

OFFICE OF FOREIGN ASSETS CONTROL

Executive Order 13959 of November 12, 2020

Addressing the Threat From Securities Investments That Finance Communist Chinese Military Companies, as Amended

GENERAL LICENSE NO. 1A

Authorizing Transactions Involving Securities of Certain Communist Chinese Military Companies

(a) Except as provided in paragraph (b) of this general license, all transactions and activities prohibited by section 1(a) of Executive Order (E.O.) 13959, as amended by E.O. 13974 of January 13, 2021, involving publicly traded securities, or any securities that are derivative of, or are designed to provide investment exposure to such securities, of an entity whose name closely matches, but does not exactly match, the name of a Communist Chinese military company as defined by section 4(a) of E.O. 13959, as amended, are authorized through 9:30 a.m. eastern daylight time, May 27, 2021.

(b) This general license does not authorize:

(1) Any transactions or activities involving publicly traded securities, or any securities that are derivative of, or are designed to provide investment exposure to such securities, of entities identified in the Office of Foreign Assets Control's Non-SDN Communist Chinese Military Companies List (NS-CCMC List) pursuant to section 4(a)(iii) of E.O. 13959, as amended, as a subsidiary of a person determined to be a Communist Chinese military company, including entities added to the NS-CCMC List on January 8, 2021 (CNOOC Limited, China Mobile Limited, China Telecom Corporation Limited, China Unicom (Hong Kong) Limited).

Note to paragraph (b)(1): Pursuant to section 1(a)(ii) of E.O. 13959, as amended, prohibitions relevant to entities identified in the NS-CCMC List pursuant to section 4(a)(iii) of E.O. 13959, as amended, including entities added to the NS-CCMC List on January 8, 2021 (CNOOC Limited, China Mobile Limited, China Telecom Corporation Limited, China Unicom (Hong Kong) Limited), take effect beginning 9:30 a.m. eastern time on the date that is 60 days after such listing.

(2) Any transactions or activities otherwise prohibited by E.O. 13959, as amended, any other E.O. or statute, or any part of 31 CFR chapter V.

(c) Effective January 27, 2021, General License No. 1, dated January 8, 2021, is replaced and superseded in its entirety by this General License No. 1A.

Bradley T. Smith,

Acting Director, Office of Foreign Assets Control.

Dated: January 26, 2021.

OFFICE OF FOREIGN ASSETS CONTROL

Executive Order 13959 of November 12, 2020

Addressing the Threat From Securities Investments That Finance Communist Chinese Military Companies, as Amended

GENERAL LICENSE NO. 1B

Authorizing Transactions Involving Securities of Certain Communist Chinese Military Companies

(a) Except as provided in paragraph (b) of this general license, all transactions and activities prohibited by section 1(a) of Executive Order (E.O.) 13959, as amended by E.O. 13974 of January 13, 2021, involving publicly traded securities, or any securities that are derivative of, or are designed to provide investment exposure to such securities, of an entity whose name closely matches, but does not exactly match, the name of a Communist Chinese military company as defined by section 4(a) of E.O. 13959, as amended, are authorized through 9:30 a.m. eastern daylight time, June 11, 2021.

(b) This general license does not authorize:

(1) Any transactions or activities involving publicly traded securities, or any securities that are derivative of, or are designed to provide investment exposure to such securities, of entities identified in the Office of Foreign Assets Control's Non-SDN Communist Chinese Military Companies List (NS-CCMC List) pursuant to section 4(a)(iii) of E.O. 13959, as amended, as a subsidiary of a person determined to be a Communist Chinese military company, including entities added to the NS-CCMC List on January 8, 2021 (CNOOC Limited, China Mobile Limited, China Telecom Corporation Limited, China Unicom (Hong Kong) Limited).

Note to paragraph (b)(1): Pursuant to section 1(a)(ii) of E.O. 13959, as amended, prohibitions relevant to entities identified in the NS-CCMC List pursuant to section 4(a)(iii) of E.O. 13959, as amended, including entities added to the NS-CCMC List on January 8, 2021 (CNOOC Limited, China Mobile Limited, China Telecom Corporation Limited, China Unicom (Hong Kong) Limited), take effect beginning 9:30 a.m. eastern time on the date that is 60 days after such listing.

(2) Any transactions or activities otherwise prohibited by E.O. 13959, as amended, any other E.O. or statute, or any part of 31 CFR chapter V.

(c) Effective May 18, 2021, General License No. 1A, dated January 26, 2021, is replaced and superseded in its entirety by this General License No. 1B.

Bradley T. Smith,

Acting Director, Office of Foreign Assets Control.

Dated: May 18, 2021.

