

Proposed Rulemaking (67 FR 31750, May 10, 2002), and the Coast Guard received and considered public comment when publishing the Final Rule cited in the paragraph above. This rule does not change the size, location, or regulations related to the security zone. It merely replaces a geographical reference—a bridge that has since been demolished—with GPS coordinates that correspond to the bridge's prior location. Therefore, it is not necessary for the Coast Guard to again receive and considered public comments.

III. Discussion of the Rule

This rule modifies an existing security zone regulation at 33 CFR 165.809. The text for paragraph (a) of the regulation, *Location*, is revised to replace a reference to the Inner Harbor Bridge with GPS coordinates. The new location description states that the security zone includes all waters of the Corpus Christi Inner Harbor from a line across the entrance connecting positions 27°48'47.64" N, 97°23'41.15" W and 27°48'42.96" N, 97°23'44.09" W, into and including the Viola Turning Basin. This rule also corrects a typographical error in the spelling of the word "authority" in paragraph (c) of the regulatory text. This rule makes no other changes to the existing regulation.

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 security zone. It is categorically excluded from further review under paragraph L60(b) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration is not required because this regulation only makes technical changes, and does not change the size of an existing safety zone.

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; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

■ 2. In § 165.809 revise paragraphs (a) and (c) to read as follows:

§ 165.809 Security Zone; Port of Corpus Christi Inner Harbor, Corpus Christi, TX.

(a) *Location.* The following area is a security zone: All waters of the Corpus Christi Inner Harbor from a line across the entrance connecting positions 27°48'47.64" N, 97°23'41.15" W and 27°48'42.96" N, 97°23'44.09" W, into and including the Viola Turning Basin. These coordinates are based on the World Geodetic System (WGS 84).

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(c) *Authority.* In addition to 46 U.S.C. 70034, the authority for this section includes 46 U.S.C. 70116.

T.H. Bertheau,

Captain, U.S. Coast Guard, Captain of the Port Sector Corpus Christi.

[FR Doc. 2026–13407 Filed 7–1–26; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0433]

RIN 1625–AA00

Safety Zone; Kanawha River, Charleston, WV

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard has an established annual safety zone on the Kanawha River on July 4th for fireworks displays. Due to the America 250th anniversary celebration, a larger safety zone is required. Therefore, the Coast Guard is establishing a temporary safety zone on the Kanawha River from mile

marker (MM) 57.5–MM 60.5 to protect personnel, vessels, and the marine environment from potential hazards associated with an overwater fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Ohio Valley, or their designated representative.

DATES: This rule is effective from 9:15 p.m. through 10 p.m., on July 4, 2026.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG–2026–0433.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST2 Juan Varisco, Marine Safety Unit Huntington Waterways Management Division, U.S. Coast Guard; telephone 206–827–4197, or email juanmaria.a.varisco2@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background and Authority

The Coast Guard has an established annual safety zone on the Kanawha River on July 4th for fireworks displays. This safety zone is codified under 33 CFR 165.801, Table 1, line 7. The Coast Guard received notification that fireworks will be launched from a barge on the Kanawha River near the Capitol Building in Charleston, WV. However, due to the America 250th anniversary celebration, a larger safety zone than normal is required. The Captain of the Port (COTP) Ohio Valley has determined that potential hazards associated with fireworks are a safety concern for anyone within 350 feet of the fireworks display. Potential hazards include accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. Therefore, the Coast Guard is establishing a temporary safety zone under the authority in 46 U.S.C. 70034 on the Kanawha River from mile marker (MM) 57.5–MM 60.5 to protect personnel, vessels, and the marine environment from potential hazards associated with an overwater fireworks display.

Because of these potential hazards, 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 Coast Guard was notified of this event on May 26, 2026, but we must establish this safety zone by July 4, 2026 to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

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 from 9:15 p.m. through 10 p.m. on July 4, 2026. The safety zone will cover all navigable waters in the Kanawha River within the following mile markers: 57.5 to 60.5. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the Captain of the Port.

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; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

■ 2. Add § 165.T08–0433 to read as follows:

§ 165.T08–0433 Safety Zone; Kanawha River, Charleston, WV.

(a) *Location.* The following area is a safety zone: All navigable waters of the Kanawha River from mile marker 57.5–60.5.

