

petition. In that decision, the court remanded the 1979 version of 30 CFR 816.95 and 817.95, which contained extensive provisions regulating fugitive dust (including fugitive dust from blasting<sup>1</sup>), because the court found that “the Secretary’s authority to regulate [air] pollution is limited to activities related to erosion.” *Id.* at 1491.

We will review and consider all comments submitted to the addresses listed above (see **ADDRESSES**) by the close of the comment period (see **DATES**).

Please include the Docket ID “OSM–2014–0003” at the beginning of all written comments. We cannot ensure that comments received after the close of the comment period (see **DATES**) or at locations other than those listed above (see **ADDRESSES**) will be included in the docket or considered in the development of a proposed rule.

#### Public Availability of Comments

Before including your address, phone number, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### Public Hearing

We will not hold a public hearing on the petition. The petitioner did not request a hearing and we have determined under 30 CFR 700.12(c) that no hearing is necessary. However, OSMRE personnel will be available to meet with the public during business hours (8 a.m. to 4 p.m.) during the comment period. Contact the person listed under **FOR FURTHER INFORMATION CONTACT** if you wish to arrange a meeting.

#### V. Procedural Matters and Required Determinations

This notice is not a proposed or final rule, policy, or guidance. Therefore, it is not subject to the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, the Paperwork Reduction Act, the Unfunded Mandates Reform Act, or Executive Orders 12866, 13563, 12630, 13132, 12988, 13175, and 13211. We will conduct the analyses required by these laws and executive orders only if we decide to grant the petition and develop a proposed rule.

In developing this notice, we did not conduct or use a study, experiment, or survey requiring peer review under the Information Quality Act (Pub. L. 106–554, section 15).

This notice is not subject to the requirement to prepare an Environmental Assessment or Environmental Impact Statement under the National Environmental Policy Act (NEPA), 42 U.S.C. 4332(2)(C), because no proposed action, as described in 40 CFR 1508.18(a) and (b), yet exists. This notice only seeks public comment on whether the Director should grant the petition and initiate rulemaking. If the Director ultimately grants the petition, we will prepare the appropriate NEPA compliance documents as part of the rulemaking process.

#### List of Subjects

##### 30 CFR Part 816

Environmental protection, Reporting and recordkeeping requirements, Surface mining.

##### 30 CFR Part 817

Environmental protection, Reporting and recordkeeping requirements, Underground mining.

Dated: July 15, 2014.

**Joseph G. Pizarchik,**  
Director, Office of Surface Mining  
Reclamation and Enforcement.

[FR Doc. 2014–17592 Filed 7–24–14; 8:45 am]

**BILLING CODE 4310–05–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Parts 100 and 165

[Docket Number USCG–2014–0541]

RIN 1625–AA08, AA00

#### Special Local Regulations for Marine Events and Safety Zone, Patapsco River; Baltimore, MD

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to establish temporary regulations in certain waters of the Patapsco River. This action is necessary to provide for the safety of life on navigable waters before, during, and after the Star-Spangled Spectacular Fireworks scheduled as part of War of 1812 Bicentennial Commemorations activities at Baltimore, Maryland during September 6–16, 2014. This action will restrict vessel traffic in portions of the

Patapsco River, including the Northwest Harbor and Baltimore’s Inner Harbor.

**DATES:** Comments and related material must be received by the Coast Guard on or before August 25, 2014.

**ADDRESSES:** You may submit comments identified by docket number using any one of the following methods:

(1) *Federal eRulemaking Portal:*

<http://www.regulations.gov>.

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Mr. Ronald Houck, U.S. Coast Guard Sector Baltimore, MD; telephone 410–576–2674, email [Ronald.L.Houck@uscg.mil](mailto:Ronald.L.Houck@uscg.mil). If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone (202) 366–9826.

