

Numeric identifier	Definition	Comments and format	Mandatory (M) or optional (O)
<221> .....	Name/Key .....	Provide appropriate identifier for feature, from WIPO Standard ST.25 (2009), Appendices E and F to this subpart.	M, under the following conditions: If "n," "Xaa," or a modified or unusual L-amino acid or modified base was used in a sequence.
<222> .....	Location .....	Specify location within sequence; where appropriate, state number of first and last bases/amino acids in feature.	M, under the following conditions: If "n," "Xaa," or a modified or unusual L-amino acid or modified base was used in a sequence.
<223> .....	Other Information .....	Other relevant information; four lines maximum.	M, under the following conditions: If "n," "Xaa," or a modified or unusual L-amino acid or modified base was used in a sequence; if ORGANISM is "Artificial Sequence" or "Unknown"; if molecule is combined DNA/RNA.
<300> .....	Publication Information .....	Leave blank after <30> .....	O.
<301> .....	Authors .....	Preferably max. of 10 named authors of publication; specify one name per line; preferable format: Surname, Other Names and/or Initials.	O.
<302> .....	Title .....	.....	O.
<303> .....	Journal .....	.....	O.
<304> .....	Volume .....	.....	O.
<305> .....	Issue .....	.....	O.
<306> .....	Pages .....	.....	O.
<307> .....	Date .....	Journal date on which data published; specify as yyyy-mm-dd, MMM-yyyy or Season-yyyy.	O.
<308> .....	Database Accession Number	Accession number assigned by database, including database name.	O.
<309> .....	Database Entry Date .....	Date of entry in database; specify as yyyy-mm-dd or MMM-yyyy.	O.
<310> .....	Patent Document Number .....	Document number; for patent-type citations only. Specify as, for example, US 09/999,999.	O.
<311> .....	Patent Filing Date .....	Document filing date, for patent-type citations only; specify as yyyy-mm-dd.	O.
<312> .....	Publication Date .....	Document publication date, for patent-type citations only; specify as yyyy-mm-dd.	O.
<313> .....	Relevant Residues .....	FROM (position) TO (position) .....	O.
<400> .....	Sequence .....	SEQ ID NO should follow the numeric identifier and should appear on the line preceding the actual sequence.	M.

**Andrew Hirshfeld,**

*Commissioner for Patents, Performing the Functions and Duties of the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. 2021-22217 Filed 10-13-21; 8:45 am]

BILLING CODE 3510-16-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R01-OAR-2020-0562; FRL-8855-02-Region 1]

### Air Plan Approval; Rhode Island; Infrastructure State Implementation Plan Requirements for the 2015 Ozone Standard

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving most of a State Implementation Plan (SIP) revision submitted by the State of Rhode Island to address the infrastructure requirements of the Clean Air Act (CAA or Act) for the 2015 ozone National Ambient Air Quality Standards (NAAQS). This action does not address three requirements related to interstate transport. The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program, including provisions prohibiting emissions that will have certain adverse air quality effects in other states, are adequate to meet the state's responsibilities under the CAA. This action is being taken in accordance with the Clean Air Act.

**DATES:** This rule is effective on November 15, 2021.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R01-OAR-

2020-0562. 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.*, 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 <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:**

Alison C. Simcox, Air Quality Branch, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 05–2), Boston, MA 02109–3912, tel. (617) 918–1684, email [simcox.alison@epa.gov](mailto:simcox.alison@epa.gov).

**SUPPLEMENTARY INFORMATION:**

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

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- I. Background and Purpose
- II. Final Action
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**I. Background and Purpose**

On August 17, 2021 (86 FR 45939), EPA published a notice of proposed rulemaking (NPRM). The NPRM proposed approval of most elements of a Rhode Island SIP revision addressing the infrastructure requirements of the Clean Air Act (CAA or Act)—excluding three interstate transport provisions under section 110(a)(2)(D)(i)—for the 2015 ozone National Ambient Air Quality Standards (NAAQS). This NPRM also proposed to disapprove one element, section 110(a)(2)(H) (Future SIP revisions). However, remedying Federal regulations are already in place for this element and a disapproval requires no further action by EPA or the state.

Rhode Island submitted the formal SIP revision for the 2015 ozone NAAQS on September 23, 2020. The rationale for EPA’s proposed action is given in the NPRM and will not be restated here. No public comments were received on the NPRM.

**II. Final Action**

EPA is approving most elements of Rhode Island’s September 23, 2020, infrastructure SIP submission for the 2015 ozone NAAQS as a revision to the Rhode Island SIP. This action does not include three interstate transport provisions under section 110(a)(2)(D)(i), namely the “good neighbor” provisions at section 110(a)(2)(D)(i)(I) (also known as the State’s Transport SIP or “prongs 1 and 2”) and the provision relating to visibility protection at 110(a)(2)(D)(i)(II) (also known as “prong 4”). EPA will address these requirements for the 2015 ozone NAAQS in future actions.

In addition, we are disapproving section 110(a)(2)(H) (Future SIP revisions) because the State’s original SIP did not fully satisfy this element and Rhode Island’s September 23, 2020, submittal likewise does not address this gap. However, no further action by EPA or the State is required because remedying Federal regulations are already in place. See 40 CFR 52.2080.

Moreover, mandatory sanctions under CAA section 179 do not apply because the submittal is not required under CAA title I part D nor in response to a SIP call under CAA section 110(k)(5).

