The Coast Guard is establishing a temporary safety zone for all vessels on the Ohio River between mile 603.4 and mile 605.4, extending the entire width of the Ohio River. Maintenance on the bridge is expected to occur from 7:00 a.m. to 1:00 p.m. on 6/9/2015, 7:00 a.m. to 1:00 p.m. on 6/10/2015, 7:00 a.m. to 1:00 p.m. on 6/16/2015, 7:00 a.m. to 1:00 p.m. on 6/17/2015, 7:00 a.m. to 1:00 p.m. on 6/23/2015, and 7:00 a.m. to 10:00 p.m. on 7/7/2015, unless it is completed earlier. The COTP, or a designated representative, will provide information as to when the safety zone is effective. Deviation from this temporary safety zone is prohibited unless specifically authorized by the COTP Ohio Valley, or a designated representative.

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed this rule under those executive orders.
communicated to the marine community via BNM and through local notice to mariners (LNM). The impacts on navigation will be limited to ensuring the safety of mariners and vessels associated with hazards associated with the maintenance on the L&I RR Bridge.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. 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. 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.

This rule will affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit the Ohio River, from 7:00 a.m. to 1:00 p.m. on 6/9/2015, 7:00 a.m. to 1:00 p.m. on 6/10/2015, 7:00 a.m. to 1:00 p.m. on 6/16/2015, 7:00 a.m. to 1:00 p.m. on 6/17/2015, 7:00 a.m. to 1:00 p.m. on 6/23/2015, and 7:00 a.m. to 10:00 p.m. on 7/07/2015 or until maintenance on the L&I RR Bridge is complete, whichever occurs earlier. This temporary safety zone will not have a significant economic impact on a substantial number of small entities because maintenance work is only expected to be done during certain hours. Requests to deviate from the rule will be considered on a case-by-case basis. Notifications to the marine community will be made through BNM, LNM, and communications with local waterway users. Notices of changes to the safety zone and effective times will also be made.

3. Assistance for Small Entities

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 contact the person listed in the FOR FURTHER INFORMATION CONTACT, above.

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.

4. 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).

5. Federalism

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 determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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.

7. 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.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

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.

12. Energy Effects

This action is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (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 is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist and a categorical exclusion determination will be made available as indicated under the ADDRESSES section. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

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:


2. A new temporary § 165.T08–0505 is added to read as follows:

§ 165.T08–0505 Safety Zone; Ohio River between mile 603.4 and 605.4, Louisville, KY.

(a) Location. The following area is a safety zone: All waters of the Ohio River between mile 603.4 and mile 605.4, Louisville, KY, extending the entire width of the Ohio River.

(b) Effective dates. This safety zone is effective and enforceable with actual notice from June 9, 2015 to July 7, 2015 or until maintenance on the L&I RR Bridge is complete, whichever occurs earlier.

(c) Regulations. (1) In accordance with the general regulations in § 165.23, entry into this zone is prohibited unless authorized by the Captain of the Port (COTP) Ohio Valley or a designated representative.

(2) Persons or vessels desiring to enter into or passage through the zone must request permission from the COTP Ohio Valley or a designated representative. They may be contacted on VHF–FM channel 16 or by telephone at 1–502–5424.

(3) If permission is granted, all persons and vessels shall comply with the instructions of the COTP Ohio Valley or designated representative.

(d) Informational broadcasts. The COTP Ohio Valley or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the emergency safety zone as well as any changes in the dates and times of enforcement.

Dated: June 8, 2015.

R.V. Timme,
Captain, U.S. Coast Guard, Captain of the Port Ohio Valley.

[FR Doc. 2015–15927 Filed 6–26–15; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[DOcket No. USC–2015–0532]

RIN 1625–AA00

Safety Zone, Fourth of July Fireworks, Lake Winnebago; Menasha, Wisconsin

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on a portion of the Fox River and Lake Winnebago in Menasha, Wisconsin. This safety zone is intended to restrict vessels from a portion of the Fox River and Lake Winnebago due to a fireworks display. This temporary safety zone is necessary to protect the surrounding public and vessels from the hazards associated with the fireworks display.

DATES: This rule is effective from 8:45 p.m. until 10:30 p.m. on July 4, 2015.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2015–0532. To view documents mentioned in this preamble as being available in the docket, go to 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 rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, contact or email MST1 Joseph McCollum, U.S. Coast Guard Sector Lake Michigan, at 414–747–7148 or Joseph.P.Mccollum@uscg.mil. If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 1–800–647–5527.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security FR Final Rule NPRM Notice of Proposed Rulemaking TFR Temporary Final Rule

A. Regulatory History and Information

On February 18, 2015, the Coast Guard published an FR in the Federal Register which listed safety zones corresponding to annual marine events in the Sector Lake Michigan zone (80 FR 8536). This FR included the safety zone for the City of Menasha 4th of July Fireworks in Menasha, WI (the subject of this TFR). Because the City of Menasha 4th of July Fireworks is expected to be launched this year from a different location than that which is listed in the FR, the Coast Guard is issuing this TFR.

The Coast Guard is issuing this TFR 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 an NPRM with respect to this rule because doing so would be impracticable and contrary to the public interest. The final details for this event were not known to the Coast Guard until there was insufficient time remaining before the event to publish an NPRM. Specifically, the Coast Guard was not informed of the new location planned for the fireworks launch location until the end of May, 2015. Thus, delaying the effective date of this rule to wait for a comment period to run would be both impracticable and contrary to the public interest because it would inhibit the Coast Guard’s ability to protect the public and vessels from the hazards associated with the barge-based fireworks display.

B. Basis and Purpose

The legal basis for this rule is the Coast Guard’s authority to establish safety zones: 33 U.S.C. 1231; 33 CFR 1.05–1, 160.5; Department of Homeland Security Delegation No. 0170.1.

On July 4, 2015, the City of Menasha is expected to hold its annual 4th of July fireworks display. This fireworks display will be launched from a barge within the waters of the Fox River. The Captain of the Port Lake Michigan has determined that this fireworks display will pose a significant risk to public