

opening of St. Louis Bay, extending the entire width of the channel approximately 1 mile south of the Hwy 90 Bridge in Bay St. Louis, MS annually on the 3rd or 4th Saturday or Sunday of September. 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 where indicated under the **ADDRESSES** section of this preamble.

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. 01.4.

- 2. In § 165.801, amend Table 7, by adding in numerical order item 8 to read as follows:

§ 165.801 Annual fireworks displays and other events in the Eighth Coast Guard District requiring safety zones.

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TABLE 7 OF § 165.801—SECTOR MOBILE ANNUAL AND RECURRING MARINE EVENTS

Date	Sponsor/name	Sector mobile location	Safety zone
8. 3rd or 4th Saturday or Sunday of September.	Swim Across the Bay	St. Louis Bay, Bay St. Louis, MS.	St. Louis Bay, bounded by the following coordinates beginning at: 30°19.133' N, 89°19.317' W, thence to 30°18.967' N 89°17.417' W, thence to 30°18.367' N, 89°19.650' W, thence to 30°18.300' N, 89°17.567' W, then back to the point of origin.

M.O. Vega,
Captain, U.S. Coast Guard, Captain of the Port Sector Mobile.

[FR Doc. 2025-17089 Filed 9-4-25; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2025-0784]

RIN 1625-AA00

Safety Zone; Ohio River, Owensboro, KY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of the Ohio River, extending the entire width of the river, between mile markers (MM) 756.0–757.0. The safety zone is necessary to provide for the safety of life on these navigable waters near Owensboro, KY, during the Owensboro Riverfront Fireworks on September 14, 2025.

DATES: This rule is effective from 9 p.m. through 9:30 p.m. on September 14th, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2025-

0784 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 about this rule, call or email Marine Science Technician Second Class Koa Krolik, and Sector Ohio Valley, U.S. Coast Guard; telephone 502-779-5343, email Koa.L.Krolik@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
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 under the authority in 5 U.S.C. 553(b)(B). This statutory 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.” The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard must establish this safety zone by September 14th, 2025, and lacks sufficient time to

provide a reasonable comment period and then consider those comments before issuing the rule.

Also, 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 contrary to public interest because immediate action is necessary to ensure the safety of vessels and persons during a fireworks display on September 14, 2025. The Coast Guard will issue Broadcast Notice to Mariners (BNM) to advise mariners of the restrictions and enforcement times during this event.

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 Sector Ohio Valley (COTP) has determined that this action is necessary to provide for the safety of life on these navigable waters near Owensboro, KY during the Owensboro Fireworks Show on September 14, 2025. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the regulated area between MM 756.0–757.0 on the Ohio River from 9 p.m. through 9:30 p.m.

IV. Discussion of the Rule

This rule establishes a safety zone from 9 p.m. through 9:30 p.m. on September 14, 2025. The safety zone will cover the entire width of the Ohio

River between MM 756.0–757.0. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the firework display is conducted. 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 related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 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 rule will not have a significant economic impact on a substantial number of small entities. This rule will restrict vessel navigation on the Ohio River for only 30 minutes, at a time when vessel traffic is normally low. In addition, the Coast Guard will issue a Broadcast Notice to Mariners via VHF FM marine channel 16, which will allow small entities to adjust their transit plans, and the rule allows vessels to request permission to enter the zone from the COTP.

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 will 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.

B. 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).

C. 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.

D. 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.

E. 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 only 30 minutes that will prohibit entry from MM 756.0–757.0 on the Ohio River from 9 p.m. to 9:30 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.

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. 01.4.

■ 2. Add § 165.T08–0784 to read as follows:

§ 165.T08–0784 Safety Zone; Ohio River, Owensboro, KY.

(a) **Location.** The following area is a safety zone: All navigable waters of the Ohio river extending from mile marker 756.0–757.0, in the vicinity of Owensboro, KY.

(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 and a Federal, State, and local officer designated by or assisting the Captain of the Port Sector Ohio Valley (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) To seek permission to enter, contact the COTP or the COTP's representative by VHF–FM radio channel 16 or phone at 1–502–779–5300. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) **Enforcement period.** This section will be enforced from 9 p.m. to 9:30 p.m. on September 14, 2025.

Dated: August 29, 2025.

R.L. Preston,

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

[FR Doc. 2025-17090 Filed 9-4-25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R09-OAR-2025-0203; FRL-12755-02-R9]

Approval of Air Quality Implementation Plans; California; Regional Haze State Implementation Plan for the Second Implementation Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving the regional haze state implementation plan (SIP) revision submitted by California on August 9, 2022 (hereinafter the “2022 California Regional Haze Plan” or “the Plan”), under the Clean Air Act (CAA) and the EPA’s Regional Haze Rule (RHR) for the program’s second implementation period. The Plan addresses the requirement that states must periodically revise their long-term strategies for making reasonable progress towards the national goal of preventing any future, and remedying any existing, anthropogenic impairment of visibility, including regional haze, in mandatory Class I Federal areas. The Plan also addresses other applicable requirements for the second implementation period of the regional haze program. The EPA is taking this action pursuant to CAA sections 110 and 169A.

