

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117****[Docket No. USCG–2016–0126]****Drawbridge Operation Regulation; Barnegat Bay, Seaside Heights, NJ****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the S37 Bridge across the Barnegat Bay, mile 14.1, New Jersey Intracoastal Waterway, at Seaside Heights, NJ. This deviation is necessary to perform bridge maintenance and repairs. This deviation allows the bridge to remain in the closed-to-navigation position.

**DATES:** This deviation is effective from 8 p.m. on March 31, 2016 to 8 p.m. on April 17, 2016.

**ADDRESSES:** The docket for this deviation, [USCG–2016–0126] is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH”. Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Hal R. Pitts, Bridge Administration Branch Fifth District, Coast Guard, telephone 757–398–6222, email [Hal.R.Pitts@uscg.mil](mailto:Hal.R.Pitts@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The New Jersey Department of Transportation, that owns and operates the S37 Bridge, has requested a temporary deviation from the current operating regulations to continue performing a maintenance and repair project on the bridge that commenced at 8 a.m. on December 1, 2015 and was scheduled to cease at 8 p.m. on March 31, 2016. The bridge is a bascule draw bridge and has a vertical clearance in the closed position of 30 feet above mean high water.

The current operating schedule as set out in 33 CFR 117.733(c) allows the bridge to remain in the closed-to-navigation position from 8 a.m. December 1, 2015 until 8 p.m. March 31, 2016. Under this temporary deviation, the bridge will continue to remain in the closed-to-navigation position from 8 p.m. on March 31, 2016 to 8 p.m. on April 17, 2016.

The Barnegat Bay on the New Jersey Intracoastal Waterway is used by a variety of vessels including small government and public vessels, small

commercial vessels, and recreational vessels. The Coast Guard has carefully considered the nature and volume of vessel traffic on the waterway in publishing this temporary deviation.

Vessels able to safely pass through the bridge in the closed position may do so at any time. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transit to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 8, 2016.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

[FR Doc. 2016–05549 Filed 3–10–16; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117****[Docket No. USCG–2016–0181]****Drawbridge Operation Regulation; North Landing River, Chesapeake, VA****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the S165 (North Landing Road) Bridge across the North Landing River, mile 20.2, at Chesapeake, VA. This deviation is necessary to perform emergency bridge repairs. This deviation allows the bridge to remain in the closed-to-navigation position.

**DATES:** This deviation is effective without actual notice from March 11, 2016 through 6 p.m. on June 30, 2016. For the purposes of enforcement, actual notice will be used from March 8, 2016 at 8:45 a.m., until March 11, 2016.

**ADDRESSES:** The docket for this deviation, [USCG–2016–0181] is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH”.

Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Hal R. Pitts, Bridge Administration Branch Fifth District, Coast Guard, telephone 757–398–6222, email [Hal.R.Pitts@uscg.mil](mailto:Hal.R.Pitts@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The United States Army Corps of Engineers, Norfolk District Office, that owns and operates the S165 (North Landing Road) Bridge, has requested a temporary deviation from the current operating regulations to perform emergency repairs to the south swing span of the bridge due to damage sustained as a result of a vessel allision with the bridge. The bridge is a double swing draw bridge and has a vertical clearance in the closed position of 6 feet above mean high water.

The current operating schedule is set out in 33 CFR 117.1021. Under this temporary deviation, the north span of the bridge will open-to-navigation on the hour and half hour, upon request, from 6 a.m. to 7 p.m., and on demand from 7 p.m. to 6 a.m. The North and South spans of the bridge will open to navigation concurrently, with the south span only opening partially due to damage, upon request, for scheduled openings at 10 a.m., noon and 2 p.m., Monday through Friday. The horizontal clearance of the bridge with the south span closed-to-navigation is 38 feet and the horizontal clearance of the bridge with the south span partially open-to-navigation is 70 feet.

The North Landing River is used by a variety of vessels including small U. S. government and public vessels, small commercial vessels, tug and barge, and recreational vessels. The Coast Guard has carefully considered the nature and volume of vessel traffic on the waterway in publishing this temporary deviation.

During the closure times there will be limited opportunity for vessels able to safely pass through the bridge in the closed position to do so. Vessels able to safely pass through the bridge in the closed position may do so, after receiving confirmation from the bridge tender that it is safe to transit through the bridge. The north span of the bridge will be able to open for emergencies. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transit to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular

operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 8, 2016.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

[FR Doc. 2016-05540 Filed 3-10-16; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 49**

**[EPA-R10-OAR-2015-0847; FRL-9943-54-Region 10]**

#### **Announcement of the Delegation of Partial Administrative Authority for Implementation of Federal Implementation Plan for the Confederated Tribes of the Colville Reservation**

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

**ACTION:** Delegation of authority; technical amendment.

**SUMMARY:** This action announces that on October 26, 2015, EPA Region 10 and the Confederated Tribes of the Colville Reservation, entered into a Partial Delegation of Administrative Authority agreement to carry out certain day-to-day activities associated with implementation of the Federal Implementation Plan for the Colville Reservation (Colville FIP). A note of this partial delegation is being added to the Colville FIP in the Code of Federal Regulations.

