safety and health, so the state program could eventually be approved as a State and Local Government Only State Plan. Since 1971 the Maine program for public employers has been in operation under the Maine Department of Labor with state funding and all state and local government employers in the state have been subject to its terms. Compliance with state OSHA standards is required by state law; Federal approval of a State Plan imposes regulatory requirements only on the agency responsible for administering the State Plan. Accordingly, no new obligations would be placed on public sector employers as a result of Federal approval of the Plan.

D. Federalism

Executive Order 13132, ''Federalism,'' emphasizes consultation between Federal agencies and the states and establishes specific review procedures the Federal Government must follow as it carries out policies that affect state or local governments. OSHA has consulted extensively with Maine throughout the development, submission and consideration of its State Plan. Although OSHA has determined that the requirements and consultation procedures provided in Executive Order 13132 are not applicable to initial approval decisions under the OSH Act, which have no effect outside the particular state receiving the approval, OSHA has reviewed this final rule, and believes it is consistent with the principles and criteria set forth in the Executive Order.

E. Administrative Procedures

This **Federal Register** document is designated a ''final rule.'' That designation is necessary because OSHA publishes a description of every state plan in 29 CFR part 1952. Because they are set forth in the Code of Federal Regulations, these descriptions can be added or updated only by publishing a ''final rule'' document in the final rules section of the **Federal Register**. Such rules do not contain any new Federal regulatory requirements, but merely provide public information about the state plan.

Today's action is solely a formalization of the initial approval of the Maine State Plan, which was granted on August 5, 2015 (80 FR 46487).

List of Subjects in 29 CFR Part 1952

Intergovernmental relations, Law enforcement, Occupational safety and health.

Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Ave. NW., Washington, DC, authorized the preparation of this notice. OSHA is issuing this notice under the authority specified by Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667), Secretary of Labor's Order No. 1–2012 (77 FR 3912), and 29 CFR parts 1902 and 1956.

Signed in Washington, DC, on January 29, 2016.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

Amendments to Regulation

For the reasons set forth in the preamble of this final rule, 29 CFR part 1952 is amended as set forth below.

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

■ 1. The authority citation for part 1952 continues to read as follows:

Authority: Sec. 18, 84 Stat. 1608 (29 U.S.C. 667); 29 CFR part 1902; Secretary of Labor's Order No. 1–2012 (77 FR 3912, Jan. 25, 2012).

Subpart B—List of Approved State Plans for State and Local Government Employees

■ 2. Add § 1952.28 to read as follows:

§ 1952.28 Maine.

(a) The Maine State Plan for State and local government employees received initial approval from the Assistant Secretary on August 5, 2015.

(b) The Plan further provides assurances of a fully trained, adequate staff within three years of plan approval, including 2 safety and 1 health compliance officers for enforcement inspections, and 3 safety and 1 health consultants to perform consultation services in the public sector. The State has assured that it will continue to provide a sufficient number of adequately trained and qualified personnel necessary for the enforcement of standards as required by 29 CFR 1956.10. The State has also given satisfactory assurance of adequate funding to support the Plan.

(c) The plan only covers State and local government employers and employees within the State. For additional details about the plan, please visit *https://www.osha.gov/dcsp/osp/stateprogs/maine.html.*

[FR Doc. 2016–02069 Filed 2–4–16; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2016–0046]

Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, South Branch of the Elizabeth River, Portsmouth-Chesapeake, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Norfolk and Western railroad bridge (Norfolk Southern V6.8 Bridge) across the South Branch of the Elizabeth River, mile 3.6, at Portsmouth-Chesapeake, VA. The deviation is necessary to perform bridge maintenance and repairs. This deviation allows the bridge to remain in the closed-to-navigation position.

DATES: This deviation is effective from 7 a.m. on February 5, 2016 to 7 p.m. on February 7, 2016.

