

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 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 that will be enforced from 9:30 p.m. to 10:00 p.m. on May 25, June 15, July 5, July 6, July 13, July 20, July 27, August 3, August 10, August 17, August 24, August 31, and December 31, 2024, that will prohibit entry on the Lake of the Ozarks between MM 0.1 to MM 0.3. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

#### 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. 00170.1, Revision No. 01.3.

■ 2. Add § 165.T08–0321 to read as follows:

#### § 165.T08–0321 Safety Zone; Lake of the Ozarks, Mile Markers 0.1–0.3, Lake of the Ozarks, MO.

(a) Location. The following area is a safety zone: all navigable waters of the Lake of the Ozarks at mile marker 0.1 to mile marker 0.3.

(b) 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 Captain of the Port Sector Upper Mississippi River (COTP) or the COTP's designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard (USCG) assigned to units under the operational control of the USCG Sector Upper Mississippi River.

(2) To seek permission to enter, contact the COTP or the COTP's designated representative via VHF–FM channel 16, or through USCG Sector Upper Mississippi River at 314–269–2332. 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.

(c) Enforcement period. This safety zone will be enforced from 9:30 p.m. to 10:00 p.m. on May 25, June 15, July 5, July 6, July 13, July 20, July 27, August 3, August 10, August 17, August 24, August 31, and December 31, 2024.

Dated: May 9, 2024.

**A.R. Bender,**

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

[FR Doc. 2024–10902 Filed 5–16–24; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### 36 CFR Part 7

[NPS–NCR–37822; PPNCW HHOA1, PPMP SAS1Z.T00000, 244P103601]

RIN 1024–AE89

#### National Capital Region; Event at President's Park

**AGENCY:** National Park Service, Interior.

**ACTION:** Temporary rule.

**SUMMARY:** The National Park Service is temporarily revising regulations for the National Capital Region. This revision will allow the Society of the First Infantry Division to hold an official dedication ceremony at the First Division Monument in Washington, DC, which is located in an area otherwise closed to demonstrations and special events. The ceremony, including setup

and takedown, will last for no longer than three days, and occur between May 22 and May 29, 2024.

**DATES:** Effective May 22, 2024 through 11:59 p.m. EDT on May 29, 2024.

**FOR FURTHER INFORMATION CONTACT:** John Stanwich, National Park Service Liaison to the White House, (202) 219-0322, [john\\_stanwich@nps.gov](mailto:john_stanwich@nps.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The First Infantry Division Monument is located in President's Park, south of State Place Northwest, between 17th Street Northwest and West Executive Avenue Northwest in Washington, DC, United States. The Society of the First Infantry Division conceived this Monument to honor the valiant efforts of First Division soldiers killed in action in World War I. The Monument was dedicated in 1924 by President Calvin Coolidge with 5,516 names inscribed. The primary feature of the Monument is a Milford granite column from Massachusetts, one of the largest pieces ever taken from a quarry in the United States. Standing atop the pillar is a 15-foot-tall, gilded bronze figure of Victory. Later additions to the Monument commemorate the lives of First Infantry Division soldiers killed in action in subsequent wars. The World War II addition is located on the terrace west of the column and was dedicated in 1957. This memorial commemorates the 4,325 First Infantry Division soldiers who died in that conflict, as well as the sacrifices of other units attached to the First Infantry Division during the war. The Vietnam War addition is located on the terrace east of the column and was dedicated in 1977. This memorial commemorates the 3,079 First Infantry Division soldiers who died in that conflict, as well as the service and sacrifices of other units as well. The Desert Storm plaque on the eastern edge of the rectangular flower bed, directly opposite the Vietnam War memorial, was dedicated in 1995. This memorial commemorates the lives of 27 soldiers who died while serving in the Desert Storm operation in Saudi Arabia and Iraq, including the names of members of the Third Brigade of the Second Armored Division, which was attached to the First Infantry Division during the war.

