

The Commission may adopt an alternative method of measurement other than blood lead levels if it determines, after notice and a hearing, that such alternative method is a better scientific method for measuring adverse effect on public health and safety.

(iii) *Procedures for granting exception*—(A) *Burden of proof*. A party seeking an exception under paragraph (b)(1)(i) of this section has the burden of demonstrating that it meets the requirements of such paragraph.

(B) *Grounds for decision*. In the case where a party has petitioned for an exception, in determining whether to grant the exception, the Commission may base its decision solely on the materials presented by the party seeking the exception and any materials received through notice and a hearing.

(C) *Admissible evidence*. In demonstrating that it meets the requirements of paragraph (b)(1)(i) of this section, a party seeking an exception under such paragraph may rely on any nonproprietary information submitted by any other party seeking such an exception and such information shall be considered part of the record presented by the party that relies on that information.

(D) *Scope of exception*. If an exception is sought for an entire product, the burden is on the petitioning party to demonstrate that the criteria in paragraph (b)(1)(i) of this section are met with respect to every accessible component or accessible material of the product.

(iv) *Limitation on exception*. If the Commission grants an exception for a product, class of product, material, or component part under paragraph (b)(1)(i) of this section, the Commission may, as necessary to protect public health or safety:

(A) Establish a lead limit that such product, class of product, material, or component part may not exceed; or

(B) Place a manufacturing expiration date on such exception or establish a schedule after which the manufacturer of such product, class of product, material, or component part shall be in full compliance with the limit established under paragraph (b)(1)(iv)(A) of this section or the limit set forth under paragraph (a) of this section.

(v) *Application of exception*. An exception under paragraph (b)(1)(i) of this section for a product, class of product, material, or component part shall apply regardless of the date of manufacture unless the Commission expressly provides otherwise.

(vi) *Previously submitted petitions*. A party seeking an exception under this

paragraph may rely on materials previously submitted in connection with a petition for exclusion under this section. In such cases, petitioners must notify the Commission of their intent to rely on materials previously submitted. Such reliance does not affect petitioners' obligation to demonstrate that they meet all requirements of this paragraph as required by paragraph (b)(1)(iii)(A) of this section.

(2) [Reserved]

\* \* \* \* \*

Dated: June 28, 2013.

**Todd A. Stevenson,**  
Secretary, Consumer Product Safety Commission.

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

### DEPARTMENT OF THE TREASURY

#### 19 CFR Part 111

#### Customs Brokers

##### CFR Correction

In Title 19 of the Code of Federal Regulations, Parts 0 to 140, revised as of April 1, 2013, on page 684, in § 111.13, in paragraph (b), reinstate the second sentence to read as follows:

#### § 111.13 Written examination for individual license.

\* \* \* \* \*

(b) \* \* \* Written examinations will be given on the first Monday in April and October unless the regularly scheduled examination date conflicts with a national holiday, religious observance, or other foreseeable event and the agency publishes in the **Federal Register** an appropriate notice of a change in the examination date. \* \* \*

\* \* \* \* \*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[Docket No. USCG-2012-0572]

### Regattas and Marine Parades; Great Lakes Annual Marine Events

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce various special local regulations for annual regattas and marine parades in the Captain of the Port Detroit zone from 9:00 a.m. on June 21, 2013 through 7:00 p.m. on July 28, 2013. This action is necessary and intended to ensure safety of life on the navigable waters immediately prior to, during, and immediately after regattas or marine parades. Enforcement of these special local regulations rule will establish restrictions upon, and control movement of, vessels in specified areas immediately prior to, during, and immediately after regattas or marine parades. During the enforcement periods, no person or vessel may enter the regulated areas without permission of the Captain of the Port.

**DATES:** The regulations in 33 CFR 100.914, .915, .918, and .919 will be enforced at various times between June 21, 2013 and July 28, 2013.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email LT Adrian Palomeque, Prevention Department, Sector Detroit, Coast Guard; telephone (313)568-9508, email [Adrian.F.Palomeque@uscg.mil](mailto:Adrian.F.Palomeque@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the following special local regulations in 33 CFR 100 at the following dates and times:

(1) *Sec. 100.914 Trenton Rotary Roar on the River, Trenton, MI.*

This special local regulation will be enforced from 12:00 a.m. to 6:00 p.m. on July 19, 2013 and from 8:00 a.m. to 8:00 p.m. on July 20 and 21, 2013.

(2) *Sec. 100.915 St. Clair River Classic Offshore Race, St. Clair, MI.*

This special local regulation will be enforced from 10:00 a.m. to 7:00 p.m. on July 26, 27 and 28, 2013.

