

local, tribal, or territorial government traveling abroad to carry out official duties in support of the U.S. government.

**DATES:** Effective February 9, 2016.

**FOR FURTHER INFORMATION CONTACT:** Alice Kottmyer, Attorney-Adviser, [kottmyeram@state.gov](mailto:kottmyeram@state.gov), 202-647-2318.

**SUPPLEMENTARY INFORMATION:** This rule was published as an interim rule on May 15, 2015 (80 FR 27856), with a 60-day period for public comments. No public comments were received.

As explained in the interim final rule, 22 CFR 51.3(b) provides that an "official passport" may be issued to: An official or employee of the U.S. government traveling abroad to carry out official duties; spouses and family members of such persons; and, when authorized by the Department of State, U.S. government contractors traveling abroad to carry out official duties on behalf of the U.S. government.

Increasingly, the federal government utilizes officials or employees of state, local, tribal, and territorial governments in support of federal activities, both domestically and overseas, such as the Federal Bureau of Investigation's Joint Terrorism Task Force. When required to travel internationally in support of such federal activities, these individuals are not currently eligible for official passports. Issuance of an official passport to such individuals signifies to foreign governments that they are carrying out official duties in support of the U.S. government. The activities undertaken by these officials are often of pressing national security, law enforcement, or humanitarian importance and occur with little advance notice. It is in the U.S. government's interest to provide these individuals the travel documents necessary to allow them to travel in a timely manner.

Under 22 U.S.C. 211a *et seq.*, the Secretary of State has the authority to make rules for the granting and issuance of passports. The Department is amending section 51.3(b) of 22 CFR to authorize issuing official passports to an official or employee of a state, local, tribal, or territorial government traveling abroad to carry out official duties in support of the U.S. government.

### Regulatory Findings

The Regulatory Findings included in the interim final rule are incorporated herein.

### List of Subjects in 22 CFR Part 51

Passports.

Accordingly, the interim rule amending 22 CFR part 51 which was

published at 80 FR 27857 on May 15, 2015, is adopted as a final rule without change.

**Patrick F. Kennedy,**

*Under Secretary for Management.*

[FR Doc. 2016-02576 Filed 2-8-16; 8:45 am]

**BILLING CODE 4710-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2016-0090]

#### Drawbridge Operation Regulation; Youngs Bay, Astoria, OR

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Oregon State highway bridge across Youngs Bay foot of Fifth Street, mile 2.4, at Astoria, OR. The common name of this bridge is Old Youngs Bay Bridge. The deviation is necessary to accommodate extensive maintenance and restoration efforts on this bridge. This deviation allows the double bascule span to operate in a single leaf mode when at least a three-hour advance notification is given by marine vessels that require an opening, and the vertical clearance of the bridge to be reduced.

**DATES:** This deviation is effective from 7 a.m. on February 15, 2016 to 11 p.m. on June 15, 2016.

**ADDRESSES:** The docket for this deviation, [USCG-2016-0090] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Steven M. Fischer, Thirteenth Coast Guard District Bridge Program Administrator, telephone 206-220-7282, email [d13-pf-d13bridges@uscg.mil](mailto:d13-pf-d13bridges@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Oregon Department of Transportation (ODOT) requested to reduce the vertical clearance of the Old Youngs Bay Bridge, mile 2.4, across Youngs Bay foot of Fifth Street at Astoria, OR, and to open half of the draw span when at least a three-hour notice is given to the bridge operator by vessels wishing to pass. The requested period of deviation is from 7

a.m. on February 15, 2016 to 11 p.m. on June 15, 2016. The deviation is necessary to accommodate extensive maintenance and restoration efforts on this bridge. The Old Youngs Bay Bridge provides a vertical clearance approximately 19 feet above mean high water when in the closed-to-navigation position. The double bascule span of the bridge will have a containment system installed which will reduce the vertical clearance by 5 feet from 19 feet above mean high water to 14 feet above mean high water. The normal operating schedule can be found in 33 CFR 117.899(b). The deviation allows the double bascule span of the Old Youngs Bay Bridge to operate single leaf when at least three-hours of notice are given by mariners requiring an opening during the deviation period. Waterway usage on Youngs Bay is primarily small recreational boaters and fishing vessels.

Vessels able to pass through the bridge in the closed positions may do so at any time. The bridge will be able to open for emergencies if a three-hour notice is given to the bridge operator, and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: February 3, 2016.

