

current geographic area restriction at the request of the applicant for service, the adjacent official agency may provide service at a particular location upon approval by the Service.

\* \* \* \* \*

■ 8. Revise paragraph (a) of § 800.175 to read as follows:

§ 800.175 Termination of licenses.

(a) Term of license. Each license shall terminate in accordance with the termination date shown on the license and as specified in paragraph (b) of this section. The termination date for a license shall be no less than 5 years or more than 6 years after the issuance date for the initial license; thereafter, every 5 years. Upon request of a licensee and for good cause shown, the termination date may be advanced or delayed by the Administrator for a period not to exceed 60 days.

\* \* \* \* \*

■ 9. Amend § 800.195 by adding paragraphs (f)(11) and (g)(4) to read as follows:

§ 800.195 Delegations.

\* \* \* \* \*

(f) \* \* \*

(11) Notification to Secretary. A delegated State shall notify the Secretary of its intention to temporarily discontinue official inspection and/or weighing services for any reason, except in the case of a major disaster. The delegated State must provide written notification to the Service no less than 72 hours in advance of the discontinuation date.

\* \* \* \* \*

(g) \* \* \*

(4) Review. At least once every 5 years, a delegated State shall submit to a review of its delegation by the Service in accordance with the criteria and procedures for delegation prescribed in section 7(e) of the Act, this section of the regulations, and the instructions. The Administrator may revoke the delegation of a State according to this subsection if the State fails to meet or comply with any of the criteria for delegation set forth in the Act, regulations, and instructions.

\* \* \* \* \*

■ 10. Amend § 800.196 by revising paragraphs (e)(2)(ii) and (iii), adding paragraph (e)(2)(iv), and revising paragraph (h)(1)(i) to read as follows:

§ 800.196 Designations.

\* \* \* \* \*

(e) \* \* \*

(2) \* \* \*

(ii) The applicant meets the conditions and criteria specified in the Act and regulations;

(iii) The applicant is better able than any other applicant to provide official services; and

(iv) The applicant addresses concerns identified during consultations that the Service conducts with applicants for service to the satisfaction of the Service.

\* \* \* \* \*

(h) Termination and renewal—(1) Every 5 years—(i) Termination. A designation shall terminate at a time specified by the Administrator, but not later than 5 years after the effective date of the designation. A notice of termination shall be issued by the Service to a designated agency at least 120 calendar days in advance of the termination date. The notice shall provide instructions for requesting renewal of the designation. Failure to receive a notice from the Service shall not exempt a designated agency from the responsibility of having its designation renewed on or before the specified termination date.

\* \* \* \* \*

■ 11. Amend § 800.216 by revising paragraph (c) to read as follows:

§ 800.216 Activities that shall be monitored.

\* \* \* \* \*

(c) Grain handling activities. Grain handling activities subject to monitoring for compliance with the Act include, but are not limited to:

(1) Shipping export grain without inspection or weighing;

(2) Violating any Federal law with respect to the handling, weighing, or inspection of grain;

(3) Deceptively loading, handling, weighing, or sampling grain; and

(4) Exporting grain without a certificate of registration.

\* \* \* \* \*

Larry Mitchell,

Administrator, Grain Inspection, Packers and Stockyards.

[FR Doc. 2016-01083 Filed 1-22-16; 8:45 am]

BILLING CODE 3410-KD-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG-2015-1039]

RIN 1625-AA08

Special Local Regulations; Sector Ohio Valley Annual and Recurring Special Local Regulations Update

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is amending and updating its special local regulations relating to recurring marine parades, regattas, and other events that take place in the Coast Guard Sector Ohio Valley area of responsibility (AOR). This document informs the public of regularly scheduled events that require additional safety measures through establishing a special local regulation. Through this document the current list of recurring special local regulations is updated with revisions, additional events, and removal of events that no longer take place in Sector Ohio Valley's AOR. When these special local regulations are enforced, certain restrictions are placed on marine traffic in specified areas. Additionally, this one proposed rulemaking project reduces administrative costs involved in producing separate proposed rules for each individual recurring special local regulation and serves to provide notice of the known recurring special local regulations throughout the year.

