

Homeland Security Delegation No. 00170.1  
Revision No. 01.3.

■ 2. Amend § 110.228 by adding paragraph (a)(12) to subpart B to read as follows:

**§ 110.228 Columbia River, Oregon and Washington.**

(a) \* \* \*

(12) *Rice Island Anchorage*. All waters in the vicinity of Rice Island, Oregon, bound by a line connecting the following points, which are based on the World Geodetic System (WGS 84):

TABLE 3 TO PARAGRAPH (a)(12)

Latitude	Longitude
46°13'15.60"	123°46'28.20"
46°13'37.20"	123°45'22.20"
46°14'42.00"	123°43'12.00"
46°14'52.80"	123°42'12.00"
46°14'42.60"	123°42'00.00"
46°13'47.40"	123°43'48.60"
46°13'36.60"	123°44'15.60"
46°13'07.20"	123°45'58.20"
46°13'00.60"	123°46'16.80"

\* \* \* \* \*  
Dated: December 3, 2024.

**Charles E. Fosse,**  
*Rear Admiral, U.S. Coast Guard, Commander,  
Thirteenth Coast Guard District.*

[FR Doc. 2024-29536 Filed 12-12-24; 8:45 am]

BILLING CODE 9110-04-P

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number USCG-2024-1066]

RIN 1625-AA00

**Safety Zone; New Years Eve Fireworks on the Patapsco River, Baltimore, MD**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for certain waters of the Patapsco River. This action is necessary to provide for the safety of life on these navigable waters in Baltimore, MD from potential hazards during a fireworks display to commemorate the New Years Eve. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Maryland-National Capital Region or a designated representative.

**DATES:** This rule is effective from 11:55 p.m. on December 31, 2024, through 12:15 a.m. January 1, 2025.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-1066 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 LCDR Kate Newkirk, Sector Maryland-National Capital Region Waterways Management Division, U.S. Coast Guard; telephone 410-576-2570, email [Kate.m.newkirk@uscg.mil](mailto:Kate.m.newkirk@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

COTP Captain of the Port, Maryland-National Capital Region  
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 December 4, 2024, the Baltimore Office of Promotions notified the Coast Guard that it will be conducting a fireworks display from 11:55 p.m. on December 31, 2024, through 12:15 a.m. January 1, 2025. The fireworks are to be launched from a fireworks barge located in the Patapsco River, in position 39°16'36", N 07 076°35'53" W. Hazards from the fireworks display include harm from the accidental discharge of fireworks, and being hit by dangerous projectiles, falling hot embers, or other debris. The Captain of the Port, Maryland-National Capital Region (COTP) has determined that potential hazards associated with the fireworks to be used in this display would be a safety concern for anyone within 300 feet of the fireworks barge.

The Coast Guard is issuing this temporary rule under the authority in 5 U.S.C. 553(b)(B). This statutory 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." The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because there is insufficient time to provide notice and opportunity to comment before the date of the event.

In addition, 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 the public interest because the rule must be in place within 30 days of the date of publication to respond to the potential safety hazards associated with this 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 COTP has determined that potential hazards associated with the fireworks to be used in this December 31, 2024 display will be a safety concern for anyone within a 300-foot radius of the barge. The purpose of this rule is to ensure safety of vessels and of the navigable waters in the safety zone before, during, and after the scheduled event.

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

This rule establishes a safety zone that will be enforced from 11:55 p.m. on December 31, 2024, through 12:15 a.m. January 1, 2025. The safety zone will cover all navigable waters within 300 feet of a barge in the Patapsco River located in approximate position latitude 39°16'36" N, longitude 076°36'53" W, on the Patapsco River. The duration of the zone is intended to ensure the safety of vessels and these navigable waters before, during, and after the scheduled fireworks display. 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 Executive Order 12866 as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been subject to review by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, duration, and time-of-day of the safety zone, which will

impact a small, designated area of the Patapsco River for a total of no more than thirty minutes of total enforcement-hours during the evening, when vessel traffic is normally low. Moreover, the Coast Guard will issue Local Broadcast Notice to Mariners via VHF-FM marine channel 16 about the safety 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 regulatory flexibility analysis provisions of the Act, do not, however, apply to rules not subject to notice and comment. As 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. In the spirit of § 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 safety zone lasting 30 minutes that will prohibit entry within 300 feet of a barge within a portion of the Patapsco River. It is categorically excluded from further review under paragraph L60(c) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. 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

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; Department of Homeland Security Delegation No. 0170.1, Revision 01.3.

