

“impracticable, unnecessary, or contrary to the public interest.”

In this temporary rule, TTB is delaying the compliance date for the requirement that the tax class statement “Tax class 5041(b)(6)” appear on containers of wine for which the hard cider tax class is claimed, from January 1, 2018, to January 1, 2019. TTB finds that prior notice and comment is unnecessary because a delayed compliance date will provide additional time to industry members to comply with that labeling requirement.

TTB is issuing this temporary rule without a delayed effective date pursuant to authority under section 4(c) of the APA (5 U.S.C. 553(d)). TTB finds good cause under 5 U.S.C. 553(d)(1) to dispense with the effective date limitation in 5 U.S.C. 553(d). This temporary rule grants a one-year exemption by delaying the compliance date for a labeling statement requirement that would otherwise become effective on January 1, 2018. Accordingly, the effective date of this temporary rule is December 5, 2017.

#### Drafting Information

Kara Fontaine of the Regulations and Rulings Division drafted this document with the assistance of other Alcohol and Tobacco Tax and Trade Bureau personnel.

#### List of Subjects

##### 27 CFR Part 24

Administrative practice and procedure, Cider, Claims, Electronic funds transfers, Excise taxes, Exports, Food additives, Fruit juices, Hard Cider, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Research, Scientific equipment, Spices and flavorings, Surety bonds, Vinegar, Warehouses, Wine.

##### 27 CFR Part 27

Alcohol and alcoholic beverages, Beer, Cosmetics, Customs duties and inspections, Electronic funds transfers, Excise taxes, Imports, Labeling, Liquors, Packaging and containers, Reporting and Recordkeeping requirements, Wine.

#### Amendments to the Regulations

For the reasons discussed in the preamble, TTB is amending 27 CFR chapter I, parts 24 and 27 as follows:

#### PART 24—WINE

■ 1. The authority citation for part 24 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 26 U.S.C. 5001, 5008, 5041, 5042, 5044, 5061, 5062, 5121, 5122–5124, 5173, 5206, 5214, 5215, 5351,

5353, 5354, 5356, 5357, 5361, 5362, 5364–5373, 5381–5388, 5391, 5392, 5511, 5551, 5552, 5661, 5662, 5684, 6065, 6091, 6109, 6301, 6302, 6311, 6651, 6676, 7302, 7342, 7502, 7503, 7606, 7805, 7851; 31 U.S.C. 9301, 9303, 9304, 9306.

#### § 24.257 [Amended]

■ 2. In § 24.257:

■ a. Paragraph (a)(4) is amended by removing the date “January 1, 2018” each place it appears and adding in its place the date “January 1, 2019”; and

■ b. The Office of Management and Budget control number reference at the end of the section is amended by removing the phrase “1513–0115 and 1513–XXXX” and adding in its place the phrase “1513–0092 and 1513–0138”.

#### PART 27—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER

■ 3. The authority citation for part 27 is revised to read as follows:

**Authority:** 5 U.S.C. 552(a), 19 U.S.C. 81c, 1202; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5054, 5061, 5121, 5122–5124, 5201, 5205, 5207, 5232, 5273, 5301, 5313, 5382, 5555, 6109, 6302, 7805.

#### § 27.59 [Amended]

■ 4. In § 27.59, the Office of Management and Budget control number reference at the end of the section is amended by removing the phrase “number 1513–XXXX” and adding in its place the phrase “numbers 1513–0092 and 1513–0138”.

Signed: October 30, 2017.

**John J. Manfreda,**

*Administrator.*

Approved: November 30, 2017.

**Timothy E. Skud,**

*Deputy Assistant Secretary (Tax, Trade and Tariff Policy).*

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#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

##### 33 CFR Part 117

[Docket No. USCG–2017–1038]

#### Drawbridge Operation Regulation; Rigolets Pass, Slidell, LA

**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 CSX Railroad Bridge across the Rigolets Pass, mile 0.0, St. Tammany Parish, Louisiana. This deviation is necessary to perform maintenance for the continued safe operation of the bridge. This deviation allows for the bridge to remain in the closed-to-navigation position on December 12, 2017, through December 15, 2017. It further requires a one-hour advance notice for openings to facilitate passage of vessel traffic from 7 a.m. to 5 p.m. on certain dates from December 18, 2017 through January 12, 2018.

**DATES:** This deviation is effective from 4 a.m. on December 12, 2017, through 5 p.m. on January 12, 2018.

**ADDRESSES:** The docket for this deviation, [USCG–2017–1038] 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 Giselle T. MacDonald, Bridge Administration Branch, Coast Guard, telephone (504) 671–2128, email [Giselle.T.MacDonald@uscg.mil](mailto:Giselle.T.MacDonald@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The CSX Transportation requested a temporary deviation from the operating schedule of the CSX Railroad Swing Bridge across Rigolets Pass, mile 0.0, near Slidell, St. Tammany Parish, Louisiana. This deviation is necessary to replace the center pivot bearing and the wedge machinery on the south center and southwest end of the swing span.

