

PART 250—OIL AND GAS AND SULFUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

■ 1. The authority citation for part 250 continues to read as follows:

Authority: 30 U.S.C. 1751, 31 U.S.C. 9701, 33 U.S.C. 1321(j)(1)(C), 43 U.S.C. 1334.

■ 2. Revise § 250.1403 to read as follows:

§ 250.1403 What is the maximum civil penalty?

The maximum civil penalty is \$44,675 per day per violation.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100, 117, 147, and 165

[USCG-2019-0037]

2018 Quarterly Listings; Safety Zones, Security Zones, Special Local Regulations, Drawbridge Operation Regulations and Regulated Navigation Areas

AGENCY: Coast Guard, DHS.

ACTION: Notification of expired temporary rules issued.

SUMMARY: This document provides notification of substantive rules issued by the Coast Guard that were made temporarily effective but expired before they could be published in the **Federal Register**. This document lists temporary safety zones, security zones, special local regulations, drawbridge operation regulations and regulated navigation areas, all of limited duration and for

which timely publication in the **Federal Register** was not possible.

DATES: This document lists temporary Coast Guard rules that became effective, primarily between September 2018 and December 2018, unless otherwise indicated, and were terminated before they could be published in the **Federal Register**.

ADDRESSES: Temporary rules listed in this document may be viewed online, under their respective docket numbers, using the Federal eRulemaking Portal at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For questions on this document contact Deborah Thomas, Office of Regulations and Administrative Law, telephone (202) 372-3864.

SUPPLEMENTARY INFORMATION: Coast Guard District Commanders and Captains of the Port (COTP) must be immediately responsive to the safety and security needs within their jurisdiction; therefore, District Commanders and COTPs have been delegated the authority to issue certain local regulations. *Safety zones* may be established for safety or environmental purposes. A safety zone may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion. *Security zones* limit access to prevent injury or damage to vessels, ports, or waterfront facilities. *Special local regulations* are issued to enhance the safety of participants and spectators at regattas and other marine events. *Drawbridge operation regulations* authorize changes to drawbridge schedules to accommodate bridge repairs, seasonal vessel traffic, and local public events. *Regulated Navigation Areas* are water areas within a defined boundary for which regulations for vessels navigating within the area have been established by the

regional Coast Guard District Commander.

Timely publication of these rules in the **Federal Register** may be precluded when a rule responds to an emergency, or when an event occurs without sufficient advance notice. The affected public is, however, often informed of these rules through Local Notices to Mariners, press releases, and other means. Moreover, actual notification is provided by Coast Guard patrol vessels enforcing the restrictions imposed by the rule. Because **Federal Register** publication was not possible before the end of the effective period, mariners were personally notified of the contents of these safety zones, security zones, special local regulations, regulated navigation areas or drawbridge operation regulations by Coast Guard officials on-scene prior to any enforcement action. However, the Coast Guard, by law, must publish in the **Federal Register** notice of substantive rules adopted. To meet this obligation without imposing undue expense on the public, the Coast Guard periodically publishes a list of these temporary safety zones, security zones, special local regulations, regulated navigation areas and drawbridge operation regulations. Permanent rules are not included in this list because they are published in their entirety in the **Federal Register**. Temporary rules are also published in their entirety if sufficient time is available to do so before they are placed in effect or terminated.

The following unpublished rules were placed in effect temporarily during the period between September 2018 and December 2018 unless otherwise indicated. To view copies of these rules, visit www.regulations.gov and search by the docket number indicated in the following table.

Docket No.	Type	Location	Effective date
USCG-2018-0926	Security Zones (Part 165)	Wheeling, WV	9/29/2018
USCG-2018-0804	Safety Zones (Parts 147 and 165)	Bayville, NY	9/29/2018
USCG-2018-0954	Safety Zones (Parts 147 and 165)	Key West, FL	10/2/2018
USCG-2018-0911	Safety Zones (Parts 147 and 165)	Sister Bay, WI	10/5/2018
USCG-2018-0904	Safety Zones (Parts 147 and 165)	Osage Beach, MO	10/5/2018
USCG-2018-0797	Safety Zones (Parts 147 and 165)	San Francisco, CA	10/6/2018
USCG-2018-0809	Special Local Regulations (Part 100)	Pittsburgh, PA	10/6/2018
USCG-2018-0927	Safety Zones (Parts 147 and 165)	Wilmington DE	10/7/2018
USGC-2018-0896	Safety Zones (Parts 147 and 165)	Capitola, CA	10/7/2018
USCG-2018-0943	Safety Zones (Parts 147 and 165)	San Francisco, CA	10/13/2018
USCG-2018-0887	Safety Zones (Parts 147 and 165)	Moundsville, WV	10/14/2018
USCG-2018-0969	Security Zones (Part 165)	Beaufort, SC	10/19/2018
USCG-2018-0938	Security Zones (Part 165)	New York Harbor	10/19/2018
USCG-2018-0867	Safety Zones (Parts 147 and 165)	Pittsburgh, PA	10/20/2018
USCG-2018-0978	Safety Zones (Parts 147 and 165)	Florence, AL	10/20/2018
USCG-2018-0883	Safety Zones (Parts 147 and 165)	Manasquan, NJ	10/20/2018
USCG-2018-0837	Safety Zones (Parts 147 and 165)	San Diego, CA	10/27/2018
USCG-2018-1000	Security Zones (Part 165)	Pittsburgh, PA	10/30/2018

