

which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined 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 rule involves a safety zone of limited size and duration. It is categorically excluded from further review under paragraph L60(a) in Table 3–1 of U.S. Coast Guard Environmental Planning Implementing Procedures 5090.1. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

### 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.

### List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T11–976 to read as follows:

### § 165.T11–976 Safety Zone; Belvedere Island Birthday Fireworks, Richardson Bay, Belvedere, CA.

(a) *Location.* The following area is a safety zone: From noon on June 1, 2019 until 9:15 p.m. on June 1, 2019 the safety zone will encompass all navigable waters of San Francisco Bay and Richardson Bay, from surface to bottom, within a circle formed by connecting all points 100 feet out from the fireworks barge during the loading and staging at Pier 50 in San Francisco, as well as during transit to and arrival at Belvedere, CA. Between 9:15 p.m. and 10:25 p.m. on June 1, 2019, the safety zone will expand to all navigable waters, from surface to bottom, within a

circle formed by connecting all points 420 feet out from the fireworks barge in approximate position 37°52′08″ N, 122°28′18″ W (NAD 83).

(b) *Definitions.* As used in this section, “designated representative” means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel or a Federal, State, or local officer designated by or assisting the Captain of the Port San Francisco (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP’s designated representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or a designated representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the COTP or a designated representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP’s designated representative. Persons and vessels may request permission to enter the safety zones on VHF–23A or through the 24-hour Command Center at telephone (415) 399–3547.

(d) *Effective period.* The zone described in paragraph (a) of this section will be effective and enforced from noon on June 1, 2019 until approximately 10:25 p.m. on June 1, 2019. The Captain of the Port San Francisco will notify the maritime community of periods during which these zones will be enforced via Notice to Mariners in accordance with § 165.7.

Dated: May 28, 2019.

**Marie B. Byrd,**

*Captain, U.S. Coast Guard, Captain of the Port, San Francisco.*

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**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Part 165

[Docket No. USCG–2019–0408]

### Safety Zones; Annual Events in the Captain of the Port Buffalo Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce certain safety zones located in federal regulations for Annual Events in the Captain of the Port Buffalo. This action is necessary and intended to protect the safety of life and property on navigable waters prior to, during, and immediately after these events. During each enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo.

**DATES:** The regulations in 33 CFR 165.939(a)(4) as listed in Table 165.939 will be enforced from 9:30 p.m. through 10:15 p.m. on June 14, 2019. The regulations in 33 CFR 165.939(a)(5) as listed in Table 165.939 will be enforced from 9 p.m. through 10 p.m. on June 1, 2019. The regulations in 33 CFR 165.939(a)(6) as listed in Table 165.939 will be enforced from 8 a.m. through 5:30 p.m. on June 15, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email LT Sean Dolan, Chief of Waterways Management, U.S. Coast Guard Sector Buffalo telephone 716–843–9322, email *D09-SMB-SECBuffalo-WWM@uscg.mil*.

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Safety Zones; Annual Events in the Captain of the Port Buffalo Zone listed in 33 CFR 165.939 for the following events:

(1) *Seneca River Days, Baldwinsville, NY;* The safety zone listed in Table 165.939 as (a)(4) will be enforced from 9:30 p.m. through 10:15 p.m. on June 14, 2019 with a rain date of June 15, 2019.

(2) *Flagship Niagara Mariner’s Ball Fireworks, Erie, PA;* The safety zone listed in Table 165.939 as (a)(5) will be enforced from 9 p.m. through 10 p.m. on June 01, 2019.

(3) *Hope Chest Buffalo Niagara Dragon Boat Festival, Buffalo, NY;* The safety zone listed in Table 165.939 as (a)(6) will be enforced from 8:00 a.m. through 5:30 p.m. on June 15, 2019.

Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within the safety zones during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or a designated representative. Those seeking permission to enter the safety zones may request permission from the Captain of Port Buffalo via channel 16, VHF–FM. Vessels and persons granted permission to enter the safety zones shall obey the directions of the Captain of the Port Buffalo or a designated representative. While within a safety

zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice of enforcement is issued under authority of 33 CFR 165.939 and 5 U.S.C. 552 (a). In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. If the Captain of the Port Buffalo determines that the safety zone need not be enforced for the full duration stated in this notification he or she may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone.