(3) *Sec. 100.918 Detroit APBA Gold Cup, Detroit MI.*

This special local regulation will be enforced from 7:00 a.m. to 7:00 p.m. on July 12, 13 and 14, 2013.

(4) *Sec. 100.919 International Bay City River Roar, Bay City, MI.*

This special local regulation will be enforced from 9:00 a.m. to 6:00 p.m. on June 21, 22, and 23, 2013. In the case of inclement weather on June 23, 2013, this special local regulation will also be enforced from 9:00 a.m. to 6:00 p.m. on June 24, 2013.

### Regulations

(1) In accordance with the general regulations in 33 CFR 100.901, entry into, transiting, or anchoring within these regulated areas is prohibited

unless authorized by the Captain of the Port Detroit, or his designated on-scene representative.

(2) These regulated areas are closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated on-scene representative.

(3) The “designated on-scene representative” of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his behalf. The designated on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the regulated area shall contact the Captain of the Port Detroit or his designated on-scene representative to obtain permission.

(5) Vessel operators given permission to enter or operate in the regulated area must comply with all directions given to them by the Captain of the Port or his designated on-scene representative.

Dated: June 20, 2013.

**J.E. Ogden,**

*Captain, U.S. Coast Guard, Captain of the Port Detroit.*

[FR Doc. 2013-16519 Filed 7-9-13; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Parts 100 and 165

[Docket Number USCG-2013-0447]

**RIN 1625-AA08; 1625-AA00**

#### Special Local Regulations and Safety Zones; Marine Events in Captain of the Port Long Island Sound Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing one special local regulation for a regatta and four safety zones for two fireworks displays and two swim events within the Captain of the Port (COTP) Long Island Sound (LIS) Zone. This action is necessary to provide for the safety of life on navigable waters during these events. The special local regulation and safety zones will facilitate public notification of the event and provide protective measures for the maritime public and event participants from the hazards associated with these

events. Entry into, transit through, mooring or anchoring within these zones is prohibited unless authorized by COTP Sector Long Island Sound.

**DATES:** This rule is effective from July 10, 2013 to September 1, 2013. Certain provisions of this rule address events and dates which have already passed. Those regulations were enforced with actual notice on the event dates. Other provisions of this rule will be enforced during the specific dates and times listed in § 100.35T01-0447 and Tables 1 and 2 of § 165.T01-0447.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2013-0447]. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Petty Officer Scott Baumgartner, Prevention Department, Coast Guard Sector Long Island Sound, (203) 468-4559, [Scott.A.Baumgartner@uscg.mil](mailto:Scott.A.Baumgartner@uscg.mil). If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Table of Acronyms

COTP Captain of the Port  
DHS Department of Homeland Security  
FR Federal Register  
LIS Long Island Sound  
NPRM Notice of Proposed Rulemaking

#### A. Regulatory History and Information

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 Coast

Guard was not provided enough notice by the sponsoring organizations and these temporary regulations will help promote the safety of event participants and the maritime public. More specific details for each event are listed below.

The Connecticut River Raft Race is a recurring marine event that has previously gone through the public comment process and is currently listed as a permanent marine event in the Code of Federal Regulations. For this year’s event, the start and finish points of the race have been relocated to spots within the same general vicinity of Middletown, CT, but with improved access to the Connecticut River creating safer entry and exit conditions for event participants and support personnel. Recently, the Coast Guard received information on the new positions in the marine event application submitted on April 4, 2013, and learned from event Race Committee President, Dan Pritchard, that the race has previously utilized these newly requested access points for the past four years. The application of April 4, 2013 was not received 135 days in advance of the event and therefore has resulted in late notice to the Coast Guard. However, requiring a move to the original positions does not promote the safety of the event participants and crews. Further, no comments have been received by U.S. Coast Guard Sector Long Island Sound regarding the change of the events start and finish points.

The Coast Guard received information about the Riverhead Rocks Triathlon from the event sponsor, Event Power, on May 2, 2013. Event Power held the Riverhead Rocks Triathlon during the previous year but did not submit a marine event application for the event and was not aware of the requirement for submitting a request for a new event 135 days in advance, resulting in late notification to the Coast Guard. Event Power is unable to reschedule the event as the triathlon is being held in conjunction with additional prescheduled activities occurring the same weekend, and because of the difficulty of rescheduling the early morning start of the swim event with the desired high tide cycle. While the event impacts a navigable channel, there is little commercial traffic along the affected section of the Peconic River and the swim event is expected to last approximately one hour.

The Coast Guard received a marine event application for the Go 4th Saltaire Bay Fireworks Display on April 19, 2013. This is a new event and the event sponsor, Go 4th Committee, was not aware of the requirement for submitting a request for a new event 135 days in