(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, Ohio Valley (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 (304) 563–9084. 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 9:15 p.m. to 10 p.m. on July 4, 2026.

Randy. L. Preston,

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

[FR Doc. 2026–13406 Filed 7–1–26; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2025–0205; FRL–11969–02–R3]

Air Plan Approval; Delaware; 2006 24-Hour Fine Particulate Matter Limited Maintenance Plan for the Philadelphia Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the State of Delaware through the Delaware Department of Natural Resources and Environmental Control (DNREC). The revision pertains to the second 10-year limited maintenance plan (LMP) for the 2006 24-hour fine particulate matter (PM_{2.5}) national ambient air quality standard (NAAQS). The LMP addresses the New Castle County portion of the Philadelphia-Wilmington, PA–NJ–DE Area. The EPA is approving the LMP because it provides for the maintenance of the 2006 24-hour PM_{2.5} NAAQS through the end of the second 10-year maintenance period. In addition, the EPA is finalizing the process to find the LMP adequate for transportation conformity purposes. The EPA is approving this revision to the Delaware SIP in accordance with the requirements of the Clean Air Act (CAA).

DATES: This final rule is effective on August 3, 2026.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2025–0205. All documents in the docket are listed on the www.regulations.gov website. Although listed in the index, some information is not publicly available, e.g., 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, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT:

Sarah McCabe, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–5786. Ms. McCabe can also be reached via electronic mail at mccabe.sarah@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On November 13, 2009 (74 FR 58688), the EPA designated the Philadelphia area as nonattainment for the 2006 24-hour PM_{2.5} NAAQS.¹ See 74 FR 58775

(November 13, 2009) and 40 Code of Federal Regulations (CFR) 81.308. New Castle County, Delaware was included in the Philadelphia nonattainment area.

On December 12, 2012, the State of Delaware submitted to the EPA a redesignation request and maintenance plan for the New Castle County portion of the Philadelphia Area. The EPA redesignated the New Castle County portion of the Philadelphia Area from nonattainment to attainment for the 2006 24-hour PM_{2.5} NAAQS and approved the maintenance plan for the first 10-year maintenance period into the Delaware SIP.²

On April 15, 2024, DNREC, on behalf of the State of Delaware, submitted an LMP to fulfill the second 10-year planning requirement of CAA section 175A(b) to ensure 2006 24-hour PM_{2.5} NAAQS compliance for the New Castle County portion of the Philadelphia Area through 2034. On November 20, 2025 (90 FR 52290), the EPA published a notice of proposed rulemaking (NPRM) for the State of Delaware, proposing approval of the LMP because the State made a showing, consistent with the EPA's Guidance on the Limited Maintenance Plan Option for Moderate PM_{2.5} Nonattainment Areas and PM_{2.5} Maintenance Areas (PM_{2.5} LMP Guidance), that the area's PM_{2.5} concentrations are well below the 2006 24-hour PM_{2.5} NAAQS, have been historically stable, and that it has met all other maintenance plan requirements.³

Additionally, in the November 20, 2025 action, the EPA initiated the adequacy process and proposed that the LMP demonstrated that it is unreasonable to expect that this area would experience enough motor vehicle emissions growth for a violation of the NAAQS to occur, per the EPA's transportation conformity regulations.⁴ The adequacy process is set forth in the transportation conformity regulation at 40 CFR 93.118(f).

The EPA is approving the plan because it meets all applicable requirements under CAA sections 110 and 175A. As a general matter, the LMP relies on the same control measures and contingency provisions to maintain the 2006 24-hour PM_{2.5} NAAQS during the second 10-year portion of the maintenance period as the maintenance

² See 79 FR 45350 (August 5, 2014).

³ The guidance document titled “Guidance on the Limited Maintenance Plan Option for Moderate PM_{2.5} Nonattainment Areas and PM_{2.5} Maintenance Areas” can be found at nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1015UL4.pdf. A copy of the guidance is in the docket for the rulemaking.

⁴ See 40 CFR 93.109(e).

¹ On October 17, 2006 (71 FR 61144), the EPA lowered the level of the 24-hour PM_{2.5} NAAQS to 35 µg/m³ based on a 3-year average of the annual 98th percentile values of 24-hour concentrations.