

**§ 723.15 Assessment of separate violations for each day.**

\* \* \* \* \*

(b) In addition to the civil penalty provided for in paragraph (a) of this section, whenever a violation contained in a notice of violation or cessation order has not been abated within the abatement period set in the notice or order or as subsequently extended pursuant to section 521(a) of the Act, 30 U.S.C. 1271(a), a civil penalty of not less than \$2,372 will be assessed for each day during which such failure to abate continues, except that:

\* \* \* \* \*

**PART 724—INDIVIDUAL CIVIL PENALTIES**

■ 4. The authority citation for part 724 continues to read as follows:

**Authority:** 28 U.S.C. 2461, 30 U.S.C. 1201 *et seq.*, and 31 U.S.C. 3701.

■ 5. Section 724.14 is amended by revising the first sentence of paragraph (b) to read as follows:

**§ 724.14 Amount of individual civil penalty.**

\* \* \* \* \*

(b) The penalty will not exceed \$17,395 for each violation. \* \* \*

**PART 845—CIVIL PENALTIES**

■ 6. The authority citation for part 845 continues to read as follows:

**Authority:** 28 U.S.C. 2461, 30 U.S.C. 1201 *et seq.*, 31 U.S.C. 3701, Pub. L. 100–202, and Pub. L. 100–446.

■ 7. Section 845.14 is amended by revising the table to read as follows:

**§ 845.14 Determination of amount of penalty.**

\* \* \* \* \*

Points	Dollars
1 .....	63
2 .....	127
3 .....	190
4 .....	253
5 .....	316
6 .....	380
7 .....	443
8 .....	506
9 .....	569
10 .....	633
11 .....	696
12 .....	759
13 .....	822
14 .....	886
15 .....	949
16 .....	1,012
17 .....	1,075
18 .....	1,139
19 .....	1,202
20 .....	1,265
21 .....	1,328
22 .....	1,392

Points	Dollars
23 .....	1,455
24 .....	1,518
25 .....	1,581
26 .....	1,898
27 .....	2,214
28 .....	2,530
29 .....	2,725
30 .....	3,163
31 .....	3,479
32 .....	3,795
33 .....	4,112
34 .....	4,428
35 .....	4,744
36 .....	5,060
37 .....	5,377
38 .....	5,693
39 .....	6,009
40 .....	6,325
41 .....	6,642
42 .....	6,958
43 .....	7,274
44 .....	7,591
45 .....	7,907
46 .....	8,223
47 .....	8,539
48 .....	8,856
49 .....	9,172
50 .....	9,488
51 .....	9,804
52 .....	10,121
53 .....	10,437
54 .....	10,753
55 .....	11,070
56 .....	11,386
57 .....	11,702
58 .....	12,018
59 .....	12,335
60 .....	12,651
61 .....	12,967
62 .....	13,284
63 .....	13,600
64 .....	13,916
65 .....	14,232
66 .....	14,549
67 .....	14,865
68 .....	15,181
69 .....	15,497
70 .....	15,814

■ 8. Section 845.15 is amended by revising paragraph (b) introductory text to read as follows:

**§ 845.15 Assessment of separate violations for each day.**

\* \* \* \* \*

(b) In addition to the civil penalty provided for in paragraph (a) of this section, whenever a violation contained in a notice of violation or cessation order has not been abated within the abatement period set in the notice or order or as subsequently extended pursuant to section 521(a) of the Act, a civil penalty of not less than \$2,372 will be assessed for each day during which such failure to abate continues, except that:

\* \* \* \* \*

**PART 846—CIVIL PENALTIES**

■ 9. The authority citation for part 846 continues to read as follows:

**Authority:** 28 U.S.C. 2461, 30 U.S.C. 1201 *et seq.*, and 31 U.S.C. 3701.

■ 10. Section 846.14 is amended by revising the first sentence of paragraph (b) to read as follows:

**§ 846.14 Amount of individual civil penalty.**

\* \* \* \* \*

(b) The penalty will not exceed \$17,395 for each violation. \* \* \*

[FR Doc. 2016–16190 Filed 7–7–16; 8:45 am]

BILLING CODE 4310–05–P

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[Docket No. USCG–2016–0633]

**Drawbridge Operation Regulation; Housatonic River, Stratford, CT****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 Metro-North Devon Bridge across the Housatonic River, mile 3.9, at Stratford, Connecticut. This deviation is necessary to allow the bridge owner to perform timber ties replacement and steel repairs at the bridge.

**DATES:** This deviation is effective from 8 a.m. on September 6, 2016 to 8 a.m. on September 19, 2016.

**ADDRESSES:** The docket for this deviation, [USCG–2016–0633] 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 Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 514–4330, email [judy.k.leung-ye@uscg.mil](mailto:judy.k.leung-ye@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Metro-North Devon Bridge, mile 3.9, across the Housatonic River, has a vertical clearance in the closed position of 19 feet at mean high water and 25 feet at mean low water. The existing bridge operating regulations are found at 33 CFR 117.207(b).