DATES: Comments and related material must be received by the Coast Guard on or before April 25, 2016.

ADDRESSES: You may submit comments identified by docket number USCG-2015-1039 using the Federal eRulemaking Portal at http://www.regulations.gov. See the "Public Participation and Request for Comments" portion of the SUPPLEMENTARY INFORMATION section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or email Petty Officer James Robinson, Sector Ohio Valley, U.S. Coast Guard; telephone (502) 779-5347, email James.C.Robinson@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

- CFR Code of Federal Regulations
DHS Department of Homeland Security
E.O. Executive order
FR Federal Register
NPRM Notice of proposed rulemaking
Pub. L. Public Law
§ Section
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

The Captain of the Port (COTP) Ohio Valley is proposing to establish, amend, and update its current list of recurring special local regulations.

These special local regulations are proposed to be added, amended, and updated to the list of annually recurring special local regulations under 33 CFR

100.801 in Table 1 for annual special local regulations in the COTP Ohio Valley zone. The Coast Guard will address all comments accordingly, whether through response, additional revision to the regulation, or otherwise. Additionally, these recurring events are provided to the public through local avenues and planned by the local communities.

The current list of annual and recurring special local regulations occurring in Sector Ohio Valley's AOR is published under 33 CFR 100.801. That most recent list was created August 19, 2015 through the rulemaking 80 FR 50196, which finalized the interim rule published April 22, 2014, 79 FR 22381, which received no adverse comments. The August 19, 2015 rulemaking established under 33 CFR 100.801 created the current comprehensive list of recurring safety zones.

The Coast Guard's authority for establishing a special local regulation is contained at 33 U.S.C. 1233. The Coast Guard is amending and updating the special local regulations under 33 CFR part 100 to include the most up to date

list of recurring special local regulations for events held on or around navigable waters within Sector Ohio Valley's AOR. These events include marine parades, boat races, swim events, and other marine related events. The current list under 33 CFR 100.801 requires amending to provide new information on existing special local regulations, updating to include new special local regulations expected to recur annually or biannually, and to remove special local regulations that are no longer required. Issuing individual regulations for each new special local regulation, amendment, or removal of an existing special local regulation creates unnecessary administrative costs and burdens. This single proposed rulemaking will considerably reduce administrative overhead and provides the public with notice through publication in the **Federal Register** of the upcoming recurring special local regulations.

The Coast Guard encourages the public to participate in this proposed rulemaking through the comment process so that any necessary changes

can be identified and implemented in a timely and efficient manner.

**III. Discussion of Proposed Rule**

33 CFR part 100 contains regulations to provide effective control over regattas and marine parades conducted on U.S. navigable waters in order to ensure the safety of life in the regattas or marine parade area. Section 100.801 provides the regulations applicable to events taking place in the Eighth Coast Guard District and also provides a table listing each event and special local regulation. This section requires amendment from time to time to properly reflect the recurring special local regulations in Sector Ohio Valley's AOR. This proposed rule amends and updates § 100.801 replacing the current Table 1 for Sector Ohio Valley.

Additionally, this proposed rule adds 16 new recurring special local regulations and removes 8 special local regulations.

Sixteen new recurring special local regulations are added under the new Table 1 of § 100.801 for Sector Ohio Valley:

