

capacity of the river system. It is categorically excluded from further review under paragraph L59(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the ADDRESSES section of this preamble.

**List of Subjects in 33 CFR Part 110**

Anchorage grounds.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 110 as follows:

**PART 110—ANCHORAGE REGULATIONS**

■ 1. The authority citation for part 110 continues to read as follows:

**Authority:** 33 U.S.C. 2071; 46 U.S.C. 70006, 70034; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 00170.1 Revision No. 01.3.

■ 2. Amend § 110.228 by adding paragraphs (a)(12) through (14) to read as follows:

**§ 110.228 Columbia River, Oregon and Washington.**

(a) \* \* \*

(12) [Reserved]

(13) [Reserved]

(14) *Port Westward Anchorage.* All waters in the vicinity of Port Westward, Oregon, bound by a line connecting the following points, which are based on the World Geodetic System (WGS 84):

Latitude	Longitude
46°10'16.80" .....	123°12'58.80"
46°10'48.60" .....	123°11'25.20"
46°10'43.20" .....	123°11'21.60"
46°09'59.40" .....	123°12'46.80"

\* \* \* \* \*

Dated: November, 26, 2024.

**Charles E. Fosse,**

*Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District.*

[FR Doc. 2024-28311 Filed 12-3-24; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number USCG-2024-1023]

RIN 1625-AA00

**Safety Zone; Charleston Harbor, Charleston County, SC**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for navigable waters of the Atlantic Ocean at the Charleston Harbor Entrance Channel, Charleston Harbor, and Cooper River, within a 100-yard radius of the M/V CAPE RACE and all towing vessels supporting its operations. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the dead ship movement of M/V CAPE RACE from the Charleston Harbor Entrance Channel to Detyens Shipyard on the Cooper River in North Charleston, SC. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Charleston.

**DATES:** This rule is effective without actual notice from December 4 2024, through 8 p.m. December 4, 2024. For the purposes of enforcement, actual notice will be used from 8 a.m. on November 28, 2024, through December 4, 2024.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2024-1023 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call or email Petty Officer First Class Thomas J. Welker, Sector Charleston, Waterways Management Division, U.S. Coast Guard; telephone (843) 740-3180 ext. 3339, email [thomas.j.welker@uscg.mil](mailto:thomas.j.welker@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
 DHS Department of Homeland Security  
 FR Federal Register  
 NPRM Notice of proposed rulemaking  
 § Section  
 U.S.C. United States Code

**II. Background Information and Regulatory History**

The Coast Guard is issuing this temporary rule under the authority in 5 U.S.C. 553(b)(B). This statutory 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 and contrary to the public interest." The Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this

rule because it is impracticable. The Coast Guard lacks sufficient time to provide for a comment period and then consider those comments before issuing the rule since this rule is needed by November 28, 2024.

Also, 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**. Delaying the effective date of this rule would be impracticable because immediate action is needed to minimize the potential safety hazards associated with the dead ship movement of the M/V CAPE RACE on or about November 28, 2024.

**III. Legal Authority and Need for Rule**

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Charleston (COTP) has determined that potential hazards associated with the dead ship movement and berthing of M/V CAPE RACE on or about November 28, 2024, will be a safety concern for anyone within a 100-yard radius of vessel and any towing vessels supporting the operation. This rule is needed to protect personnel, vessels, and the marine environment during the dead ship movement of M/V CAPE RACE while transiting from the Charleston Harbor Entrance Channel to berthing at Detyens Shipyards on the Cooper River in North Charleston, SC.

**IV. Discussion of the Rule**

This rule establishes a temporary moving safety zone on or about November 28, 2024, however the zone will only be enforced while the M/V CAPE RACE is underway with supporting, towing vessels. The moving 100-yard safety zone will be established for the M/V CAPE RACE and all towing vessels supporting its operations during transiting from Charleston Harbor Entrance Channel Buoy #6 in the Charleston Harbor Entrance Channel to berthing at Detyens Shipyards on the Cooper River in North Charleston, SC. The safety zone will only be enforced during the towing operations, while the vessel is in transit. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the dead ship movement of M/V CAPE RACE while transiting the Charleston Harbor area. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

**V. Regulatory Analyses**

We developed this rule after considering numerous statutes and

Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

#### A. Regulatory Planning and Review

Executive Orders 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. This rule has not been designated a “significant regulatory action,” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on size, location, and scope of the safety zone. The zone is limited in size, location, and duration as it will cover all navigable waters of the Atlantic Ocean at the Charleston Harbor Entrance Channel, Charleston Harbor, and Cooper River within a 100-yard radius of the M/V CAPE RACE and any towing vessels supporting the operation. The zone is limited in scope as vessel traffic may be able to safely transit around this safety zone and vessels may seek permission from the COTP to enter the zone. The zone is limited in duration in that it will be enforced for no more than eight hours. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the safety zone.

#### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 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.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will 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 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 temporary, moving safety zone on waters of the Atlantic Ocean at the Charleston Harbor Entrance Channel, Charleston Harbor, and Cooper River, within a 100-yard radius of the vessel M/V CAPE RACE and all towing vessels supporting its operations until the vessel completes mooring at Detyens Shipyards on the Cooper River in North Charleston, SC. This zone is not expected to last more than eight hours. 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. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protestors. 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, Safety 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.T07–1023 to read as follows:

**§ 165.T07–1023 Safety Zone; Charleston Harbor, Charleston, SC**

(a) *Location.* The following is a safety zone: The moving safety zone will include all navigable waters of the Atlantic Ocean at the Charleston Harbor Entrance Channel, Charleston Harbor, and Cooper River, within a 100-yard radius of the M/V CAPE RACE and all towing vessels supporting its operations, while transiting to berthing at Detyens Shipyards on the Cooper River in North Charleston, SC.

(b) *Definition.* The term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) No person or vessel will be permitted to enter, transit, anchor, or remain within the safety zone unless authorized by the COTP Charleston or a designated representative. If authorization is granted, persons and/or vessels receiving such authorization must comply with the instructions of the COTP Charleston or designated representative.

(2) Persons who must notify or request authorization from the COTP Charleston may do so by telephone at (843) 740–7050, or may contact a designated representative via VHF radio on channel 16.

(d) *Effective and enforcement period.* This section is effective on November 28, 2024. The moving zone will be enforced while M/V CAPE RACE and all towing vessels supporting its operation are transiting, until moored at Detyens Shipyards on the Cooper River in North Charleston, SC.

Dated: November 26, 2024.

**Francis J. DelRosso**

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

[FR Doc. 2024–28336 Filed 12–3–24; 8:45 am]

**BILLING CODE 9110–04–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA–R09–OAR–2024–0209; FRL–11948–02–R9]

**Air Plan Approval; California; Mojave Desert Air Quality Management District**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve revisions to the Mojave Desert Air Quality Management District (MDAQMD or “District”) portion of the California State Implementation Plan (SIP). These revisions concern recodification of prohibitory and administrative rules used by the District to regulate air pollutants under the Clean Air Act (CAA or the Act) including volatile organic compounds (VOCs), oxides of nitrogen (NO<sub>x</sub>) and particulate matter (PM). The intended effect is to update the California SIP to reflect the recodified rules.

**DATES:** These rules are effective January 3, 2025.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2024–0209. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. **FOR FURTHER INFORMATION CONTACT:** La Kenya Evans-Hopper, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; phone: (415) 972–3245; email: [evanshopper.lakenya@epa.gov](mailto:evanshopper.lakenya@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Throughout this document, “we,” “us,” and “our” refer to the EPA.

**Table of Contents**

- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

**I. Proposed Action**

On July 16, 2024 (89 FR 57819), under CAA section 110(k)(3), the EPA proposed to approve certain MDAQMD rules because they represent recodifications of existing SIP rules. The EPA also proposed to approve certain rescissions of existing SIP rules for the Riverside County portion of the MDAQMD SIP because they mirror recodified rules that were proposed for approval.<sup>1</sup>

In our proposed rule, we described the complicated regulatory history of the MDAQMD from the early 1970’s to the present time. The applicable SIP for the area the District now regulates consists of a mixture of rules from current and former agencies. Rules adopted by MDAQMD apply District-wide; rules adopted by the San Bernardino County Air Pollution Control District (SBCAPCD) apply only in the San Bernardino County portion of the District; and rules adopted by the Riverside County APCD (RCAPCD), the Southern California APCD (SoCalAPCD), or the South Coast Air Quality Management District (SCAQMD) only apply in the Riverside County portion of the District. The purpose of the SIP revisions that are the subject of this action is to align the SIP versions of the rules with those that are in effect in the MDAQMD.

Table 1 lists the MDAQMD rules that were submitted for inclusion in the SIP with the date each rule was adopted and then submitted by the California Air Resources Board (CARB).<sup>2</sup> When these rules were submitted, CARB also requested rescission of the analogous rules in the SIP that were adopted by SCAQMD.<sup>3</sup> Table 2 lists the rules to be rescinded by this action with the dates that they were adopted by SCAQMD, approved by the EPA (with the associated **Federal Register** citations), subsequently rescinded by MDAQMD, and then submitted by CARB for rescission.

<sup>1</sup> The MDAQMD’s jurisdiction includes the desert portion of San Bernardino County and the far eastern portion of Riverside County.

<sup>2</sup> The SBCAPCD rules have adoption dates prior to the formation of the MDAQMD because the rules

were not revised or amended when the MDAQMD was formed and first adopted its rulebook. The rules were merely recodified as being MDAQMD rules that apply District-wide.

<sup>3</sup> The versions of Rules 104, 408, 443, 468, 469 and 472 that are currently part of the applicable SIP for the Riverside County portion of the MDAQMD were adopted by the SoCalAPCD, rather than the SCAQMD.