

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: 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 § 165.529 to read as follows:

§ 165.529 Safety Zone; Gallants Channel, Beaufort, NC.

(a) *Definitions.* For the purposes of this section—

*Captain of the Port* means the Commander, Coast Guard Sector North Carolina.

*Participant* means an individual or vessel involved with the Crystal Coast Triathlon.

*Representative* means any Coast Guard commissioned, warrant or petty officer who has been authorized to act on the behalf of the Captain of the Port.

(b) *Location.* The following area is a safety zone: all navigable waters of Gallants Channel from the Route 70 Bridge in Beaufort, NC, at N 34°43′38″, W 076°40′04″ then North-West to Russel Slough Channel Day-Beacon 10 (LLNR34860) at N 34°43′58″, W 076°40′27.5″.

(c) *Regulations.* (1) The general regulations governing safety zones in § 165.23 apply to the area described in paragraph (b) of this section.

(2) With the exception of the participants, entry into or remaining in this safety zone is prohibited unless authorized by the COTP, Sector North Carolina or a designated representative.

(3) No vessel may be present in the safety zone when it is subject to enforcement, and any vessel in violation of that prohibition must depart the zone immediately.

- (4) The COTP North Carolina can be reached through the Coast Guard Sector North Carolina Command Duty Officer, Wilmington, North Carolina, at telephone number 910–343–3882.
- (5) The Coast Guard can be contacted on VHF–FM marine band radio channel 13 (165.65 MHz) and channel 16 (156.8 MHz).
- (d) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the safety zone by Federal, State, and local agencies.
- (e) *Enforcement period.* This section will be enforced the second Saturday in May, from 8 a.m. through 10 a.m. The enforcement period may change, but a notice will be provided if there is a change in the enforcement period.

Dated: May 5, 2023.

Matthew J. Baer,  
Captain, U.S. Coast Guard, Captain of the Port, Sector North Carolina.  
[FR Doc. 2023–10138 Filed 5–11–23; 8:45 am]  
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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2022–0795; FRL–10217–03–R9]

Air Plan Approval; California; Yolo-Solano Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a revision to the Yolo-Solano Air Quality Management District (YSAQMD) portion of the California State Implementation Plan (SIP). This revision concerns emissions of volatile organic compounds (VOCs) from solvent cleaning and degreasing operations. We

are approving a local rule that regulates these emission sources under the Clean Air Act (CAA or the Act).

**DATES:** This rule is effective June 12, 2023.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2022–0795. 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 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 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:** Arnold Lazarus, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 972–3024 or by email at [lazarus.arnold@epa.gov](mailto:lazarus.arnold@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, “we,” “us” and “our” refer to the EPA.

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I. Proposed Action

On December 13, 2022 (87 FR 76171), the EPA proposed to approve the following rule into the California SIP.

Local agency	Rule No.	Rule title	Revised	Submitted
YSAQMD .....	2.31	Solvent Cleaning and Degreasing .....	07/14/2021	07/18/22

We proposed to approve this rule because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the rule and our evaluation. On the same day, we also made an interim final determination (87 FR 76107) that the submittal from the California Air Resources Board on behalf of the Yolo-Solano Air Quality

Management District corrected the SIP deficiency from a previous submittal, allowing us to defer the imposition of sanctions resulting from our previous disapproval action concerning the District’s rule.

II. Public Comments and EPA Responses

The EPA’s proposed action provided a 30-day public comment period. During

this period, we received four comments. Three of the submitted comments were supportive of our assessment of the rule as described in our proposed action. One comment was irrelevant and outside the scope of this specific rulemaking action.

III. EPA Action

No comments were submitted that change our assessment of the rule as

described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is fully approving this rule into the California SIP. The July 14, 2021 version of Rule 2.31 will replace the previously approved version of this rule in the SIP.

As a result of this action, the sanctions that were deferred in our interim final determination are now rescinded, and a federal implementation plan to resolve the deficiency is no longer required under section 110(c) of the Act.

#### IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of Yolo-Solano AQMD, Rule 2.31, Solvent Cleaning and Degreasing, revised on July 14, 2021, which regulates VOC emissions from solvent cleaning and degreasing operations. The EPA has made, and will continue to make, these documents available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

#### V. 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 Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the 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 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); 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 the 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 minority populations and low-income populations to the greatest extent practicable and permitted by law. The EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.”

The State did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. The 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 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

This action is subject to the Congressional Review Act, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 11, 2023. 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, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: May 7, 2023.

**Martha Guzman Aceves,**

*Regional Administrator, Region IX.*

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations 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 F—California

- 2. Section 52.220 is amended by adding paragraphs (c)(503)(i)(D)(2) and (c)(596) to read as follows:

#### § 52.220 Identification of plan—in part.

\* \* \* \* \*

(c) \* \* \*

(503) \* \* \*

(i) \* \* \*

(D) \* \* \*

(2) Previously approved on July 30, 2021, in paragraph (c)(503)(i)(D)(1) of this section and now deleted with replacement in (c)(596)(i)(A)(1), Rule 2.31, “Solvent Cleaning and Degreasing,” revised on April 12, 2017.

