

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165****[Docket No. USCG–2024–0575]****Safety Zone; Hemingway Paddleboard Race, Key West, FL****AGENCY:** Coast Guard, DHS.**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone for the Hemingway Paddleboard Race, Key West, Florida to provide for the safety of life on the navigable waterways during this event. This action is necessary to ensure the safety of event participants and spectators. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area without approval from the Captain of the Port Key West or a designated representative.

**DATES:** The regulation in 33 CFR 165.786 will be enforced for the location identified in Item 7.1 of the Table to § 165.786, from 5:30 p.m. through 6:30 p.m. on July 20, 2024.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email Hailye Wilson, Sector Key West Waterways Management Department, Coast Guard; telephone 305–292–8768; email: [hailye.m.wilson@uscg.mil](mailto:hailye.m.wilson@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone in 33 CFR 165.786, Table to § 165.786, Item 7.1, for the Annual Hemingway Paddleboard Race in Key West, Florida from 5:30 p.m. until 6:30 p.m. July 20, 2024. This action is being taken to provide for the safety of life on navigable waterways during this event. The regulation for recurring marine events within Sector Key West Captain of the Port (COTP) zone, Table to § 165.786, Item 7.1, specifies the location of the regulated area for the Hemingway Sunset Run and Paddleboard Race event. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the established regulated areas without approval from the Captain of the Port Key West or designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard will provide notice of the

regulated area by Local Notice to Mariners and Broadcast Notice to Mariners. If the Captain of the Port Key West determines that the regulated area need not be enforced for the full duration stated in this publication, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: July 11, 2024.

**Jason D. Ingram,***Captain U.S. Coast Guard, Captain of the Port Key West.*

[FR Doc. 2024–15574 Filed 7–15–24; 8:45 am]

**BILLING CODE 9110–04–P****DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165****[Docket Number USCG–2024–0346]****RIN 1625–AA00****Safety Zone; Atlantic Ocean, Virginia Beach Oceanfront, VA; Air Show****AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for certain waters in the vicinity of the Virginia Beach, VA oceanfront. This action is necessary to provide for the safety of life on these navigable waters during an air show. This temporary rule prohibits persons and vessels from entry in the safety zone unless authorized by the Captain of the Port Sector Virginia (COTP) or a designated representative.

**DATES:** This rule is effective August 20, 2024, through August 21, 2024.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2024–0346 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 CDR Patrick Grizzle, Sector Virginia, Prevention Department, U.S. Coast Guard, Telephone: 757–668–5580, email: [VirginiaWaterways@uscg.mil](mailto:VirginiaWaterways@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**

On April 4, 2024, the National Air, Sea, and Space Foundation notified the Coast Guard that the 2024 NATO Joint Power Demo Air Show will be occurring Tuesday, August 20, 2024, to Wednesday, August 21, 2024. The air show includes an aerial performance area over a portion of the Virginia Beach oceanfront, where high powered jet aircraft will perform aerobatic maneuvers. In response, on May 17, 2024, the Coast Guard published a notice of proposed rulemaking (NPRM) titled “Safety Zone; Atlantic Ocean, Virginia Beach Oceanfront, VA; Air Show” (89 FR 43350). There, we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this air show. During the comment period that ended June 17, 2024, we received no comments.

**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 Virginia (COTP) has determined that potential hazards associated with the airshow beginning August 20, 2024 through August 21, 2024, will be a safety concern for anyone within the following points: 36°53'10" N, 075°58'57" W; 36°53'27" N, 075°57'22" W; 36°51'31" N, 075°56'48" W; 36°51'14" N, 075°58'23" W. The purpose of this rule is to ensure safety of vessels and the navigable waters in the safety zone before, during, and after the scheduled event.

**IV. Discussion of Comments, Changes, and the Rule**

As noted above, we received no comments on our NPRM published May 17, 2024. There are no changes in the regulatory text of this rule from the rule proposed in the NPRM.

This rule establishes a safety zone from August 20, 2024, until August 21, 2024. The safety zone would cover all navigable waters from the shoreline of the Atlantic Ocean at the Virginia Beach Oceanfront contained within the following points: 36°53'10" N, 075°58'57" W; 36°53'27" N, 075°57'22" W; 36°51'31" N, 075°56'48" W; 36°51'14" N, 075°58'23" W. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the air show. 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, 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 section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size and location of the regulated area. Vessel traffic will be able to safely transit around this safety zone which would only impact a small, designated area of the Atlantic Ocean during an air show. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter 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 received no comments from the Small Business Administration on this rulemaking. 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 This proposed rule involves a safety zone for each day of the two-day event, that would prohibit entry within a small portion of the Atlantic Ocean at the Virginia Beach Oceanfront. 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.

### 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

Marine safety, Navigation, Security Measures, Waterways.

For the reasons set forth 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. 01.3.

