

### 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 expanding an already existing security zone to limit access near Electric Boat Shipyard. It is categorically excluded from further review under paragraph L60a 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

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, 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; 33 CFR 1.05–1, 6.04–1, 6.04–6 and 160.5; Department of Homeland Security Delegation No. 0170.1

- 2. Revise § 165.154 (a)(2) to read as follows:

#### § 165.154 Safety and Security Zones; Captain of the Port Long Island Sound Zone Safety and Security Zones.

(a) \* \* \*

(2) Electric Boat Shipyard, Groton, CT.

(i) *Location.* All navigable waters of the Thames River, from surface to bottom, West of the Electric Boat Corporation Shipyard enclosed by a

line beginning at a point on the shoreline 41°20' 16" N, 72°04' 47" W; then running West to 41°20' 16.2" N, 72°04' 58.0" W; then running North to 41°20'28.7" N, 72°05'01.7" W; then North-Northwest to 41°20'53.3" N, 72°05'04.8" W; then North-Northeast to 41°21'02.9" N, 72°05'04.9" W; then running to shoreline at 41°21'02.9" N, 72°04'58.2" W (NAD 83).

(ii) *Application.* Paragraphs (a),(e), (f) of § 165.33 do not apply to public vessels or to vessels owned by, under hire to, or performing work for the Electric Boat Division when operating in the security zone.

Dated: July 8, 2021.

#### E.J. Van Camp,

*Captain, U.S. Coast Guard, Captain of the Port Long Island Sound.*

[FR Doc. 2021–14971 Filed 7–13–21; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2021–0510]

RIN 1625–AA00

#### Temporary Safety Zone; Bear Birthday Celebration, Lake Charlevoix, Boyne City, MI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for navigable waters within a 500-foot radius of a fireworks display in Lake Charlevoix near Boyne City, MI. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sault Sainte Marie or a designated representative.

**DATES:** This rule is effective from 6 p.m. until 11:59 p.m. on July 31, 2021. It will be enforced from 9 p.m. until 11:00 p.m. on that day.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2021–0510 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 LT Deaven Palenzuela, U.S. Coast Guard Sector Sault Sainte Marie Waterways Management, U.S. Coast Guard; telephone 906–635–3223, email [ssmprevention@uscg.mil](mailto:ssmprevention@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 doing so would be impracticable. This safety zone is needed to be established by July 31, 2021 in order to protect the public from the dangers associated with a fireworks display.

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 because action is needed to establish a safety zone in order to protect the public from the 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 (previously 33 U.S.C. 1231). The Captain of the Port Sault Sainte Marie (COTP) has determined that potential hazards associated with a fireworks display on July 31, 2021, will be a safety concern for anything within a 500-foot radius of the navigable waters surrounding the fireworks launch site. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone during the fireworks display.

#### IV. Discussion of the Rule

This rule establishes a temporary safety zone that will be enforced from 9 p.m. through 11 p.m. on July 31, 2021.

The safety zone will cover all navigable waters within 500 feet of a fireworks display in Lake Charlevoix near Boyne City, MI in position 45°15'20.62" N 85°03'50.33" W. The duration of the zone is intended to protect personnel, vessels, and the marine environment in the safety zone proceeding, during and immediately after the fireworks display.

## 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 protestors.

### 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 Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on size, location, duration, and time-of-day of the safety zone. Vessel traffic will be able to safely transit around this safety zone which would impact a small designated area of Lake Charlevoix. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone.

### B. 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.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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 temporary safety zone lasting only 2 hours that will prohibit entry within a 500-foot radius of a fireworks display in Lake Charlevoix. It is categorically excluded from further review under paragraph L[60(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 protestors. 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 record keeping 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; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T09–0510 to read as follows:

**§ 165.T09–0510 Bear Birthday Celebration, Lake Charlevoix, Boyne City, MI.**

(a) *Location.* The following area is a temporary safety zone: All navigable water within 500 feet of the fireworks launching location in position 45°15'20.62" N 85°03'50.33" W (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 Captain of the Port Sault Sainte Marie (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry into, transiting, or anchoring within the safety zone described in paragraph (a) of this section is prohibited unless authorized by the Captain of the Port, Sault Sainte Marie or his designated representative.

(2) Before a vessel operator may enter or operate within the safety zone, they must obtain permission from the Captain of the Port, Sault Sainte Marie, or his designated representative via VHF Channel 16 or telephone at (906) 635–3233. Vessel operators given permission to enter or operate in the safety zone must comply with all orders given to them by the Captain of the Port, Sault Sainte Marie or his designated representative.

