III. Discussion of Proposed Rule

The COTP is proposing to establish a safety zone from 7:30 a.m. on October 17, 2017, through 6:30 p.m. on November 01, 2017. The safety zone would include all navigable waters between MM 147.5 and MM 148.5 on the UMR and would be enforced from 7:30 a.m. to 6:30 p.m. each day or until conditions allow for safe navigation, whichever occurs earlier. The duration of the zone is intended to ensure the safety of the vessels on the navigable waters during the high wire work. No vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 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. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This NPRM has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, duration, and time of day of the safety zone. This proposed rule would have minimum impact on navigable waterway vessel traffic because it will only be in effect during daylight hours from 7:30 a.m. to 6:30 p.m., and would restrict transit in and through a section of the UMR of one mile. Moreover, the Coast Guard would issue a BNM (Broadcast Notice to Mariners) via VHF–FM radio channel 16 about the zone and the proposed rule would allow vessels to seek permission to enter the zone.

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 proposed rule would 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
zone may be small entities, for the
reasons stated in section V.A. above,
this rule will not have a significant
economic impact on any vessel owner
or operator.
If you think that your business,
organization, or governmental
jurisdiction qualifies as a small entity
and that this rule would have a
significant economic impact on it,
please submit a comment (see
ADDRESSES) explaining why you think it
qualifies and how and to what degree
this rule would economically affect it.
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 proposed 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. The Coast Guard will
not retaliate against small entities that
question or complain about this
proposed rule or any policy or action of
the Coast Guard.

C. Collection of Information
This proposed rule would not call for
a new collection of information under
the Paperwork Reduction Act of 1995

D. Federalism and Indian Tribal
Governments
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 proposed rule
under that Order and have determined
that it is consistent with the
fundamental federalism principles and
preemption requirements described in
Executive Order 13132.
Also, this proposed rule does not have
tribal implications under Executive
Order 13175, Consultation and
Coordination with Indian Tribal
Governments, because it would 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 proposed rule has
implications for federalism or Indian
tribes, please contact the person listed
in the FOR FURTHER INFORMATION
CONTACT section.

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
proposed rule would not result in such
an expenditure, we do discuss the
effects of this rule elsewhere in this
preamble.

F. Environment
We have analyzed this proposed rule
under Department of Homeland
Security Management Directive 023–01
and Commandant Instruction
M16475.ID, which guide the Coast
Guard in complying with the National
Environmental Policy Act of 1969 (42
U.S.C. 4321–4370f), and have made a
preliminary determination 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 proposed rule
involves a safety zone on the UMR from
MM 147.5 to MM 148.5. Normally such
actions are categorically excluded from
further review under paragraph 34(g) of
Figure 2–1 of Commandant Instruction
M16475.ID. A preliminary Record of
Environmental Consideration (REC)
supporting this determination is
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
proposed 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.

V. Public Participation and Request for
Comments
We view public participation as
essential to effective rulemaking, and
will consider all comments and material
received during the comment period.
Your comment can help shape the
outcome of this rulemaking. If you
submit a comment, please include the
docket number for this rulemaking,
indicate the specific section of this
document to which each comment
applies, and provide a reason for each
suggestion or recommendation. We
encourage you to submit comments
through the Federal eRulemaking Portal
at http://www.regulations.gov. If your
material cannot be submitted using
http://www.regulations.gov, contact the
person in the FOR FURTHER INFORMATION
CONTACT section of this document for
alternate instructions.
We accept anonymous comments. All
comments received will be posted
without change to http://
www.regulations.gov and will include
any personal information you have
provided. For more about privacy and
the docket, visit http://
www.regulations.gov/privacyNotice.

Documents mentioned in this NPRM
as being available in the docket, and all
public comments, will be in our online
docket at http://www.regulations.gov
and can be viewed by following that
Web site’s instructions. Additionally, if
you go to the online docket and sign up
for email alerts, you will be notified
when comments are posted or a final
rule is published.