**III. 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, 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 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 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. 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 December 13, 2021. 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).)

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

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: October 6, 2021.

**Deborah Szaro,**

*Acting Regional Administrator, EPA Region 1.*

Part 52 of 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 OO—Rhode Island**

■ 2. In § 52.2070(e), amend the table by adding an entry for “Infrastructure SIP

for the 2015 Ozone NAAQS” at the end of the table to read as follows:

**§ 52.2070 Identification of plan.**

\* \* \* \* \*

(e) \* \* \*

**RHODE ISLAND NON REGULATORY**

Name of non regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approved date	Explanations
* Infrastructure SIP for the 2015 ozone NAAQS.	* Statewide .....	* 10/15/2020	* 10/14/2021, [Insert <b>Federal Register</b> citation].	* This submittal is approved with respect to the following CAA elements or portions thereof: 110(a)(2)(A); (B); (C); (D) except (D)(i)(I) and (D)(i)(II)—visibility protection; (E); (F); (G); (J); (K); (L); and (M). This submittal is disapproved for element (H). See § 52.2077.

[FR Doc. 2021–22232 Filed 10–13–21; 8:45 am]  
BILLING CODE 6560–50–P

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration****49 CFR Chapter III**

[Docket No. FMCSA–2021–0132]

RIN 2126–AC41

**General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** FMCSA amends its regulations by making technical corrections throughout the Federal Motor Carrier Safety Regulations (FMCSRs). The Agency makes minor changes to correct inadvertent errors and omissions, remove or update obsolete references, and improve the clarity and consistency of certain regulatory provisions. The Agency also makes nondiscretionary, ministerial changes that merely align regulatory requirements with the underlying statutory authority. Finally, FMCSA adds two new provisions for transparency relating to agency management and to FMCSA’s rules of organization, procedures, or practice, and makes corresponding changes to definitions, addresses, and employee titles throughout the FMCSRs.

**DATES:** This final rule is effective October 14, 2021.

**FOR FURTHER INFORMATION CONTACT:** Mr. Nicholas Warren, Regulatory Development Division, Office of Policy, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001; (202) 366–6124; [nicholas.warren@dot.gov](mailto:nicholas.warren@dot.gov).

**SUPPLEMENTARY INFORMATION:****I. Legal Basis for the Rulemaking**

Congress delegated certain powers to regulate interstate commerce to the United States Department of Transportation (DOT or Department) in numerous pieces of legislation, most notably in section 6 of the Department of Transportation Act (DOT Act) (Pub. L. 89–670, 80 Stat. 931, 937, Oct. 15, 1966). Section 6 of the DOT Act transferred to the Department the authority of the former Interstate Commerce Commission (ICC) to regulate the qualifications and maximum hours of service of employees, the safety of operations, and the equipment of motor carriers in interstate commerce (80 Stat. 939). This authority, first granted to the ICC in the Motor Carrier Act of 1935 (Pub. L. 74–255, 49 Stat. 543, Aug. 9, 1935), now appears in 49 U.S.C. chapter 315. The regulations issued under this (and subsequently enacted) authority became known as the FMCSRs, codified at 49 CFR parts 350–399. The administrative powers to enforce chapter 315 (codified in 49 U.S.C. chapter 5) were also transferred from the ICC to the DOT in 1966, and assigned first to the Federal Highway Administration (FHWA) and then to FMCSA. The FMCSA Administrator, whose powers and duties are set forth in 49 U.S.C. 113, has been delegated authority, under 49 CFR 1.81, to exercise the authority of the Secretary

over and with respect to any personnel within their respective organizations and, under 49 CFR 1.87, to carry out the motor carrier functions vested in the Secretary of Transportation. In addition, under 49 CFR 1.81a, except as otherwise specifically provided in 49 CFR part 1, the Administrator may redelegate and authorize successive redelegations of authority within FMCSA under the Administrator’s jurisdiction.

Between 1984 and 1999, several statutes added to FHWA’s authority. Various statutes authorize the enforcement of the FMCSRs, the Hazardous Materials Regulations, and the Commercial Regulations, and provide both civil and criminal penalties for violations of these requirements. These statutes include the Motor Carrier Safety Act of 1984 (Pub. L. 98–554, Title II, 98 Stat. 2832, Oct. 30, 1984), codified at 49 U.S.C. chapter 311, subchapter III; the Commercial Motor Vehicle Safety Act of 1986 (Pub. L. 99–570, Title XII, 100 Stat. 3207–170, Oct. 27, 1986), codified at 49 U.S.C. chapter 313; the Hazardous Materials Transportation Uniform Safety Act of 1990, as amended (Pub. L. 101–615, 104 Stat. 3244, Nov. 16, 1990), codified at 49 U.S.C. chapter 51; the Omnibus Transportation Employee Testing Act of 1991 (Pub. L. 102–143, Title V, 105 Stat. 917, 952, Oct. 28, 1991), codified at 49 U.S.C. 31306; the ICC Termination Act of 1995 (Pub. L. 104–88, 109 Stat. 803, Dec. 29, 1995), codified at 49 U.S.C. chapters 131–149; and the Transportation Equity Act for the 21st Century (Pub. L. 105–178, 112 Stat. 107, June 9, 1998).

The Motor Carrier Safety Improvement Act of 1999 (Pub. L. 106–159, 113 Stat. 1748, Dec. 9, 1999) established FMCSA as a new operating