#### SUPPLEMENTARY INFORMATION:

##### Table of Acronyms

DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

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

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

##### 1. Submitting Comments

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. You may submit your comments and material online at <http://www.regulations.gov>, or by fax, mail, or hand delivery, but please use only one of these means. If you submit a

<sup>1</sup> 30 CFR 816.95(b)(15) (1979).

comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, type the docket number [USCG-2014-0541] in the "SEARCH" box and click "SEARCH." Click on "Submit a Comment" on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

## 2. Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number (USCG-2014-0138) in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

## 3. Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

## 4. Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one, using one of the methods

specified under **ADDRESSES**. Please explain why you believe a public meeting would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

## B. Regulatory History and Information

This rule involves a fireworks display associated with a televised event that will take place in Baltimore, Maryland, on September 13, 2014 and will attract thousands of spectators. The launch sites for the fireworks display are from discharge barges located in the Patapsco River. The permanent safety zones listed in the Table to 33 CFR 165.506 do not apply to this event.

This rule also involves designated on-water spectator areas associated with the fireworks display. The current regulations under 33 CFR part 100 address safety for reoccurring marine events. This marine event does not appear in the current regulations; however, as it is a regulation to provide effective control over regattas and marine parades on the navigable waters of the United States so as to insure safety of life in the regatta or marine parade area, this marine event therefore needs to be temporarily added.

## C. Basis and Purpose

The legal basis for the rule is the Coast Guard's authority to establish special local regulations: 33 U.S.C. 1233. The purpose of the rule is to ensure safety of life on navigable waters of the United States for designated on-water spectator areas established in support of the Star-Spangled Spectacular Fireworks event.

Fireworks displays are frequently held from locations on or near the navigable waters of the United States. The potential hazards associated with fireworks displays are a safety concern during such events. The purpose of this rule is to promote public and maritime safety during a fireworks display, and to protect mariners transiting the area from the potential hazards associated with a fireworks display, such as the accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. This rule is needed to ensure safety on the waterway before, during and after the scheduled event.

## D. Discussion of Proposed Rule

The Baltimore Office of Promotion and The Arts, of Baltimore, MD, will sponsor a large fireworks display launched from barges located at seven locations in the Patapsco River at Baltimore, Maryland, scheduled on September 13, 2014 at 9 p.m. A

rehearsal of the fireworks show is planned on September 12, 2014 at 9 p.m. If necessary due to inclement weather, the event will be held on September 14, 2014.

Through this regulation, the Coast Guard proposes to establish a safety zone. The safety zone will encompass all waters of the Patapsco River, as follows: (1) Within a 150 foot radius of a fireworks discharge barge in approximate position latitude 39°17'03" N, longitude 076°36'36" W, located southeast of Pier 1 Inner Harbor at Baltimore, Maryland; (2) within a 300 foot radius of a fireworks discharge barge in approximate position latitude 39°16'55" N, longitude 076°36'17" W, located southwest of Pier 6 Inner Harbor at Baltimore, Maryland; (3) within a 600 foot radius of a fireworks discharge barge in approximate position latitude 39°16'38" N, longitude 076°35'55" W, located northwest of the Domino Sugar (ASR Group) refinery wharf at Baltimore, Maryland; (4) within a 500 foot radius of a fireworks discharge barge in approximate position latitude 39°16'42" N, longitude 076°35'30" W, located south of the Fells Point Recreation Pier at Baltimore, Maryland; (5) within a 500 foot radius of a fireworks discharge barge in approximate position latitude 39°16'28" N, longitude 076°34'59" W, located north of the North Locust Point Marine Terminal at Baltimore, Maryland; (6) within a 600 foot radius of a fireworks discharge barge in approximate position latitude 39°16'15" N, longitude 076°34'38" W, located south of the Northwest Harbor Turning Basin at Baltimore, Maryland; and (7) within a 800 foot radius of each of the fireworks discharge barges arranged in a line between approximate position latitude 39°15'47" N, longitude 076°34'30" W, and approximate position latitude 39°15'40" N, longitude 076°34'37" W, located along the Northwest Harbor (East Channel) at Baltimore, Maryland. The temporary safety zone will be enforced from 7:00 p.m. to 10 p.m. on September 12, 2014, and from 7:30 p.m. to 11 p.m. on September 13, 2014, and if necessary due to inclement weather, from 7:30 p.m. to 11 p.m. on September 14, 2014. The effect of this safety zone will be to restrict navigation in the regulated area during, as well as the set up and take down of, the fireworks display.

