

Dated: August 19, 2009.

Wayne E. Justice,

*Rear Admiral, U.S. Coast Guard, Commander,
Fifth Coast Guard District.*

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 138

[USCG-2005-21780]

RIN 1625-AA98

Financial Responsibility for Water Pollution (Vessels) and OPA 90 Limits of Liability (Vessels and Deepwater Ports)

AGENCY: Coast Guard, DHS.

ACTION: Announcement of Office of Management and Budget (OMB) approval of collection of information.

SUMMARY: The Coast Guard is announcing that the collection of information requirement under 33 CFR 138.85, entitled "Financial Responsibility for Water Pollution (Vessels)," has been approved by OMB under the Paperwork Reduction Act of 1995. The OMB control number is 1625-0046.

DATES: The collection of information requirement under 33 CFR 138.85 will be enforced from September 9, 2009.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document contact Mr. Benjamin White, National Pollution Funds Center, Coast Guard, telephone 202-493-6863, e-mail Benjamin.H.White@uscg.mil. If you have questions on viewing the docket (USCG-2005-21780), call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION: On September 17, 2008, the Coast Guard published a final rule entitled "Financial Responsibility for Water Pollution (Vessels) and OPA 90 Limits of Liability (Vessels and Deepwater Ports)" (73 FR 53691) (COFR final rule), amending the Oil Pollution Act of 1990 (OPA 90) financial responsibility requirements, including the information collection requirements under 33 CFR 138.85. With the exception of this collection of information, the COFR final rule became effective on October 17, 2008.

This information collection under 33 CFR 138.85 requires operators of vessels to establish evidence of financial responsibility under OPA 90, 33 U.S.C.

2716, acceptable to the Director, National Pollution Funds Center, in an amount equal to or greater than the total applicable amounts determined under 33 CFR 138.80(f). As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), the COFR final rule preamble stated that the Coast Guard would not enforce the collection of information requirements under 33 CFR 138.85 until the collection of information request was approved by OMB, and the Coast Guard published a notice in the **Federal Register** announcing that OMB approved and assigned a control number for the requirement.

The Coast Guard submitted the information collection request under § 138.85 of the COFR final rule to OMB for approval in accordance with the Paperwork Reduction Act of 1995. On July 15, 2009, OMB approved the collection of information and assigned the collection OMB Control Number 1625-0046 entitled "Financial Responsibility for Water Pollution (Vessels), (33 CFR 138.85)." The approval for this collection of information expires on July 31, 2012. A copy of the OMB notice of action is available in our online docket at <http://www.regulations.gov>.

Dated: September 1, 2009.

Craig A. Bennett,

*Director, National Pollution Funds Center,
U.S. Coast Guard.*

[FR Doc. E9-21442 Filed 9-8-09; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0317]

RIN 1625-AA87

Security Zone; Calcasieu River, Hackberry, LA

AGENCY: Coast Guard, DHS

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary security zone on the waters of the Calcasieu River for the mooring basin at Cameron LNG in Hackberry, LA. The security zone is needed to protect vessels, waterfront facilities, the public, and other surrounding areas from destruction, loss, or injury caused by sabotage, subversive acts, accidents, or other actions of a similar nature. Entering this security zone is prohibited without

permission from the Captain of the Port, Port Arthur or a designated representative.

DATES: This rule is effective from September 9, 2009 until November 30, 2009.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG-2009-0317 and are available online by going to <http://www.regulations.gov>, inserting USCG-2009-0317 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at two locations: 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, and at Coast Guard Marine Safety Unit Port Arthur, 2901 Turtle Creek Dr., Port Arthur, Texas 77642, between 8 a.m. and 4 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or email LT Clint Smith, Coast Guard Marine Safety Unit Lake Charles; Telephone (337) 491-7819, e-mail Clint.P.Smith@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 the facility will begin operations before a Notice and Comment period could be completed, and delaying the beginning of facility operations is impracticable due to the substantial expense and effort involved, and contrary to the public interest in having this facility operational.

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**