

Dated: December 9, 2024.

**M.I. Kuperman,**

*Captain, U.S. Coast Guard, Captain of the Port Eastern Great Lakes.*

[FR Doc. 2024–29510 Filed 12–13–24; 8:45 am]

BILLING CODE 9110–04–P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2024–1072]

#### Safety Zone; Military Ocean Terminal Concord Safety Zone, Suisun Bay, Concord, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone in the navigable waters of the Suisun Bay, off Concord, CA, in support of explosive handling operations at Military Ocean Terminal Concord (MOTCO) on December 12, 2024, through December 19, 2024. This safety zone is necessary to protect personnel, vessels, and the marine environment from potential explosions within the explosive arc. The safety zone is open to all persons and vessels for transitory use, but vessel operators desiring to anchor within the safety zone must obtain the permission of the Captain of the Port (COTP) San Francisco or a designated representative.

**DATES:** The regulations in 33 CFR 165.1198 will be enforced without actual notice from 12:01 a.m. on December 13, 2024, until 11:59 p.m. on December 19, 2024. For purposes of enforcement, we will use actual notice to enforce the regulations in 33 CFR 165.1198 on December 12, 2024.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email Lieutenant William Harris, U.S. Coast Guard Sector San Francisco, Waterways Management Division, at (415) 399–7443, [SFWaterways@uscg.mil](mailto:SFWaterways@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone in 33 CFR 165.1198 for the Military Ocean Terminal Concord, CA (MOTCO) regulated area from 12:01 a.m. on December 12, 2024, until 11:59 p.m. on December 19, 2024. This safety zone is necessary to protect personnel, vessels, and the marine environment from potential explosion within the explosive

arc. The regulation for this safety zone, § 165.1198, specifies the locations of the safety zone which encompasses the navigable waters in the area between 500 yards of MOTCO Pier 2 in position 38°03'30" N, 122°01'14" W and 3,000 yards of the pier. During the enforcement period, as reflected in § 165.1198(d), if you are the operator of a vessel in the regulated area you must comply with the instructions of the COTP or the designated on-scene patrol personnel. Vessel operators desiring to anchor or otherwise loiter within the safety zone must contact Sector San Francisco Vessel Traffic Service at (415) 399–7410, or VHF Channel 14 to obtain permission.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via Broadcast Notice to Mariners.

Dated: December 10, 2024.

**Jordan M. Balduenza,**

*Captain, U.S. Coast Guard, Captain of the Port San Francisco.*

[FR Doc. 2024–29520 Filed 12–13–24; 8:45 am]

BILLING CODE 9110–04–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R06–OAR–2024–0380; FRL–12206–02–R6]

#### Finding of Failure To Attain by the Attainment Date for the 2010 1-Hour Primary Sulfur Dioxide National Ambient Air Quality Standard; Louisiana; Evangeline Parish Nonattainment Area

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is making a determination that the Evangeline Parish, Louisiana, sulfur dioxide (SO<sub>2</sub>) nonattainment area (NAA) failed to attain the 2010 1-hour primary SO<sub>2</sub> national ambient air quality standard (2010 SO<sub>2</sub> NAAQS) under the Clean Air Act (CAA or the Act) by the applicable statutory attainment date of April 9, 2023. This determination is based upon consideration and review of all relevant and available information for the NAA, including reported emissions records and available modeling data for the area's primary SO<sub>2</sub> source, Cabot Corporation's Ville Platte Plant (Cabot).

**DATES:** This rule is effective on January 15, 2025.

**ADDRESSES:** EPA established a docket for this action under Docket ID No. EPA–R06–OAR–2024–0380. 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 or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ronald Thomas, SO<sub>2</sub> and Regional Haze Section (R6–ARSH), Air & Radiation Division, U.S. Environmental Protection Agency, Region 6, 1201 Elm Street, Suite 500, Dallas, Texas 75270. His direct telephone number is (214) 665–7478. Mr. Thomas can also be reached via electronic mail at [Thomas.Ronald@epa.gov](mailto:Thomas.Ronald@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” and “our” means the EPA.

### I. Background

The background for this action is discussed in detail in our September 4, 2024, proposal (89 FR 71872). In that document, we proposed to determine that the Evangeline Parish SO<sub>2</sub> nonattainment area failed to attain the 2010 SO<sub>2</sub> NAAQS by the applicable statutory attainment date of April 9, 2023. In summary, our proposed determination was based upon evaluation of SO<sub>2</sub> emissions data and prior modeling for the NAA. Specifically, this proposed determination was supported by data showing that emissions have increased when comparing the 2020–2022 period to the modeled emissions at designation. Based on this increase in emissions, there is nothing to suggest that the area is no longer in violation of the NAAQS as demonstrated by the 2017 modeling analysis for the initial designation of the area.

