Cass Street Drawbridge, across the Illinois Waterway, mile 288.1, at Joliet, Illinois to remain in the closed-to-navigation position for three hours while an 8K run is held in the city of Joliet, IL. The Cass Street Drawbridge currently operates in accordance with 33 CFR 117.393(c), which states the general requirement that drawbridges shall open promptly and fully for the passage of vessels when a request to open is given in accordance with the subpart, except that they need not open from 7:30 a.m. to 8:30 a.m. and from 4:15 to 5:15 p.m., Monday through Saturday. There are no alternate routes for vessels transiting this section of the Illinois Waterway. The Cass Street Drawbridge, in the closed-to-navigation position, provides a vertical clearance of 16.6 feet above normal pool. Navigation on the waterway consists primarily of commercial tows and recreational watercraft. This temporary deviation has been coordinated with waterway users. No objections were received. In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: April 7, 2011.
Eric A. Washburn, Bridge Administrator.

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2011–0165]

RIN 1625–AA00

Safety Zone; Ford Estate Wedding Fireworks, Lake St. Clair, Grosse Pointe Shores, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on Lake St. Clair, Grosse Pointe Shores, MI. This zone is intended to restrict vessels from a portion of Lake St. Clair River during the Ford Estate Wedding Fireworks.

DATES: This rule is effective and enforced, at dusk, from approximately 8:30 p.m. through 9:30 p.m. on June 4, 2011.

ADDRESS: Documents indicated in this preamble as being available in the docket are part of docket USCG–2011–0165 and are available online by going to http://www.regulations.gov, inserting USCG–2011–0165 in the “Keyword” box, and then clicking “Search.” They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail LT Katie Stanko, Prevention Department, Sector Detroit, Coast Guard, telephone (313) 568–9506, e-mail Katie.R.Stanko@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

The Coast Guard is issuing this temporary final 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 waiting for a notice and comment period to run would be impracticable and contrary to the public interest because it would inhibit the Coast Guard’s ability to protect the public from the hazards associated with maritime fireworks displays.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date of this rule would be impracticable and contrary to the public interest because it would inhibit the Coast Guard from ensuring the safety of vessels and the public during the fireworks display.

Background and Purpose

On June 4, 2011, a private party is holding a land based wedding that will include fireworks launched from a point on Lake St. Clair. This temporary safety zone is necessary to ensure the safety of vessels and spectators from hazards associated with that fireworks display. Such hazards include obstructions to the waterway that may cause marine casualties, explosive danger of fireworks, debris falling into the water that may cause death, serious bodily harm or property damage. Establishing a safety zone to control vessel movement around the location of the launch platform will help ensure the safety of persons and property in the vicinity of this event and help minimize the associated risks.

Discussion of Rule

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Ford Estate Wedding Fireworks Display. The fireworks display will occur between 8:30 p.m. and 9:30 p.m., June 4, 2011. The safety zone will encompass all waters on Lake St. Clair within a 420 foot radius of the fireworks barge launch site located off the shore of Grosse Pointe Shores, MI at position 42°27′15.06″ N, 82°51′39.01″ W from 8:30 p.m. until 9:30 p.m. on June 4, 2011. All geographic coordinates are North American Datum of 1983 (NAD 83).

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on-scene representative. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We conclude that this rule is not a significant regulatory action because we
employees of the Coast Guard, call
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.

Collection of Information

This rule calls for no new collection
of information under the Paperwork
3520).

Federalism

A rule has implications for federalism
under Executive Order 13132,
Federalism, if it has a substantial direct
effect on State or local governments and
would either preempt State law or
impose a substantial direct cost of
compliance on them. We have analyzed
this rule under that Order and have
determined that it does not have
implications for federalism.

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.

Taking of Private Property

This rule will not cause a taking of
private property or otherwise have
taking implications under Executive
Order 12630, Governmental Actions and
Interference with Constitutionally
Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards
in sections 3(a) and 3(b)(2) of Executive
Order 12988, Civil Justice Reform, to
minimize litigation, eliminate
ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under
Executive Order 13045, Protection of
Children from Environmental Health
Risks and Safety Risks. This rule is not
an economically significant rule and
does not create an environmental risk to
health or risk to safety that may
disproportionately affect children.

Indian Tribal Governments

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.

Energy Effects

We have analyzed this rule under
Executive Order 13211, Actions
Concerning Regulations That Significantly Affect Energy Supply,
Distribution, or Use. We have
determined that it is not a “significant
energy action” under that order because
it is not a “significant regulatory action”
derunder Executive Order 12866 and is not
likely to have a significant adverse effect
on the supply, distribution, or use of
energy. The Administrator of the Office
of Information and Regulatory Affairs
has not designated it as a significant
energy action. Therefore, it does not
require a Statement of Energy Effects
under Executive Order 13211.

Technical Standards

The National Technology Transfer
and Advancement Act (NTTAA) (15
U.S.C. 272 note) directs agencies to use
voluntary consensus standards in their
regulatory activities unless the agency
provides Congress, through the Office
of Management and Budget, with an
explanation of why using these
standards would be inconsistent with
applicable law or otherwise impractical.
Voluntary consensus standards are
technical standards (e.g., specifications
of materials, performance, design, or
operation; test methods; sampling
procedures; and related management
systems practices) that are developed or
adopted by voluntary consensus
standards bodies.

This rule does not use technical
standards. Therefore, we did not
consider the use of voluntary consensus
standards.

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
(NEPA) (42 U.S.C. 4321–4370f), and
have concluded 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 categorically
excluded, under Figure 2–1, paragraph
(34)(g) of the Instruction because it
involves the establishment of a
environmental analysis checklist and a
categorical exclusion determination will
be available in the docket where
indicated under ADDRESSES.