Date	Event/sponsor	Ohio Valley location	Regulated area
2 days—last weekend in September ....	Captain Quarters Regatta .....	Louisville, KY .....	Ohio River, Mile 595.0–597.0 (Kentucky).
1 day—One of the last three weekends in June.	Louisville Race the Bridge Triathlon .....	Louisville, KY .....	Ohio River, Mile 601.5–603.0 (Kentucky).
2 days—Second or third weekend in September.	Louisville Dragon Boat Festival .....	Louisville, KY .....	Ohio River, Mile 603.0–603.5 (Kentucky).
1 day—One of the last two weekends in September.	Ohio River Open Water Swim .....	Prospect, KY .....	Ohio River, Mile 588.0–590.0 (Kentucky).
1 day—Third weekend in May .....	World Triathlon Corporation/IRONMAN 70.3.	Chattanooga, TN ...	Tennessee River, Mile 463.0–466.0 (Tennessee).
1 day—Second weekend in July .....	Bradley Dean/Renaissance Man Triathlon.	Florence, AL .....	Tennessee River, Mile 255.0–257.0 (Alabama).
1 day—Last weekend in August .....	Tennessee Clean Water Network/ Downtown Dragon Boat Races.	Knoxville, TN .....	Tennessee River, Mile 647.0–649.0 (Tennessee).
1 day—Last weekend in September .....	World Triathlon Corporation/IRONMAN Chattanooga.	Chattanooga, TN ...	Tennessee River, Mile 463.0–467.0 (Tennessee).
1 day—Third weekend in November ....	TREC–RACE/Pangorge .....	Chattanooga, TN ...	Tennessee River, Mile 444.0–455.0 (Tennessee).
2 days—weekend before Labor Day ....	SUP3Rivers The Southside Outside ....	Pittsburgh, PA .....	Monongahela River, Mile 0.0–3.09 Allegheny River, Mile 0.0–0.25 (Pennsylvania).
1 day—Saturday before Labor Day .....	Wheeling Dragon Boat Race .....	Wheeling, WV .....	Ohio River, Mile 90.4–91.5 (West Virginia).
1 day—Third Saturday in July .....	Pittsburgh Irish Rowing Club/St. Brendan's Cup Currach Regatta.	Pittsburgh, PA .....	Ohio River, Miles 7.0–9.0, back channel (Pennsylvania).
Second Sunday in September .....	Ohio River Sternwheel Festival Committee Sternwheel race reenactment.	Marietta, OH .....	Ohio River, Mile 170.5–172.5 (Ohio).
Second Saturday in September .....	Parkesburg Paddle Fest .....	Parkersburg, WV ...	Ohio River, Mile 184.3–188 (West Virginia).
Three days during the fourth weekend in September.	New Martinsville Records and Regatta Challenge Committee.	New Martinsville, WV.	Ohio River, Mile 128–129 (West Virginia)
3 days—1st week of August .....	EQT Pittsburgh Three Rivers Regatta	Pittsburgh, PA .....	Ohio River, Mile 0.0–0.5, Allegheny River, Mile 0.0–0.6, and Monongahela River, Mile 0.0–0.5 (Pennsylvania).

This proposed rule removes the following 8 special local regulations from the existing Table 1 of § 100.801:

Date	Event/sponsor	Ohio Valley location	Regulated area
1 day—Third weekend in July .....	Headfirst Performance/Cardinal Harbor Triathlon.	Finchville, KY .....	Ohio River, Mile 595 (Kentucky).
1 day—First or second weekend in August.	Evansville Goodwill Industries/Ducks on the Ohio.	Evansville, IN .....	Ohio River, Mile 792.0–796.0 (Indiana).
1 day—First or second weekend in June.	Southern Indiana Triathlon Inc./Southern Indiana Triathlon.	Louisville, KY .....	Ohio River, Mile 600.0–603.0 (Kentucky).
1 day—Last weekend in June .....	SOS Triathlon .....	Louisville, KY .....	Ohio River, Mile 602.0–603.5 (Kentucky).
1 day—First or second weekend in July	City of Livermore Canoe Race .....	Livermore, KY .....	Green River, Mile 71.0–71.5 (Kentucky).
1 day—First or second weekend in July	Jam Brand Sports, LLC/Buckhead Border Challenge Triathlon.	Louisville, KY .....	Ohio River, Mile 602.0–604.0 (Kentucky).
1 day—First weekend in August .....	Kentucky Derby Festival/Venetian Boat Parade Festival.	New Albany, IN .....	Ohio River, Mile 596.0–604.3 (Indiana).
1 day—Second weekend in August .....	North Oldham High School/North Oldham Ohio River Swim.	LaGrange, KY .....	Ohio River, Mile 595 (Kentucky).

The effect of this proposed rule will be to restrict general navigation during these events. Vessels intending to transit the designated waterway through the special local regulations will only be allowed to transit the area when the COTP Ohio Valley, or designated representative, has deemed it safe to do so or at the completion of the event.

