

Guard; telephone 757-668-5580, [hamptonroadswaterway@uscg.mil](mailto:hamptonroadswaterway@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce special local regulations in 33 CFR 100.501 from 1 p.m. until 4 p.m. on October 15, 2017, with a rain date of October 29, 2017, for the Poquoson Seafood Festival Workboat Race at Poquoson, VA. This action is being taken to provide for the safety of life on navigable waterways during the power boat race. Our regulation for recurring marine events within the Fifth Coast Guard District, § 100.501, specifies the location for this special local regulation; Race area: The area is bounded on the north by a line drawn along latitude 37°06'30" N., bounded on the south by a line drawn along latitude 37°06'15" N., bounded on the east by a line drawn along longitude 076°18'52" W. and bounded on the west by a line drawn along longitude 076°19'30" W. Buffer area: The waters of Back River extending 200 yards outwards from east and west boundary lines, and 100 yards outwards from the north and south boundary lines described in this section. As specified in § 100.501(c), during the enforcement period, no vessel may transit this regulated area without approval from the Captain of the Port (COTP)—Sector Hampton Roads or a COTP designated representative.

This notice of enforcement is issued under authority of 33 CFR 100.501 and 5 U.S.C. 552(a). This notice of enforcement will be published in the **Federal Register**, Local Notice to Mariners, and conveyed in marine information broadcasts.

Dated: August 1, 2017.

**Richard J. Wester,**

*Captain, U.S. Coast Guard, Captain of the Port, Hampton Roads, VA.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2017-0524]

#### Drawbridge Operation Regulation; Mill River, New Haven, CT

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation; modification.

**SUMMARY:** The Coast Guard has modified a temporary deviation from the operating schedule that governs the

Chapel Street Bridge across the Mill River, mile 0.4 at New Haven, Connecticut. This modified deviation is necessary to accommodate delays to the bridge deck replacement and various repairs. This modified deviation allows the bridge to open for the passage of vessels upon two hours of advance notice as well as a twelve day closure of the draw to all vessel traffic.

**DATES:** This modified deviation is effective without actual notice from August 8, 2017 through 11:59 p.m. on September 9, 2017. For purposes of enforcement, actual notice will be used from 12:01 a.m. on August 1, 2017 until August 8, 2017.

**ADDRESSES:** The docket for this deviation, USCG-2017-0524, 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 James M. Moore, Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard; telephone 212-514-4334, email [James.M.Moore2@uscg.mil](mailto:James.M.Moore2@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The City of New Haven, the owner of the bridge, requested a temporary deviation from the normal operating schedule to facilitate rehabilitation of the bridge, specifically replacement of the bridge deck. The Chapel Street Bridge, across the Mill River, mile 0.4 at New Haven, Connecticut offers mariners a vertical clearance of 7.9 feet at mean high water and 14 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.213(d).

On July 6, 2017, the Coast Guard published a temporary deviation entitled "Drawbridge Operation Regulation; Mill River, New Haven, CT" in the **Federal Register** (82 FR 31253). Under that temporary deviation, the Chapel Street Bridge would open for mariners provided a two hour advance notice was furnished to the owner of the bridge (with the bridge authorized to remain closed during weekday rush hour timeframes with the exception of recognized federal holidays) and the draw would remain closed to all vessels requiring an opening from 12:01 a.m. July 27, 2017 until 11:59 p.m. August 7, 2017 to facilitate the pouring/curing of new bridge deck material. The draw would then revert to opening for mariners given two hours of advance notice until September 9, 2017.

Due to project delays precipitated by the discovery of advanced corrosion of

the steel deck grid prior to the planned pouring of concrete deck material as well as associated remediation of the same corrosion, the City of New Haven has requested that until 11:59 p.m. August 9, 2017 the draw of the Chapel Street Bridge open for the passage of vessels requiring an opening provided two hours of advance notice is furnished to the owner of the bridge; except that, from 7:30 a.m. to 8:30 a.m. and 4:45 p.m. to 5:45 p.m., Monday through Friday, except Federal holidays, the draw need not open for the passage of vessel traffic. The bridge will remain closed to all vessels requiring an opening from 12:01 a.m. August 10, 2017 until 11:59 p.m. August 21, 2017 to facilitate the pouring/curing of new bridge deck material. From 12:01 a.m. August 22, 2017 until 11:59 p.m. September 9, 2017 the bridge will open for the passage of vessels requiring an opening provided two hours of advance notice is furnished to the owner of the bridge; except that from 7:30 a.m. to 8:30 a.m. and 4:45 p.m. to 5:45 p.m., Monday through Friday, except Federal holidays, the draw need not open for the passage of vessel traffic.