ADDRESSES: The docket for this deviation [USCG–2016–0046] is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Hal R. Pitts, Bridge Administration Branch Fifth District, Coast Guard, telephone 757–398–6222, email *Hal.R.Pitts@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Norfolk Southern Corporation, that owns and operates the Norfolk and Western railroad bridge (Norfolk Southern V6.8 Bridge), has requested a temporary deviation from the current operating regulations to install new festoon systems between the bridge towers. The bridge is a vertical lift draw bridge and has a vertical clearance in the closed position of 10 feet above mean high water.

The current operating schedule is set out in 33 CFR 117.997(b). Under this temporary deviation, the bridge will remain in the closed-to-navigation position from 7 a.m. to 7 p.m. from February 5, 2016 through February 7, 2016. During this temporary deviation, the bridge will operate per 33 CFR 117.997(b) from 7 p.m. to 7 a.m.

The South Branch of the Elizabeth River is used by a variety of vessels including deep draft ocean-going

vessels, U.S. government vessels, small commercial vessels, recreational vessels and tug and barge traffic. The Coast Guard has carefully coordinated the restrictions with waterway users.

There will be limited opportunity for vessels to transit through the bridge in the closed position during this temporary deviation. Vessels able to pass through the bridge in the closed position may do so after receiving confirmation from the bridge tender that it is safe to transit through the bridge. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transit to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: January 28, 2016.

Hal R. Pitts,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2016–02100 Filed 2–4–16; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2015–1125]

RIN 1625–AA00

Safety Zone; Bayou Petite Caillou, Boudreaux Canal Floodgate; Chauvin, LA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on all navigable waters within a 750 foot radius around the center of the Boudreaux Canal Flood Gates in Chauvin, LA. This safety zone is necessary to protect persons, property, and infrastructure from potential damage and safety hazards associated with repair work on the Boudreaux Canal Sector Flood Gates located on Bayou Petite Caillou. During the periods of enforcement, entry into and transiting or anchoring within this safety zone is prohibited unless specifically authorized by Captain of the Port (COTP) Morgan City or other designated representative.

DATES: This rule is effective without actual notice from February 5, 2016 until February 27, 2016. For the purposes of enforcement, actual notice will be used from January 6, 2016 until February 5, 2016.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2015–1125 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Junior Grade Vanessa Taylor, Chief of Waterways Management, U.S. Coast Guard MSU Morgan City 800 David Dr., Morgan City, LA 70380; telephone (985) 380–5334, email *Vanessa.R.Taylor@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 Information and Regulatory History

The Coast Guard is issuing this temporary 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 repair work on the Boudreaux Canal Sector Flood Gates located on Bayou Petite Caillou needs to be completed before marine traffic increases during the extremely high traffic periods of the upcoming shrimping season. The Coast Guard received notice of the need for this repair December 16, 2015. Repair work pushed to any later date will unnecessarily create major traffic delays. It is impracticable to publish an NPRM because we must establish this safety zone by January 6, 2016.We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to public interest because immediate action is needed to provide additional safety measure during the repair work so that it may be completed before the high traffic periods during the upcoming shrimping season.

III. Legal Authority and Need for Rule

The legal basis and authorities for this rule are found in 33 U.S.C. 1231.

The purpose of the rule is to establish the necessary temporary safety zone to provide protection for persons and property from the hazards associated with the repairs. This includes commercial and recreational vessels that may be in the area during the repair, removal and re-installation of the Boudreaux Canal Flood Gates.

IV. Discussion of the Rule

This rule establishes a safety zone from January 6, 2016 through January 15, 2016 and from February 18, 2016 through February 27, 2016. The safety zone will cover all navigable waters within a 750 foot radius around coordinate 29°23.117 N., 90°37.038 W. which is located in center of the Boudreaux Canal Flood Gates. This safety zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the inspection, repair, removal, and re-installation of flood gates occurs. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

We developed this 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 rule has not been designated a ''significant regulatory action,'' under E.O. 12866. Accordingly,