analyses and Notices**

*Notice and Effective Date*

Adjustments under the FCPIAA, as amended by the 2015 Act, are not subject to the procedural rulemaking requirements of the Administrative Procedure Act (APA) (5 U.S.C. 553), including the requirements for prior notice, an opportunity for comment, and a delay between the issuance of a final rule and its effective date.<sup>2</sup> The 2015 Act requires that the Commission adjust its civil monetary penalties no later than January 15 of each year.

*Congressional Review Act*

The rule is not a “major rule” as defined by the Congressional Review Act, codified at 5 U.S.C. 801 *et seq.* The rule will not result in: (1) an annual effect on the economy of \$100,000,000 or more; (2) a major increase in costs or prices; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based companies to compete with foreign-based companies. 5 U.S.C. 804(2).

<sup>2</sup> *Id.* at 3–4. Federal Civil Penalties Inflation Adjustment Act of 1990, Public Law 101–410, section 4(b)(2), 104 Stat. 890 (codified at 28 U.S.C. 2461 note).

**Regulatory Flexibility Act**

The Regulatory Flexibility Act (codified as amended at 5 U.S.C. 601–612) provides that whenever an agency promulgates a final rule after being required to publish a notice of proposed rulemaking under the APA (5 U.S.C. 553), the agency must prepare and make available a final regulatory flexibility analysis describing the impact of the rule on small entities or the head of the agency must certify that the rule will not have a significant economic impact on a substantial number of small entities. 5 U.S.C. 604–605. As indicated above, this final rule is not subject to the APA’s notice and comment requirements, and the Commission is not required to either conduct a regulatory flexibility analysis or certify that the final rule would not have a significant economic impact on a substantial number of small entities.

**Paperwork Reduction Act**

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521) requires an

agency to seek and receive approval from the Office of Management and Budget (OMB) before collecting information from the public. 44 U.S.C. 3507. The agency must submit collections of information in rules to OMB in conjunction with the publication of the notice of proposed rulemaking. 5 CFR 1320.11. This final rule does not contain any collection of information, as defined by 44 U.S.C. 3502(3) and 5 CFR 1320.3(c).

**Regulation Identifier Number**

The Commission assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulatory and Deregulatory Actions (Unified Agenda). The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The public may use the RIN contained in the heading at the beginning of this document to find this action in the Unified Agenda, available at <http://www.reginfo.gov/public/do/eAgendaMain>.

[www.reginfo.gov/public/do/eAgendaMain](http://www.reginfo.gov/public/do/eAgendaMain).

**List of Subjects in 46 CFR Part 506**

Administrative practice and procedure, Claims, Penalties.

For the reasons stated in the preamble, 46 CFR part 506 is amended as follows:

**PART 506—CIVIL MONETARY PENALTY INFLATION ADJUSTMENT**

■ 1. The authority citation for part 506 continues to read as follows:

**Authority:** 28 U.S.C. 2461.

■ 2. Amend § 506.4 by revising paragraph (d) to read as follows:

**§ 506.4 Cost of living adjustments of civil monetary penalties.**

\* \* \* \* \*

(d) *Inflation adjustment.* Maximum civil monetary penalties within the jurisdiction of the Federal Maritime Commission are adjusted for inflation as follows:

TABLE 1 TO PARAGRAPH (d)

United States Code citation	Civil monetary penalty description	Maximum penalty as of January 15, 2023	Maximum penalty as of January 15, 2024
46 U.S.C. 42304 .....	Adverse impact on U.S. carriers by foreign shipping practices .....	\$2,479,282	\$2,559,636
46 U.S.C. 41107(a) .....	Knowing and Willful violation/Shipping Act of 1984, or Commission regulation or order.	70,752	73,045
46 U.S.C. 41107(a) .....	Violation of Shipping Act of 1984, Commission regulation or order, not knowing and willful.	14,149	14,608
46 U.S.C. 41108(b) .....	Operating in foreign commerce after tariff suspension .....	141,506	146,092
46 U.S.C. 42104 .....	Failure to provide required reports, etc./Merchant Marine Act of 1920.	11,162	11,524
46 U.S.C. 42106 .....	Adverse shipping conditions/Merchant Marine Act of 1920 .....	2,232,281	2,304,629
46 U.S.C. 42108 .....	Operating after tariff or service contract suspension/Merchant Marine Act of 1920.	111,614	115,231
46 U.S.C. 44102, 44104 .....	Failure to establish financial responsibility for non-performance of transportation.	28,194	29,108
46 U.S.C. 44103, 44104 .....	Failure to establish financial responsibility for death or injury .....	941	971
31 U.S.C. 3802(a)(1) .....	Program Fraud Civil Remedies Act/making false claim .....	28,194	29,108
31 U.S.C. 3802(a)(2) .....	Program Fraud Civil Remedies Act/giving false statement .....	941	971
		13,508	13,946
		13,508	13,946

By the Commission.

**David Eng,**

*Secretary.*

[FR Doc. 2024–00354 Filed 1–9–24; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Parts 1 and 4**

[GN Docket No. 15–206; FCC 16–81, FCC 19–138; FR ID 195876]

**Improving Outage Reporting for Submarine Cables and Enhanced Submarine Cable Outage Data**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective and compliance dates.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) approved the information collection associated with the Commission’s *Report and Order* and subsequent *Order on Reconsideration*. This document, consistent with those documents, fulfills the Commission’s commitment that it would publish a document in the **Federal Register** announcing the effective date of those rules.

**DATES:**

*Effective date:* The amendments to 47 CFR 1.767 and 4.15, published at 81 FR