While designing the Desert Storm plaque, the Society of the First Infantry Division developed a long-term plan for future additions to the Monument. Their concept distinguishes between memorials for "limited actions," comparable to Desert Storm, and major conflicts with greater fatalities, such as

the then-existing memorials for the three wars. The Society suggested smaller blocks of granite placed around the edge of the flower beds on the east and west sides of the terrace for limited actions. For larger conflicts, the Society suggested memorials along the outside edge of the footprint, replacing the hedge, comparable in size and form to the World War II and Vietnam War memorials.

On January 1, 2021, Congress authorized modifications to the Monument, including the construction of and placement of plaques, to honor the dead of the First Infantry Division in Operation Desert Storm, Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom. Public Law 116-283—section 1083(a). The statute required the Department of the Army, in collaboration with the Secretary of Defense, to provide to the Society with a list of names to be added to the Monument. Department of the Army policy requires an official campaign to end before the names of soldiers killed in that campaign may be added to the monument. The Iraqi Freedom, New Dawn, and Enduring Freedom campaigns have ended. The Commanding General, First Infantry Division has authorized the Society to add to the Monument the names of 631 soldiers who died during these campaigns, consistent with the Society's long-term plan to allow the Monument to evolve with the history of the First Infantry Division. There will be 439 soldiers named for Operation Iraqi Freedom and Operation New Dawn in Iraq. There will be 192 soldiers named for Operation Enduring Freedom in Afghanistan. The additions to the Monument will include bronze plaques situated on stone plinths that include a dedication, operation, units, and name and rank of each soldier. In addition to adding new plaques for Operations Iraqi Freedom, New Dawn, and Enduring Freedom, the existing plaque for Operation Desert storm, which looks temporary, will be replaced with a new plaque co-located with the others.

The Society intends to hold an official dedication ceremony at the Monument that will last no longer than three days, including setup and takedown of equipment, between May 22 and May 29, 2024. The ceremony will include the official dedication of the plaques and a celebration of the 100th Anniversary of the Monument.

**Temporary Rule**

The Monument is located within an area that is part of the White House and President's Park, which serves as a private residence and office of the

President, a military installation, a museum, a public park, and a national shrine. Given these multiple roles and functions, numerous Federal agencies, including the National Park Service (NPS), Executive Office of the President, U.S. Secret Service, and General Services Administration, work in collaboration to administer and manage this area. Congress established the White House and President's Park as a unit of the National Park System in 1961, and for this reason NPS regulations apply to activities within the park, including activities that occur at the First Division Monument.

NPS regulations at 36 CFR 7.96(g)(3)(i) prohibit demonstrations and special events at the Monument site. The NPS promulgated these regulations in 1970 at the request of the U.S. Secret Service for security reasons explained in a letter from the Secret Service Director to the Department of the Interior dated June 25, 1970. See 35 FR 11485, 11491 (July 17, 1970). The long-standing prohibition on events and demonstrations helps to ensure the security of the adjacent White House complex, and the safety of its occupants and the public.

Remaining cognizant of these security and safety concerns, the NPS intends to allow the Society to conduct the ceremony described above, as a special event at the Monument site, in recognition of the service and ultimate sacrifice paid by the soldiers to be named. The Society expects approximately 100 participants, including members of Gold Star Families and active servicemembers, and related equipment and facilities such as chairs, sound amplification, and portable restrooms. The NPS referred the request to hold the event to the U.S. Secret Service for its security-based judgment, and has received their concurrence that this singular event may take place at during the time frame indicated above. The NPS will manage the event through the issuance of a special use permit under 36 CFR 2.50, with appropriate terms and conditions.

