

**SUPPLEMENTARY INFORMATION:** The system, Records Maintained by the Office of Civil Rights, designated as STATE-09, supports the Office of Civil Rights, Department of State, in the investigation, processing, and resolution of informal and formal complaints of discrimination filed against the Department in accordance with 29 CFR part 1614 and the Department's internal procedures for addressing Equal Employment Opportunity (EEO) complaints; in the investigation, processing, and resolution of complaints of discrimination under 42 U.S.C. 2000d; and complaints under 20 U.S.C. 1681, 29 U.S.C. 794 and 794d, 42 U.S.C. 6101, 29 U.S.C. 621, and 36 CFR chapter XI.

For additional background, see the notice of proposed rulemaking and the system of records notice published on July 14, 2015 (80 FR 40951 and 80 FR 41137, respectively). The Department received no public comment on these documents.

#### List of Subjects in 22 CFR Part 171

Privacy.

For the reasons stated in the preamble, 22 CFR part 171 is amended as follows:

#### PART 171—[AMENDED]

■ 1. The authority citation for part 171 continues to read as follows:

**Authority:** 5 U.S.C. 552, 552a; 22 U.S.C. 2651a; Public Law 95-521, 92 Stat. 1824, as amended; E.O. 13526, 75 FR 707; E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235.

#### § 171.36 [Amended]

■ 2. Section 171.36 is amended by adding an entry, in alphabetical order, for "Records Maintained by the Office of Civil Rights, STATE-09" to the lists in paragraphs (b)(5) and (6).

**Joyce A. Barr,**

*Assistant Secretary for Administration, U.S. Department of State.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2015-1121]

RIN 1625-AA00

#### Safety Zone; Upper Mississippi River and Illinois River, MO and IL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing emergency temporary safety zones for all waters of the Upper Mississippi River (UMR) between miles 109.9 and 185.5 and all waters of the Illinois River (ILR) between miles 0 and 128.9. The emergency safety zones are needed to protect persons, property, and infrastructure from potential damage and safety hazards associated with high waters. Entry of vessels or persons into these zones is prohibited unless specifically authorized by the Captain of the Port (COTP). Deviation from the safety zones may be requested and will be considered on a case-by-case basis as specifically authorized by the Captain of the Port (COTP) or a designated representative.

**DATES:** This rule is effective without actual notice from January 20, 2016 until 11:59 p.m. on January 22, 2016. For the purposes of enforcement, actual notice will be used from 3:00 p.m. on December 28, 2015 until January 20, 2016.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2015-1121 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email LCDR Sean Peterson, Chief of Prevention, U.S. Coast Guard; telephone 314-269-2332, email [Sean.M.Peterson@uscg.mil](mailto:Sean.M.Peterson@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

BNM Broadcast Notice to Mariners  
CFR Code of Federal Regulations  
COTP Captain of the Port  
DHS Department of Homeland Security  
E.O. Executive order  
FR Federal Register  
ILR Illinois River  
NPRM Notice of proposed rulemaking  
Pub. L. Public Law  
§ Section  
UMR Upper Mississippi River  
U.S.C. United States Code

##### II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule 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 a notice of proposed rulemaking (NPRM) with respect to this rule because of the increased safety risks caused by high waters on the UMR and ILR. On December 28, 2015, the Coast Guard determined that immediate action is necessary to establish emergency safety zones to protect life and property from the hazards associated with and resulting from high waters. It is impracticable to publish an NPRM because we must establish these safety zones by December 28, 2015. Broadcast Notices to Mariners (BNM) and information sharing with waterway users will update mariners of the closures and enforcement times during this emergency situation.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Providing 30 days notice would be contrary to public interest because immediate action is needed to protect life and property from the hazards associated with and resulting from high waters.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Upper Mississippi River determined that potential hazards associated with and resulting from high waters and related recovery efforts are present in the area. These hazards require additional safety measures in the form of safety zones extending from mile 109.9 to 185.5 on the UMR and mile 0 to 128.9 on the ILR to protect those operating in the area and for the Coast Guard to maintain navigational safety.

##### IV. Discussion of the Rule

The Coast Guard is establishing two temporary emergency safety zones prohibiting access to the UMR between miles 109.9 and 185.5 and the ILR between miles 0 and 128.9, extending the entire widths of the rivers beginning at 3:00 p.m. on December 28, 2015, through 11:59 p.m. on January 22, 2016 or until waters recede and conditions allow for safe navigation, whichever occurs earlier. Deviation from the emergency safety zones may be requested and will be considered on a case-by-case basis as specifically authorized by the COTP or a designated representative. Deviation requests will

be considered and reviewed on a case-by-case basis. The COTP may be contacted by telephone at 314-269-2332 or can be reached by VHF-FM channel 16.

## V. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders (E.O.s) related to rulemaking. Below we summarize our analyses based on a number of these statutes and E.O.s, and we discuss First Amendment rights of protestors.

### A. Regulatory Planning and Review

E.O.s 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a "significant regulatory action," under E.O. 12866. Accordingly, it has not been reviewed by the Office of Management and Budget. This rule establishes temporary emergency safety zones placing restrictions on vessels transiting the UMR between miles 109.9 and 185.5 and the ILR between miles 0 and 128.9. Notifications of enforcement times will be communicated to the marine community via BNM. The impacts on navigation will be limited to ensure the safety of mariners and vessels during hazardous conditions associated with high waters.

### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. 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.

While some owners or operators of vessels intending to transit the safety zones may be small entities, for the reasons stated in section V. A. above, this rule will not have significant economic impact on any vessel owner or operator.

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** section.

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.

### C. 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).

### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under E.O. 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 have determined that it is consistent with the fundamental federalism principles and preemption requirements described in E.O. 13132.

Also, this rule does not have tribal implications under E.O. 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. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

### E. 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.

### F. 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 (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 involves a closure of the UMR between miles 109.9 and 185.5 and the ILR between miles 0 and 128.9. It is categorically excluded from further review under paragraph 34(g) of Figure 2-1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

### G. 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.

### 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:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T08–1121 to read as follows:

**§ 165.T08–1121 Safety Zone; Upper Mississippi River between miles 109.9 and 185.5; and Illinois River between miles 0 and 128.9; MO and IL.**

(a) *Location.* The following areas are safety zones:

(1) All waters of the Upper Mississippi River between miles 109.9 and 185.5, extending the entire width of the river; and

(2) All waters of the Illinois River between miles 0 and 128.9, extending the entire width of the river.

(b) *Definitions.* *Designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officers operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port (COTP) Upper Mississippi River in the enforcement of the safety zones.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zones described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative via VHF–FM channel 16, or through Coast Guard Sector Upper Mississippi River at 314–269–2332. Those in the safety zones must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This rule is effective from 3:00 p.m. on December 28, 2015 through 11:59 p.m. on January 22, 2016, or until waters recede and conditions allow for safe navigation, whichever occurs first.

(e) *Informational broadcasts.* The COTP or a designated representative will inform the public through broadcasts notice to mariners of the enforcement period for the emergency safety zones as well as any changes in the dates and times of enforcement.

Dated: December 28, 2015.

**R.S. Rhodes,**

*Commander, U.S. Coast Guard, Alternate Captain of the Port Upper Mississippi River.*

[FR Doc. 2016–01017 Filed 1–19–16; 8:45 am]

**BILLING CODE 9110–04–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R03–OAR–2014–0475; FRL–9941–36–Region 3]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County's Adoption of Control Techniques Guidelines for Four Industry Categories for Control of Volatile Organic Compound Emissions**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is converting a conditional approval of a state implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania on behalf of the Allegheny County Health Department (ACHD) to a full approval. This SIP revision includes amendments to the ACHD Rules and Regulations, Article XXI, Air Pollution Control, and meets the requirement to adopt reasonably available control technology (RACT) for sources covered by EPA's control techniques guidelines (CTG) for the following categories: miscellaneous metal and/or plastic parts surface coating processes; automobile and light-duty truck assembly coatings; miscellaneous industrial adhesives; and fiberglass boat manufacturing materials. Upon review of the submittal, EPA found that the average monomer volatile organic compound (VOC) content limits were referenced but not included in the regulation for fiberglass boat manufacturing materials. ACHD has revised the regulation and submitted the table of VOC content limits for fiberglass boat manufacturing materials to EPA in order to address specific RACT requirements for Allegheny County. Therefore, EPA is converting the conditional approval of the revisions to the Pennsylvania SIP to a full approval in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on February 19, 2016.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2014–0475. 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 through [www.regulations.gov](http://www.regulations.gov) or may be viewed during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the state submittal are available at the Allegheny County Health Department, Bureau of Environmental Quality, Division of Air Quality, 301 39th Street, Pittsburgh, Pennsylvania 15201 and at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

**FOR FURTHER INFORMATION CONTACT:** Irene Shandruk, (215) 814–2166, or by email at [shandruk.irene@epa.gov](mailto:shandruk.irene@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 172(c)(1) of the CAA provides that SIPs for nonattainment areas must include reasonably available control measures (RACT), including RACT, for sources of emissions. Section 182(b)(2)(A) provides that for certain nonattainment areas, states must revise their SIP to include RACT for sources of VOC emissions covered by a CTG document issued after November 15, 1990 and prior to the area's date of attainment. In 2008, EPA developed new CTGs for miscellaneous metal and plastic parts coatings, automobile and light-duty assembly coatings, miscellaneous industrial adhesives, and fiberglass boat manufacturing materials.

**II. Summary of SIP Revision**

On November 15, 2013, the Pennsylvania Department of Environmental Protection (PADEP) submitted to EPA on behalf of ACHD a SIP revision concerning the adoption of the EPA CTGs for miscellaneous metal and/or plastic parts surface coating processes, automobile and light-duty truck assembly coatings, miscellaneous industrial adhesives, and fiberglass boat manufacturing materials in Allegheny County. These ACHD regulations, with a state effective date of June 8, 2013, are contained in the ACHD Rules and Regulations, Article XXI, Air Pollution Control sections 2105.83 (Control of VOC Emissions from Miscellaneous Metal and/or Plastic Parts Surface Coating Processes), 2105.84 (Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coatings), 2105.85 (Control of VOC Emissions from Miscellaneous Industrial Adhesives),