

through 7:59 a.m. on September 17, 2019.

**K.M. Smith,**

*Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*

[FR Doc. 2019–10462 Filed 5–17–19; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2019–0343]

#### Safety Zone; Marine Events Within the Eighth Coast Guard District

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce a Safety Zone for the St. John the Baptist Independence day fireworks display from 8:45 p.m. through 9:45 p.m. on July 3, 2019, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Eighth Coast Guard District identifies the regulated area for this event on the Lower Mississippi River, by Reserve Louisiana. During the enforcement periods, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

**DATES:** The regulations in 33 CFR 165.801, Table 5, line 2 will be enforced from 8:45 p.m. through 9:45 p.m. on July 3, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email Lieutenant Commander Benjamin Morgan, Sector New Orleans, U.S. Coast Guard; telephone 504–365–2281, email [Benjamin.P.Morgan@uscg.mil](mailto:Benjamin.P.Morgan@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone described in 33 CFR 165.801, Table 5, line 2, as the St. John the Baptist Independence day fireworks display event from 8:45 p.m. through 9:45 p.m. on July 3, 2019. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Eighth Coast Guard District, § 165.801, specifies the location of the regulated area for the St. John the Baptist Independence day fireworks display between mile markers 137.5 and 138.5 on the Mississippi River near Reserve, Louisiana. During the

enforcement period, as reflected in § 165.801(a)–(d), if you are the operator of a vessel in the safety zone, you must comply with directions from the Captain of the Port Sector New Orleans 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 and marine information broadcasts.

Dated: May 14, 2019.

**K.M. Luttrell,**

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

[FR Doc. 2019–10353 Filed 5–17–19; 8:45 am]

BILLING CODE 9110–04–P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2019–0358]

RIN 1625–AA00

#### Safety Zone; Kanawha River, Charleston, WV

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for all navigable waters of the Kanawha River from mile marker 58.1 to mile marker 59.1. This temporary safety zone is necessary to protect persons, vessels, and the marine environment from potential hazards associated with the Live on the Levee fireworks display. Entry into this safety zone is prohibited unless specifically authorized by the Captain of the Port Sector Ohio Valley or a designated representative.

**DATES:** This rule is effective from 9:15 p.m. through 10:15 p.m. on May 24, 2019.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2019–0358 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 Wesley Cornelius, Marine Safety Unit Huntington, U.S. Coast Guard; telephone 304–733–0198, email [Wesley.P.Cornelius@uscg.mil](mailto:Wesley.P.Cornelius@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 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 is impracticable. It is impracticable to publish an NPRM because we must establish this safety zone by May 24, 2019, and we lack sufficient time to provide reasonable comment period and then consider those comments before issuing the rule. The NPRM process would delay the establishment of the safety zone until after the date of the event and compromise public safety.

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 and contrary to public interest because immediate action is necessary to protect persons, vessels and the marine environment from the potential hazards associated with the fireworks display.

## 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 potential hazards associated with a fireworks display taking place over this section of the Kanawha River will be a safety concern for anyone within a one-mile stretch of the waterway. This rule is needed to protect persons, vessels, and the marine environment in the navigable waters within the safety zone before, during, and after the scheduled fireworks display.

## IV. Discussion of the Rule

This rule establishes a temporary safety zone for the Live on the Levee fireworks display from 9:15 p.m. until 10:15 p.m. on May 24, 2019. The safety