DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2011–1166]

RIN 1625–AA00

Safety Zone; Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base, Camp Lejeune, NC

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone on the Atlantic Intracoastal Waterway (AICW) adjacent to Marine Corps Base (MCB) Camp Lejeune, North Carolina, which encompasses the navigable waters of the AICW between Mile Hammock Bay and the Onslow Swing Bridge in support of military training operations. This action is necessary to provide for safety of life on navigable waters during the military training operation. This action is intended to restrict vessel traffic on the Atlantic Intracoastal Waterway to protect mariners from the hazards associated with military training operations.

DATES: This rule is effective from 7 a.m. on February 6, 2012 through 4 p.m. on February 7, 2012.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2011–1166 and are available online by going to http://www.regulations.gov, inserting USCG–2011–1166 in the “Keyword” box, and then clicking “Search.” This material is 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 rule, call or email Chief Warrant Officer Joseph Edge, Waterways Management Division Chief, Sector North Carolina, Coast Guard; telephone (252) 247–4525, email Joseph.M.Edge@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

This rule amends 33 CFR 165.13 to establish a safety zone adjacent to Camp Lejeune, North Carolina, necessary to provide for safety of life on navigable waters during the military training operation. This action is necessary to provide for safety of life on navigable waters during the military training operation. This action is intended to restrict vessel traffic on the Atlantic Intracoastal Waterway to protect mariners from the hazards associated with military training operations.

The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Rock Island Railroad and Highway Drawbridge across the Upper Mississippi River, mile 482.9, at Rock Island, Illinois to remain in the closed-to-navigation position for a four-hour period from 7:30 a.m. to 11:30 a.m., September 23, 2012, while a marathon is held between the cities of Davenport, IA and Rock Island, IL. The Rock Island Railroad and Highway Drawbridge currently operates in accordance with 33 CFR 117.5, 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. There are no alternate routes for vessels transiting this section of the Upper Mississippi River.

The Rock Island Railroad and Highway Drawbridge, in the closed-to-navigation position, provides a vertical clearance of 23.8 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: January 12, 2012.

Eric A. Washburn,
Bridge Administrator, Western Rivers.

[FR Doc. 2012–2387 Filed 2–2–12; 8:45 am]

BILLING CODE 9110–04–P
Regulatory Information
On January 10, 2012, we published a notice of proposed rulemaking (NPRM) entitled Safety Zone; Atlantic Intracoastal Waterway, Vicinity of Marine Corps Base, Camp Lejeune, NC in the Federal Register (77 FR 1431). We received no comments on the proposed rule. No public meeting was requested, and none was held.

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 would be contrary to the public interest, since immediate action is needed to ensure the safety of the participants, patrol vessels, and other vessels transiting the event area. However, the Coast Guard will provide advance notifications to users of the effected waterways via marine information broadcasts, local notice to mariners, commercial radio stations and area newspapers.

Background and Purpose
On February 6 and 7, 2012 the Marine Corps Base, Camp Lejeune, North Carolina will be conducting military training operations on the navigable waters of the Atlantic Intracoastal Waterway between position 34°32’51″ N, 077°19’36″ W and 34°34’15″ N, 077°16’16″ W (NAD 1983). Due to the need to protect mariners from the hazards associated with the military training operations, vessel traffic will be temporary restricted between Mile Hammock Bay and the Onslow Swing Bridge.

The Coast Guard is establishing a safety zone on specified waters of the Atlantic Intracoastal Waterway between position 34°32’51″ N, 077°19’36″ W and 34°34’15″ N, 077°16’16″ W (NAD 1983). This safety zone will be established in the vicinity of Camp Lejeune, NC from 7 a.m. until 11 a.m., and from 12:01 p.m. until 4 p.m. on February 6, 2012, from 7 a.m. until 11 a.m., and from 12:01 p.m. until 4 p.m. on February 7, 2012. In the interest of public safety, general navigation within the safety zone will be restricted during the specified date and times. Except for participants and vessels authorized by the Coast Guard Captain of the Port or his representative, no person or vessel may enter or remain in the regulated area.

Discussion of Comments and Changes
The Coast Guard did not receive comments in response to the notice of proposed rulemaking (NPRM) published in the Federal Register. Accordingly, in the NPRM we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 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.

Collection of Information
This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

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 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 effect 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” under 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.

Environmental Protection Agency

ENVIRONMENTAL PROTECTION

40 CFR Part 52

[82 FR 5488, Jan. 10, 2017; 82 FR 8360, Feb. 10, 2017]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to Virginia’s Regulation Regarding the Sulfur Dioxide National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Virginia (Virginia). This revision pertains to amendments of Virginia’s regulations governing emissions of sulfur dioxide (SO2) in the 2010 primary standard. Approval of the SIP revision is based on whether the SIP revision is achieved in a manner that is at least as protective of health as the National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO2). The waiver of the non-attainment area designation for the Virginia New Source Review area is based on whether the SIP revision is at least as protective of public health as the relevant NAAQS for sulfur dioxide (SO2). The final rule becomes effective on March 5, 2017.

DATES: Effective Date: This final rule is effective on March 5, 2017.

ADDRESSES: EPA has established a docket for this action under Docket ID...

Authority: 42 U.S.C. 7401 et seq.