

(COTP) Lake Michigan or a designated representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the COTP Lake Michigan or a designated representative.

(d) *Enforcement Period.* The safety zone will be enforced from 6 a.m. to 10:30 a.m. on August 23, 2026.

R.N. Macon,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

[FR Doc. 2026-16341 Filed 8-10-26; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

33 CFR Part 334

[COE-2023-0010]

Danger Zone: Pacific Ocean at Marine Corps Base Hawaii, Kaneohe Bay, Island of Oahu, Hawaii

AGENCY: United States Army Corps of Engineers, Department of Defense.

ACTION: Final rule.

SUMMARY: The United States Army Corps of Engineers (Corps) is amending its regulations for an existing danger zone at the U.S. Marine Corps Ulupau Crater Weapons Training Range in the vicinity of Kaneohe Bay, Hawaii. The Marine Corps requested a change to the current hours that weapons firing may be conducted. This amendment is necessary in order to ensure public safety.

DATES: Effective September 10, 2026.

FOR FURTHER INFORMATION CONTACT: Ms. Linda Speerstra, Headquarters, Operations and Regulatory Division, at linda.speerstra@usace.army.mil or 202-945-2101.

SUPPLEMENTARY INFORMATION: In response to a request by the United States Marine Corps and pursuant to its authorities in Section 7 of the Rivers and Harbors Act of 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriations Act of 1919 (40 Stat. 892; 33 U.S.C. 3), the Corps is amending the danger zone regulations at 33 CFR 334.1380 to change the hours that weapons firing may be conducted at the Ulupau Crater Weapons Training Range, on the Island of Oahu, Hawaii. The amendment to the danger zone is needed for the Department of Defense to meet its mission under 10 U.S.C. 5062, which is to maintain, train, and equip combat-ready military forces, deterring aggression, and maintaining freedom of the seas. The danger zone is necessary

to protect the public from hazards associated with small arms training.

The proposed rule was published in the 88 FR 85155 edition of the **Federal Register** on December 07, 2023. The *regulations.gov* docket number was COE-2023-0010. Concurrently, a local public notice for the proposed danger zone amendment was sent out from the Honolulu District. In response to the proposed rule, three comments were received. Substantive comments are summarized below.

The State of Hawaii Office of Planning and Sustainable Development (OPSD) stated that the proposed amendment to the existing danger zone is subject to the Coastal Zone Management Act (CZMA) federal consistency review by the Hawaii CZM Program. This comment was resolved as the MCBH assessed the amendment at a CATEx level. OPSD concurred.

One person provided several comments regarding boundaries, expansion, net impact, locations of the warning beacons, frequency of firing events, Section 106, ESA, and EFH. Some of the comments were the result of errors in the text of the public notice and self-resolved. Regarding net impact of the proposed amendment to the hours of operation of the danger zone, tactical weapons training has been conducted within the Ulupau Crater since 1942 and the proposed hours of operation are similar to the hours of operation that have been in place since 2009; therefore, the proposed amendment would be consistent with onsite conditions that have been present for over 80 years. Regarding location of warning beacons, the red light beacons/flagpoles are located at 21.458833°, -157.724557° for the north-facing beacon and 21.450469°, -157.727293° for the east-facing beacon. The beacons are visible throughout the danger zone and thereby conform to safety standards. Regarding a comment about the frequency or duration of firing events, compliance with the MCBH training mission requires flexibility in the frequency and duration of firing events; therefore, frequency and duration of firing events is not specified. Regarding Section 106, ESA and EFH, the MCBH, is the lead federal agency responsible for compliance with applicable federal laws.

Procedural Requirements

a. Review Under Executive Orders 12866 and 13563. This rule is issued with respect to a military function of the Department of Defense and the provisions of Executive Order 12866 and 13563 do not apply.

b. Regulatory Flexibility Act, as Amended by the Small Business

Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 601 *et seq.* This rule has been reviewed under the Regulatory Flexibility Act (Public Law 96-354), which requires the preparation of a regulatory flexibility analysis for any regulation that will have a significant economic impact on a substantial number of small entities (*i.e.*, small businesses and small governments). The Corps determined that the amendment of existing danger zones will not have a significant economic impact on a substantial number of small entities. For an analysis of potential economic impacts of this rule, please see the regulatory analysis in the environmental assessment.

c. Review under the National Environmental Policy Act. An environmental assessment (EA) has been prepared for the amendment of the hours of operation of this danger zone. The Corps has concluded that the amendment of the hours of operation of the danger zone will not have a significant impact to the quality of the human environment and, therefore, preparation of an EIS is not required. The final EA and Finding of No Significant Impact may be reviewed at the District Office listed at the contact section listed above. Alternatively, electronic copies of the final EA and Finding of No Significant Impact may be acquired via the Freedom of Information Act request process as described at poh.usace.army.mil/Media/FOIA/.

