

through, or anchoring within the 800 foot regulated area safety zone around the fireworks barge, located in approximate position 32°42'16" N, 117°09'59" W, unless authorized by the Captain of the Port, or his designated representative. Persons or vessels desiring to enter into or pass through the safety zone may request permission from the Captain of the Port or a designated representative. The Coast Guard Captain of the Port or designated representative can be reached via VHF CH 16 or at (619) 278-7033. If permission is granted, all persons and vessels shall comply with the instructions of the Captain of the Port or his designated representative. Spectator vessels may safely transit outside the regulated area, but may not anchor, block, loiter, or impede the transit of official fireworks support and event safety vessels or law enforcement patrol vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in notification and patrol of this regulation.

This document is issued under authority of 5 U.S.C. 552 (a) and 33 CFR 165.1123. In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners, Broadcast Notice to Mariners, and local advertising by the event sponsor.

If the Coast Guard determines that the regulated area need not be enforced for the full duration stated on this document, then a Broadcast Notice to Mariners or other communications coordinated with the event sponsor will grant general permission to enter the regulated area.

Dated: June 2, 2015.

**J.A. Janszen,**

*Captain, U.S. Coast Guard, Acting, Captain of the Port San Diego.*

[FR Doc. 2015-15317 Filed 6-19-15; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2015-0358]

RIN 1625-AA00

### Safety Zone; Fireworks Display, Columbia River, Cathlamet, WA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone in Cathlamet, WA. This safety zone is necessary to help ensure the safety of the maritime public during a fireworks display and will do so by prohibiting unauthorized persons and vessels from entering the safety zones unless authorized by the Sector Columbia River Captain of the Port or his designated representatives.

**DATES:** This rule is effective on July 18, 2015 from 10:00 p.m. to 11:00 p.m.

**ADDRESSES:** Documents mentioned in this preamble are part of docket [USCG-2015-0358]. 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 Ken Lawrenson, Waterways Management Division, Marine Safety Unit Portland, Coast Guard; telephone 503-240-9319, email [msupdxwwm@uscg.mil](mailto:msupdxwwm@uscg.mil). If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Table of Acronyms

DHS Department of Homeland Security  
FR **Federal Register**  
NPRM Notice of Proposed Rulemaking  
TFR Temporary Final Rule

#### A. Regulatory History and Information

The Coast Guard is issuing this temporary final 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, the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule. Waiting for a 30 day notice period to run would be impracticable. The Coast Guard did not receive the necessary information in

time for this regulation to undertake both an NPRM and a 30 day delayed effective date. Additionally, waiting for a 30 day notice period to run would be impracticable as delayed promulgation may result in injury or damage to persons and vessels from the hazards associated with fireworks displays.

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 the late notification of this event and because the event will have occurred before comments could have been taken.

#### B. Basis and Purpose

The legal basis for this proposed rule is: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 0170.1; which collectively authorize the Coast Guard to establish regulatory safety zones for safety and environmental purposes.

Fireworks displays create hazardous conditions for the maritime public because of the large number of vessels that congregate near the displays, as well as the noise, falling debris, and explosions that occur during the event. Due to the presence of a fireworks show, a safety zone is necessary in order to reduce vessel traffic congestion in the proximity of fireworks discharge sites and to prevent vessel traffic within the fallout zone of the fireworks.

#### C. Discussion of the Temporary Final Rule

This rule establishes one safety zone in the Sector Columbia River Captain of the Port Zone.

The safety zone will encompass the waters included within a 500 foot radius at the following approximate location: 46°12'14" N; 123°23'17" W, along the Columbia River, in Cathlamet, WA. This safety zone will be effective on Saturday July 18, 2015 from 10:00 p.m. to 11:00 p.m.

#### D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

##### 1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of

potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. The Coast Guard has made this determination based on the fact that the safety zone created by this rule will not significantly affect the maritime public because vessels may still coordinate their transit with the Coast Guard in the vicinity of the safety zone.

## 2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 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.

(1) This rule may affect the following entities, some of which may be small entities: The owners and operators of vessels intending to operate in the area covered by the safety zone. The rule will not have a significant economic impact on a substantial number of small entities because the safety zones will only be in effect for a limited period of time. Additionally, vessels can still transit through the zone with the permission of the Captain of the Port. Before the effective period, we will publish advisories in the Local Notice to Mariners available to users of the river. Maritime traffic will be able to schedule their transits around the safety zone.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

## 3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 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 contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

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.

## 4. 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).

## 5. Federalism

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 determined that this rule does not have implications for federalism.

## 6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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.

## 7. 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 expenditure, we do not discuss the effects of this rule elsewhere in this preamble.

## 8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and

Interference with Constitutionally Protected Property Rights.

## 9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

## 10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

## 11. Indian Tribal Governments

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.