The bridge routinely opens for commercial vessels. Nevertheless, the requirement for two hours of advance notice has not impeded routine waterway operations. Mariners have offered no objection to a twelve day closure of the draw in order to complete the necessary deck replacement. The concrete pour and curing process can be accomplished in four days, but a twelve day closure period has been requested in order to take inclement weather into account. The bridge will resume operations as soon as the curing process has been completed. The City of New Haven has maintained open lines of communication with waterway operators and ensured all project developments are quickly disseminated to all relevant parties.

Vessels that can pass under the bridge without an opening may do so at all times. The bridge will be not able to open for emergencies. There is no alternate route for vessels to pass.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators 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: August 2, 2017.

**Christopher J. Bisignano**,  
Supervisory Bridge Management Specialist,  
First Coast Guard District.

[FR Doc. 2017-16644 Filed 8-7-17; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R04-OAR-2016-0213; FRL-9965-56-Region 4]

#### Air Plan Approval; Kentucky; Infrastructure Requirements for the 2012 PM<sub>2.5</sub> National Ambient Air Quality Standard

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve portions of the State Implementation Plan (SIP) submission, submitted on February 8, 2016, by the Commonwealth of Kentucky, through the Energy and Environment Cabinet, Department for Environmental Protection, through the Kentucky Division for Air Quality (KDAQ), to demonstrate that the State meets the infrastructure requirements of the Clean Air Act (CAA or Act) for the 2012 Annual Fine Particulate Matter (PM<sub>2.5</sub>) national ambient air quality standard (NAAQS). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance and enforcement of each NAAQS promulgated by EPA, which is commonly referred to as an "infrastructure" SIP. KDAQ certified that the Kentucky SIP contains provisions that ensure the 2012 Annual PM<sub>2.5</sub> NAAQS is implemented, enforced, and maintained in Kentucky. EPA has determined that portions of Kentucky's SIP satisfy certain infrastructure elements for the 2012 Annual PM<sub>2.5</sub> NAAQS.

**DATES:** This rule will be effective September 7, 2017.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2016-0213. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information 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 either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. EPA requests that if at all possible, you contact the person 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 Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Tiereny Bell, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. Ms. Bell can be reached via electronic mail at [bell.tiereny@epa.gov](mailto:bell.tiereny@epa.gov) or via telephone at (404) 562-9088.

#### SUPPLEMENTARY INFORMATION:

##### I. Background and Overview

On December 14, 2012 (78 FR 3086, January 15, 2013), EPA promulgated a revised primary annual PM<sub>2.5</sub> NAAQS. The standard was strengthened from 15.0 micrograms per cubic meter (µg/m<sup>3</sup>) to 12.0 µg/m<sup>3</sup>. 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. Section 110(a)(2) requires states to address basic SIP elements such as requirements for monitoring, basic program requirements and legal authority that are designed to assure attainment and maintenance of the NAAQS. States were required to submit such SIPs for the 2012 Annual PM<sub>2.5</sub> NAAQS to EPA no later than December 14, 2015.

In a proposed rulemaking published May 10, 2017 (82 FR 21751), EPA proposed to approve portions of Kentucky's February 8, 2016 SIP submission for the 2012 Annual PM<sub>2.5</sub> NAAQS, with the exception of the interstate transport requirements of section 110(a)(2)(D)(i)(I) and (II) (prongs 1, 2, and 4) and the minor source program requirement of section 110(a)(2)(C), for which EPA did not

propose any action. With respect to the interstate transport requirements of section 110(a)(2)(D)(i)(I) and (II) (prongs 1, 2 and 4), EPA will consider these requirements in relation to Kentucky's 2012 Annual PM<sub>2.5</sub> NAAQS infrastructure submission in a separate rulemaking. The details of Kentucky's submission and the rationale for EPA's actions for this final rule are explained in the May 10, 2017, proposed rulemaking. Comments on the proposed rulemaking were due on or before June 9, 2017. EPA did not receive any comments, adverse or otherwise.

##### II. Final Action

With the exception of the interstate transport requirements of section 110(a)(2)(D)(i)(I) and (II) (prongs 1, 2, and 4) and the minor source program requirement of section 110(a)(2)(C), EPA is taking final action to approve Kentucky's infrastructure submission for the 2012 Annual PM<sub>2.5</sub> NAAQS. EPA notes that the Agency is not approving any specific rule, but rather approving that Kentucky's already approved SIP meets certain CAA requirements. EPA is taking final action to approve portions of Kentucky's infrastructure SIP submission for the 2012 Annual PM<sub>2.5</sub> NAAQS because it is consistent with section 110 of the CAA.

##### III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. *See* 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 CAA. 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