**DATES:** This rule is effective March 11, 2016.

The partial delegation of administrative authority was effective October 26, 2015.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R10-OAR-2015-0847. The delegation agreement and other docket materials are available electronically at the EPA's electronic public docket and comment system, found at <http://www.regulations.gov> or in hard copy from Andra Bosneag, Office of Air, Waste and Toxics, AWT-150, EPA Region 10, Suite 900, 1200 Sixth Avenue, Seattle, WA 98101, or via email at [bosneag.andra@epa.gov](mailto:bosneag.andra@epa.gov). Additional information may also be obtained from the Colville Tribe by contacting Kris Ray, Confederated Tribes of the Colville Reservation, P.O. Box 150, Nespelem,

WA 99155 or via email at [Kris.Ray@colvilletribes.com](mailto:Kris.Ray@colvilletribes.com).

All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information the disclosure of which 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 either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Office of Air, Waste and Toxics, EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101.

#### **FOR FURTHER INFORMATION CONTACT:**

Andra Bosneag at (206) 553-1226, [bosneag.andra@epa.gov](mailto:bosneag.andra@epa.gov), or the EPA Region 10 address.

**SUPPLEMENTARY INFORMATION:** The purpose of this action is to announce that on October 26, 2015, EPA Region 10, delegated partial administrative authority for implementation of certain provisions of the Colville FIP to the Confederated Tribes of the Colville Reservation. See 40 CFR part 49, subpart M, sections 9951 through 9960, as authorized by 40 CFR 49.122 of the Federal Air Rules for Reservations (FARR), 40 CFR part 49, subpart C.

#### **I. Authority To Delegate**

Federal regulations at 40 CFR 49.122 provide the EPA authority to delegate to Indian Tribes partial administrative authority to implement provisions of the FARR, 40 CFR part 49, subpart C. Tribes must submit a request to the Regional Administrator that meets the requirements of 40 CFR 49.122.

#### **II. Request for Delegation**

On May 21, 2014, Chaitna Sinha of the Office of the Reservation Attorney of the Confederated Tribes of the Colville Reservation submitted to the Regional Administrator a request for delegation of certain provision of the Colville FIP. That request included all the information and demonstrations required by the FARR for delegation. A copy of all documentation is on file at the EPA Region 10, Seattle, Washington office (see addresses above).

The Confederated Tribes of the Colville Reservation requested delegation for the following provisions: 40 CFR 49.9960(b) Rule for limiting visible emissions, 40 CFR 49.9960(i) General rule for open burning, and 40 CFR 49.9960(k) Rule for air pollution episodes.

#### **III. EPA Response to the Request for Delegation**

The EPA and the Confederated Tribes of the Colville Reservation signed a delegation agreement that specifies the provisions and authorities delegated. The Confederated Tribes of the Colville Reservation are delegated the following provisions; 40 CFR 49.9960(b) Rule for limiting visible emissions, 40 CFR 49.9960(i) General rule for open burning, and 40 CFR 49.9960(k) Rule for air pollution episodes. In addition, the agreement delegates to the Tribe authority to investigate complaints and assist the EPA in inspections. The agreement also includes terms and conditions applicable to the delegation. A copy of the agreement is kept at EPA Region 10 at the address above.

Prior to entering into the Delegation Agreement, the EPA solicited by letter, advice and insight on the proposed delegation from Okanogan County, Ferry County, City of Okanogan, Town of Nespelem, Town of Coulee Dam, Electric City, City of Omak, Lake Roosevelt National Recreation Area, Bureau of Land Management, and the United States Forest Service. One comment supporting delegation was received.

Section 553 of the Administrative Procedure Act, 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. The EPA has determined that there is good cause for making today's rule final without prior proposal and opportunity for comment because the EPA is merely informing the public of partial delegation of administrative authority to the Confederated Tribes of the Colville Reservation and making a technical amendment to the Code of Federal Regulations (CFR) by adding a note announcing the partial delegation. Thus, notice and public procedure are unnecessary. The EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(B).

Moreover, since today's action does not create any new regulatory requirements, the EPA finds that good cause exists to provide for an immediate effective date pursuant to 5 U.S.C. 553(d)(3).

#### **IV. Statutory and Executive Order Reviews**

Under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011), this action