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 proposes to
amend 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:
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.T08–0585 to read as
follows:

§ 165.T08–0585 Safety Zone; Upper
Mississippi River 147.5 to 148.5, Crystal
City, MO.
(a) Location. The following area is a
safety zone: All navigable waters of the
Upper Mississippi River mile 147.5 to
148.5, Crystal City, MO.
(b) Definitions. As used in this
section, designated representative
means a Coast Guard Patrol
Commander, including a Coast Guard
coxswain, petty officer, or other officer
operating a Coast Guard vessel and a
Federal, State, and local officer
designated by or assisting the Captain of
the Port Upper Mississippi River
(COTP) in the enforcement of the safety
zone.
(c) Regulations. (1) Under the general
safety zone regulations in subpart C of
this part, you may not enter the safety zone 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 zone must comply with all lawful orders or directions given to them by the COTP or the COTP’s designated representative.

(d) Enforcement period. This section will be enforced from 7:30 a.m. on October 17, 2017 through 6:30 p.m. on November 01, 2017.

(e) Informational broadcasts. The COTP or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone.


S. A. Stoermer,
Captain, U.S. Coast Guard, Captain of the Port Upper Mississippi River.
[FR Doc. 2017–16766 Filed 8–8–17; 8:45 am]
BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80
RIN 2060–AT61

Relaxation of the Federal Reid Vapor Pressure (RVP) Gasoline Volatility Standard for Several Parishes in Louisiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve an April 10, 2017 request from the Louisiana Department of Environmental Quality (LDEQ) to relax the Federal Reid Vapor Pressure (RVP) volatility standard applicable to gasoline introduced into commerce from June 1 to September 15 of each year for the following parishes: Beauregard, Calcasieu, Jefferson, Lafayette, Lafourche, Orleans, Pointe Coupee, St. Bernard, St. Charles, St. James, and St. Mary. For this action, EPA is proposing to amend the regulations to allow the RVP volatility standard for the 11 named parishes to increase from 7.8 pounds-per-square-inch (psi) to 9.0 psi for gasoline sold within those parishes. EPA has preliminarily determined that this change to the Federal gasoline RVP volatility regulation is consistent with the applicable provisions of the Clean Air Act (CAA). LDEQ has also requested that EPA relax summertime gasoline volatility requirements for the 5-parish Baton Rouge area, and EPA will address that request in a separate rulemaking at a later date.

DATES: Written comments must be received on or before September 8, 2017 unless a public hearing is requested by August 24, 2017. If EPA receives such a request, we will publish information related to the timing and location of the hearing and announce a new deadline for public comment.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2016–0683, to the Federal eRulemaking Portal: https://www.regulations.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. EPA may publish any comment received by its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information disclosure of which is restricted by statute. If you need to include CBI as part of your comment, please consult the instructions available at http://www.epa.gov/dockets/comments.html. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make.

For additional submission methods, the full EPA public comment policy, and general guidance on making effective comments, please see the information available at http://www.epa.gov/dockets/comments.html.

FOR FURTHER INFORMATION CONTACT: Dave Sosnowski, Office of Transportation and Air Quality, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, Michigan 48105; telephone number: (734) 214–4823; fax number: (734) 214–4052; email address: sosnowski.dave@epa.gov. You may also contact Rudolph Kapichak at the same address; telephone number: (734) 214–4574; fax number: (734) 214–4052; email address: kapichak.rudolph@epa.gov.

SUPPLEMENTARY INFORMATION:
The contents of this preamble are listed in the following outline:

I. General Information
II. Public Participation
III. Background and Proposal
IV. Proposed
V. Statutory and Executive Order Reviews
VI. Legal Authority

I. General Information

A. Does this action apply to me?

Entities potentially affected by this proposed rule are fuel producers and distributors who do business in Louisiana.

B. What is the Agency’s authority for taking this action?

The statutory authority for this action is granted to EPA by sections 211(h) and 301(a) of the Clean Air Act, as amended; 42 U.S.C. 7545(h) and 7601(a).

II. Public Participation

EPA will not hold a public hearing on this matter unless a request is received by the person identified in the FOR FURTHER INFORMATION CONTACT section of this preamble.

A. Summary of the Proposal

EPA is proposing to approve a request from the State of Louisiana to change the summertime gasoline RVP volatility standard for the parishes of Beauregard, Calcasieu, Jefferson, Lafayette, Lafourche, Orleans, Pointe Coupee, St. Bernard, St. Charles, St. James, and St. Mary from 7.8 psi to 9.0 psi by amending EPA’s regulations at 40 CFR 80.27(a)(2). EPA is deferring action on...