

expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### F. Environment

We have analyzed this proposed 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 (42 U.S.C. 4321-4370f), and have made a preliminary determination 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 proposed rule involves a special local regulated area that would prohibit entry to unauthorized vessels. Normally such actions are categorically excluded from further review under paragraph 34(h) of Figure 2-1 of Commandant Instruction M16475.ID. A preliminary environmental analysis checklist and 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 proposed rule.

#### G. 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.

#### V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted

without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

#### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, and Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

#### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERWAYS

- 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

- 2. Add § 100.35T08-0012 to read as follows:

##### **§ 100.35T08-0012 Special Local Regulation; Cumberland River Mile 189.0 to Mile 193.0; Nashville, TN.**

(a) *Location.* All waters of the Cumberland River beginning at mile marker 189.0 and ending at mile marker 193.0 at Nashville, TN.

(b) *Enforcement periods.* This section will be enforced from 11 a.m. until 6 p.m. on May 13, 4 a.m. until 6 p.m. on May 14, and 4 a.m. until 3 p.m. on May 15, 2017. The Captain of the Port Ohio Valley or a designated representative will inform the public through broadcast notice to mariners of the enforcement period for this special local regulation.

(c) *Special Local Regulations.* (1) In accordance with the general regulations in § 100.801 of this part, entry into this area is prohibited unless authorized by the Captain of the Port Ohio Valley or a designated representative.

(2) Persons or vessels requiring entry into or passage through the area must request permission from the Captain of the Port Ohio Valley or a designated representative. U.S. Coast Guard Sector Ohio Valley may be contacted on VHF Channel 13 or 16, or at 1-800-253-7465.

Dated: March 13, 2017.

**M.B. Zamperini,**

*Captain, U.S. Coast Guard, Captain of the Port Ohio Valley.*

[FR Doc. 2017-06278 Filed 3-29-17; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2017-0011]

RIN 1625-AA00

#### Safety Zones; Coast Guard Sector Ohio Valley Annual and Recurring Safety Zones Update

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to amend and update its list of recurring safety zone regulations that take place in the Coast Guard Sector Ohio Valley area. This informs the public of regularly scheduled events that require additional safety measures through establishing a safety zone. Through this the current list of recurring safety zones is proposed to be updated with revisions, additional events, and removal of events that no longer take place. When these safety zones are enforced, vessel traffic is restricted from the specified areas. Additionally, this proposed rulemaking project reduces administrative costs involved in producing separate proposed rules for each individual recurring safety zone and serves to provide notice of the known recurring safety zones throughout the year. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before May 1, 2017.

**ADDRESSES:** You may submit comments identified by docket number USCG-2017-0011 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or email Petty Officer James Robinson, Sector Ohio Valley, U.S. Coast Guard; telephone (502) 779-5347, email [James.C.Robinson@uscg.mil](mailto:James.C.Robinson@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
 COTP Captain of the Port Ohio Valley  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

**II. Background, Purpose, and Legal Basis**

The Captain of the Port Ohio Valley (COTP) proposes to amend 33 CFR 165.801 to update our regulations for annual fireworks displays and other events in the Eighth Coast Guard District requiring safety zones with respect to those in Sector Ohio Valley.

The current list of annual and recurring safety zones occurring in Sector Ohio Valley's is published under 33 CFR 165.801 in Table no. 1 for annual safety zones in the COTP Ohio Valley zone. The most recent list was created June 14, 2016 through the rulemaking 81 FR 38595.

The Coast Guard proposed to amend and update the safety zone regulations under 33 CFR part 165 to include the most up to date list of recurring safety zones for events held on or around

navigable waters within Sector Ohio Valley's AOR. These events include air shows, fireworks displays, and other marine related events requiring a limited access area restricting vessel traffic for safety purposes. The current list in 33 CFR 165.801 needs to be amended to provide new information on existing safety zones, and to include new safety zones expected to recur annually or biannually, and to remove safety zones that are no longer required. Issuing individual regulations for each new safety zone, amendment, or removal of an existing safety zone creates unnecessary administrative costs and burdens. This single proposed rulemaking will considerably reduce administrative overhead and provide the public with notice through publication in the **Federal Register** of the upcoming recurring safety zone regulations.