(d) *Enforcement period.* This section will be enforced from 9 p.m. until 11 p.m. on July 31, 2021.

Dated: July 8, 2021.

**A.R. Jones,**

*Captain of the Port Sault Sainte Marie.*

[FR Doc. 2021–14967 Filed 7–13–21; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF DEFENSE****Department of the Army, Corps of Engineers****33 CFR Part 273**

**RIN 0710–AB36**

**Aquatic Plant Control**

**AGENCY:** U.S. Army Corps of Engineers, Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes the U.S. Army Corps of Engineers part titled Aquatic Plant Control. This part is redundant and otherwise covers internal agency operations that have no public compliance component or adverse

public impact. Therefore, this part can be removed from the Code of Federal Regulations (CFR).

**DATES:** This rule is effective on July 14, 2021.

**ADDRESSES:** Department of the Army, U.S. Army Corps of Engineers, ATTN: CECW–P (Mr. Jeremy Crossland), 441 G Street NW, Washington, DC 20314–1000.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeremy Crossland at (202) 761–4259 or by email at [Jeremy.M.Crossland@usace.army.mil](mailto:Jeremy.M.Crossland@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** This final rule removes from the CFR part 273 of title 33, “Aquatic Plant Control,” which prescribes policies, procedures and guidelines for research, planning and operations for the Aquatic Plant Control Program of the Corps under authority of section 104 of the Rivers and Harbors Act of 1958, as amended by section 104 of the Rivers and Harbors Act of 1962 and Section 302 of the Rivers and Harbors Act of 1965. This law, codified at 33 U.S.C. 610 has been amended several more times, most recently by section 1039(d) of the Water Resources Reform and Development Act of 2014 and section 1178(b) of the Water Resources Development Act of 2016. The Aquatic Plant Control Program is designed to deal primarily with weed infestations of major economic significance including those that have reached that stage and those that have that potential in navigable waters, tributaries, streams, connecting channels and allied waters. The regulation governs a program that manages cost-share authority between the Federal government and another governmental agency. This rule was initially published on June 3, 1976 (41 FR 22346). While the rule applies only to the Corps’ Aquatic Plant Program, it was published, at that time, in the **Federal Register** to aid public accessibility.

The solicitation of public comment for this removal is unnecessary because the rule is out-of-date, duplicative of existing internal agency guidance, and otherwise covers internal agency operations that have no public compliance component or adverse public impact. For current public accessibility purposes, updated internal agency policy on this topic may be found in Engineer Regulation 1130-2-500, “Project Operations Partners and Support (Work Management Policies)” (available at [https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER\\_1130-2-](https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER_1130-2-500.pdf)

[500.pdf](https://www.publications.usace.army.mil/Portals/76/Publications/EngineerRegulations/ER_1130-2-500.pdf)). The agency policy is only applicable to field operating activities having responsibility for the Aquatic Plant Program projects and provides guidance specific to the Corps’ control of aquatic plants.

This rule removal is being conducted to reduce confusion for the public as well as for the Corps regarding the current policy which governs the Corps’ Aquatic Plant Program. Because the regulation does not place a burden on the public, its removal does not provide a reduction in public burden or costs.

This rule is not significant under Executive Order (E.O.) 12866, “Regulatory Planning and Review.”

**List of Subjects in 33 CFR Part 273**

Aquatic plant control, Pesticides and pests, Waterways.

**PART 273—[REMOVED]**

■ Accordingly, by the authority of 5 U.S.C. 301, 33 CFR part 273 is removed.

Date: July 1, 2021.

**Jaime A. Pinkham,**

*Acting Assistant Secretary of the Army (Civil Works).*

[FR Doc. 2021–14719 Filed 7–13–21; 8:45 am]

**BILLING CODE 3720–58–P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

**[EPA–R01–OAR–2021–0042; FRL–10024–87–Region 1]**

**Air Plan Approval; Connecticut; Definitions of Emergency and Emergency Engine**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a State Implementation Plan (SIP) revision submitted by the State of Connecticut on December 20, 2019. This revision amends the State’s definitions of emergency and emergency engine in its air quality regulations. The intended effect of this action is to approve the December 20, 2019, submittal into the Connecticut SIP. This action is being taken in accordance with the Clean Air Act.

**DATES:** This rule is effective on August 13, 2021.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA–R01–OAR–2021–0042. All documents in the docket