Dated: May 23, 2019.

**Joseph S. Dufresne,**

*Captain, U.S. Coast Guard, Captain of the Port Buffalo.*

[FR Doc. 2019-11374 Filed 5-30-19; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2018-0722; FRL-9994-40-Region 3]

#### Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Commercial Fuel Oil Sulfur Limits for Combustion Units in Philadelphia County

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania (Pennsylvania). The revision updates Philadelphia County's portion of the Pennsylvania SIP, which includes regulations concerning sulfur content in fuel oil. Implementation of these provisions will reduce the amount of sulfur in fuel oils used in combustion units in Philadelphia County. EPA is approving these revisions to the Pennsylvania SIP in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on July 1, 2019.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R03-OAR-2018-0722. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly

available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Erin Trouba, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814-2023. Ms. Trouba can also be reached via electronic mail at [trouba.erin@epa.gov](mailto:trouba.erin@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On March 19, 2019 (84 FR 9991), EPA published a notice of proposed rulemaking (NPRM) for the Commonwealth of Pennsylvania. In the NPRM, EPA proposed approval of lower commercial fuel oil sulfur limits for combustion and sale in Philadelphia County into the Pennsylvania SIP. The formal SIP revision was submitted by the City of Philadelphia, Air Management Services (AMS) through the Pennsylvania Department of Environmental Protection (PADEP) on June 21, 2018. The SIP revision consists of an amendment to 40 CFR 52.2020(c)(3), the Philadelphia County portion of the SIP, in order to implement provisions for lower sulfur levels in commercial fuel oil in Philadelphia County.

##### II. Summary of SIP Revision and EPA Analysis

Through its June 2018 SIP revision submittal, Pennsylvania sought to revise its SIP by including amendments to Section 3-207 of the Air Management Code (AMC), as well as Sections I, II, and III of Air Management Regulation (AMR) III (Control of Emissions of Oxides and Sulfur Compounds). The revision lowers the maximum allowable sulfur content in number 2 and lighter fuel oils from 0.2 percent (%) by weight (2,000 parts per million (ppm)) to 0.0015% by weight (15 ppm) and lowers the maximum allowable sulfur content in number 4 fuel oils from 0.3% by weight (3,000 ppm) to 0.25% by weight (2,500 ppm).

The revision also lowers the permissible sulfur dioxide (SO<sub>2</sub>) emissions from the combustion of

number 4 fuel oils and lowers the sulfur oxides emission limit to 0.4 ppm for any 5-minute period when measured at ground level. The revision allows commercial fuel oil stored by the ultimate consumer at its facility prior to the applicable compliance date, July 1, 2015, to be used after that applicable compliance date, if the fuel oil met the applicable maximum allowable sulfur content at the time it was stored, provided that certain conditions are met. Also included in the revised provisions are exemptions for using noncompliant fuel oil beyond July 1, 2020 and an emergency conditions provision.

Other specific requirements of lower commercial fuel oil sulfur limits for combustion and sale in Philadelphia County and the rationale for EPA's proposed action are explained in the NPRM, which is available in the docket for this rulemaking located at <https://www.regulations.gov>, Docket ID Number EPA-R03-OAR-2018-0722. No adverse public comments were received on the NPRM. Two identical positive public comments were received.

##### III. Final Action

EPA is approving Pennsylvania's June 21, 2018 SIP submittal that lowers commercial fuel oil sulfur limits for combustion units in Philadelphia County as a revision to the Pennsylvania SIP. With this approval, EPA will incorporate amended AMC Section 3-207 and AMR III Sections I, II, and III into the Commonwealth of Pennsylvania's SIP.

##### IV. Incorporation by Reference

In this document, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of lower commercial fuel oil sulfur limits for combustion units in Philadelphia County discussed in Sections I and II of this action. EPA has made, and will continue to make, these materials generally available through [www.regulations.gov](https://www.regulations.gov) and at the EPA Region III Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully Federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be