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; 46 U.S.C.
Chapter 701, 3306, 3703; 50 U.S.C. 191, 195,
33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5;

2. Add section § 165.T09–0165 to read as
follows:

§ 165.T09–0165 Safety zone; Ford Estate
Wedding Fireworks, Lake St. Clair, Grosse
Pointe Shores, MI.

(a) Location. The safety zone will
encompass all U.S. navigable waters on
Lake St. Clair within a 420 foot radius
of the fireworks barge launch site
located off the shore of Grosse Pointe
Shores, MI at position 42°27’15.06”N.,
082°51’59.01”W. All geographic
coordinates are North American Datum
of 1983 (NAD 83).

(b) Effective and Enforcement Period.
This rule is effective and will be
enforced from 8:30 p.m. (local) through
9:30 p.m. on June 4, 2011.

(c) Regulations. (1) In accordance with
the general regulations in Section
165.23 of this part, entry into, transiting,
or anchoring within this safety zone is
prohibited unless authorized by the
Captain of the Port Detroit, or his
designated on-scene representative.

(2) This safety zone is closed to all
vessel traffic, except as may be
permitted by the Captain of the Port
Detroit or his designated on-scene
representative.

(3) The “on-scene representative”
of the Captain of the Port is any Coast
Guard commissioned, warrant, or petty
officer who has been designated by the
Captain of the Port to act on his behalf.
The on-scene representative of the
Captain of the Port will be aboard either
a Coast Guard or Coast Guard Auxiliary
vessel. The Captain of the Port or his
designated on scene representative may
be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter
or operate within the safety zone shall
contact the Captain of the Port Detroit
or his on-scene representative to obtain
permission to do so.

(5) Vessel operators given permission
to enter or operate in the safety zone
must comply with all directions given to
them by the Captain of the Port or his
on-scene representative.

Dated: April 5, 2011.

J.E. Ogden,
Captain, U.S. Coast Guard, Captain of the
Port Detroit.

[FR Doc. 2011–02566 Filed 4–15–11; 8:45 am]
BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION
AGENCY

40 CFR Part 52


Finding of Substantial Inadequacy of
Implementation Plan; Call for Utah
State Implementation Plan Revision

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Final rule.

SUMMARY: Pursuant to sections
110(a)(2)(H) and 110(k)(5) of the Clean
Air Act (CAA), EPA is finding that the
Utah State Implementation Plan (SIP) is
substantially inadequate to attain or
maintain the national ambient air
quality standards (NAAQS) or to
otherwise comply with the requirements
of the CAA and issuing a call for the
State of Utah to revise its SIP.

Specifically, the SIP includes Utah’s
unavoidable breakdown rule (rule
R307–107), which exempts emissions
during unavoidable breakdowns from
compliance with emission limitations.
This rule undermines EPA’s, Utah’s,
and citizens’ ability to enforce emission
limitations that have been relied on to
ensure attainment or maintenance of the
NAAQS or meet other CAA
requirements. EPA is requiring that the
State revise the SIP to remove R307–107
or correct its deficiencies and submit
the revised SIP to EPA within 18
months of the effective date of this final
rule. If EPA finds that Utah has failed
to submit a complete SIP revision as
required by this final rule or if EPA
disapproves such a revision, such a
finding or disapproval will trigger
clocks for mandatory sanctions and an
obligation for EPA to impose a Federal
Implementation Plan (FIP). If EPA
makes such a finding or disapproval,
mandatory sanctions will apply such
that the offset sanction would apply 18
months after such finding or
disapproval and highway funding
restrictions would apply six months
later unless EPA takes action to stay
the imposition of the sanctions or to stop
the sanctions clock based on the State
curing the SIP deficiencies.

In its proposed rulemaking action, EPA
requested comment on whether it
should exercise its discretionary
authority under CAA section 110(m) to
impose the highway funding restrictions
sanctions in areas of the State that
would not be subject to mandatory
sanctions. EPA is deferring a decision
on whether to impose sanctions under
section 110(m) and will consider any
comments on the issue of imposing
sanctions under section 110(m) if and
when we take final action on this issue
in the future.

DATES: Effective Date: This final rule is
effective May 18, 2011.

ADDRESSES: EPA has established a
docket for this action under Docket ID
No. EA–P–OAR–2010–0099. All
documents in the docket are listed on
the http://www.regulations.gov Web
site. 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 either electronically through
http://www.regulations.gov, or in hard
copy at the Air Program, Environmental
Protection Agency (EPA), Region 8,
1595 Wynkoop Street, Denver, Colorado
80202–1129. EPA requests that if at all
possible, you contact the individual
listed in the FOR FURTHER
INFORMATION
CONTACT section to view the hard copy
of the docket. You may view the hard
copy of the docket Monday through
Friday, 8 a.m. to 4 p.m., excluding
Federal holidays.

FOR FURTHER INFORMATION
CONTACT:
Vanessa Hinkle, Air Program, Mailcode
8P–AR, Environmental Protection
Agency, Region 8, 1595 Wynkoop
Street, Denver, Colorado 80202–1129,
(303) 312–6561, or
hinkle.vanessa@epa.gov.

SUPPLEMENTARY INFORMATION:

Definitions

For the purpose of this document, the
following definitions apply:

(i) The words or initials Act or CAA
mean or refer to the Clean Air Act,
unless the context indicates otherwise.

(ii) The words or terms EPA, or our
mean or refer to the United States
Environmental Protection Agency.