d. Unfunded Mandates Reform Act of 1995. This rule does not impose an enforceable duty among the private sector nor state, local, and tribal governments and, therefore, it is not a Federal private sector mandate, nor a state, local, or tribal government mandate, and it is not subject to the requirements of either Section 202 or Section 205 of Public Law 104-4 (Unfunded Mandates Reform Act of 1995). We have also found that under Section 203 of the Act, small governments will not be significantly and uniquely affected by this rulemaking.

e. Congressional Review Act. The Congressional Review Act, 5 U.S.C. 801 *et seq.*, 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 Corps is submitting a report containing the final rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller

General of the United States. The rule will take effect 30 days after it is published in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 33 CFR Part 334

Danger zones, Marine safety, Navigation (water), Restricted areas, Waterways.

For the reasons stated in the preamble, the United States Army Corps of Engineers amends 33 CFR part 334 as set forth below:

PART 334—DANGER ZONE AND RESTRICTED AREA REGULATIONS

- 1. The authority citation for part 334 continues to read as follows:

Authority: 40 Stat. 266 (33 U.S.C. 1) and 40 Stat. 892 (33 U.S.C. 3).

- 2. Amend § 334.1380 by revising the first sentence of paragraph (b)(1) to read as follows:

§ 334.1380 Marine Corps Base Hawaii (MCBH), Kaneohe Bay, Island of Oahu, Hawaii—Ulupau Crater Weapons Training Range; danger zone.

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(b) *The regulations.* (1) Weapons firing at the Ulupau Crater Weapons Training Range may occur at any time between 6:00 a.m. and 2:00 a.m., Monday through Sunday.

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Stephen L. Hill,

Chief, Operations and Regulatory Division,
Directorate of Civil Works.

[FR Doc. 2026–16359 Filed 8–10–26; 8:45 am]

BILLING CODE 3720–58–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2026–5743; FRL–13518–01–R9]

Determination To Defer Sanctions; Arizona; Maricopa County Air Quality Department; Gasoline Loading

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is making an interim final determination that the Arizona Department of Environmental Quality (ADEQ) has submitted rules on behalf of the Maricopa County Air Quality Department (MCAQD or “County”) that addresses deficiencies in

its Clean Air Act (CAA or “Act”) State Implementation Plan (SIP) concerning emissions of volatile organic compounds (VOC) from loading of organic liquids and gasoline. This determination is based on a proposed approval of MCAQD Rule 352 and conditional approval of MCAQD Rule 353, published elsewhere in this issue of the **Federal Register**, that regulate this category of sources. The effect of this interim final determination is that the application of offset and highway sanctions that was triggered by a previous limited disapproval by the EPA in 2025 is now deferred. If the EPA finalizes its approval and conditional approval of MCAQD’s submission, relief from these sanctions will become permanent.

DATES: This interim final determination is effective August 11, 2026. However, comments will be accepted on or before September 10, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2026–5743 at <https://www.regulations.gov>. For comments submitted at [regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. If you need assistance in a language other than English or if you are a person with a disability 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:** Donnique Sherman, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; by telephone at: (415) 947–4129;

by email at: sherman.donnique@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, the use of “we,” “us,” or “our” is intended to refer to the EPA. We use multiple abbreviations and terms in this proposed rule. While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and acronyms here:

ADEQ—Arizona Department of Environmental Quality
APA—Administrative Procedures Act
CAA—Clean Air Act
CBI—confidential business information
CTG—Control Techniques Guidelines
EPA—U.S. Environmental Protection Agency
GDF—gasoline dispensing facility
MCAQD—Maricopa County Air Quality Department
NO_x—oxides of nitrogen
RACT—Reasonably Available Control Technology
SIP—State Implementation Plan
VOC—volatile organic compounds

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I. Executive Summary

A. What action is the EPA taking?

The EPA is making an interim final determination to defer the application of sanctions for the Phoenix-Mesa ozone nonattainment area for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS). This determination is based on a proposed rule published elsewhere in this issue of the **Federal Register**. On January 10, 2025, the EPA finalized a limited approval and limited disapproval of a SIP submittal from the ADEQ related to MCAQD rules that establish requirements to limit VOC emissions from gasoline loading operations.¹ These rules were submitted to satisfy the CAA section 182(b)(2) reasonably available control technology (RACT) requirement for these sources. The limited disapproval identified deficiencies in these rules that prevented a finding that the rules established RACT and required us to disapprove the RACT demonstration for these sources. As a result of this disapproval, the CAA requires offset sanctions under the CAA’s nonattainment New Source Review program to be triggered 18 months after the action’s effective date of February 10, 2025, and highway sanctions six

¹ 90 FR 1903, Jan. 10, 2025