**IV. Regulatory Analyses**

We developed this proposed rule after considering numerous statutes and Executive orders (E.O.s) related to rulemaking. Below we summarize our analyses based on a number of these statutes and E.O.s, and we discuss First Amendment rights of protestors.

*A. Regulatory Planning and Review*

E.O.s 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This proposed rule has not been designated a “significant regulatory action,” under E.O. 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

The Coast Guard expects the economic impact of this proposed rule to be minimal, and therefore a full regulatory evaluation is unnecessary. This proposed rule establishes special local regulations limiting access to certain areas under 33 CFR part 100 within Sector Ohio Valley’s AOR. The effect of this proposed rulemaking will

not be significant because these special local regulations are limited in scope and duration. Additionally, the public is given advance notification through local forms of notice, the **Federal Register**, and/or Notices of Enforcement and thus will be able to plan operations around the special local regulations in advance. Deviation from the special local regulations established through this proposed rulemaking may be requested from the appropriate COTP and requests will be considered on a case-by-case basis. Broadcast Notices to Mariners and Local Notices to Mariners will also inform the community of these special local regulations so that they may plan accordingly for these short restrictions on transit. Vessel traffic may request permission from the COTP Ohio Valley or a designated representative to enter the restricted area.

*B. Impact on Small Entities*

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

This proposed rule will affect the following entities, some of which may be small entities: The owners or operators of vessels intending to transit

the special local regulation areas during periods of enforcement. The special local regulations will not have a significant economic impact on a substantial number of small entities because they are limited in scope and will be in effect for short periods of time. Before the enforcement period, the Coast Guard COTP will issue maritime advisories widely available to waterway users. Deviation from the special local regulations established through this proposed rulemaking may be requested from the appropriate COTP and requests will be considered on a case-by-case basis.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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 proposed rule or any policy or action of the Coast Guard.

**C. Collection of Information**

This proposed rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

**D. Federalism and Indian Tribal Governments**

A rule has implications for federalism under E.O. 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in E.O. 13132.

Also, this proposed rule does not have tribal implications under E.O. 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. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

**E. 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 proposed rule would not result in such an expenditure, we do discuss the

effects of this proposed rule elsewhere in this preamble.

**F. Environment**

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 proposed rule is categorically excluded under section 2.B.2, figure 2–1, paragraph (34)(h) of the Instruction because it involves establishment of special local regulations related to marine event permits for marine parades, regattas, and other marine events. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

**G. Protest Activities**

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

**V. Public Participation and Request for Comments**

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

**List of Subjects in 33 CFR Part 100**

Marine safety, Navigation (water), Reporting and recordkeeping requirements, and Waterways.

For the reasons discussed in the preamble, the U.S. Coast Guard proposes to amend 33 CFR part 100 as follows:

**PART 100—SAFETY OF LIFE ON NAVIGABLE WATERWAYS**

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

■ 2. Amend § 100.801 by revising table 1 of § 100.801 to read as follows:

**§ 100.801 Annual Marine Events in the Eighth Coast Guard District.**

\* \* \* \* \*

TABLE 1 OF § 100.801—OHIO VALLEY CAPTAIN OF THE PORT ZONE ANNUAL AND RECURRING MARINE EVENTS

Date	Event/sponsor	Ohio Valley location	Regulated area
1. The first Saturday in April .....	University of Charleston Rowing/West Virginia Governor’s Cup Regatta.	Charleston, WV .....	Kanawha River, Mile 59.9–61.4 (West Virginia).
2. 1 day—Saturday before Memorial Day weekend.	Venture Outdoors/Venture Outdoors Festival.	Pittsburgh, PA .....	Allegheny River, Mile 0.0–0.25 Monongahela River 0.0–0.25 (Pennsylvania).
3. 1 day—During the last week of April or first week of May.	Kentucky Derby Festival/Belle of Louisville Operating Board/Great Steamboat Race.	Louisville, KY .....	Ohio River, Mile 596.0–604.3 (Kentucky).
4. 1 day—First or second weekend in May.	REV3/REV3 Triathlon .....	Knoxville, TN .....	Tennessee River, Mile 646.0–649.0 (Tennessee).