The public comment period for our proposed determination expired on October 4, 2024. The EPA received no comments on our September 4, 2024, proposal. Therefore, we are finalizing our action as proposed.

### II. Final Action

The EPA is finalizing the September 4, 2024, proposed finding, and per CAA section 179(c)(1)–(2), the EPA determines that the Evangeline Parish SO<sub>2</sub> NAA has not attained the 2010 one-hour SO<sub>2</sub> NAAQS of 75 ppb by the applicable statutory attainment date of April 9, 2023.

Publication of this final rule has the following consequences for the State of Louisiana: (1) under CAA section 179(d), the State has up to 12 months from the publication of this notice to submit a revised SIP for the area demonstrating attainment and containing any additional measures that the EPA may reasonably prescribe that can be feasibly implemented in the area in light of technological achievability, costs, and any non-air quality and other air quality-related health and environmental impacts as required; (2) according to CAA section 179(d)(3), such a revised SIP is to achieve attainment of the 2010 SO<sub>2</sub> NAAQS as expeditiously as practicable, but no later than 5 years from the date of notice of the area's failure to attain (*i.e.*, 5 years after the EPA publishes a final action in the **Federal Register** determining that the area failed to attain the 2010 SO<sub>2</sub> NAAQS); and (3) in addition to triggering requirements for a new SIP submittal, this final determination triggers the implementation of contingency measures in this NAA adopted under 172(c)(9).

### III. Environmental Justice Considerations

Information on Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) and how EPA defines environmental justice (EJ) can be found in the section titled "IV. Statutory and Executive Order Reviews." EPA provided analysis of environmental justice associated with this action solely for informational purposes, and the results of this analysis were addressed in Section IV of our proposal.

This final rule formalizes EPA's determination that the Evangeline Parish SO<sub>2</sub> NAA has failed to attain the 2010 SO<sub>2</sub> NAAQS of 75 ppb by the applicable attainment date of April 9, 2023, in accordance with EPA's obligation to make a determination on attainment by the attainment date in section 179(c)(1)–(2) of the CAA. This action provides notice to the public that the area has failed to attain the NAAQS and informs the State of Louisiana of CAA requirements that the State needs to meet.

Information on SO<sub>2</sub> and its relationship to negative health impacts can be found at final **Federal Register** notice titled "Primary National Ambient Air Quality Standard for Sulfur Dioxide" (75 FR 35520, June 22, 2010).<sup>1</sup>

We expect that this action will not have a detrimental impact on the population, including communities with EJ concerns, in and near the Evangeline Parish NAA.

### IV. Statutory and Executive Order Reviews

This action finds that an area has failed to attain the NAAQS by the relevant attainment date and does not impose additional or modify existing requirements. 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 14094 (88 FR 21879, April 11, 2023);
- 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; Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address "disproportionately high and adverse human health or environmental effects" of their actions on communities with EJ concerns to the greatest extent practicable and permitted by law. The EPA defines 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."

Section IV of the proposal for this action presented our EJ analysis, but we did not consider EJ as a basis for this action. Due to the nature of the action being taken here, this action is not expected to have a detrimental impact on the populations, including communities with EJ concerns, in the Evangeline Parish NAA. Consideration of EJ is not required as part of this action, which finds that the NAA failed to attain the 2010 SO<sub>2</sub> NAAQS by the applicable attainment date, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for communities with EJ concerns.

In addition, this final rulemaking, the finding of failure to attain by the attainment date for the Evangeline Parish SO<sub>2</sub> NAA, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because this action is not intended to apply in Indian country located in the State, and the EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

This action is exempt from the Congressional Review Act because it is a rule of particular applicability. The rule makes factual determinations for an identified entity (the Evangeline Parish area of Louisiana), based on facts and circumstances specific to that entity. The determination of failure to attain the 2010 SO<sub>2</sub> NAAQS does not in itself create any new requirements beyond what is mandated by the CAA.

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 February 14, 2025. 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).)

<sup>1</sup> See <https://www.federalregister.gov/d/2010-13947>.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Pollution, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: December 9, 2024.