■ 2. Add § 165.T05–1066 to read as follows:

#### § 165.T05–1066 Safety Zone; December 31, 2024, Fireworks on the Patapsco River, Baltimore, MD.

(a) *Location.* The following area is a safety zone: All navigable waters of the Patapsco River within 300 feet of a fireworks barge in approximate position latitude 39°16'36" N, longitude 076°36'53" W, located at Baltimore, MD.

(b) *Definitions.* As used in this section—

*Captain of the Port (COTP)* means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region.

*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 Maryland-National Capital Region (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 telephone at 410–576–2693 or on Marine Band Radio VHF-FM channel 16 (156.8 MHz). 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 officials.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the safety zone by Federal, State, and local agencies.

(e) *Enforcement period.* This safety zone will be enforced from 11:55 p.m. on December 31, 2024, through 12:15 a.m. January 1, 2025.

Dated: December 10, 2024.

Patrick C. Burkett,

Captain, U.S. Coast Guard, Captain of the Port Maryland-National Capital Region.

[FR Doc. 2024-29455 Filed 12-13-24; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2024-1062]

RIN 1625-AA00

#### Safety Zone; Lake Erie, Avon Lake, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for navigable waters of Lake Erie within a 750-yard radius of the Avon Lake Power Plant (located at position 41°30'15" N 082°03'14" W). The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by demolition activities at the Avon Lake Power Plant in Avon Lake, Ohio. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Eastern Great Lakes.

**DATES:** This rule is effective on December 19, 2024, from 5 a.m. to 5:30 p.m. with a back-up date of December 20, 2024, from 5 a.m. to 5:30 p.m. in the event weather is unfavorable on December 19, 2024.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-0678 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 proposed rulemaking, call or email Cody Mayrer at Marine Safety Unit Cleveland's Waterways Management Division, U.S. Coast Guard; telephone 216-937-0111, email [D09-SMB-MSUCLEVELAND-WWM@uscg.mil](mailto:D09-SMB-MSUCLEVELAND-WWM@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 under authority in 5 U.S.C. 553(b)(B). This statutory 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." The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because of limited advance notice provided by the contractor and because the Coast Guard must establish this safety zone by December 19, 2024 in order to protect personnel, vessels, and the marine environment from potential hazards created by the demolition activities at the Avon Lake Power Plant in Avon Lake, Ohio.

Also, 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** due to limited advance notice provided by the contractor and because the Coast Guard must establish this safety zone by December 19, 2024 in order to protect personnel, vessels, and the marine environment from potential hazards created by the demolition activities at the Avon Lake Power Plant in Avon Lake, Ohio.

##### III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 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. The Captain of the Port Eastern Great Lakes has determined that a temporary safety zone for navigable waters within a 750-yard radius of the Avon Lake Power Plant (located at position 41°30'15" N 082°03'14" W) is needed to protect personnel, vessels, and the marine environment from potential hazards created by demolition activities at the Avon Lake Power Plant in Avon Lake, Ohio. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Eastern Great Lakes or a designated representative.

##### IV. Discussion of the Rule

This rule establishes a safety zone from December 19, 2024, from 5:00 a.m. to 5:30 p.m. with a back-up date of December 20, 2024, from 5:00 a.m. to 5:30 p.m. in the event that weather is unfavorable on December 19, 2024. The

safety zone will cover all navigable waters on Lake Erie within a 750-yard radius of the Avon Lake Power Plant (located at position 41°30'15" N 082°03'14" W). All geographic coordinates are North American Datum of 1983 (NAD 1983). The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by demolition activities at the Avon Lake Power Plant in Avon Lake, Ohio. 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 need to protect personnel, vessels, and the marine environment from potential hazards created by demolition activities at the Avon Lake Power Plant in Avon Lake, Ohio. This safety zone is also for only 12.5 hours in a limited area along the shore of Lake Erie. Moreover, vessels can still transit through the safety zone with the permission of the COTP or a designated representative.

###### 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