Docket No.	Type	Location	Effective date
USCG–2018–1031	Safety Zones (Parts 147 and 165)	Madeira Beach, FL	11/9/2018
USCG–2018–0994	Safety Zones (Parts 147 and 165)	San Francisco, CA	11/10/2018
USCG–2018–0993	Safety Zones (Parts 147 and 165)	Monongahela, PA	11/16/2018
USCG–2018–0582	Security Zones (Part 165)	North Shore, Guam	11/18/2018
USCG–2018–0966	Drawbridge	Allemands, LA	11/20/2018
USCG–2018–0979	Safety Zones (Parts 147 and 165)	Tinicum Township, PA	11/25/2018
USCG–2018–1069	Security Zones (Part 165)	Hollywood Beach, FL	11/30/2018
USCG–2018–0999	Safety Zones (Parts 147 and 165)	Washington, DC	12/1/2018
USCG–2018–1037	Safety Zones (Parts 147 and 165)	San Francisco, CA	12/5/2018
USCG–2018–0982	Safety Zones (Parts 147 and 165)	Cincinnati, OH	12/6/2018
USCG–2018–0976	Special Local Regulations (Part 100)	San Diego, CA	12/9/2018
USCG–2018–1092	Safety Zones (Parts 147 and 165)	Bayou, LA	12/11/2018
USCG–2018–0767	Safety Zones (Parts 147 and 165)	Sinclair Inlet, WA	12/13/2018
USCG–2018–1090	Security Zones (Part 165)	Corpus Christi, TX	12/15/2018
USCG–2018–1004	Safety Zones (Parts 147 and 165)	Decatur Island, WA	12/18/2018
USCG–2018–1122	Safety Zones (Parts 147 and 165)	New Orleans, LA	12/28/2018
USCG–2018–1121	Safety Zones (Parts 147 and 165)	Wilmington DE	12/29/2018
USCG–2018–1078	Safety Zones (Parts 147 and 165)	Marina Del Rey, CA	12/31/2018

Dated: March 20, 2019.

Katia Kroutil,

Chief, Office of Regulations and Administrative Law, U.S. Coast Guard.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2019–0149]

RIN 1625–AA87

Security Zone; Corpus Christi Ship Channel, Corpus Christi, TX

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing fixed and moving security zones around the Motor Vessel (M/V) ARC ENDURANCE. The security zone encompasses all navigable waters within a 500-yard radius around the M/V ARC ENDURANCE. The zone is needed to protect the vessel while transiting the Corpus Christi Ship Channel in Corpus Christi, TX with military cargo onboard. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Corpus Christi (COTP) or a designated representative.

DATES: This rule is effective without actual notice from 9 a.m. until midnight on March 25, 2019. For the purposes of enforcement, actual notice will be used from March 18, 2019 until 9 a.m. on March 25, 2019.

ADDRESSES: To view documents mentioned in this preamble as being

available in the docket, go to <http://www.regulations.gov>, type USCG–2019–0149 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 Petty Officer Kevin Kyles, Sector Corpus Christi Waterways Management Division, U.S. Coast Guard; telephone 361–939–5125, email Kevin.L.Kyles@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Sector Corpus Christi
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)(3)(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. We must establish this security zone by March 18, 2019 and lack sufficient time to provide a reasonable comment period and then

consider those comments before issuing the rule.

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 the public interest because immediate action is needed to provide for the security of the vessel.

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 Corpus Christi (COTP) has determined that potential hazards associated with the transit and of the Motor Vessel (M/V) ARC ENDURANCE when loaded with military cargo between the dates of March 18, 2019 through March 25, 2019, will be a security concern within a 500-yard radius of the vessel. This rule is needed to protect the vessel while the vessel is transiting within Corpus Christi, TX.

IV. Discussion of the Rule

This rule establishes a temporary fixed and moving security zone from time of first arrival and last departure of M/V ARC ENDURANCE while transiting within the Corpus Christi Ship Channel between the dates of March 18, 2019 through March 25, 2019. The fixed and moving security zone will cover all navigable waters within a 500-yard radius of the M/V ARC ENDURANCE while transiting while loaded with military cargo through the Corpus Christi Ship Channel. The duration of the zone is intended to protect military cargo while the vessel is in transit. No vessel or person will be permitted to enter the security zone without