**Earthea Nance,**

*Regional Administrator, Region 6.*

For the reasons stated in the preamble, the EPA amends 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 T—Louisiana**

■ 2. Amend § 52.978 by adding paragraph (b) to read as follows:

**§ 52.978 Control strategy and regulations: Sulfur Dioxide.**

\* \* \* \* \*

(b) *Determination of failure to attain.* Effective January 15, 2025, the EPA has determined that the Evangeline Parish nonattainment area failed to attain the 2010 1-hour primary sulfur dioxide (SO<sub>2</sub>) national ambient air quality standard (NAAQS) by the applicable statutory attainment date of April 9, 2023. This determination triggers the requirements of CAA section 179(d) for the State of Louisiana to submit a revision to the Louisiana SIP for the Evangeline Parish nonattainment area to the EPA December 16, 2024. The SIP revision must, among other elements, provide for attainment of the 1-hour primary SO<sub>2</sub> NAAQS in the Evangeline Parish SO<sub>2</sub> nonattainment area as expeditiously as practicable but no later than December 16, 2029.

[FR Doc. 2024–29438 Filed 12–13–24; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R06–OAR–2020–0434; FRL–12215–02–R6]

**Determination of Attainment by the Attainment Date for the 2010 1-Hour Primary Sulfur Dioxide National Ambient Air Quality Standard; Texas; Freestone-Anderson and Titus Counties**

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

**ACTION:** Final rule.

**SUMMARY:** Pursuant to the Federal Clean Air Act (CAA or the Act), the Environmental Protection Agency (EPA) is finalizing our determination that the sulfur dioxide (SO<sub>2</sub>) nonattainment area (NAA) in Freestone and Anderson Counties and the SO<sub>2</sub> NAA in Titus County have each attained the 2010 1-hour primary SO<sub>2</sub> national ambient air quality standard (NAAQS) by the applicable attainment date of January 12, 2022. This determination is based on primary source shutdowns, available ambient air quality monitoring data from the 2019–2021 monitoring period, relevant modeling analysis, and additional emissions inventory information. This final action will address the EPA's obligation under CAA section 179(c) to determine whether the Freestone-Anderson and Titus SO<sub>2</sub> NAAs attained the 2010 1-hour primary SO<sub>2</sub> NAAQS by the statutory attainment date of January 12, 2022, for each area.

**DATES:** This rule is effective on January 15, 2025.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R06–OAR–2020–0434. 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 or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** James E. Grady, EPA Region 6 Office, Regional Haze and SO<sub>2</sub> Section, (214) 665–6745; [grady.james@epa.gov](mailto:grady.james@epa.gov). Please call or email Mr. Grady above or call Mr. Bill Deese at 214–665–7253 if you need alternative access to material indexed but not provided in the docket.

**SUPPLEMENTARY INFORMATION:**

Throughout this document “we,” “us,” and “our” mean “the EPA.”

**I. Background**

The background for this action is discussed in detail in our September 3, 2024, proposed action (89 FR 71230). In that document, we proposed to determine that the Freestone-Anderson and Titus NAAs attained the 2010 1-hour primary SO<sub>2</sub> NAAQS by the statutory attainment date of January 12, 2022. This satisfies the obligation under CAA section 179(c) which required EPA to issue a determination within 6 months of the attainment date (*i.e.*, by July 12, 2022). Our proposed determination was based on EPA's previous clean data determination (CDD) published on May 14, 2021;<sup>1</sup> the permanent and enforceable shutdowns of the primary sources of SO<sub>2</sub> emissions in these areas; the available modeling analysis demonstrating that the Big Brown Steam Electric Station in Freestone County and the Monticello Steam Electric Station in Titus County were responsible for almost 100 percent of the SO<sub>2</sub> impacts on the maximum modeled concentrations in each respective area; review of emissions data showing emissions within the Freestone-Anderson and Titus NAA's have been reduced by nearly 100 percent with the retirements of Big Brown and Monticello Steam Electric Stations in 2018 and that no other sources remain that are contributing to a violation of the SO<sub>2</sub> NAAQS in those NAAs; and the Freestone County and Welsh monitors' reported 2019–2021 design values of 5 ppb (7 percent of the standard) and 19 ppb (25 percent of the standard) providing additional evidence that these areas are in attainment.

**II. Response to Comments**

The public comment period for our proposed determination of attainment by the attainment date expired on October 3, 2024. We received two comments total;<sup>2</sup> one from the Texas Commission on Environmental Quality (TCEQ) supporting our proposed action; and one that was outside the scope of this action and not related to the SO<sub>2</sub> NAAs or our proposed determination. TCEQ's comment included a request that EPA act on the Redesignation Request and Maintenance Plan SIP revision submitted on March 3, 2022, and we plan to act on that SIP submittal in a separate action in the future. Since

<sup>1</sup> 86 FR 26401 (May 14, 2021) (effective June 14, 2021).

<sup>2</sup> The full text of the comments is available in the docket for this action.