

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 100**

[Docket No. USCG-2024-0892]

Special Local Regulation; Key West World Championship, Key West, FL**AGENCY:** Coast Guard, DHS.**ACTION:** Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a special local regulation for the Key West World Championship high-speed boat race on November 6, 8, and 10, 2024, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Seventh Coast Guard District identifies the regulated area for this event in Key West, FL. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area without permission from the Captain of the Port Key West or a designated representative.

DATES: The regulations in 33 CFR 100.701 will be enforced for the Key West World Championship high-speed boat race regulated area in paragraph (b), item no. 4 in table 1 to § 100.701, daily from 10 a.m. until 4 p.m., on November 6, 8, and 10, 2024.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Hailye Wilson, Sector Key West Waterways Management Division, Coast Guard; telephone 305-292-8768, email Hailye.M.Wilson@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce special local regulations in for the Key West World Championship high speed boat race area identified in table 1 to § 100.701, paragraph (b), item No. 4, on November 6, 8, and 10, 2024. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for recurring marine events, Sector Key West, § 100.701, table 1 paragraph (b), Item 4, specifies the location of the regulated area for the Key West World Championship high-speed boat race, which encompasses a portion of the Atlantic Ocean in Key West, Florida. During the enforcement periods, as reflected in § 100.701(c), all persons and vessels, except those persons and vessels participating in the high-speed boat race, are prohibited from entering, transiting through,

anchoring in, or remaining within the regulated area without obtaining permission from the Captain of the Port Key West or a designated representative.

In addition to this notice of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners, marine information broadcasts, or both.

Dated: October 23, 2024.

Jason D. Ingram,

Captain, U.S. Coast Guard, Captain of the Port Key West.

[FR Doc. 2024-25029 Filed 10-28-24; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165**

[Docket Number USCG-2024-0849]

RIN 1625-AA00**Safety Zone, Neuse River, New Bern, NC****AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the navigable waters of the Neuse River in New Bern, North Carolina adjacent to the New Bern downtown waterfront and Union Point Park. This action is necessary to provide for the safety of life on these waters during an aerobatic air show on November 30, 2024. This rule prohibits persons and vessels from being in the safety zone unless authorized by the Captain of the Port (COTP) North Carolina or a designated representative.

DATES: This rule is effective from November 30, 2024, from 3 p.m. through 7 p.m.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-0849 in the search box and click “Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Petty Officer Eric Gordon, Waterways Management Division, U.S. Coast Guard; telephone 571-608-8783, email NCMarineevents@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
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 it would be impracticable to publish an NPRM and consider comments without delaying promulgation of the rule beyond November 30, 2024, the date of the air show, and it would be contrary to the public interest to delay promulgation of the rule until after the event occurs. The rule needs to be in effect by November 30, 2024, to protect persons and vessels from the hazards associated with this event. Such hazards include the possibility of an aircraft striking a vessel on the surface below the flight zone.

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 Register**. Delaying the effective date of this rule would be impracticable to publish this rule 30 days prior to the date of the event, and contrary to the public interest to delay publication past that date because the rule must be in place to protect persons and vessels from the hazards associated with this event on November 30, 2024.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port North Carolina (COTP) has determined that potential hazards associated with the Downtown New Bern Airshow, scheduled for 3:00 p.m. through 7:00 p.m. on November 30, 2024, is a safety concern for mariners during the time that aircraft perform aerobatic maneuvers directly above the Neuse River. This rule is necessary to protect personnel, vessels, and the marine environment from the hazards associated with the airshow above this position of the Neuse River.

IV. Discussion of the Rule

This rule establishes a temporary safety zone on a portion of the Neuse River on November 30, 2024, from 3:00 p.m. to 7:00 p.m. The rule will be enforced for the duration of the event. The date and times of enforcement will be broadcast locally over VHF-FM marine radio. The safety zone will include all navigable waters of the Neuse River in New Bern, North Carolina inside an area starting from approximate positions: latitude 35°06'55" N, longitude 077°02'04" W, then east to latitude 35°07'06" N, longitude 077°01'27" W, then southeast to latitude 35°06'49" N, longitude 077°01'12" W, then south to latitude 35°06'08" N, longitude 077°01'18" W, then west to latitude 35°06'02" N, longitude 077°01'57" W, then north to latitude 35°06'32" N, longitude 077°01'54" W, then north to the point of origin then north to the point of origin, for a total area of approximately 1 mile square.

The airshow will consist of three separate performances and will last a total approximately 4 hours. All aircraft will remain at least 500 feet above the ground. Public spectators will be allowed to view the event from the waterway, however, for safety reasons, the aircraft will not perform if there are any vessels inside the safety zone. The duration of this safety zone is intended to protect participants and spectators on the navigable waters of the Neuse River during the airshow. Vessels may transit the area, so long as they remain outside the safety zone. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP North Carolina or a designated representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protesters.

A. Regulatory Planning and Review

Executive Orders 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. This rule has not been designated a "significant regulatory action," under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been

reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, and duration of the safety zone. Vessel traffic will not be allowed to enter or transit a portion of the Neuse River during the airshow from 3:00 p.m. through 7:00 p.m. November 30, 2024. The Coast Guard will transmit a Broadcast Notice to Mariners via VHF-FM marine channel 16 regarding the enforcement area. This rule allows vessels to request permission to pass through the regulated area.

B. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to rules not subject to notice and comment. As the Coast Guard has, for good cause, waived notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's provisions do not apply here. 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 rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email 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 rule or any policy or action of the Coast Guard.

C. Collection of Information

This 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 Executive Order 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 rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have Tribal implications under Executive Order 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.

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 rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), 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 lasting 4 hours that will prohibit entry within a 1 square mile area of the Neuse River on November 30, 2024, from 3 p.m. to 7 p.m. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email 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, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

■ 2. Add § 165.T05–0512 to read as follows:

§ 165.T05–0512 Safety Zone; Neuse River, Airshow, New Bern, NC.

(a) **Location.** The following area is a safety zone: all navigable waters of the Neuse River in New Bern, North Carolina, inside an area starting from approximate positions: latitude 35°06'55" N, longitude 077°02'04" W, then east to latitude 35°07'06" N, longitude 077°01'27" W, then southeast to latitude 35°06'49" N, longitude 077°01'12" W, then south to latitude 35°06'08" N, longitude 077°01'18" W, then west to latitude 35°06'02" N, longitude 077°01'57" W, then north to latitude 35°06'32" N, longitude 077°01'54" W, then north to the point of origin, for a total area of approximately 1 mile square.

(b) **Definitions.** As used in this section—

Captain of the Port (COTP) means the Commander, Sector North Carolina.

Designated representative means a Coast Guard Patrol Commander, including a Coast Guard commissioned, warrant, or petty officer designated by the Captain of the Port North Carolina (COTP) for the enforcement of the safety zone.

(c) **Regulations.** (1) The general regulations governing safety zones in § 165.23 apply to the area described in paragraph (a) of this section.

(2) Entry into or remaining in this safety zone is prohibited unless authorized by the COTP North Carolina or the COTP North Carolina's designated representative. Unless permission to remain in the zone has been granted by the COTP North

Carolina or the COTP North Carolina's designated representative, a vessel within this safety zone must immediately depart the zone when this section becomes effective.

(3) The Captain of the Port, North Carolina can be reached through the Coast Guard Sector North Carolina Command Duty Officer, Wilmington, North Carolina, at telephone number 910–343–3882.

(4) The Coast Guard and designated security vessels enforcing the safety zone can be contacted on VHF–FM marine band radio channel 13 (165.65 MHz) and channel 16 (156.8 MHz).

(d) **Enforcement.** The U.S. Coast Guard may be assisted in the patrol and enforcement of the safety zone by Federal, State, and local agencies.

(e) **Enforcement period.** This section will be enforced from 3 p.m. through 7 p.m. on November 30, 2024.

Courtney A. Sergent,

Commander, U.S. Coast Guard, Alternate Captain of the Port Sector North Carolina.

[FR Doc. 2024–25110 Filed 10–28–24; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2023–0540; FRL–11835–02–R5]

Air Plan Approval; Wisconsin; SIP Alignment Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving an October 27, 2023, submittal from the Wisconsin Department of Natural Resources (WDNR) to align provisions approved in the Wisconsin State Implementation Plan (SIP) with current Wisconsin administrative rules and statutes. WDNR requested that certain provisions previously approved into the Wisconsin SIP under now obsolete numbering schemes be renumbered to ensure citations in the Wisconsin SIP reflect the current numbering systems of the Wisconsin Administrative Code (WAC) and the Wisconsin Statutes (Wis. Stats.). WDNR also requested that EPA approve rule and statute provisions that have been revised since they were approved into the Wisconsin SIP. Finally, WDNR requested removal of rules and statutes from the Wisconsin SIP that are no longer in effect in Wisconsin. Approval of these changes in the Wisconsin SIP

will not impact the state's air quality or ability to meet Clean Air Act (CAA) requirements. EPA proposed to approve this action on May 16, 2024, and received no comments.

DATES: This final rule is effective on November 29, 2024.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2023–0540. All documents in the docket are listed on the www.regulations.gov website.

Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI), Proprietary Business Information (PBI), 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 either through www.regulations.gov or at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Christos Panos at (312) 353–8328 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Christos Panos, Air and Radiation Division (AR–18), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8328, panos.christos@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

I. Background Information

On May 16, 2024 (89 FR 42829), EPA proposed to approve the SIP revision request submitted by Wisconsin on October 27, 2023. The revision includes primarily administrative changes to existing rules and updates to material adopted by reference related to rules in WAC Chapters 400, 415, 417, 431, 436, 445, 447, 492 and 493, and Wis. Stats. Chapters 15, 110, 285 and 299. Also, EPA proposed to approve Wisconsin's request for the removal of previously approved WAC rules and Wis. Stats. identified in Section 4 of the WDNR submittal. Most of the provisions that WDNR has removed are from Wis. Stats. that are obsolete. These provisions are no longer needed or have been replaced by other approved rules in the Wisconsin SIP. An explanation of the CAA requirements, a detailed analysis