In order to allow for the event, this rule will temporarily revise NPS regulations at 36 CFR 7.96(g)(3)(i) to allow for this event to occur at the Monument site as an exception to the general prohibition on demonstrations and special events. The rule will be effective on May 22, 2024, and expire on May 29, 2024, to create a period of time that the three-day event may occur, including time for setup and takedown of equipment related to the event. The date of the event has not yet been determined, but it will occur sometime within the stated period of time. After

the temporary rule expires on May 29, 2024, NPS regulations at 36 CFR 7.96(g)(3)(i) will revert to their former wording.

### **Compliance With Other Laws, Executive Orders and Department Policy**

#### **Regulatory Planning and Review (Executive Orders 12866 and 13563 and 14094)**

Executive Order 12866, as amended by Executive Order 14094, provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will review all significant rules. OIRA has determined that the rule is not significant.

Executive Order 14094 amends Executive Order 12866 and reaffirms the principles of Executive Order 12866 and Executive Order 13563 and states that regulatory analysis should facilitate agency efforts to develop regulations that serve the public interest, advance statutory objectives, and be consistent with Executive Order 12866, Executive Order 13563, and the Presidential Memorandum of January 20, 2021 (Modernizing Regulatory Review). Regulatory analysis, as practicable and appropriate, shall recognize distributive impacts and equity, to the extent permitted by law.

Executive Order 13563 reaffirms the principles of Executive Order 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. Executive Order 13563 directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. Executive Order 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. The NPS has developed this rule in a manner consistent with these requirements.

#### **Administrative Procedure Act**

Because setup for the dedication ceremony has been approved to begin as soon as May 22, 2024, at the request of the Society, and as approved by the Department of the Army and the U.S. Secret Service, there is limited time to authorize this event. For this reason, the NPS is publishing this temporary rule as a final rule. In accordance with the requirements of the Administrative

Procedure Act (5 U.S.C. 553(b)(3)(B)), the NPS has determined that publishing a proposed rule would be impractical because of the short time period available. The NPS also believes that publishing this temporary rule 30 days before it becomes effective would be impractical because of the limited time remaining before May 22, 2024. A 30-day delay in this instance would be unnecessary and contrary to the public interest. Therefore, under the Administrative Procedure Act (5 U.S.C. 553(d)(3)), the NPS has determined that this temporary rule will be effective on the date published in the **Federal Register**.

#### **Regulatory Flexibility Act**

This rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

#### **Congressional Review Act (CRA)**

This rulemaking is not a major rule under 5 U.S.C. 804(2). This rule:

(a) Does not have an annual effect on the economy of \$100 million or more.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

#### **Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*)**

This rule does not impose an unfunded mandate on State, local, or Tribal governments or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or Tribal governments or the private sector. It addresses public use of national park lands, and imposes no requirements on other agencies or governments. A statement containing the information required by the Unfunded Mandates Reform Act is not required.

#### **Takings (Executive Order 12630)**

This rule does not effect a taking of private property or otherwise have takings implications under E.O. 12630. A takings implication assessment is not required.

#### **Federalism (Executive Order 13132)**

Under the criteria in section 1 of E.O. 13132, the rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This rule only affects

use of federally administered lands and waters. It has no outside effects on other areas. A federalism summary impact statement is not required.

#### **Civil Justice Reform (Executive Order 12988)**

This rule complies with the requirements of E.O. 12988. This rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

#### **Consultation With Indian Tribes (Executive Order 13175 and Department Policy)**

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. The NPS has evaluated this rule under the criteria in E.O. 13175 and under the Department's Tribal consultation policy and has determined that Tribal consultation is not required because the rule will not have a substantial direct effect on federally recognized Indian Tribes.

#### **Paperwork Reduction Act**

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget under the Paperwork Reduction Act is not required. The NPS may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

#### **National Environmental Policy Act of 1969 (NEPA)**

This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the NEPA is not required because the rule is covered by a categorical exclusion. NPS Handbook 2015 section 3.3.A.8. We have also determined that the rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under the NEPA.

#### **Effects on the Energy Supply (Executive Order 13211)**

This rule is not a significant energy action under the definition in Executive

Order 13211. A Statement of Energy Effects in not required.