TABLE 1 OF § 100.801—OHIO VALLEY CAPTAIN OF THE PORT ZONE ANNUAL AND RECURRING MARINE EVENTS—  
Continued

Date	Event/sponsor	Ohio Valley location	Regulated area
5. 1 day—Third weekend in May .....	World Triathlon Corporation/IRONMAN 70.3.	Chattanooga, TN ...	Tennessee River, Mile 463.0–466.0 (Tennessee).
6. 1 day—Second weekend in June .....	Chattanooga Parks and Rec/Chattanooga River Rats Open Water Swim.	Chattanooga, TN ...	Tennessee River, Mile 464.0–469.0 (Tennessee).
7. 1 day—Third or fourth weekend in June.	Greater Morgantown Convention and Visitors Bureau/Mountaineer Triathlon.	Morgantown, WV ..	Monongahela River, Mile 101.0–102.0 (West Virginia).
8. 2 days—First weekend of June .....	Kentucky Drag Boat Association .....	Pisgah Bay, KY .....	Tennessee River, Mile 30.0 (Kentucky).
9. Fourth Sunday in June .....	Green Umbrella/Ohio River Paddfest	Cincinnati, OH .....	Ohio River, Mile 459.5–470.2 (Ohio and Kentucky).
10. 1 day—Fourth or fifth Sunday in September.	Green Umbrella/Great Ohio River Swim.	Cincinnati, OH .....	Ohio River, Mile 469.8–470.2 (Ohio and Kentucky).
11. 1 day—One of the last two weekends in September.	Ohio River Open Water Swim .....	Prospect, KY .....	Ohio River, Mile 588.0–590.0 9 (Kentucky).
12. 2 days—Second or third weekend in September.	Louisville Dragon Boat Festival .....	Louisville, KY .....	Ohio River, Mile 603.0–603.5 (Kentucky).
13. 1 day—Third or fourth Sunday of July.	Tucson Racing/Cincinnati Triathlon .....	Cincinnati, OH .....	Ohio River, Mile 469.3–470.2 (Ohio).
14. 2 days—First weekend of July .....	Kentucky Drag Boat Association .....	Pisgah Bay, KY .....	Tennessee River, Mile 30.0 (Kentucky).
15. 1 day—Second weekend in July .....	Bradley Dean/Renaissance Man Triathlon.	Florence, AL .....	Tennessee River, Mile 255.0–257.0 (Alabama).
16. 3 days—One of the first two weekends in July.	Madison Regatta, Inc./Madison Regatta.	Madison, IN .....	Ohio River, Mile 555.0–560.0 (Indiana).
17. 1 day—Third Saturday in July .....	Pittsburgh Irish Rowing Club/St. Brendan's Cup Currach Regatta.	Pittsburgh, PA .....	Miles 7–9, Ohio River back channel (Pennsylvania).
18. 1 day—One of the last three weekends in June.	Louisville Race the Bridge Triathlon .....	Louisville, KY .....	Ohio River, Mile 601.5–603.0 (Kentucky).
19. 1 day—Fourth weekend in June .....	Team Magic/Chattanooga Waterfront Triathlon.	Chattanooga, TN ...	Tennessee River, Mile 463.0–465.0 (Tennessee).
20. 1 day—Fourth weekend in July .....	Team Magic/Music City Triathlon .....	Nashville, TN .....	Cumberland River, Mile 190.0–192.0 (Tennessee).