The Coast Guard encourages the public to participate in this proposed rulemaking through the comment process so that any necessary changes can be identified and implemented in a timely and efficient manner. The Coast Guard will address all public comments accordingly, whether through response,

additional revision to the regulation, or otherwise. Additionally, these recurring events are provided to the public through local avenues and planned by the local communities.

**III. Discussion of the Proposed Rule**

Part 165 of 33 CFR contains regulations establishing limited access areas to restrict vessel traffic for the safety of persons and property. Section 165.801 establishes recurring safety zones to restrict vessel transit into and through specified areas to protect spectators, mariners, and other persons and property from potential hazards presented during certain events taking place in Sector Ohio Valley's AOR. This section requires amendment from time to time to properly reflect the recurring safety zone regulations in Sector Ohio Valley's AOR. This proposed rule amends and updates § 165.801 by revising the current table for Sector Ohio Valley.

Additionally, this proposed rule adds 5 new recurring safety zones and removes 1 safety zone as follows:

Five added under the revised table for Sector Ohio Valley.

Date	Event/sponsor	Ohio Valley location	Regulated area
1 day—During the first two weeks of July.	City of Maysville Fireworks .....	Maysville, KY .....	Ohio River, Mile 408–409 (Kentucky).
1 day—Saturday before Memorial Day	Venture Outdoors/Venture Outdoors Festival.	Pittsburgh, PA .....	Allegheny River, Mile 0.0–0.25; Monongahela River, Mile 0.0–0.25 (Pennsylvania).
1 day—Third Saturday in July .....	Pittsburgh Irish Rowing Club/St. Brendan's Cup Currach Regatta.	Pittsburgh, PA .....	Ohio River, Mile 7.0–9.0 (Pennsylvania).
1 day—July 4th .....	Wellsburg 4th of July Committee/Wellsburg 4th of July Freedom Celebration.	Wellsburg, WV .....	Ohio River, Mile 73.5–74.5 (West Virginia).
1 day—During the first week of July .....	Newburgh Fireworks Display .....	Newburgh, IN .....	Ohio River, Mile 777.3–778.3 (Indiana).

This proposed rule removes the following safety zone regulation from § 165.801:

Date	Event/sponsor	Ohio Valley location	Regulated area
1 day—Last weekend in August .....	Swiss Wine Festival/Swiss Wine Festival Fireworks Show.	Ghent, KY .....	Ohio River, Mile 537 (Kentucky).

The effect of this proposed rule would be to restrict general navigation in the safety zone during the events. Vessels intending to transit the designated waterway through the safety zone will only be allowed to transit the area when COTP, or a designated representative, has deemed it safe to do so or at the completion of the event. The proposed annually recurring safety zones are

necessary to provide for the safety of life on navigable waters during the events.

**IV. Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders (E.O.s) related to rulemaking. Below we summarize our analyses based on a number of these statutes and E.O.s, and we discuss First Amendment rights of protestors.

**A. Regulatory Planning and Review**

Regulatory Costs'' (February 2, 2017). A regulatory analysis (RA) follows. E.O.s 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. E.O. 13563 emphasizes the importance of quantifying both costs

and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a “significant regulatory action,” under E.O. 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

The Coast Guard expects the economic impact of this proposed rule to be minimal, therefore a full regulatory evaluation is unnecessary. This proposed rule establishes safety zones limiting access to certain areas under 33 CFR 165 within Sector Ohio Valley’s AOR. The effect of this proposed rulemaking will not be significant because these safety zones are limited in scope and duration. Additionally, the public is given advance notification through local forms of notice, the **Federal Register**, and/or Notices of Enforcement and, thus, will be able to plan operations around the safety zones in advance Broadcast Notices to Mariners and Local Notices to Mariners will also inform the community of these safety zones. Vessel traffic may request permission from the COTP or a designated representative to enter the restricted area.

#### *B. 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 proposed 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 IV.A above this proposed rule would 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 proposed rule. If the proposed 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** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

#### *C. Collection of Information*

This proposed 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 E.O. 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 E.O. 13132.