This rule requires that entry into or remaining in this safety zone is prohibited unless authorized by the Coast Guard Captain of the Port Baltimore. All vessels underway within this safety zone at the time it is implemented are to depart the zone. To

seek permission to transit the area of the safety zone, the Captain of the Port Baltimore can be contacted at telephone number 410-576-2693 or on Marine Band Radio VHF-FM channel 16 (156.8 MHz). Coast Guard vessels enforcing the safety zone can be contacted on Marine Band Radio VHF-FM channel 16 (156.8 MHz). Federal, state, and local agencies may assist the Coast Guard in the enforcement of the safety zone. The Coast Guard will issue notices to the maritime community to further publicize the safety zone and notify the public of changes in the status of the zone. Such notices will continue until the event is complete.

The Coast Guard also proposes to establish special local regulations on specified waters of the Patapsco River by which spectator vessels may observe the Star-Spangled Spectacular Fireworks on September 13, 2014. This action is necessary to ensure the safety of participants and spectators immediately prior to, during, and following the Star-Spangled Spectacular Fireworks. The regulations will be enforced from 7:30 p.m. to 11 p.m. on September 13, 2014, and if necessary due to inclement weather, from 7:30 p.m. to 11 p.m. on September 14, 2014. The proposed regulated area extends across the entire width of the waterway and will encompass all waters of the Patapsco River, bounded on the east by a line drawn from position latitude 39°15'42" N, longitude 076°34'48" W, thence to position latitude 39°15'29" N, longitude 076°34'34" W, thence to position latitude 39°15'36" N, longitude 076°34'12" W, and bounded on the west by the Inner Harbor western bulkhead, located at Baltimore, MD. Designated spectator areas and an event area exist within this regulated area. Three designated spectator areas, where all vessels are prohibited from transiting in excess of wake speed unless authorized by the Captain of the Port Baltimore or his designated representative and persons and vessels may enter, transit through, anchor in, or remain within, include: (a) All waters of the Patapsco River, within lines connecting the following positions: From latitude 39°16'40" N, longitude 076°35'10" W, thence northeasterly to latitude 39°16'45" N, longitude 076°35'04" W, thence southeasterly to latitude 39°16'41" N, longitude 076°34'57" W, thence northeasterly to latitude 39°16'45" N, longitude 076°34'50" W, thence southerly to latitude 39°16'38" N, longitude 076°34'50" W, thence southwesterly to latitude 39°16'34" N, longitude 076°34'55" W, thence northwesterly to the position of origin.

This spectator area is to be used by commercial vessels only; (b) All waters of the Patapsco River, within lines connecting the following positions: From latitude 39°16'27" N, longitude 076°34'41" W, thence northerly to latitude 39°16'37" N, longitude 076°34'37" W, thence easterly to latitude 39°16'35" N, longitude 076°34'16" W, thence southerly to latitude 39°16'18" N, longitude 076°34'21" W, thence westerly to the position of origin. This spectator area is to be used by recreational vessels only; and (c) All waters of the Patapsco River, within lines connecting the following positions: From latitude 39°16'53" N, longitude 076°36'10" W, thence southerly to latitude 39°16'49" N, longitude 076°36'17" W, thence easterly to latitude 39°16'35" N, longitude 076°36'04" W, thence northerly to latitude 39°16'48" N, longitude 076°36'02" W, thence westerly to the position of origin. This spectator area is to be used by both commercial and recreational vessels. The event area, where all persons and vessels, except those persons and vessels participating in the event, are prohibited from entering, transiting through, anchoring in, or remaining within, includes all waters of the Patapsco River, within the regulated area, excluding the designated spectator areas.

The effect of this proposed rule will be to restrict general navigation in the regulated area during the event. Vessels intending to transit the Patapsco River through the regulated area will be allowed to safely transit the regulated area only when the Coast Guard Patrol Commander has deemed it safe to do so. The Coast Guard will restrict vessel traffic in the event area to provide for the safety of participants, spectators and other transiting vessels. The Coast Guard will provide notice of the special local regulations by Local Notice to Mariners, Broadcast Notice to Mariners, and the official patrol on scene.

The regulations contained within this proposed rule are not intended to effect existing Naval Vessel Protection Zone regulations described in Title 33 CFR Part 165 (Subpart G).

