

final rule by an additional 90 days.⁴ On May 21, 2021, the court granted another motion by the plaintiffs to postpone the effective date of the final rule by an additional 90 days.⁵ On August 18, 2021, the court issued an order to postpone the effective date of the final rule by an additional 90 days.⁶ On November 12, 2021, the court issued another order to postpone the effective date of the final rule by an additional 90 days.⁷ On February 10, 2022, the court issued another order to postpone the effective date of the final rule by an additional 90 days.⁸ On May 10, 2022, the court issued another order to postpone the effective date of the final rule by an additional 90 days.⁹ On August 10, 2022, the court granted a motion by the plaintiffs to postpone the effective date of the final rule by an additional 90 days.¹⁰ On November 7, 2022, the court issued another order to postpone the effective date of the final rule by an additional 31 days.¹¹ The court ordered that the new effective date of the final rule is November 6, 2023. Pursuant to the court order, any obligation to comply with a deadline tied to the effective date is similarly postponed, and those obligations and deadlines are now tied to the postponed effective date.

To the extent that 5 U.S.C. 553 applies to this action, the Agency's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exception in 5 U.S.C. 553(b)(B). Seeking public comment is impracticable, unnecessary, and contrary to the public interest. The 31-day postponement of the effective date, until November 6, 2023, is required by court order in accordance with the court's authority to postpone a rule's

⁴ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. March 2, 2021) (order granting Plaintiffs' motion and postponing effective date), Doc. No. 89.

⁵ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. May 21, 2021) (order granting Plaintiffs' motion and postponing effective date), Doc. No. 91.

⁶ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. August 18, 2021) (order postponing effective date), Doc. No. 92.

⁷ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. November 12, 2021) (order postponing effective date), Doc. No. 93.

⁸ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. February 10, 2022) (order postponing effective date), Doc. No. 94.

⁹ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. May 10, 2022) (order postponing effective date), Doc. No. 96.

¹⁰ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. August 10, 2022) (order granting Plaintiffs' motion and postponing effective date), Doc. No. 100.

¹¹ *R.J. Reynolds Tobacco Co.*, No. 6:20-cv-00176 (E.D. Tex. November 7, 2022) (order postponing effective date), Doc. No. 104.

effective date pending judicial review (5 U.S.C. 705). Seeking prior public comment on this postponement would have been impracticable, as well as contrary to the public interest in the orderly issuance and implementation of regulations.

Dated: November 18, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG-2022-0881]

Special Local Regulations; Marine Event Within the Captain of the Port Savannah Zone—Savannah Harbor Boat Parade of Lights and Fireworks

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulation for the Savannah Harbor Boat Parade of Lights and Fireworks. This action is necessary to ensure safety of life on navigable waters of the Savannah River during the Savannah Harbor Boat Parade of Lights and Fireworks displays. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the designated area unless authorized by the Captain of the Port Savannah or a designated representative.

DATES: The regulations in 33 CFR 100.701 will be enforced for the location identified in paragraph (d) Item 4 of Table 1 to § 100.701, will be enforced from 5 p.m. through 10 p.m. on November 26, 2022.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email LT Alex McConnell, Marine Safety Unit Savannah Office of Waterways Management, Coast Guard; telephone 912-652-4353, extension 240, or email *Alexander.W.McConnell@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulation for the Savannah Harbor Boat Parade of Lights and Fireworks in 33 CFR 100.701, Table 1 to § 100.701, paragraph (d), Item 4, from 5 p.m. until 10 p.m., on November 26, 2022. This

action is being taken to provide for the safety and security of navigable waterways during this one-day event. Our regulation for marine events within the Captain of the Port Savannah, § 100.701, specifies the location of the special local regulation for Savannah Harbor Boat Parade of Lights and Fireworks, which encompasses parts of the Savannah River from the Talmadge bridge to a line drawn at 146 degrees true from Dayboard 62, in Savannah, GA. Only event sponsored, designated participants and official patrol vessels will be allowed to enter the regulated area.

Spectator vessels may safely transit outside the regulated area, but may not anchor, block, loiter in, impede the transit of festival participants or official patrol vessels or enter the regulated area without approval from the Captain of the Port Savannah or a designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation. In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide notice of the regulated area via Local Notice to Mariners, Marine Safety Information Bulletins, Broadcast Notice to Mariners, and on-scene designated representatives.

Dated: November 22, 2022.

M.K. Villafane,

Lieutenant Commander, U.S. Coast Guard, Acting, Captain of the Port Savannah, GA.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2022-0926]

RIN 1625-AA00

Safety Zone; Bahia de San Juan, San Juan, PR

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of Bahia de San Juan, within a 200-yard radius of the tug MICHELE FOSS and barge FOSS PREVAILING WIND. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the movement and berthing of two port