Also, this rule does not have tribal implications under E.O. 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. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

#### *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 proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination 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 proposed rule is categorically excluded under section 2.B.2, figure 2–1, paragraph

34(g) of the Instruction because it involves the establishment of safety zones. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

#### *G. 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.

#### **V. Public Participation and Request for Comments**

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, visit <http://www.regulations.gov/privacyNotice>.

Documents mentioned in this NPRM as being available in the docket, and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site’s instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

#### **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 U.S. Coast Guard proposes to amend 33 CFR part 165 as follows:

**PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS**

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.

**§ 165.801 Annual Fireworks displays and other events in the Eighth Coast Guard District recurring safety zones.**

\* \* \* \* \*

■ 1. The authority citation for part 165 continues to read as follows:

■ 2. In § 165.801, revise the first table to read as follows:

TABLE 1 OF § 165.801—SECTOR OHIO VALLEY ANNUAL AND RECURRING SAFETY ZONES

Date	Sponsor/name	Sector Ohio Valley location	Safety zone
1. Multiple days—April through November.	Pittsburgh Pirates/Pittsburgh Pirates Fireworks .....	Pittsburgh, PA .....	Allegheny River, Mile 0.2–0.9 (Pennsylvania).
2. Multiple days—April through November.	Cincinnati Reds/Cincinnati Reds Season Fireworks .....	Cincinnati, OH .....	Ohio River, Mile 470.1–470.4; extending 500 ft. from the State of Ohio shoreline (Ohio).
3. 2 days—Third Friday and Saturday in April.	Thunder Over Louisville/Thunder Over Louisville .....	Louisville, KY .....	Ohio River, Mile 602.0–606.0 (Kentucky).
4. Last Sunday in May .....	Friends of Ironton .....	Ironton, OH .....	Ohio River, Mile 326.7–327.7 (Ohio).
5. 1 day—A Saturday in July.	Paducah Parks and Recreation Department/Cross River Swim.	Paducah, KY .....	Ohio River, Mile 934.0–936.0 (Kentucky).
6. 1 day—First or second weekend in June.	Bellaire All-American Days .....	Bellaire, OH .....	Ohio River, Mile 93.5–94.5 (Ohio).
7. 2 days—Second week-end of June.	Rice's Landing Riverfest .....	Rices Landing, PA .....	Monongahela River, Mile 68.0–68.8 (Pennsylvania).
8. 1 day—First Sunday in June.	West Virginia Symphony Orchestra/Symphony Sunday.	Charleston, WV .....	Kanawha River, Mile 59.5–60.5 (West Virginia).
9. 1 day—Saturday before 4th of July.	Riverfest Inc./Saint Albans Riverfest .....	St. Albans, WV .....	Kanawha River, Mile 46.3–47.3 (West Virginia).
10. 1 day—4th July .....	Greenup City .....	Greenup, KY .....	Ohio River, Mile 335.2–336.2 (Kentucky).
11. 1 day—4th July .....	Middleport Community Association .....	Middleport, OH .....	Ohio River, Mile 251.5–252.5 (Ohio).
12. 1 day—4th July .....	People for the Point Party in the Park .....	South Point, OH .....	Ohio River, Mile 317–318 (Ohio).
13. 1 day—Last weekend in June or first weekend in July.	Riverview Park Independence Festival .....	Louisville, KY .....	Ohio River, Mile 618.5–619.5 (Kentucky).
14. 1 day—Third or fourth week in July.	Upper Ohio Valley Italian Heritage Festival/Upper Ohio Valley Italian Heritage Festival Fireworks.	Wheeling, WV .....	Ohio River, Mile 90.0–90.5 (West Virginia).
