

Original amendment submission date	Date of publication of final rule	Citation/description of approved provisions
* April 21, 2011 and April 25, 2011	* 6/22/2026	* W.Va. Code 22–3–7; 8; 19. CSR 38–2–3.1.c.4; 3.1.d (qualified approval); 3.1.k (qualified approval); 3.4; 3.12; 3.15; 4.2; 4.10; 4.12; 5.4; 7.5; 14.11; 20.4.

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**DEPARTMENT OF HOMELAND
SECURITY**

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0699]

RIN 1625-AA00

Safety Zone; Toms River, Beachwood, NJ

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for waters of the Toms River, near Mayo Park, in Beachwood, NJ, for a land-based fireworks display. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by a fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Delaware Bay (COTP).

DATES: This rule is effective from 9 p.m. on July 4, 2026, to 10 p.m. on July 5, 2026. It will only be enforced, however, from 9 p.m. to 10 p.m. on July 4, 2026, or during those hours on a rain date of July 5, 2026.

ADDRESSES: To view available documents go to *https://www.regulations.gov* and search for USCG-2026-0699.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact Petty Officer Dominick Dobridge, Sector Delaware Bay, Waterways Management Division, U.S. Coast Guard; telephone (206) 815-6688, option 3, email SecDelBayWWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Sector Delaware Bay
DHS Department of Homeland Security

FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background and Authority

On March 17, 2026, the Coast Guard received notification that fireworks will be launched from land, over the Toms River near Beachwood, NJ. On July 4 or 5, 2026. The Captain of the Port (COTP) Delaware Bay has determined that potential hazards associated with fireworks, such as being hit by falling debris or unexploded live fireworks, are a safety concern for anyone within 250 yards of the fireworks display. Under authority in 46 U.S.C. 70034, the COTP is issuing this rule to create a safety zone to protect personnel, vessels, and the marine environment in the navigable waters within 250 yards of the display.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 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 it is impracticable. The time between when the Coast Guard received notification of the event and the date the fireworks display will occur is insufficient to provide notice of a proposed rule, take comments, finalize the rule, and publish it in the **Federal Register**.

For the same reason, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

III. Discussion of the Rule

This rule establishes a safety zone which will be subject to enforcement from 9 p.m. to 10 p.m. on July 4, 2026, or on a rain date of July 5, 2026. The safety zone will cover all navigable waters of the Toms River within 250 yards of the fireworks launch location, in Mayo Park, in Beachwood, NJ in approximate position 39°56'29.25" N, 74°10'57.78" W. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the COTP.

IV. Regulatory Analyses

We developed this 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.

A. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 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.

B. 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).

C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

Also, 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.

D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of \$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), 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 a safety zone. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket.

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: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; DHS Delegation No. 00170.1, Revision No. 01.4.

- 2. Add § 165.T05–0699 to read as follows:

§ 165.T05–0699 Safety Zone; Toms River, Beachwood, NJ.

(a) *Location.* The following area is a safety zone: All navigable waters of the Toms River within 250 yards of the fireworks launch location, in Mayo Park, in Beachwood, NJ in approximate

position 39°56′29.25″ N, 74°10′57.78″ W.

(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, Delaware Bay (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 on VHF–FM channel 16 or by telephone at (206) 815–6688. 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[s].* This section will be enforced from 9 p.m. to 10 p.m. on July 4, 2026, or (if it is postponed due to weather) on a rain date of July 5, 2026.

Dated: June 16, 2026.

Kate Higgins-Bloom,

Captain, U.S. Coast Guard, Captain of the Port Sector Delaware Bay.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0751]

RIN 1625–AA00

Safety Zone; Delaware River, Philadelphia, PA

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of the Delaware River, near Pleasant Hill Park, in Philadelphia, PA for a barge based fireworks display. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with an over water fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of

the Port, Sector Delaware Bay, or their designated representative.

DATES: This rule is effective from 9 p.m. to 9:30 p.m. on July 4, 2026.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2026–0751.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact Petty Officer Dominick Dobridge, Sector Delaware Bay, Waterways Management Division, U.S. Coast Guard; telephone (206) 815–6688, option 3, email SecDelBayWWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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II. Background and Authority

On April 11, 2026, the Coast Guard received notification that fireworks will be launched from a barge on the Delaware River near Pleasant Hill Park in Philadelphia, PA. The Captain of the Port (COTP) Delaware Bay has determined that potential hazards associated with fireworks are a safety concern for anyone within 300 yards of the fireworks display. Therefore, under authority in 46 U.S.C. 70034, the COTP is creating a safety zone to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 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 it is impracticable to do so. The Coast Guard does not have enough time to solicit and respond to comments and publish a final rule by July 4, the date of the event.

For the same reason, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

III. Discussion of the Rule

This rule establishes a safety zone 9 p.m. to 9:30 p.m. on July 4, 2026. The safety zone will cover all navigable waters within 300 yards of a barge on the Delaware River located near Pleasant Hill Park, in Philadelphia, PA., in approximate position latitude 40°2′22″ N longitude 074°59′22.67″ W.