**Steven M. Fischer,**

*Bridge Administrator, Thirteenth Coast Guard District.*

[FR Doc. 2016-02486 Filed 2-8-16; 8:45 am]

**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2015-0784, FRL-9940-19-Region 9]

#### Revisions to the California State Implementation Plan, Santa Barbara County Air Pollution Control District; Permit Program

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

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the Santa Barbara County Air Pollution Control District (SBCAPCD or District) portion of the California State Implementation Plan (SIP). These revisions concern administrative and procedural requirements to obtain preconstruction permits which regulate emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

**DATES:** This rule is effective on April 11, 2016 without further notice, unless the EPA receives adverse comments by March 10, 2016. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

**ADDRESSES:** Submit comments, identified by docket number [EPA–R09–OAR–2015–0784, by one of the following methods:

1. *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the on-line instructions.

2. *Email:* [R9airpermits@epa.gov](mailto:R9airpermits@epa.gov).

3. *Mail or deliver:* Gerardo Rios (Air-3), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901. Deliveries are only accepted during the Regional Office’s normal hours of operation.

*Instructions:* All comments will be included in the public docket without

change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through [www.regulations.gov](http://www.regulations.gov) or email.

[www.regulations.gov](http://www.regulations.gov) is an “anonymous access” system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* Generally, documents in the docket for this action are available electronically at [www.regulations.gov](http://www.regulations.gov) and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901. While all documents in the docket are listed at [www.regulations.gov](http://www.regulations.gov), some information may be publicly available only at the hard copy location (e.g., copyrighted

material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Ya-Ting (Sheila) Tsai, EPA Region IX, (415) 972–3328, [Tsai.Ya-Ting@epa.gov](mailto:Tsai.Ya-Ting@epa.gov).

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

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**I. The State’s Submittal**

*A. What rules did the State submit?*

Table 1 lists the rules addressed by this proposal with the dates that they were adopted or revised by the SBCAPCD and submitted by the California Air Resources Board (CARB).

**TABLE 1—SUBMITTED RULES**

Local agency	Rule No.	Rule title	Adopted/ revised	Submitted
SBCAPCD .....	201	Permits Required .....	06/19/2008	10/20/2008
SBCAPCD .....	203	Transfer .....	04/17/1997	03/10/1998
SBCAPCD .....	204	Applications .....	04/17/1997	03/10/1998
SBCAPCD .....	206	Conditional Approval of Authority to Construct or Permit to Operate .....	10/15/1991	01/28/1992

On November 18, 2008, the EPA determined that the submittal for SBCAPCD Rule 201 met the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review. On May 21, 1998, the submittals of Rules 203 and 204 were found to meet the completeness criteria. On April 28, 1992, the

submittal for Rule 206 was found to meet the completeness criteria.

*B. Are there other versions of these rules?*

Table 2 lists the dates of the SIP approved versions of Rules 201, 203 and 206. There is no previous version of Rule 204 approved in the SIP, although the SBCAPCD adopted and revised an earlier version of this rule on April 17,

1997, and CARB submitted it to us on March 10, 1998. We approved an earlier version of Rule 201 into the SIP on May 5, 1982. The SBCAPCD adopted revisions to the SIP-approved version on April 17, 1997 and CARB submitted it to us on March 10, 1998. While we can act on only the most recently submitted version, we have reviewed materials provided with previous submittals.

**TABLE 2—SIP APPROVED RULES**

Local agency	Rule No.	Rule title	SIP approval date	Federal Register citation
SBCAPCD .....	201	Permits Required .....	05/05/1982	47 FR 19330
SBCAPCD .....	203	Transfer .....	05/18/1981	46 FR 27116
SBCAPCD .....	206	Conditional Approval of Authority to Construct or Permit to Operate .....	05/18/1981	46 FR 27116

### C. What are the purposes of the submitted rules?

Section 110(a) of the CAA requires States to submit regulations that will assure attainment and maintenance of the National Ambient Quality Air Quality Standards (NAAQS). These rules were developed as part of the local agency's general programmatic requirement to implement the requirement commonly referred to as the minor or general New Source Review (NSR) program. The revisions made by the submitted rules listed in Table 1 are mostly administrative in nature. New Rule 204 lists information required to apply for an Authority to Construct (ATC) or a Permit to Operate (PTO). Rule 201 has been reformatted for clarity. Several additions were also made to add provisions related to state law. Rules 203 and 206 have been reformatted with minor revisions for clarity. There are no substantive changes to these rules.

The TSD has more information about these rules.

## II. The EPA's Evaluation and Action

### A. How is the EPA evaluating the rules?

SIP rules must be enforceable (see CAA section 110(a)(2)), must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)), and must not modify certain SIP control requirements in nonattainment areas without ensuring equivalent or greater emissions reductions (see CAA section 193). The submitted rules, except Rule 204, are revisions to existing SIP approved general NSR permit program requirements under 40 CFR 51.160–51.164. The revisions are primarily administrative in nature (reformatting, provide additional clarity), but we also discuss the rules or portions of each rule, that serve to satisfy any of these general permit program requirements. Rule 204 contains requirements for ATC and PTO applications improving the clarity of the general NSR permit program.