OFFICE OF FOREIGN ASSETS CONTROL

Executive Order 13959 of November 12, 2020

Addressing the Threat From Securities Investments That Finance Communist Chinese Military Companies, as Amended

GENERAL LICENSE NO. 2

Authorizing Securities Exchanges Operated by U.S. Persons To Engage in Transactions Involving Securities of Communist Chinese Military Companies

(a) Except as provided in paragraph (b) of this general license, all transactions and activities by securities exchanges operated by U.S. persons prohibited by section 1(a)(ii) of Executive Order (E.O.) 13959, as amended by the E.O. of January 13, 2021, involving publicly traded securities, or any securities that are derivative of, or are designed to provide investment exposure to such securities, of any entity that is listed on the Office of Foreign Assets Control's Non-SDN Communist Chinese Military Companies List (NS-CCMC List) after 12:01 a.m. eastern standard time, January 14, 2021, are authorized through 12:01 a.m. eastern time on the date that is 365 days after the date the entity is listed on the NS-CCMC List.

(b) This general license does not authorize any transactions or activities otherwise prohibited by E.O. 13959, as amended, any other E.O. or statute, or any part of 31 CFR chapter V.

Andrea Gacki,

Director, Office of Foreign Assets Control.

Dated: January 14, 2021.

Andrea M. Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2023-19133 Filed 9-5-23; 8:45 am]

BILLING CODE 4810-AL-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2023-0613]

RIN 1625-AA00

Safety Zone; Kanawha River, Mile Markers 41.5 to 42.5, Nitro, WV, Change in Dates

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a half mile radius of the Donald Legg Memorial Bridge. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by adding a center section of the bridge. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the

Captain of the Port Sector Ohio Valley (COTP) or a designated representative. This temporary final rule reflects a change in the dates of the bridge construction than we previously announced in a prior temporary final rule.

DATES: This rule is effective without actual notice from September 6, 2023 through September 18, 2023. For the purposes of enforcement, actual notice will be used from September 4, 2023 until September 6, 2023.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2023-0613 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Petty Officer Chelsea Zimmerman, Marine Safety Unit Huntington, U.S. Coast Guard, telephone 304-733-0198, email Chelsea.M.Zimmerman@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
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 previously published a temporary final rule for a safety zone on August 17, 2023, titled "Safety Zone; Kanawha River, Mile Markers 41.5 to 42.5, Nitro, WV" at 88 FR 55913. That safety zone was going to be effective August 28, 2023, through August 29, 2023. The Coast Guard received notice on August 29, 2023, that the project manager must change the dates of the bridge construction. Therefore, we must change the effective dates and enforcement times from that original safety zone temporary final rule. This rule replaces the previous rule issued on August 17, 2023, at 88 FR 55913. We will no longer be enforcing the safety zone on the dates described in that rule. Instead, this safety zone will be over the span of two weeks, from September 4, 2023, to September 18, 2023, and subject to enforcement when announced via Broadcast Notice to Mariners.

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 because publishing an NPRM would be impracticable. A safety zone is needed to alleviate safety concerns associated with construction operations for the purpose of adding the center section of the Donald Legg Memorial Bridge. It is impracticable to publish an NPRM because late notice was given for the change in enforcement dates, which now require the establishment of a safety zone by September 4, 2023, and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

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 and contrary to the public interest because we must establish the safety zone by September 4, 2023, in order to protect personnel, vessels, and the marine environment from the potential safety hazards associated with the bridge construction beginning on that date.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Sector Ohio Valley (COTP) has determined that safety needs associated with construction operations on the Donald Legg Memorial Bridge from September 4, 2023, to September 18, 2023, present a safety concern. The purpose of this rulemaking is to ensure the safety of the public surrounding regulated area before, during, and after the construction event.

IV. Discussion of the Rule

This rule establishes a safety zone that will be subject to enforcement via Broadcast Notice to Mariners from September 4, 2023, through September 18, 2023, daily between 5:30 a.m. to 8 p.m. The safety zone will cover all navigable waters between mile markers 41.5 to 42.5 on the Kanawha River. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the bridge span is being

added. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. A designated representative means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Sector Ohio Valley (COTP) in the enforcement of the safety zone.

Persons or vessels seeking to enter the safety zone must request permission from the COTP on VHF-FM channel 16 or by telephone at 1-502-779-5424. If permission is granted, all persons and vessels shall comply with the instructions of the COTP or designated representative.

The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners, Local Notices to Mariners, and/or Safety Marine Information Broadcasts as appropriate.

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. This rule has not been designated a "significant regulatory action," under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, duration, and time-of-day of the regulated area. This rule is limited to the Kanawha River from mile 41.5 to 42.5 on September 4, 2023, through September 18, 2023, and will be enforced only during the times specified. Moreover, the Coast Guard will issue Broadcast Notice to Mariners via VHF-FM marine channel 16 about the regulated area and the rule allows vessels to seek permission to enter the area.

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 safety zone 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 023–01, 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 that 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 establishing a temporary safety zone on the Kanawha River at mile 41.5 to 42.5 on September 4, 2023, through September 18, 2023. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

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 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

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, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Revise § 165.T08–0613 to read as follows:

§ 165.T08–0613 Safety Zone; Kanawha River, Mile Markers 41.5 to 42.5 Nitro, WV, Change in Dates.