## 12. Energy Effects

This action is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

## 13. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

## 14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(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 the creation of one safety zone during fireworks displays to protect maritime public. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are

available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

#### 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 is amending 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:** 33 U.S.C. 1231; 50 U.S.C. 191; 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.T13–0358 to read as follows:

**§ 165.T13–0358 Safety Zone; Cathlamet Bald Eagle Days Firework Display, Cathlamet, WA.**

(a) *Safety Zones*. The following area is a designated safety zone:

(1) *Location*. All waters along the Columbia River, Cathlamet, WA, within a 500 foot radius at the approximate position of 46°12'14" N; 123°23'17" W.

(2) *Enforcement Period*. This event will be held on July 18, 2015 from 10:00 p.m. to 11:00 p.m.

(b) *Regulations*. In accordance with the general regulations in 33 CFR part 165, subpart C, no person may enter or remain in the safety zone created in this section or bring, cause to be brought, or allow to remain in the safety zone created in this section any vehicle, vessel, or object unless authorized by the Captain of the Port or his designated representative. The Captain of the Port may be assisted by other Federal, State, or local agencies with the enforcement of the safety zone.

(c) *Authorization*. All vessel operators who desire to enter the safety zone must obtain permission from the Captain of the Port or Designated Representative by contacting either the on-scene patrol craft on VHF Ch 13 or Ch 16 or the Coast Guard Sector Columbia River Command Center via telephone at (503) 861–6211.

Dated: May 19, 2015.

**D.J. Travers,**

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

[FR Doc. 2015–15323 Filed 6–19–15; 8:45 am]

**BILLING CODE 9110–04–P**

#### POSTAL REGULATORY COMMISSION

##### 39 CFR Part 3020

[Docket No. RM2015–6; Order No. 2543]

#### Changes or Corrections to Mail Classification Schedule

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is issuing a set of final rules addressing changes and corrections to the Mail Classification Schedule (MCS). The final rules establish procedures for material changes in services offered in connection with products and corrections to product descriptions. Relative to the proposed rules, all changes are minor and non-substantive.

**DATES:** *Effective* July 22, 2015.

#### FOR FURTHER INFORMATION CONTACT:

David A. Trissell, General Counsel, at 202–789–6820.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

72 FR 63662, November 9, 2007

79 FR 69781, November 24, 2014

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##### I. Introduction

In this Order, the Commission adopts final rules regarding requests to change or correct the Mail Classification Schedule (MCS).

##### II. Background

The Commission is charged with maintaining accurate product lists. See 39 U.S.C. 3642. In Docket No. RM2007–1, the Commission promulgated rules establishing the MCS as the vehicle for presenting the product lists with necessary descriptive content.<sup>1</sup> Those rules are codified at 39 CFR part 3020, subparts A–F.

On November 14, 2014, the Commission issued a notice of proposed rulemaking and requested comments on proposed rules regarding requests to change or correct the MCS (specifically, replacing 39 CFR part 3020, subpart E).<sup>2</sup> Order No. 2250 described how the regulations did not satisfactorily address

MCS changes that were more significant than minor corrections to the MCS but did not rise to the level of a product list modification. The proposed rules distinguished between material changes and minor corrections to the descriptive content in the MCS and proposed procedures for the initiation and review of each type of change. The notice of proposed rulemaking was also published in the **Federal Register**. 79 FR 69781 (November 24, 2014).

The Postal Service and the Public Representative submitted initial comments suggesting changes to the rules proposed in Order No. 2250.<sup>3</sup> The Postal Service also submitted reply comments.<sup>4</sup> After consideration of the comments submitted, the Commission adopts the proposed rules, modified as described below.

#### III. Section-by-Section Analysis

In general, the Postal Service and Public Representative offered positive comments with respect to the Commission's proposed rules. See, e.g., Postal Service Comments at 1, PR Comments at 3. Both commenters also offered suggestions that they assert would improve or clarify the proposed rules. The comments primarily focused on two issues: The contents of the supporting justification for a material change to a MCS product description and the provisions concerning the Commission's review of requests to make either a material change or minor correction to the MCS. The Commission's analysis of the comments received is discussed below.

##### A. Section 3020.81 (Supporting Justification for Changes to Product Descriptions)

Section 3020.81 of the proposed rules lists the supporting justification that must be filed by the Postal Service when it proposes a material change to a product description in the MCS. As proposed, paragraph (c) required the Postal Service to describe the impact that the proposed material changes will have on users of the product and on competitors as part of its supporting justification for its request to make a material change to a product description.

The Postal Service comments that the requirement in proposed section 3020.81(c) is more strenuous than the requirement that currently applies to

<sup>1</sup> Docket No. RM2007–1, Order No. 26, Order Proposing Regulations to Establish a System of Ratemaking, August 15, 2007, at 85.

<sup>2</sup> Notice of Proposed Rulemaking on Changes and Corrections to the Mail Classification Schedule, November 14, 2014 (Order No. 2250).

<sup>3</sup> Initial Comments of the United States Postal Service, December 24, 2014 (Postal Service Comments); Public Representative Comments, December 24, 2014 (PR Comments).

<sup>4</sup> Reply Comments of the United States Postal Service, January 8, 2015 (Postal Service Reply Comments).