### B. Do the rules meet the evaluation criteria?

These rules are consistent with CAA requirements and relevant guidance regarding enforceability and SIP revisions. These changes are mostly administrative in nature and their approval will not interfere with any applicable requirement concerning attainment and reasonable further progress, or any other CAA applicable requirement.

The TSD has more information on our evaluation.

### C. Public Comment and Final Action

As authorized in section 110(k)(3) of the Act, the EPA is fully approving the submitted rules because we believe they fulfill all relevant requirements. We do not think anyone will object to this approval, so we are finalizing it without proposing it in advance. However, in the Proposed Rules section of this **Federal Register**, we are simultaneously proposing approval of the same submitted rules. If we receive adverse comments by March 10, 2016, we will publish a timely withdrawal in the **Federal Register** to notify the public that the direct final approval will not take effect and we will address the comments in a subsequent final action based on the proposal. If we do not receive timely adverse comments, the direct final approval will be effective without further notice on April 11, 2016. This action will incorporate these rules into the federally enforceable SIP.

Please note that if the EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, the EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

## 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 the SBCAPCD rules described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents available electronically through [www.regulations.gov](http://www.regulations.gov) and in hard copy at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

## IV. 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);

- 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; and

- does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

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).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action

and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. 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 April 11, 2016. 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of this **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that the EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Particulate matter, Reporting and recordkeeping requirements.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: December 3, 2015.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended 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)(51)(xiii)(E), (F),

and (G), (c)(187)(i)(E), (c)(254)(i)(C)(6) and (7), and (c)(361)(i)(A)(4) to read as follows:

#### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*  
(51) \* \* \*  
(xiii) \* \* \*

(E) Previously approved on May 18, 1981 in paragraph (c)(51)(xiii)(A) of this section and now deleted with replacement in paragraph (c)(187)(i)(E)(1) of this section, Rule 206.

(F) Previously approved on May 18, 1981 in paragraph (c)(51)(xiii)(A) of this section and now deleted with replacement in paragraph (c)(254)(i)(C) of this section, Rules 203 and 204.

(G) Previously approved on May 18, 1981 in paragraph (c)(51)(xiii)(A) of this section and now deleted with replacement in paragraph (c)(361)(i)(A)(4) of this section, Rule 201.

\* \* \* \* \*

(187) \* \* \*  
(i) \* \* \*

(E) Santa Barbara County Air Pollution Control District.

(1) Rule 206, “Conditional Approval of Authority to Construct or Permit to Operate,” Revised October 15, 1991.

\* \* \* \* \*

(254) \* \* \*  
(i) \* \* \*  
(C) \* \* \*

(6) Rule 203, “Transfer,” revised April 17, 1997.

(7) Rule 204, “Applications,” revised April 17, 1997.

\* \* \* \* \*

(361) \* \* \*  
(i) \* \* \*  
(A) \* \* \*

(4) Rule 201, “Permits Required,” revised June 19, 2008.

\* \* \* \* \*

[FR Doc. 2016-02417 Filed 2-8-16; 8:45 am]

**BILLING CODE 6560-50-P**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA-R09-OAR-2014-0715; FRL-9941-16-Region 9]

#### Approval and Promulgation of Implementation Plans; California; San Joaquin Valley Unified Air Pollution Control District; Employer Based Trip Reduction Programs

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a regulation submitted for incorporation into the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or District) portion of the California State Implementation Plan (SIP). The regulation, Rule 9410 (Employer Based Trip Reduction), establishes requirements for employers in the San Joaquin Valley to implement programs encouraging employees to use ridesharing and alternative transportation methods to reduce air pollution. The effect of this action is to make the requirements of Rule 9410 federally enforceable as part of the California SIP.

**DATES:** This rule will be effective on March 10, 2016.

**ADDRESSES:** The EPA has established docket number EPA-R09-OAR-2014-0715 for this action. Generally, documents in the docket for this action are available electronically at <http://www.regulations.gov> or in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105-3901. While all documents in the docket are listed at <http://www.regulations.gov>, some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps, multi-volume reports), and some may not be available in either location (e.g., confidential business information (CBI)). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Buss, EPA Region IX, (415) 947-4152, [buss.jeffrey@epa.gov](mailto:buss.jeffrey@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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

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- II. Public Comments and EPA Responses
- III. EPA Action
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#### I. Proposed Action

On August 24, 2015 at 80 FR 51153, the EPA proposed to approve the following rule into the California SIP.