15. 1 day—4th or 5th of July.	City of Cape Girardeau July 4th Fireworks Show on the River.	Cape Girardeau, MO .....	Upper Mississippi River, Mile 50.0–52.0.
16. 1 day—Third or fourth of July.	Harrah's Casino/Metropolis Fireworks .....	Metropolis, IL .....	Ohio River, Mile 942.0–945.0 (Illinois).
17. 1 day—During the first week of July.	Louisville Bats Baseball Club/Louisville Bats Firework Show.	Louisville, KY .....	Ohio River, Mile 603.0–604.0 (Kentucky).
18. 1 day—July 4th .....	Waterfront Independence Festival/Louisville Orchestra Waterfront 4th.	Louisville, KY .....	Ohio River, Mile 603.0–604.0 (Kentucky).
19. 1 day—During the first week of July.	Celebration of the American Spirit Fireworks/All American 4th of July.	Owensboro, KY .....	Ohio River, Mile 755.0–759.0 (Kentucky).
20. 1 day—During the first week of July.	Riverfront Independence Festival Fireworks .....	New Albany, IN .....	Ohio River, Mile 602.0–603.5 (Indiana).
21. 1 day—July 4th .....	Shoals Radio Group/Spirit of Freedom Fireworks .....	Florence, AL .....	Tennessee River, Mile 255.0–257.0 (Alabama).
22. 1 day—Saturday before July 4th.	Town of Cumberland City/Lighting up the Cumberlandlands Fireworks.	Cumberland City, TN .....	Cumberland River, Mile 103.0–105.0 (Tennessee).
23. 1 day—July 4th .....	Knoxville office of Special Events/Knoxville July 4th Fireworks.	Knoxville, TN .....	Tennessee River, Mile 647.0–648.0 (Tennessee).
24. 1 day—July 4th .....	NCVC/Music City July 4th .....	Nashville, TN .....	Cumberland River, Mile 190.0–192.0 (Tennessee).
25. 1 day—Saturday before July 4th, or Saturday after July 4th.	Grand Harbor Marina/Grand Harbor Marina July 4th Celebration.	Counce, TN .....	Tennessee-Tombigbee Waterway, Mile 450.0–450.5 (Tennessee).
26. 1 day—Second Saturday in July.	City of Bellevue, KY/Bellevue Beach Park Concert Fireworks.	Bellevue, KY .....	Ohio River, Mile 468.2–469.2 (Kentucky and Ohio).
27. 1 day—Sunday before Labor Day.	Cincinnati Bell, WEBN, and Proctor and Gamble/Riverfest.	Cincinnati, OH .....	Ohio River, Mile 469.2–470.5 (Kentucky and Ohio) and Licking River Mile 0.0–3.0 (Kentucky).
28. 1 day—July 4th .....	Summer Motions Inc./Summer Motion .....	Ashland, KY .....	Ohio River, Mile 322.1–323.1 (Kentucky).
29. 1 day—Last weekend in June or First weekend in July.	City of Point Pleasant/Point Pleasant Sternwheel Fireworks.	Point Pleasant, WV .....	Ohio River, Mile 265.2–266.2, Kanawha River Mile 0.0–0.5 (West Virginia).
30. 1 day—July 3rd or 4th	City of Charleston/City of Charleston Independence Day Celebration.	Charleston, WV .....	Kanawha River, Mile 58.1–59.1 (West Virginia).
31. 1 day—July 4th .....	Civic Forum/Civic Forum 4th of July Celebration .....	Portsmouth, OH .....	Ohio River, Mile 355.5–356.5 (Ohio).
32. 1 day—Second Saturday in August.	Guysuta Days Festival/Borough of Sharpsburg .....	Pittsburgh, PA .....	Allegheny River, Mile 005.5–006.0 (Pennsylvania).
33. 1 day—Second or third week of August.	Pittsburgh Foundation/Bob O'Connor Cookie Cruise .....	Pittsburgh, PA .....	Ohio River, Mile 0.0–0.5 (Pennsylvania).
34. 1 day—Second full week of August.	PA FOB Fireworks Display .....	Pittsburgh, PA .....	Allegheny River, Mile 0.8–1.0 (Pennsylvania).
35. 1 day—Third week of August.	Beaver River Regatta Fireworks .....	Beaver, PA .....	Ohio River, Mile 25.2–25.8 (Pennsylvania).
36. 1 day—December 31 ..	Pittsburgh Cultural Trust/Highmark First Night Pittsburgh.	Pittsburgh, PA .....	Allegheny River Mile, 0.5–1.0 (Pennsylvania).
37. 1 day—Friday before Thanksgiving.	Pittsburgh Downtown Partnership/Light Up Night .....	Pittsburgh, PA .....	Allegheny River, Mile 0.0–1.0 (Pennsylvania).
38. Multiple days—April through November.	Pittsburgh Riverhounds/Riverhounds Fireworks .....	Pittsburgh, PA .....	Monongahela River, Mile 0.22–0.77 (Pennsylvania).