21. 2 days—Last two weekends in July or first week of August.	Friends of the Riverfront Inc./Pittsburgh Triathlon and Adventure Races.	Pittsburgh, PA .....	Allegheny River, Mile 0.0–1.5 (Pennsylvania).
22. 3 days—First week of August .....	EQT Pittsburgh Three Rivers Regatta	Pittsburgh, PA .....	Ohio River, Mile 0.0–0.5, Allegheny River, Mile 0.0–0.6, and Monongahela River, Mile 0.0–0.5 (Pennsylvania)
23. 2 days—First weekend of August ...	Kentucky Drag Boat Association .....	Pisgah Bay, KY .....	Tennessee River, Mile 30.0 (Kentucky).
24. 2 days—last weekend in September.	Captain Quarters Regatta .....	Louisville, KY .....	Ohio River, Mile 595.0–597.0 (Kentucky).
25. 2 days—Second or third weekend in October.	Norton Healthcare/Ironman Triathlon ...	Louisville, KY .....	Ohio River, Mile 601.5–604.5 (Kentucky).
26. 2 days—Third full weekend (Saturday and Sunday) in August.	Ohio County Tourism/Rising Sun Boat Races.	Rising Sun, IN .....	Ohio River, Mile 504.0–508.0 (Indiana and Kentucky).
27. 1 day—Last weekend in August .....	Tennessee Clean Water Network/Downtown Dragon Boat Races.	Knoxville, TN .....	Tennessee River, Mile 647.0–649.0 (Tennessee)
28. 3 days—Third weekend in August ..	Governors' Cup/UWP—IJSBA National Championships.	Charleston, WV .....	Kanawha River, Mile 56.7–57.6 (West Virginia).
29. 2 days—Fourth weekend in July .....	Herd Racing LLC/Huntington Classic ...	Huntington, WV .....	Ohio River, Mile 307.3–309.3 (West Virginia).
30. 2 days—Last weekend in September.	Fall Records Challenge Committee/Fall Records Challenge.	New Martinsville, WV.	Ohio River, Mile 128.5–129.5 (West Virginia).
31. 2 days—Labor Day weekend .....	Wheeling Vintage Race Boat Association Ohio/Wheeling Vintage Regatta.	Wheeling, WV .....	Ohio River, Mile 090.4–091.5 (West Virginia).
32. 2 days—Weekend before Labor Day.	SUP3Rivers The Southside Outside .....	Pittsburgh, PA .....	Monongahela River, Mile 0.0–3.09 Allegheny River Mile 0.0–0.25 (Pennsylvania)
33. 1 day—Saturday before Labor Day	Wheeling Dragon Boat Race .....	Wheeling, WV .....	Ohio River, Mile 90.4–91.5 (West Virginia).
34. 1 day—First or second weekend in September.	Cumberland River Compact/Cumberland River Dragon Boat Festival.	Nashville, TN .....	Cumberland River, Mile 190.0–192.0 (Tennessee).
35. 2 days—First or second weekend in September.	State Dock/Cumberland Poker Run .....	Jamestown, KY .....	Lake Cumberland (Kentucky).
36. 3 days—First or second weekend in September.	Sailing for a Cure Foundation/SFAC Fleur de Lis Regatta.	Louisville, KY .....	Ohio River, Mile 601.0–604.0 (Kentucky).