## E. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes or executive orders.

### 1. Regulatory Planning and Review

This proposed rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented

by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

The economic impact of this rule is not significant for the following reasons: The primary impact of these regulations will be on vessels wishing to transit the affected waterways during activities associated with the Star-Spangled Spectacular fireworks display beginning on September 12, 2014 and ending on September 14, 2014. Although these regulations prevent traffic from transiting a portion of the Patapsco River during this event, that restriction is limited in duration, affects only a limited area, and will be well publicized to allow mariners to make alternative plans for transiting the affected area. Moreover, the magnitude of the event itself will severely hamper or prevent transit of the waterway, even absent these regulations designed to ensure it is conducted in a safe and orderly fashion.

### 2. Impact on Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered the impact of this proposed rule on small entities. 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.

This rule may affect the following entities, some of which may be small entities: The owners or operators of vessels intending to enter, transit through, anchor in, or remain within that portion of the Patapsco River encompassed within the special local regulations from 7:30 p.m. on September 13, 2014 to 11 p.m. on September 14, 2014 and encompassed within the safety zone from 7 p.m. on September 12, 2014 to 11 p.m. on September 14, 2014. For the reasons discussed in the Regulatory Planning and Review section above, this rule will not have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

### 3. Assistance for Small Entities

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 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**, above. 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.

### 4. 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.).

### 5. Federalism

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 proposed rule under that Order and determined that this rule does not have implications for federalism.

### 6. 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.

### 7. 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 proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### 8. Taking of Private Property

This proposed rule would not cause a taking of private property or otherwise have taking implications under

Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

### 9. Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

### 10. Protection of Children From Environmental Health Risks

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

### 11. Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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.

### 12. Energy Effects

This proposed rule is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

### 13. Technical Standards

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### 14. 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 (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 involves special local regulations issued in conjunction with a regatta or marine parade. This

rule is categorically excluded from further review under paragraph 34(h) of Figure 2–1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**.

Additionally, this proposed rule involves establishing a temporary safety zone for a fireworks display. The fireworks are launched from navigable waters of the United States and may have potential for negative impact on the safety or other interest of waterway users and near shore activities in the event area. The activity includes fireworks launched from barges near the shoreline that generally rely on the use of navigable waters as a safety buffer to protect the public from fireworks fallouts and premature detonations. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a 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.

### List of Subjects

#### 33 CFR Part 100

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

#### 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 proposes to amend 33 CFR parts 100 and 165 as follows:

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

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

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

■ 2. Add a temporary section, § 100.35–T05–0541 to read as follows:

**§ 100.35–T05–0541 Special Local Regulations for Marine Events, Patapsco River; Baltimore, MD.**

(a) *Regulated areas.* The following regulated areas are established as special local regulations. All

coordinates are North American Datum 1983.

(1) *Regulated area.* The following location is a regulated area: All waters of the Patapsco River, bounded on the east by a line drawn from position latitude 39°15'42" N, longitude 076°34'48" W, thence to position latitude 39°15'29" N, longitude 076°34'34" W, thence to position latitude 39°15'36" N, longitude 076°34'12" W, and bounded on the west by the Inner Harbor's western bulkhead, located at Baltimore, MD.

(2) *Designated spectator areas.* The following locations are spectator areas within the regulated area:

(i) All waters of the Patapsco River, within lines connecting the following positions: From latitude 39°16'40" N, longitude 076°35'10" W, thence northeasterly to latitude 39°16'45" N, longitude 076°35'04" W, thence southeasterly to latitude 39°16'41" N, longitude 076°34'57" W, thence northeasterly to latitude 39°16'45" N, longitude 076°34'50" W, thence southerly to latitude 39°16'38" N, longitude 076°34'50" W, thence southwesterly to latitude 39°16'34" N, longitude 076°34'55" W, thence northwesterly to the position of origin.

(ii) All waters of the Patapsco River, within lines connecting the following positions: From latitude 39°16'27" N, longitude 076°34'41" W, thence northerly to latitude 39°16'37" N, longitude 076°34'37" W, thence easterly to latitude 39°16'35" N, longitude 076°34'16" W, thence southerly to latitude 39°16'18" N, longitude 076°34'21" W, thence westerly to the position of origin.