TABLE 1 OF § 165.801—SECTOR OHIO VALLEY ANNUAL AND RECURRING SAFETY ZONES—Continued

Date	Sponsor/name	Sector Ohio Valley location	Safety zone
39. 3 days—Second or third weekend in June.	Hadi Shrine/Evansville Freedom Festival Air Show ..	Evansville, IN .....	Ohio River, Miles 791.0–795.0 (Indiana).
40. 1 day—Second or third Saturday in June, the last day of the Riverbend Festival.	Friends of the Festival, Inc./Riverbend Festival Fireworks.	Chattanooga, TN .....	Tennessee River, Mile 463.5–464.5 (Tennessee).
41. 2 days—Second Friday and Saturday in June.	City of Newport, KY/Italianfest .....	Newport, KY .....	Ohio River, Miles 469.6–470.0 (Kentucky and Ohio).
42. 1 day—Last Saturday in June.	City of Aurora/Aurora Firecracker Festival .....	Aurora, IN .....	Ohio River Mile, 496.7; 1400 ft. radius from the Consolidated Grain Dock located along the State of Indiana shoreline at (Indiana and Kentucky).
43. 1 day—second week-end in June.	City of St. Albans/St. Albans Town Fair .....	St. Albans, WV .....	Kanawha River, Mile 46.3–47.3 (West Virginia).
44. 1 day—Last week of June or first week of July.	PUSH Beaver County/Beaver County Boom .....	Beaver, PA .....	Ohio River, Mile 25.2–25.6 (Pennsylvania).
45. 1 day—4th of July (Rain date—July 5th).	Monongahela Area Chamber of Commerce/ Monongahela 4th of July Celebration.	Monongahela, PA .....	Monongahela River, Mile 032.0–033.0 (Pennsylvania).
46. 1 day—Saturday Third or Fourth full week of July (Rain date—following Sunday).	Oakmont Yacht Club/Oakmont Yacht Club Fireworks	Oakmont, PA .....	Allegheny River, Mile 12.0–12.5 (Pennsylvania).
47. 1 day—Week of July 4th.	Three Rivers Regatta Fireworks/EQT 4th of July Celebration.	Pittsburgh, PA .....	Ohio River, Mile 0.0–0.5, Allegheny River, Mile 0.0–0.5, and Monongahela River, Mile 0.0–0.5 (Pennsylvania).
48. 1 day—3rd or 4th of July.	City of Paducah, KY .....	Paducah, KY .....	Ohio River, Mile 934.0–936.0; Tennessee River, mile 0.0–1.0 (Kentucky).
49. 1 day—3rd or 4th of July.	City of Hickman, KY .....	Hickman, KY .....	Lower Mississippi River, Mile 921.0–923.0 (Kentucky).
50. 1 day—During the first week of July.	Evansville Freedom Celebration/4th of July Fireworks.	Evansville, IN .....	Ohio River, Miles 791.0–795.0 (Indiana).
51. 1 day—One of the first two weekends in July.	Madison Regatta, Inc./Madison Regatta .....	Madison, IN .....	Ohio River, Miles 555.0–560.0 (Indiana).
52. 1 day—July 4th .....	Cities of Cincinnati, OH and Newport, KY/July 4th Fireworks.	Newport, KY .....	Ohio River, Miles 469.6–470.2 (Kentucky and Ohio).
53. 2 days—second week-end in July.	Marietta Riverfront Roar/Marietta Riverfront Roar .....	Marietta, OH .....	Ohio River, Mile 171.6–172.6 (Ohio).
54. 1 day—1st weekend in July.	Gallia County Chamber of Commerce/Gallipolis River Recreation Festival.	Gallipolis, OH .....	Ohio River, Mile 269.5–270.5 (Ohio).