(a) *Location.* The following area is a safety zone: all navigable waters of the Kanawha River from mile marker 41.5 to mile marker 42.5, extending the entire width of the river.

(b) *Definitions.* *Designated representative* means a Coast Guard Patrol Commander (PATCOM), including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Ohio Valley (COTP) in the enforcement of the regulations in this section.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP’s designated representative. The Coast Guard may patrol the event area under the direction of a designated Coast Guard Patrol Commander.

(2) To seek permission to enter, the COTP or the COTP’s representative may be contacted on Channel 16 VHF–FM (156.8 MHz) by the call sign “PATCOM”, or phone at 1–502–779–5424. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP’s designated representative.

(3) The Patrol Commander may forbid and control the movement of all vessels in the regulated area. When hailed or signaled by an official patrol vessel, a vessel shall come to an immediate stop and comply with the directions given. Failure to do so may result in expulsion

from the area, citation for failure to comply, or both.

(4) The Patrol Commander may terminate the event or the operation of any vessel at any time it is deemed necessary for the protection of life or property.

(5) The COTP will provide notice of the regulated area through advanced notice via local notice to mariners and broadcast notice to mariners and by on-scene designated representatives.

(d) *Enforcement periods.* This section will be subject to enforcement from September 4, 2023, through September 18, 2023, between 5:30 a.m. to 8 p.m.

Dated: August 30, 2023.

H.R. Mattern,

Captain, U.S. Coast Guard, Captain of the Port Sector Ohio Valley.

[FR Doc. 2023-19205 Filed 9-5-23; 8:45 am]

BILLING CODE 9110-04-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R01-OAR-2023-0188; FRL-11025-02-R1]

Air Plan Approval; New Hampshire; Reasonable Available Control Technology for the 2008 and 2015 Ozone Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving portions of State Implementation Plan (SIP) revisions submitted by the State of New Hampshire that certify that the state has adopted regulations meeting the requirements for reasonably available control technology (RACT) for the 2008 and 2015 ozone national ambient air quality standards (NAAQS), and portions of amendments to a related regulation that New Hampshire revised to fulfill RACT requirements for these two NAAQS. We are also approving a revision to the state's definition of emergency generator. These actions are being taken in accordance with the Clean Air Act.

DATES: This rule is effective on October 6, 2023.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA-R01-OAR-2023-0188. 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, *i.e.*, 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 at <https://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays and facility closures due to COVID-19.

FOR FURTHER INFORMATION CONTACT: Bob McConnell, Environmental Engineer, Air and Radiation Division (Mail Code 5-MD), U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Suite 100, Boston, Massachusetts, 02109-3912; (617) 918-1046.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

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- II. Final Action
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I. Background and Purpose

On July 10, 2023 (88 FR 43483), EPA published a Notice of Proposed Rulemaking (NPRM) for the State of New Hampshire. The NPRM proposed approval that the state has adopted regulations meeting the requirements for reasonably available control technology (RACT) for the 2008 and 2015 ozone national ambient air quality standards (NAAQS), amendments to Env-A 1300, NO_x RACT, which New Hampshire revised as part of its RACT requirements for these two ozone NAAQS, a revision to the State's definition of emergency generator to address a court decision that vacated the allowance for such engines to operate for demand-response purposes, and removal from the SIP of two previously issued RACT orders related to Merrimack Station. During the public comment period, EPA received one comment letter from the Sierra Club dated August 9, 2023, that opposed New Hampshire's NO_x RACT limits applicable to coal-fired cyclone boilers. EPA is evaluating those comments in light of our July 10, 2023 proposed approval, and will take final action on New Hampshire's NO_x RACT requirements for coal-fired cyclone

boilers and New Hampshire's request to withdraw from the SIP two previously issued RACT orders applicable to Merrimack Station boilers in a subsequent final rule. We did not receive comments on any other portions of our July 10, 2023 proposed action and are therefore approving within this final rule New Hampshire's SIP revisions presented in our July 10, 2023 proposal for all provisions for which we did not receive comments. Please see our July 10, 2023 proposed rule for additional background and a more detailed explanation of EPA's rationale related to this action.

II. Final Action

EPA is approving portions of SIP revisions submitted by the State of New Hampshire. Specifically, EPA is approving the VOC RACT certifications for the 2008 and 2015 ozone NAAQS; the NO_x RACT certifications for these same standards except for the certification regarding NO_x RACT for coal-fired cyclone boilers for which EPA received adverse comments; the state's revised NO_x RACT regulation, Env-A 1300, except for sections within Env-A 1303.06 concerning limits for coal-fired cyclone boilers for which EPA received adverse comments; and the state's revised definition of emergency generator in Regulation Env-A 100.

III. 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 New Hampshire regulation Env-A 1300, NO_x RACT, and a revision to the state's definition of emergency generator in regulation Env-A 100, which contains the state's definition of terms used within its air pollution control regulations, as discussed in Section II of this preamble and described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents generally available through <https://www.regulations.gov> and at the EPA Region 1 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the State implementation plan, have been incorporated by reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will