For the purposes of this deviation, the bridge will be allowed to remain in the closed-to-navigation position from 4 a.m. on Tuesday, December 12, 2017, through 4 a.m. on Friday, December 15, 2017, and a one-hour advance notice for openings to facilitate passage of vessel traffic from 7 a.m. to 5 p.m., each day, on December 18, 2017, through December 22, 2017, and from January 2, 2018 through January 12, 2018. At all other times the bridge will operate in accordance with 33 CFR 117.5.

The vertical clearance of the bridge is 14.5 feet above mean low water (MLW), elevation 11.9 feet above mean high water (MHW) in the closed-to-navigation position. Navigation on the waterway consists of tugs with tows, commercial fishing vessels and some recreational crafts.

For the duration of the repair work, vessels will not be allowed to pass through the bridge in the closed-to-navigation position and will not be able to open for emergencies. The alternate route for vessels to pass is the Pearl

River. 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 transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35, 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: November 29, 2017.

**Douglas A. Blakemore,**

*Bridge Administrator, Eighth Coast Guard District.*

[FR Doc. 2017-26094 Filed 12-4-17; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2017-0982]

RIN 1625-AA00

#### Safety Zone; Mamala Bay, Oahu, HI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** On October 10, 2017, the commercial fishing vessel PACIFIC PARADISE ran aground approximately 400 yards southwest of Kaimana Beach, in the navigable waters of Mamala Bay, Oahu, Hawaii. The Coast Guard established a temporary safety zone extending 500 yards in all directions around the grounded vessel to facilitate vessel salvage operations. To date, the vessel remains aground. Accordingly, effective December 1, 2017, the Coast Guard hereby extends the temporary safety zone for an additional thirty days to facilitate ongoing salvage and subsequent removal operations. The extension of this temporary safety zone is necessary to protect personnel, vessels and the marine environment from potential hazards associated with ongoing operations to salvage and remove a grounded vessel in this area. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Honolulu.

**DATES:** This rule is effective without actual notice from December 5, 2017 until 8:00 a.m. on December 31, 2017. For the purposes of enforcement, actual notice will be used from 8:00 a.m. on

December 1, 2017 until December 5, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2017-0982 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 Commander John Bannon, Waterways Management Division, U.S. Coast Guard Sector Honolulu at (808) 541-4359 or [john.e.bannon@uscg.mil](mailto:john.e.bannon@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
COTP Captain of the Port  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
TFR Temporary final rule  
U.S.C. United States Code

##### II. Background Information and Regulatory History

On October 10, 2017, the commercial fishing vessel PACIFIC PARADISE ran aground approximately 400 yards southwest of Kaimana Beach, in the navigable waters of Mamala Bay, Oahu, Hawaii at position 21°15.69' N.; 157°49.49' W. On October 11, 2017, the Coast Guard established a seven-day temporary safety zone encompassing all waters extending 500 yards in all directions around the grounded vessel to facilitate vessel salvage operations and protect personnel, vessels and the marine environment from the hazards associated with them. Due to the emergent nature of the grounding and subsequent removal operations, the temporary final rule (TFR) was not initially published in the **Federal Register**. On October 18, 2017, the temporary safety zone was extended for two additional weeks to account for delays in salvage operations due to ocean and weather conditions. The extension of the temporary safety zone was published in the **Federal Register** (82 FR 49111) on October 24, 2017. On November 1, 2017, the safety zone was extended for one additional month to account for delays in salvage operations due to ocean and weather conditions. The safety zone extension was published in the **Federal Register** (82 FR 51767) on November 8, 2017. Ongoing challenges with the salvage efforts and weather necessitate a third extension of the temporary safety zone for an additional thirty days.

The temporary safety zone continues to encompass all waters extending 500 yards in all directions around the grounded fishing vessel located approximately 400 yards southwest of Kaimana Beach at position 21°15.69' N.; 157°49.49' W. When the vessel is off the reef, the stationary safety zone will shift to a moving safety zone extending 500 yards in all directions around the vessel and continue until December 31, 2017 at 8:00 a.m. or until the removal operation is complete, whichever is earlier.

The Coast Guard is extending the existing temporary safety zone 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 initial estimate to salvage the vessel from the grounding was estimated at one week or less. Immediate action remains needed to respond to the safety hazards associated with this fishing vessel salvage effort for an estimated additional thirty days. Therefore, publishing an NPRM is impracticable and contrary to public interest.

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**. For the same reasons stated in the preceding paragraph, delaying the effective period of this temporary safety zone would be impracticable and contrary to the public interest.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule pursuant to 33 U.S.C. 1231. On October 10, 2017, the Coast Guard was informed the commercial fishing vessel PACIFIC PARADISE ran aground in Mamala Bay, Oahu, Hawaii, near Waikiki's Kaimana Beach. The COTP Honolulu determined that potential hazards associated with the salvage and removal operations, including high winds and seas, constituted a safety concern. Accordingly, the COTP Honolulu established a temporary safety zone extending 500 yards in all directions around the grounded vessel to protect personnel, vessels, and the marine environment during ongoing salvage and removal operations.