55. 1 day—July 4th .....	Kindred Communications/Dawg Dazzle .....	Huntington, WV .....	Ohio River, Mile 307.8–308.8 (West Virginia).
56. Multiple days—September through January.	University of Pittsburgh Athletic Department/University of Pittsburgh Fireworks.	Pittsburgh, PA .....	Ohio River mile 0.0–0.1, Monongahela River mile 0.0–0.1, Allegheny River mile 0.0–0.25 (Pennsylvania).
57. Sunday, Monday, or Thursday from August through February.	Pittsburgh Steelers Fireworks .....	Pittsburgh, PA .....	Allegheny River mile 0.0–0.25, Ohio River mile 0.0–0.1, Monongahela River mile 0.0–0.1.
58. 3 days—Third week in September.	Wheeling Heritage Port Sternwheel Festival Foundation/Wheeling Heritage Port Sternwheel Festival.	Wheeling, WV .....	Ohio River, Mile 90.2–90.7 (West Virginia).
59. 1 day—Second Saturday in September.	Ohio River Sternwheel Festival Committee fireworks	Marietta, OH .....	Ohio River, Mile 171.5–172.5 (Ohio).
60. 1 day—Second week-end of October.	Leukemia and Lymphoma Society/Light the Night Walk Fireworks.	Nashville, TN .....	Cumberland River, Mile 190.0–192.0 (Tennessee).
61. 1 day—Saturday during the first week of October.	West Virginia Motor Car Festival .....	Charleston, WV .....	Kanawha River, Mile 58–59 (West Virginia).
62. 1 day—Friday before Thanksgiving.	Kittanning Light Up Night Firework Display .....	Kittanning, PA .....	Allegheny River, Mile 44.5–45.5 (Pennsylvania).
63. 1 day—First week in October.	Leukemia & Lymphoma Society/Light the Night .....	Pittsburgh, PA .....	Ohio River, Mile 0.0–0.4 (Pennsylvania).
64. 1 day—Friday before Thanksgiving.	Duquesne Light/Santa Spectacular .....	Pittsburgh, PA .....	Monongahela River, Mile 0.00–0.22, Allegheny River, Mile 0.00–0.25, and Ohio River, Mile 0.0–0.3 (Pennsylvania).
65. 1 day—During the first two weeks of July.	City of Maysville Fireworks .....	Maysville, KY .....	Ohio River, Mile 408–409 (Kentucky).
66. 1 day—Saturday before Memorial Day.	Venture Outdoors/Venture Outdoors Festival .....	Pittsburgh, PA .....	Allegheny River, Mile 0.0–0.25; Monongahela River, Mile 0.0–0.25 (Pennsylvania).
67. 1 day—Third Saturday in July.	Pittsburgh Irish Rowing Club/St. Brendan's Cup Currach Regatta.	Pittsburgh, PA .....	Ohio River, Mile 7.0–9.0 (Pennsylvania).
68. 1 day—July 4th .....	Wellsburg 4th of July Committee/Wellsburg 4th of July Freedom Celebration.	Wellsburg, WV .....	Ohio River, Mile 73.5–74.5 (West Virginia).
69. 1 day—During the first week of July.	Newburgh Fireworks Display .....	Newburgh, IN .....	Ohio River, Mile 777.3–778.3 (Indiana).
70. 3 days—Third or Fourth weekend in April.	Henderson Tri-Fest/Henderson Breakfast Lions Club	Henderson, KY .....	Ohio River, Mile 803.5–804.5 (Kentucky).

Dated: March 23, 2017.