TABLE 1 OF § 100.801—OHIO VALLEY CAPTAIN OF THE PORT ZONE ANNUAL AND RECURRING MARINE EVENTS—  
Continued

Date	Event/sponsor	Ohio Valley location	Regulated area
37. 1 day—One weekend, last half of September.	Harbor House of Louisville/Ken“Ducky” Derby.	Louisville, KY .....	Ohio River, Mile 602.0–604.0 (Kentucky).
38. 1 day—Last weekend in September	World Triathlon Corporation/IRONMAN Chattanooga.	Chattanooga, TN ...	Tennessee River, Mile 463.0–467.0 (Tennessee).
39. 1 day—Second weekend in September.	City of Clarksville/Clarksville Riverfest Cardboard Boat Regatta.	Clarksville, TN .....	Cumberland River, Mile 125.0–126.0 (Tennessee).
40. 2 days—First weekend of October	Three Rivers Rowing Association/Head of the Ohio Regatta.	Pittsburgh, PA .....	Allegheny River, Mile 0.0–4.0 (Pennsylvania).
41. 1 day—First or second weekend in October.	Lookout Rowing Club/Chattanooga Head Race.	Chattanooga, TN ...	Tennessee River, Mile 464.0–467.0 (Tennessee).
42. 1 day—Third weekend in November.	TREC–RACE/Pangorge .....	Chattanooga, TN ...	Tennessee River, Mile 444.0–455.0 (Tennessee).
43. 3 days—First weekend in November.	Atlanta Rowing Club/Head of the Hooch Rowing Regatta.	Chattanooga, TN ...	Tennessee River, Mile 464.0–467.0 (Tennessee).
44. One Saturday in June or July .....	Paducah Summer Festival/Cross River Swim.	Paducah, KY .....	Ohio River, Mile 934–936 (Kentucky).
45. 1 day—During the last weekend in May.	Louisville Metro Government/Mayor’s Healthy Hometown Subway Fresh Fit, Hike, Bike and Paddle.	Louisville, KY .....	Ohio River, Mile 602.0–603.5 (Kentucky).
46. 4 days—Second or third weekend in June.	Hadi Shrine/Evansville Freedom Festival Air Show.	Evansville, IN .....	Ohio River, Mile 791.0–795.0 (Indiana).
47. 1 day—Second or third Saturday in July.	Allegheny Mountain LMSC/Search for Monongy.	Pittsburgh, PA .....	Allegheny River, Mile 0.0–0.6 (Pennsylvania).
48. 1 day—July 4th .....	Wellsburg 4th of July Committee/Wellsburg 4th of July Fireworks.	Wellsburg, WV .....	Ohio River, Mile 73.5–74.5 (West Virginia).
49. 1 day—During the first week of July	Evansville Freedom Celebration/4th of July Freedom Celebration.	Evansville, IN .....	Ohio River, Mile 791.0–796.0 (Indiana).
50. 1 day—First weekend in September	Louisville Metro Government/Mayor’s Healthy Hometown Subway Fresh Fit, Hike, Bike and Paddle.	Louisville, KY .....	Ohio River, Mile 602.0–603.5 (Kentucky).
51. 2 days—Third or fourth weekend in July.	Dare to Care/KFC Mayor’s Cup Paddle Sports Races/Voyageur Canoe World Championships.	Louisville, KY .....	Ohio River, Mile 601.0–604.0 (Kentucky).
52. 3 days—Fourth weekend in August	Kentucky Drag Boat Association/Thunder on the Green.	Livermore, KY .....	Green River, Mile 70.0–71.5 (Kentucky).
53. 1 day—Fourth weekend in August	Team Rocket Tri-Club/Rocketman Triathlon.	Huntsville, AL .....	Tennessee River, Mile 333.0–334.5 (Alabama).
54. 3 days—First or second weekend in September.	Hadi Shrine/Owensboro Air Show .....	Owensboro, KY .....	Ohio River, Mile 755.0–759.0 (Kentucky).
55. 1 day—First Sunday in August .....	HealthyHuntington.org/St. Marys Tristate Triathlon.	Huntington, WV .....	Ohio River, Mile 307.3–308.3 (West Virginia).
56. 2 days—First Weekend in August ..	Buckeye Outboard Association/Portsmouth Challenge.	Portsmouth, OH ...	Ohio River, Mile 355.3–356.7 (Ohio).
57. 1 day—Sunday before Labor Day ..	Cincinnati Bell, WEBN, and Proctor and Gamble/Riverfest.	Cincinnati, OH .....	Ohio River, Mile 464.0–476.0 (Kentucky and Ohio) and Licking River Mile 0.0–3.0 (Kentucky).
58. 2 days—First or second weekend in September.	State Dock/Cumberland Poker Run .....	Jamestown, KY .....	Lake Cumberland (Kentucky).
59. 1 day—One weekend, last half of September.	Harbor House of Louisville/Ken“Ducky” Derby.	Louisville, KY .....	Ohio River, Mile 602.0–604.0 (Kentucky).
60. Second Sunday in September .....	Ohio River Sternwheel Festival Committee Sternwheel race reenactment.	Marietta, OH .....	Ohio River, Mile 170.5–172.5 (Ohio)
61. Second Saturday in September .....	Parkersburg Paddle Fest .....	Parkersburg, WV ...	Ohio River, Mile 184.3–188 (West Virginia)
62. Three days during the fourth weekend in September.	New Martinsville Records and Regatta Challenge Committee.	New Martinsville, WV.	Ohio River, Mile 128–129 (West Virginia)
63. First weekend in July .....	Eddyville Creek Marina/Thunder Over Eddy Bay.	Eddyville, KY .....	Cumberland River Mile 46.0–47.0 (Kentucky).
64. First or second weekend of July .....	Prizer Point Marina/4th of July Celebration.	Cadiz, KY .....	Cumberland River, Mile 54.0–55.09 (Kentucky).
65. 2 days, last weekend in May or first weekend in June.	Visit Knoxville/Racing on the Tennessee.	Knoxville, TN .....	Tennessee River, Mile 647.0–648.0 (Tennessee).
66. 1 day—Second weekend in September.	Start 2 Finish/Nashvegas Triathlon .....	Ashland City, TN ...	Cumberland River, Mile 157.0–159.0 (Tennessee).