\* \* \* \* \*

(596) The following regulation was submitted on July 18, 2022, by the Governor’s designee, as an attachment to a letter dated July 11, 2022.

(i) Incorporation by reference.

(A) Yolo-Solano Air Quality Management District.

(1) Rule 2.31, “Solvent Cleaning and Degreasing,” revised on July 14, 2021.

(2) [Reserved]

(B) [Reserved]

(ii) [Reserved]

\* \* \* \* \*

[FR Doc. 2023–10097 Filed 5–11–23; 8:45 am]

BILLING CODE 6560–50–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 74

[MB Docket Nos. 03–185 and 22–261; FCC 23–25; FR ID 138531]

### Establishing Rules for Digital Low Power Television and Television Translator Stations

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission or FCC) adopts several rule updates to otherwise outdated rules for low power television and TV translator stations following the July 13, 2021, transition from analog to digital operations. These changes are designed to ensure the Commission’s rules clearly reflect its requirements, and are understandable to all stakeholders.

**DATES:** Effective June 12, 2023, except for the amendments in instruction 3 (§ 74.703), instruction 7 (§ 74.734), instruction 8 (§ 74.735), instruction 11 (§ 74.751), instruction 13 (§ 74.763), and instruction 15 (§ 74.784) which are delayed indefinitely. The Commission will publish a separate document in the **Federal Register** announcing the effective date of these amendments.

**FOR FURTHER INFORMATION CONTACT:** Emily Harrison, Media Bureau, at (202) 418–1665 or [Emily.Harrison@fcc.gov](mailto:Emily.Harrison@fcc.gov). For additional information concerning the Paperwork Reduction Act (PRA) information collection requirements contained in this document, contact Cathy Williams at 202–418–2918, or [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s *Report and Order*, in MB Docket Nos. 03–185, 22–261; FCC 23–25, adopted on April 17, 2023, and released on April 17, 2023. The full text of this document is available for download at <https://www.fcc.gov/document/fcc-adopts-amendments-lptv-and-tv-translator-rules>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

### Paperwork Reduction Act of 1995 Analysis

This document contains new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, *see* 44 U.S.C. 3507. The Commission, as part of its continuing effort to reduce paperwork burdens, will invite the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this document in a separate **Federal Register** Notice, as required by the PRA. These new or modified information collections will become effective after the Commission publishes a document in the **Federal Register** announcing such approval and the relevant effective date.

In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4), the Commission previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees.

### Congressional Review Act

The Commission will send a copy of this Report and Order to Congress and the Government Accountability Office (GAO) pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

### Synopsis

#### Rules Applicable to LPTV/Translator Digital Operations

When the Commission initially adopted rules for digital LPTV/ translators in 2004, it did not apply all of the part 74 rules to digital LPTV/ translators. Instead, it adopted eleven rules specifically for digital LPTV/ translator stations, and also identified in § 74.789 which of the part 74 rules applicable to analog LPTV/translator operations would also apply to digital LPTV/translator operations. *NPRM* at

para. 10, citing 47 CFR 74.786 through 74.796; *Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations*, MB Docket No. 03–185, Report and Order, 19 FCC Rcd 19331 (2004) (2004 Order) (subsequent history omitted). Now that the LPTV/translator digital transition is completed, we tentatively concluded in the *NPRM* that it is necessary and appropriate to eliminate the analog version of our rules, and update all of the part 74 rules as necessary for digital operations. *NPRM* at para. 10. We tentatively concluded that the transition to digital operation did not provide any basis to relieve LPTV/translator stations of these obligations and that their continued applicability is in the public interest. *Id.* No commenters opposed our proposal and ATBA offered support. *See* Comments of the Advanced Television Broadcasting Alliance, MB Docket Nos. 03–185 and 22–261 (filed Oct. 24, 2022) (ATBA Comments) at 2. We therefore now adopt the proposals.

Specifically, we adopt the following unopposed proposals, for the reasons discussed in the *NPRM*. First, we conclude that a revised § 74.702(b) (Channel assignments), which describes LPTV/translator stations’ secondary status with respect to a primary station’s proposal to change the Table of TV Allotments, should apply to digital LPTV/translator stations, consistent with existing practice. In addition, § 74.702(a) and § 74.786 (Digital channel assignments) reflect the same information pertaining to channel assignments. We therefore retain the requirements in § 74.702(a) and delete § 74.786. Similarly, we also delete §§ 74.789 (Broadcast regulations applicable to low power television and television translator stations) and 74.787(a)(5)(viii) (Licensing). For the reasons discussed in the *NPRM*, we conclude that there is no need to have rules specifying which part 74 rules apply to digital LPTV/translators, as, with the elimination of the analog rules, all rules in part 74 will apply to digital. We also adopt and apply to digital LPTV/translator stations a new § 74.737 regarding antenna location, which tracks and replaces a corresponding rule that has previously applied to analog LPTV/translator stations, and a new § 74.762 regarding frequency measurements. We adopt new station identification requirements in 47 CFR 74.783 that apply to digital operations, as discussed *infra*.