■ 2. Add § 165.T05–0346 to read as follows:

**§ 165.T05–0346 Safety Zone; Atlantic Ocean, Virginia Beach Oceanfront, VA; Air Show**

(a) *Location.* The following area is a safety zone: all navigable waters from the shoreline of the Atlantic Ocean at the Virginia Beach Oceanfront contained within the following points: 36°53'10" N, 075°58'57" W; 36°53'27" N, 075°57'22" W; 36°51'31" N, 075°56'48" W; 36°51'14" N, 075°58'23" W.

(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 Virginia (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 Channel 16. 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 August 20, 2024, through August 21, 2024.

Dated: July 9, 2024.

**P.M. Britton,**

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

[FR Doc. 2024–15551 Filed 7–15–24; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R04–OAR–2023–0211; FRL–11927–02–R4]

**Air Plan Approval; FL; General Provisions Repeals and Amendments**

**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 Florida Department of Environmental Protection (FDEP) on August 12, 2022, for the purpose of removing several obsolete, duplicative, or unnecessary rules from the general provisions portion of the Florida SIP.

EPA is approving this revision pursuant to the Clean Air Act (CAA or Act).

**DATES:** This rule is effective August 15, 2024.

**ADDRESSES:** EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2023–0211. All documents in the docket are listed on the *regulations.gov* website. Although listed in the index, some information may not be publicly available, *i.e.*, Confidential Business Information 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 either electronically through *www.regulations.gov* or in hard copy at the Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. EPA requests that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Sarah LaRocca, Air Planning and Implementation Branch, Air and Radiation Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. The telephone number is (404) 562–8994. Ms. LaRocca can also be reached via electronic mail at *larocca.sarah@epa.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

EPA is approving changes to the Florida SIP submitted by the State on August 12, 2022, to remove several obsolete, duplicative, or unnecessary rules from the Florida SIP. Specifically, the changes address Rules 62–204.100, Florida Administrative Code (F.A.C.), *Purpose and Scope*; 62–204.200, F.A.C., *Definitions*; 62–204.220, F.A.C., *Ambient Air Quality Protection*; 62–204.240, F.A.C., *Ambient Air Quality Standards*; 62–204.260, F.A.C., *Prevention of Significant Deterioration Maximum Allowable Increases (PSD Increments)*; and 62–204.400, F.A.C., *Public Notice and Hearing Requirements for State Implementation Plan Revisions*.<sup>1</sup> To support the removal

of these rules from the SIP, Florida's August 12, 2022, submittal provides justifications to demonstrate, pursuant to CAA section 110(l), that the removal would not interfere with any applicable requirement concerning attainment of the National Ambient Air Quality Standards (NAAQS) and reasonable further progress (RFP) or any other applicable requirement of the CAA.

Through a notice of proposed rulemaking (NPRM) published on May 15, 2024 (89 FR 42410), EPA proposed to approve the removal of Rules 62–204.100, F.A.C., *Purpose and Scope*; 62–204.200, F.A.C., *Definitions*; 62–204.220, F.A.C., *Ambient Air Quality Protection*; 62–204.240, F.A.C., *Ambient Air Quality Standards*; 62–204.260, F.A.C., *Prevention of Significant Deterioration Maximum Allowable Increases (PSD Increments)*; and 62–204.400, F.A.C., *Public Notice and Hearing Requirements for State Implementation Plan Revisions*, from the Florida SIP. EPA's rationale for approving the removal of these rules is described in the May 15, 2024, NPRM. Comments on the May 15, 2024, NPRM were due on or before June 14, 2024. EPA received three comments on the NPRM. Two of the comments received on the May 15, 2024, NPRM are not relevant to this action. The third comment is addressed below. All three comments are available in the docket for this action.

**II. Response to Comments**

EPA received one relevant comment on its May 15, 2024, NPRM. EPA has summarized and responded to the comment below.

*Comment:* The commenter recommends “leaving the rules defined as ‘unnecessary’ to better protect the environment.”

*Response:* The commenter does not explain how requiring Florida to maintain unnecessary rules in its SIP would better protect the environment, nor why EPA's reasons for approving the changes as required by the CAA is incorrect.

Additionally, EPA disagrees with the commenter's cursory statement. A SIP is a federally enforceable plan for each State that identifies how that State will attain and maintain the NAAQS. In formulating its SIP, each State is given wide discretion so long as it is consistent with all applicable requirements of the CAA, including section 110(l), and EPA must approve

withdrew the changes to Rules 62–204.320, 62–204.340, and 62–204.360 from EPA's consideration. EPA intends to address the changes to Rule 62–204.500 in a separate rulemaking.

<sup>1</sup> FDEP's August 12, 2022, SIP Revision also included changes to Rules 62–204.320, 62–204.340, 62–204.360, and 62–204.500. Florida subsequently