\* \* \* \* \*

Dated: January 5, 2016.

**R. V. Timme,**

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

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 300**

[EPA-HQ-SFUND-2014-0050; FRL-9940-20-OLEM]

RIN 2050-AG78

**National Oil and Hazardous Substances Pollution Contingency Plan Revisions To Align With the National Response Framework**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing revisions to the National Oil and Hazardous Substances Pollution Contingency Plan. These proposed revisions align the National Oil and Hazardous Substances Pollution Contingency Plan with the Department of Homeland Security’s National Response Framework and National Incident Management System. The revisions also update the descriptions of federal agency organizational structures and capabilities and how they operate, and recognize the establishment of the Department of Homeland Security.

**DATES:** Comments must be received on or before March 25, 2016.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-SFUND-2014-0050, to the Federal

eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

**FOR FURTHER INFORMATION CONTACT:** Jean Schumann, Office of Land and Emergency Management, Mail Code 5104A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460, (202) 564-1977, [schumann.jean@epa.gov](mailto:schumann.jean@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. General Information**

*A. Does this action apply to me?*

The revisions primarily would affect the federal departments and agencies that participate in responding to incidents under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which primarily consist of the departments and agencies on the NCP National Response Team (NRT). The descriptions

and capabilities of these agencies have been updated, and some NCP terminology used by these agencies has been changed to be more consistent with the National Response Framework (NRF) and National Incident Management System (NIMS) issued by the Department of Homeland Security (DHS). Information has been added in notes to the regulation to explain that federal agencies follow the NRF and NIMS when appropriate.

Additionally, this rulemaking proposes a clarification to § 300.405(d) that affects persons who notify the National Response Center (NRC)<sup>1</sup> of an incident, including representatives of industry and federal, state, tribal, and local governments. Paragraph (d) of § 300.405 currently states that the NRC will generally need information that will help to characterize the release when people call to report an incident. Paragraph (d) of § 300.405 goes on to say that this information “will include, but is not limited to . . .” and provides a list of examples of the types of information the NRC will need. The current list of examples includes the “possible source of the release.” These revisions would clarify paragraph (d) to state “possible source and cause of the release.” The NRC already collects information regarding the cause of the release, so this is not a new requirement. Adding “cause” to paragraph (d) will better prepare people who notify the NRC that they will be asked for this information. This change is also addressed in section IV of this preamble, under the discussion for § 300.405.

Impacts on potentially affected entities, direct and indirect, are summarized in section V of this preamble. A summary of potentially affected entities is provided in the table below.

Type of entity	Affected entities
Industry .....	Industries that report to the NRC.
State, Local or Tribal Governments .....	State, local, or tribal governments that report to the NRC.
Federal Government .....	Federal departments and agencies that report to the NRC, and federal departments and agencies that are members of the National Response Team.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Others types of entities not

listed in the table could also be regulated. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

*B. What is the agency’s authority for taking this action?*

The NCP is required by section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9605, as amended by the Superfund Amendments and

<sup>1</sup> Reference is made in this preamble and in the NCP to both the Nuclear Regulatory Commission and the National Response Center. In order to avoid

confusion, the preamble and the NCP spell out the Nuclear Regulatory Commission and use the

abbreviation “NRC” only with respect to the National Response Center.