DATES: This final rule is effective on October 6, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2025-0203. All documents in the docket are listed on the 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 www.regulations.gov, or please contact the person identified in the **FOR FURTHER INFORMATION**

CONTACT section for additional availability information.

FOR FURTHER INFORMATION CONTACT:

Emily Millar, Geographic Strategies and Modeling Section (ARD-2-2), Planning & Analysis Branch, EPA Region IX, by email at millar.emily@epa.gov or phone at (213) 244-1882.

SUPPLEMENTARY INFORMATION:

Throughout this document, “we,” “us,” and “our” refer to the EPA.

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- II. Rationale for Final Action
- III. Public Comments and EPA Responses
- IV. Final Action
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I. Background

On August 9, 2022, the California Air Resources Board (CARB) submitted the 2022 California Regional Haze Plan to address the requirements of the CAA’s regional haze program pursuant to CAA sections 169A and 169B and 40 CFR 51.308. On December 19, 2024, the EPA proposed to approve the elements of the Plan related to requirements contained in 40 CFR 51.308(f)(1), 40 CFR 51.308(f)(4)–(6), and 40 CFR 51.308(g)(1)–(5) and to disapprove the elements of the Plan related to requirements contained in 40 CFR 51.308(f)(2), 40 CFR 51.308(f)(3), and 40 CFR 51.308(i)(2)–(4).¹ During that public notice-and-comment period, the EPA received six sets of comments. The full text of comments received on the December 19, 2024 proposal are available via Docket ID Number EPA-R09-OAR-2024-0459 at www.regulations.gov.

On June 18, 2025, the EPA withdrew the December 19, 2024 proposal and proposed full approval of the Plan.² The June 18, 2025 proposal provided background on the requirements of the CAA and RHR, summarized California’s regional haze SIP submittal, and explained the rationale for our proposed action. That background and rationale will not be restated in full here.

II. Rationale for Final Action

In this final action, the EPA is affirming the Agency’s policy that, where projected 2028 visibility conditions on the most impaired days for a Class I Federal area impacted by a state are below the uniform rate of progress (URP) and the state has considered the four statutory factors, the state will have presumptively demonstrated reasonable progress for the second planning period for that area.

The policy was first articulated in a proposed action on the West Virginia regional haze SIP for the second planning period,³ which was then finalized.⁴

All twenty-nine areas Class I areas in California and twenty-four out of the twenty-five Class I areas in neighboring states are below the adjusted URP, and the Plan demonstrated that the state took into consideration the four reasonable progress factors listed in CAA 169A(g)(1)⁵ with respect to an adequate number of emissions sources. For the one remaining Class I area, Sycamore Canyon, projected 2028 visibility conditions on the most impaired days are above the adjusted URP. However, as detailed in our proposed rulemaking⁶ and section IV.A.3 of the Response to Comments Document available in the docket for this action (“RTC Document”), there is uncertainty with respect to the trends in visibility impairment and whether the site will really be above the URP in 2028, due to the monitor location having been moved in 2015. In addition, there is a strong downward trend in observed sulfate and nitrates, and modeled source apportionment data from WRAP shows a strong downward trend in modeled U.S. anthropogenic contributions to Sycamore Canyon between the baseline and 2028.

Furthermore, even if we assume that Sycamore Canyon will be above the URP in 2028, the available evidence indicates that this is due to local sources of coarse mass and fine soil, not pollution transported from outside of Arizona. Finally, while the EPA’s policy establishes a presumption regarding areas that are projected to be *below* the URP, states whose emissions contribute to impairment in areas *above* the URP can still meet the applicable requirements of the CAA and the RHR. Indeed, the RHR specifically addresses this situation by requiring a “robust demonstration” that there are no additional emissions reduction measures at contributing sources that would be reasonable to include in the long-term strategy.⁷ Because California did not determine that its sources contribute to impairment in Sycamore Canyon, it did not expressly make such

¹ 90 FR 16478 (April 18, 2025).

² 90 FR 29737, 29738 (July 7, 2025).

³ The four statutory factors required to be taken into consideration in determining reasonable progress are: the costs of compliance, the time necessary for compliance, and the energy and nonair quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements. CAA section 169(g)(1).

⁴ 90 FR 25929, 25940.

⁵ 40 CFR 51.308(f)(3)(ii)(B).

¹ 89 FR 103737.

² 90 FR 25929 (June 18, 2025).