The waterway is transited by seasonal recreational vessels.

The bridge owner, Connecticut Department of Transportation, requested a temporary deviation from the normal operating schedule to perform timber ties replacement and steel repairs at the bridge.

Under this temporary deviation, the Metro-North Devon Bridge will operate according to the schedule below:

a. From 8 a.m. on September 6, 2016 through 4 a.m. on September 9, 2016, the bridge will not open to marine traffic.

b. From 4 a.m. on September 9, 2016 through 8 a.m. on September 12, 2016, the bridge will open fully on signal upon 24 hr advance notice.

c. From 8 a.m. on September 12, 2016 through 4 a.m. on September 16, 2016, the bridge will not open to marine traffic.

d. From 4 a.m. on September 16, 2016 through 8 a.m. on September 19, 2016, the bridge will open fully on signal upon 24 hr advance notice.

Vessels able to pass under the bridge in the closed position may do so at anytime. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass.

The Coast Guard will inform the users of the waterways through our Local Notice and Broadcast to Mariners of the change in operating schedule for the bridge so that vessel operations 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: July 5, 2016.

**C.J. Bisignano,**

*Supervisory Bridge Management Specialist,  
First Coast Guard District.*

[FR Doc. 2016-16187 Filed 7-7-16; 8:45 am]

**BILLING CODE 9110-04-P**

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving elements of State Implementation Plan (SIP) submissions from New Hampshire regarding the infrastructure requirements of the Clean Air Act (CAA or Act) for the 2010 sulfur dioxide National Ambient Air Quality Standards (NAAQS). EPA is also updating the classification for two of New Hampshire's air quality control regions for sulfur dioxide based on recent air quality monitoring data collected by the state. Last, we are conditionally approving certain elements of New Hampshire's submittal relating to prevention of significant deterioration requirements.

The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under the CAA.

**DATES:** This final rule is effective on August 8, 2016.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R01-OAR-2012-0950. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the electronic docket, some information is not publicly available, *i.e.*, 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 at <http://www.regulations.gov> or at the U.S. Environmental Protection Agency, EPA New England Regional Office, Office of Ecosystem Protection, Air Quality Planning Unit, 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. **FOR FURTHER INFORMATION CONTACT:** Donald Dahl, (617) 918-1657, or by email at [dahl.donald@epa.gov](mailto:dahl.donald@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

Organization of this document. The following outline is provided to aid in locating information in this preamble.

- I. Summary of SIP Revision
- II. Public Comments

A. Sierra Club General Comments on Emission Limitations

1. The Plain Language of the CAA
2. The Legislative History of the CAA
3. Case Law
4. EPA Regulations, Such as 40 CFR 51.112(a)
5. EPA Interpretations in Other Rulemakings
- B. Sierra Club Comments on New Hampshire SIP SO<sub>2</sub> Emission Limits

III. Final Action

IV. Statutory and Executive Order Reviews

## I. Summary of SIP Revision

On June 22, 2010 (75 FR 35520), EPA promulgated a revised NAAQS for the 1-hour primary SO<sub>2</sub> at a level of 75 parts per billion (ppb), based on a 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. Pursuant to section 110(a)(1) of the CAA, states are required to submit SIPs meeting the applicable requirements of section 110(a)(2) within three years after promulgation of a new or revised NAAQS or within such shorter period as EPA may prescribe.

On September 13, 2013, the New Hampshire Department of Environmental Services (NH DES) submitted a SIP revision addressing infrastructure elements specified in section 110(a)(2) of the CAA to implement, maintain, and enforce the 2010 sulfur dioxide NAAQS. On July 17, 2015 (80 FR 42446), EPA published a notice of proposed rulemaking (NPR) for the State of New Hampshire proposing approval of New Hampshire's submittal. In the NPR, EPA proposed approval of the following infrastructure elements: Section 110(a)(2)(A), (B), (C) (enforcement and minor new source review), (D)(i)(II) (Visibility Protection), (D)(ii) (International Pollution Abatement), (E)(i) and (ii), (F), (G), (H), (J) (consultation, public notification, and visibility protection), (K), (L), and (M), or portions thereof. EPA also proposed to approve the PSD program relating to infrastructure elements (C)(ii), D(i)(II), D(ii), and (J)(iii), except to conditionally approve the aspect of the PSD program relating to notification to neighboring states. Within the same NPR, EPA also proposed taking similar action on New Hampshire's infrastructure SIP submittals for the 2008 lead, 2008 ozone, and the 2010 nitrogen dioxide standards. EPA has already finalized its action on the infrastructure SIPs for the 2008 lead, 2008 ozone, and the 2010 nitrogen dioxide standards (80 FR 78139, December 16, 2015).

In New Hampshire's September 13, 2013 infrastructure SIP for the SO<sub>2</sub> NAAQS, the state did not submit section 110(a)(2)(I) which pertains to the

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R01-OAR-2012-0950; FRL-9948-58-Region 1]

### Air Plan Approval; New Hampshire; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standards

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