(iii) All waters of the Patapsco River, within lines connecting the following positions: From latitude 39°16'53" N, longitude 076°36'10" W, thence southerly to latitude 39°16'49" N, longitude 076°36'17" W, thence easterly to latitude 39°16'35" N, longitude 076°36'04" W, thence northerly to latitude 39°16'48" N, longitude 076°36'02" W, thence westerly to the position of origin.

(3) *Event area.* All waters of the Patapsco River, within the regulated area, excluding the designated spectator areas as described in paragraph (a)(2) of this section.

(b) *Definitions:* (1) *Coast Guard Patrol Commander* means a commissioned, warrant, or petty officer of the U. S. Coast Guard who has been designated by the Commander, Coast Guard Sector Baltimore.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Baltimore with a commissioned, warrant, or petty officer

on board and displaying a Coast Guard ensign.

(3) *Participant* means all persons and vessels participating in the Star-Spangled Spectacular Fireworks event under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Sector Baltimore.

(4) *Spectator* means all persons and vessels not registered with the event sponsor as participants or official patrol.

(c) *Special local regulations:* (1) The Coast Guard Patrol Commander may forbid and control the movement of all vessels and persons in the regulated area. When hailed or signaled by an official patrol, a vessel or person in the regulated area shall immediately comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(2) The Coast Guard Patrol Commander may terminate the event, or the operation of any participant in the event, at any time it is deemed necessary for the protection of life or property. The Coast Guard may be assisted in the patrol and enforcement of the regulated area by other Federal, State, and local agencies.

(3) All Coast Guard vessels enforcing this regulated area can be contacted on marine band radio VHF-FM channel 16 (156.8 MHz).

(4) Only participants and official patrol are allowed to enter the event area as described in Paragraph a(3) of this section.

(5) Spectators are allowed inside the regulated area only if they remain within the designated spectator area. Recreational vessels spectators will be permitted to anchor only within the designated spectator areas described in paragraph (a)(2)(i) and (a)(2)(iii) of this section. Commercial vessels spectators will be permitted to anchor only within the designated spectator areas described in paragraph (a)(2)(ii) and (a)(2)(iii) of this section. No vessel may anchor within the regulated area outside the designated spectator areas. Spectators may contact the Coast Guard Patrol Commander to request permission to pass through the regulated area. If permission is granted, spectators shall comply with the directions given and must pass directly through the regulated area, outside the event area, at a safe speed and without loitering.

(6) The Coast Guard will publish a notice in the Fifth Coast Guard District Local Notice to Mariners and issue a marine information broadcast on VHF-FM marine band radio announcing specific event date and times.

(d) *Enforcement period:* This section will be enforced from 7:30 p.m. to 11 p.m. on September 13, 2014, and if necessary due to inclement weather, from 7:30 p.m. to 11 p.m. on September 14, 2014.

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

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

**Authority:** 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 4. Add temporary § 165.T05–0541 to read as follows:

### § 165.T05–0541 Safety Zone, Patapsco River; Baltimore, MD.

(a) *Location.* The following areas are a safety zone:

(1) All waters of the Patapsco River, within a 150 foot radius of a fireworks discharge barge in approximate position latitude 39°17'03" N, longitude 076°36'36" W, located southeast of Pier 1 Inner Harbor at Baltimore, Maryland;

(2) All waters of the Patapsco River, within a 300 foot radius of a fireworks discharge barge in approximate position latitude 39°16'55" N, longitude 076°36'17" W, located southwest of Pier 6 Inner Harbor at Baltimore, Maryland;

(3) All waters of the Patapsco River, within a 600 foot radius of a fireworks discharge barge in approximate position latitude 39°16'38" N, longitude 076°35'55" W, located northwest of the Domino Sugar (ASR Group) refinery wharf at Baltimore, Maryland;

(4) All waters of the Patapsco River, within a 500 foot radius of a fireworks discharge barge in approximate position latitude 39°16'42" N, longitude 076°35'30" W, located south of the Fells Point Recreation Pier at Baltimore, Maryland;

(5) All waters of the Patapsco River, within a 500 foot radius of a fireworks discharge barge in approximate position latitude 39°16'28" N, longitude 076°34'59" W, located north of the North Locust Point Marine Terminal at Baltimore, Maryland;

(6) All waters of the Patapsco River, within a 600 foot radius of a fireworks discharge barge in approximate position latitude 39°16'15" N, longitude 076°34'38" W, located south of the Northwest Harbor Turning Basin at Baltimore, Maryland; and

(7) All waters of the Patapsco River, within a 800 foot radius of each of the fireworks discharge barges arranged in a line between approximate position latitude 39°15'47" N, longitude

076°34'30" W, and approximate position latitude 39°15'40" N, longitude 076°34'37" W, located in the Northwest Harbor (East Channel) at Baltimore, Maryland. All coordinates refer to datum NAD 1983.

