

request the custodian to cooperate in obtaining the specimens required under this part.

* * * * *

■ 29. Amend § 4.06–60 by revising paragraph (a) to read as follows:

§ 4.06–60 Submission of reports and test results.

(a) Whenever an individual engaged or employed on a vessel, floating OCS facility, or MODU is identified as being directly involved in a serious marine incident, the marine employer must complete Form CG–2692B (Report of Mandatory Chemical Testing Following a Serious Marine Incident Involving Vessels in Commercial Service).

* * * * *

§ 4.07–45 [Amended]

■ 30. Amend § 4.07–45 by removing the word “shall” and adding, in its place, the word “must”.

PART 109—OPERATIONS

■ 31. The authority citation for part 109 is revised to read as follows:

Authority: 43 U.S.C. 1333; 46 U.S.C. 3306, 6101, 10104; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

■ 32. Revise § 109.411 to read as follows:

§ 109.411 Notice and reporting of casualty.

The owner, operator, or person in charge of a mobile offshore drilling unit (MODU) regulated under this part must provide notice and report marine casualties in accordance with 46 CFR part 4.

Dated: June 25, 2026.

R.C. Compher,

Captain, U.S. Coast Guard, Assistant Commandant for Prevention Policy.

[FR Doc. 2026–13137 Filed 6–29–26; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2026–0568]

RIN 1625–AA00

Safety Zone; Aerial Drone Displays, Upper Bay, New York, NY

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for

navigable waters of the Upper New York Bay, in the vicinity of Ellis Island and Liberty Island. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with aerial drone displays. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector New York or their designated representative.

DATES: This rule is effective without actual notice from June 30, 2026 through July 20, 2026. For the purposes of enforcement, actual notice will be used from June 27, 2026, until June 30, 2026.

ADDRESSES: To view available documents, go to <https://www.regulations.gov> and search for USCG–2026–0568.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MST1 Angelina Gerber, Sector New York Waterways Management Division, U.S. Coast Guard; telephone 718–801–2932, or email SectorNYWWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port New York
DHS Department of Homeland Security
FAA Federal Aviation Administration
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background and Authority

Coast Guard regulations, 33 CFR 165.5(b), allow any person to request that a safety zone be established. Driven by Federal Aviation Administration (FAA) regulations restricting drone flights over human beings,¹ the Coast Guard has received numerous requests for safety zones over water from the sponsors of drone shows. In response to these requests, the Coast Guard proposed safety zone regulations in 2024 and noted that risks associated with drone shows include, but are not limited to, the hazard created by drones potentially falling from the sky and the hazard of collisions between drones and sailboat masts, or commercial vessel pilothouses. On August 23, 2024, the Coast Guard published final regulations titled Safety Zones; Aerial Drone Displays, Hudson and East Rivers, New York, NY, (89 FR 68102). That rule, which is codified at 33 CFR 166,

¹ Today, no person may operate a small, unmanned aircraft over a human being unless the operator satisfies FAA requirements at 14 CFR 107.39.

established specific areas of the Hudson and East Rivers where safety zones are enforced on the navigable waters beneath aerial drone displays.

Since then, Coast Guard Sector New York has supported 18 drone displays in these areas, demonstrating the continuing need for safety zones to protect persons, vessels, and the marine environment from potential hazards created by aerial drone displays. The Captain of the Port (COTP) New York has determined that these hazards extend to anyone within 500 yards of the area below the aerial drone displays. Furthermore, in May 2026, Coast Guard Sector New York received notification of the need for safety zones for multiple additional aerial drone displays (to be held as early as June 27, 2026) outside of the established safety zone areas in the Hudson and East Rivers; two of these are in the vicinity of Liberty Island and Ellis Island.

The Coast Guard is issuing this rule without prior notice and comment. As is authorized by 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 is impracticable to take notice and comment on a request that the Coast Guard received in May to establish a safety zone which must be in place in late June.

For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

III. Discussion of the Rule

This rule establishes a safety zone from June 27, 2026, through July 20, 2026. The Captain of the Port (COTP) will make notification of the exact dates and times in advance of each enforcement period to the local maritime community through marine broadcasts, local notice to mariners, or by an on-scene oral notice and signage. The safety zone will cover all waters of the Upper Bay in the vicinity of Ellis Island and Liberty Island formed within a polygon bound by the following coordinates in order: Point One at 40°41′26.35″ N, 074°03′17.73″ W, thence to Point Two at 40°41′02.07″ N, 074°02′24.83″ W, thence to Point Three at 40°41′35.58″ N, 074°02′02.95″ W, thence to Point Four at 40°42′05.26″ N, 074°01′57.11″ W, thence to Point Five at 40°42′30.35″ N, 074°02′03.73″ W; thence along the shoreline returning to Point One. These coordinates are based on the World Geodetic System (WGS 84)/North American Datum 83 (NAD 83).

Vessels and persons will not be allowed to enter the zone during this

time, unless authorized by the Captain of the Port.

IV. Regulatory Analyses

The Coast Guard developed this rule after considering numerous statutes and Executive Orders related to rulemaking. Below is a summary of the Coast Guard's analyses based on a number of these statutes and Executive Orders.

A. 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 that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 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

The Coast Guard has analyzed this rule under Executive Order 13132, Federalism, and has determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

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

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538), the Coast Guard certifies that this rule will not result in an annual expenditure of \$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

E. Environment

The Coast Guard has 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 *et seq.*), and has 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 establishes a safety zone. 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.

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; DHS Delegation No. 00170.1, Revision No. 01.4.

■ 2. Add § 165.T01–0568 to read as follows:

§ 165.T01–0568 Safety Zone; Aerial Drone Displays, Upper Bay, New York, NY.

(a) *Location.* The following area is a designated zone in which a safety zone radius up to 500 yards will be established for drone displays. The establishment of a safety zone within the designated zone requires the coordinates defining the center of the safety zone to be within the boundaries of the zone described as follows: All waters of the Upper Bay in the vicinity of Ellis Island and Liberty Island formed

within a polygon bound by the following coordinates in order: Point One at 40°41'26.35" N, 074°03'17.73" W, thence to Point Two at 40°41'02.07" N, 074°02'24.83" W, thence to Point Three at 40°41'35.58" N, 074°02'02.95" W, thence to Point Four at 40°42'05.26" N, 074°01'57.11" W, thence to Point Five at 40°42'30.35" N, 074°02'03.73" W; thence along the shoreline returning to Point One. These coordinates are based on the World Geodetic System (WGS 84)/North American Datum 83 (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 and a Federal, State, and local officer designated by or assisting the 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 on VHF–FM channel 16 or by telephone at (718) 354–4356. 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) *Effective dates and enforcement periods.* This rule is effective from June 27, 2026, through July 20, 2026. The COTP will make notification of the exact dates, times, and center point location of the 500-yard radius for each safety zone in advance of each enforcement period for the locations above in paragraph (a) of this section to the local maritime community through marine broadcasts, local notice to mariners, or by an on-scene oral notice and signage. Notification of the enforcement periods will also be provided in a future **Federal Register** document.

Jonathan A. Andrechik,

Captain, U.S. Coast Guard, Captain of the Port, Sector New York.

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