#### List of Subjects in 36 CFR Part 7

District of Columbia, National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, the National Park Service amends 36 CFR part 7 as set forth below:

### PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

- 1. The authority citation for part 7 continues to read as follows:

**Authority:** 54 U.S.C. 100101, 100751, 320102; Sec. 7.96 also issued under D.C. Code 10–137 and D.C. Code 50–2201.07.

#### § 7.96 [Amended]

- 2. In the last sentence of § 7.96(g)(3)(i), add the words “, and except for an official dedication ceremony at the First Infantry Division Monument to last no more than three days, including setup and takedown of equipment, between May 22 and May 29, 2024” after the word “Park”.

**Shannon A. Estenoz,**

*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 2024–10836 Filed 5–16–24; 8:45 am]

**BILLING CODE 4312–52–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 282

[EPA–R07–UST–2023–0491; FRL–11446–02–R7]

#### Missouri: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** Pursuant to the Resource Conservation and Recovery Act (RCRA or Act), the Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the State of Missouri’s Underground Storage Tank (UST) program submitted by the Missouri Department of Natural Resources (MDNR). This action also codifies EPA’s approval of Missouri’s State program and incorporates by reference those provisions of the State regulations that we have determined meet the requirements for approval. The provisions will be subject to EPA’s

inspection and enforcement authorities under RCRA and other applicable statutory and regulatory provisions.

**DATES:** This rule is effective July 16, 2024, unless EPA receives adverse comment by June 17, 2024. If EPA receives adverse comments, it will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register, as of July 16, 2024, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

**ADDRESSES:** Submit your comments by one of the following methods:

1. **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the on-line instructions for submitting comments.

2. **Email:** [drouare.douglas@epa.gov](mailto:drouare.douglas@epa.gov).

**Instructions:** Direct your comments to Docket ID No. EPA–R07–UST–2023–0491. EPA’s policy is that all comments received will be included in the public docket without change and may be available online at <https://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <https://www.regulations.gov>, or email. The Federal <https://www.regulations.gov> website is an “anonymous access” system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through <https://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and also with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties, and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. EPA encourages electronic submittals, but if you are unable to submit electronically, please reach out

to the EPA contact person listed in the document for assistance.

**Docket:** All documents in the docket are listed in the <https://www.regulations.gov> index. Although listed in the index, some information might not be publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

**IBR and supporting material:** You can view and copy the documents that form the basis for this codification and associated publicly available materials either through <https://www.regulations.gov> or by contacting Douglas Drouare at (913) 551–7299 or [drouare.douglas@epa.gov](mailto:drouare.douglas@epa.gov). Please call or email the contact listed above if you need access to material indexed but not provided in the docket.

#### FOR FURTHER INFORMATION CONTACT:

Douglas E. Drouare, Tanks, Toxics, and Pesticides Branch, Land, Chemical, and Redevelopment Division, U.S. Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7299; email address: [drouare.douglas@epa.gov](mailto:drouare.douglas@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Approval of Revisions to Missouri’s Underground Storage Tank Program

*A. Why are revisions to State programs necessary?*

States that have received final approval from the EPA under section 9004(b) of RCRA, 42 U.S.C. 6991c(b), must maintain an underground storage tank program that is equivalent to, consistent with, and no less stringent than the Federal UST program. Either EPA or the approved State may initiate program revision. When EPA makes revisions to the regulations that govern the UST program, States must revise their programs to comply with the updated regulations and submit these revisions to the EPA for approval. Program revision may be necessary when the controlling Federal or State statutory or regulatory authority is modified or when responsibility for the State program is shifted to a new agency or agencies.

*B. What decisions has the EPA made in this rule?*

On August 11, 2023, in accordance with 40 CFR 281.51(a), Missouri submitted a complete program revision application seeking the EPA approval for its UST program revisions (State Application). Missouri’s revisions correspond to the EPA final rule