(b) *Regulations.* The general safety zone regulations found in 33 CFR 165.23 apply to the safety zone created by this temporary section, § 165.T05–0541.

(1) All persons are required to comply with the general regulations governing safety zones found in 33 CFR 165.23.

(2) Entry into or remaining in this zone is prohibited unless authorized by the Coast Guard Captain of the Port Baltimore or his designated representative.

(3) Persons desiring to transit the area of the safety zone must first obtain authorization from the Captain of the Port Baltimore or his designated representative. To seek permission to transit the area, the Captain of the Port Baltimore or his designated representative can be contacted at telephone number 410–576–2693 or on Marine Band Radio VHF–FM channel 16 (156.8 MHz). The Coast Guard vessels enforcing this section can be contacted on Marine Band Radio VHF–FM channel 16 (156.8 MHz). Upon being hailed by a U.S. Coast Guard vessel, or other Federal, State, or local agency vessel, by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port Baltimore or his designated representative and proceed at the minimum speed necessary to maintain a safe course while within the zone.

(4) *Enforcement.* The U.S. Coast Guard may be assisted in the patrol and enforcement of the zone by Federal, State, and local agencies.

(c) *Definitions.* As used in this section:

*Captain of the Port Baltimore* means the Commander, U.S. Coast Guard Sector Baltimore, Maryland.

*Designated representative* means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Baltimore to assist in enforcing the safety zone described in paragraph (a) of this section.

(d) *Enforcement periods.* This section will be enforced:

(1) From 7 p.m. to 10 p.m. on September 12, 2014, and

(2) From 7:30 p.m. to 11 p.m. on September 13, 2014, and if necessary due to inclement weather, from 7:30 p.m. to 11 p.m. on September 14, 2014.

Dated: July 10, 2014.

**K. C. Kiefer,**

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

[FR Doc. 2014–17444 Filed 7–24–14; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2014–0214]

RIN 1625–AA11

#### Regulated Navigation Area; South Bristol Gut Bridge Replacement, South Bristol, ME

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of Proposed Rulemaking.

**SUMMARY:** The Maine Department of Transportation (MEDOT) has requested the Coast Guard to establish a regulated navigation area (RNA) on the navigable waters of The Gut in South Bristol, Maine. Sector Northern New England received notice of a proposed replacement of The Gut Bridge in South Bristol, Maine between Rutherford Island and Bristol Neck. A Bridge Permit was awarded to MEDOT on April 15, 2014 to begin in accordance with plans dated September 24, 2013. This RNA would allow the Coast Guard to enforce speed and wake restrictions and prohibit all vessel traffic through the RNA during bridge replacement operations, both planned and unforeseen, which could pose an imminent hazard to persons and vessels operating in the area. This rule is necessary to provide for the safety of life on the navigable waters during bridge structural repair operations.

**DATES:** Comments and related material must be received by the Coast Guard on or before August 25, 2014.

**ADDRESSES:** You may submit comments identified by docket number using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

(2) *Fax:* 202–493–2251.

(3) *Mail or Delivery:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202–366–9329.

See the “Public Participation and Request for Comments” portion of the

**SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call Lieutenant Junior Grade Elizabeth V. Gunn, Waterways Management Division at Coast Guard Sector Northern New England, at 207–767–0398 or email at [Elizabeth.V.Gunn@uscg.mil](mailto:Elizabeth.V.Gunn@uscg.mil). If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

#### SUPPLEMENTARY INFORMATION:

##### Table of Acronyms

DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of Proposed Rulemaking

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

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

##### 1. Submitting Comments

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. You may submit your comments and material online at <http://www.regulations.gov>, or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, type the docket number [USCG–2013–0214] in the “SEARCH” box and click “SEARCH.” Click on “Submit a Comment” on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an