**M.B. Zamperini,**

*Captain, U.S. Coast Guard, Captain of the Port Ohio Valley.*

[FR Doc. 2017-06230 Filed 3-29-17; 8:45 am]

BILLING CODE 9110-04-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R01-OAR-2014-0604; FRL-9958-73-Region 1]

### Air Plan Approval; VT; Infrastructure State Implementation Plan Requirements

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve elements of State Implementation Plan (SIP) submissions from Vermont regarding the infrastructure requirements of the Clean Air Act (CAA or Act) for the 1997 fine particle matter (PM<sub>2.5</sub>), 1997 ozone, 2006 PM<sub>2.5</sub>, 2008 lead (Pb), 2008 ozone, 2010 nitrogen dioxide (NO<sub>2</sub>), and 2010 sulfur dioxide (SO<sub>2</sub>) National Ambient Air Quality Standards (NAAQS). We also are proposing to approve two statutes and one Executive Order submitted by Vermont in support of its demonstration that the infrastructure requirements of the CAA have been met. In addition, we are conditionally approving certain elements of Vermont's submittals relating to prevention of significant deterioration (PSD) requirements. Last, we are proposing to update the classification for two of Vermont's air quality control regions for SO<sub>2</sub> based on recent air quality monitoring data collected by the state, which will grant the state an exemption from the infrastructure SIP contingency plan obligation for SO<sub>2</sub>. The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's responsibilities under the CAA.

**DATES:** Comments must be received on or before May 1, 2017.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-OAR-2014-0604, at [www.regulations.gov](http://www.regulations.gov), or via email to [arnold.anne@epa.gov](mailto:arnold.anne@epa.gov). For comments submitted at [Regulations.gov](http://Regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from

[Regulations.gov](http://Regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or at the U.S. Environmental Protection Agency, Region 1, Air Programs Branch, 5 Post Office Square, Boston, Massachusetts. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The interested persons wanting to examine these documents should make an appointment with the office at least 24 hours in advance.

#### FOR FURTHER INFORMATION CONTACT:

Alison C. Simcox, Air Quality Planning Unit, Air Programs Branch (Mail Code OEP05-02), U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Suite 100, Boston, Massachusetts 02109-3912; (617) 918-1684; [simcox.alison@epa.gov](mailto:simcox.alison@epa.gov).

#### SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA. This supplementary information section is arranged as follows:

- I. What should I consider as I prepare my comments for EPA?
- II. What is the background of these SIP submissions?
  - A. What Vermont SIP submissions does this rulemaking address?
  - B. Why did the state make these SIP submissions?
  - C. What is the scope of this rulemaking?
- III. What guidance is EPA using to evaluate these SIP submissions?
- IV. What is the result of EPA's review of these SIP submissions?
  - A. Section 110(a)(2)(A)—Emission Limits and Other Control Measures.
  - B. Section 110(a)(2)(B)—Ambient Air Quality Monitoring/Data System.

- C. Section 110(a)(2)(C)—Program for Enforcement of Control Measures and for Construction or Modification of Stationary Sources.
- D. Section 110(a)(2)(D)—Interstate Transport.
- E. Section 110(a)(2)(E)—Adequate Resources.
- F. Section 110(a)(2)(F)—Stationary Source Monitoring System.
- G. Section 110(a)(2)(G)—Emergency Powers.
- H. Section 110(a)(2)(H)—Future SIP Revisions.
- I. Section 110(a)(2)(I)—Nonattainment Area Plan or Plan Revisions Under Part D.
- J. Section 110(a)(2)(J)—Consultation With Government Officials; Public Notifications; Prevention of Significant Deterioration; Visibility Protection.
- K. Section 110(a)(2)(K)—Air Quality Modeling/Data.
- L. Section 110(a)(2)(L)—Permitting Fees.
- M. Section 110(a)(2)(M)—Consultation/Participation by Affected Local Entities.
- N. Vermont Statute and Executive Order Submitted for Incorporation Into the SIP
- V. What action is EPA taking?
- VI. Incorporation by Reference
- VII. Statutory and Executive Order Reviews

### I. What should I consider as I prepare my comments for EPA?

When submitting comments, remember to:

1. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date, and page number).
2. Follow directions—EPA may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
3. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
4. Describe any assumptions and provide any technical information and/or data that you used.
5. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
6. Provide specific examples to illustrate your concerns, and suggest alternatives.
7. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
8. Make sure to submit your comments by the comment period deadline identified.

### II. What is the background of these SIP submissions?

#### A. What Vermont SIP submissions does this rulemaking address?

This rulemaking addresses submissions from the Vermont Department of Environmental