



U.S. Department
of Homeland Security
**United States
Coast Guard**

LOCAL NOTICE TO MARINERS

District: 9

Week: 25/09

Issued by: Commander (dpw)
Ninth Coast Guard District
1240 East Ninth Street,
Cleveland, OH 44199-2060
Telephone: (216) 902-6073

Direct questions about this LNM to the above address.

All distances in this publication are STATUTE MILES unless otherwise noted.

District Nine Internet Address <http://www.uscg.mil/d9/uscgd9.html>

** Navigation Information Service watchstander, 24 hours a day at (703) 313-5900 ** **Internet Address** <http://www.navcen.uscg.gov/>

Light List Reference: Commandant Publication P16502.7, VOL VII, 2009 Edition

Coast Pilot Reference: 2009 U.S. Coast Pilot 6 Great Lakes 39th Edition

Coast Pilot Corrections Reference download web page: <http://nauticalcharts.noaa.gov/nsd/cpdownload.htm>

The Local Notice to Mariners is available on the Internet at <http://www.navcen.uscg.gov/lnm/d9/default.htm>. You will also have links to other government agencies- web pages including the US Army Corps of Engineers and the National Ocean Service.

REPORT DISCREPANCIES IN AIDS TO NAVIGATION TO THE NEAREST COAST GUARD UNIT

The Ninth District and all Sector offices for their areas of responsibility issue a BROADCAST NOTICE TO MARINERS.

The following Broadcast Notice to Mariners have been incorporated into this week's Local Notice to Mariners:

Sector Buffalo, NY - B063-09 through B071-09

Ninth District - C053-09 through C056-09

Sector Detroit, MI - D092-09 through D099-09

Sector Lake Michigan, WI - M230-09 through M249-09

Sector Sault Ste Marie, MI - S092-09 through S097-09

ABBREVIATIONS

A through H

ACOE - Army Corps of Engineers
ADRIFT - Buoy Adrift
AICW - Atlantic Intracoastal Waterway
AI - Alternating
B - Buoy
BKW - Breakwater
bl - Blast
BNM - Broadcast Notice to Mariner
bu - Blue
C - Canadian
CHAN - Channel
CGD - Coast Guard District
C/O - Cut Off
CONT - Contour
CRK - Creek
CONST - Construction
DBN/Dbn - Daybeacon
DBD/DAYBD - Dayboard
DEFAC - Defaced
DEST - Destroyed
DISCON - Discontinued
DMGD/DAMGD - Damaged
ec - eclipse
EST - Established Aid
ev - every
EVAL - Evaluation
EXT - Extinguished

I through O

I - Interrupted
ICW - Intracoastal Waterway
IMCH - Improper Characteristic
INL - Inlet
INOP - Not Operating
INT - Intensity
ISL - Islet
Iso - Isophase
kHz - Kilohertz
LAT - Latitude
LB - Lighted Buoy
LBB - Lighted Bell Buoy
LHB - Lighted Horn Buoy
LGB - Lighted Gong Buoy
LONG - Longitude
LNM - Local Notice to Mariners
LT - Light
LT CONT - Light Continuous
LTR - Letter
LWB - Lighted Whistle Buoy
LWP - Left Watching Properly
MHz - Megahertz
MISS/MSNG - Missing
Mo - Morse Code
MSLD - Misleading
N/C - Not Charted
NGA - National Geospatial-Intelligence Agency

P through Z

PRIV - Private Aid
Q - Quick
R - Red
RACON - Radar Transponder Beacon
Ra ref - Radar reflector
RBN - Radio Beacon
REBUILT - Aid Rebuilt
RECOVERED - Aid Recovered
RED - Red Buoy
REFL - Reflective
RRL - Range Rear Light
RELIGHTED - Aid Relit
RELOC - Relocated
RESET ON STATION - Aid Reset on Station
RFL - Range Front Light
RIV - River
s - seconds
SEC - Section
SHL - Shoaling
si - silent
SIG - Signal
SND - Sound
SPM - Single Point Mooring Buoy
SS - Sound Signal
STA - Station
STRUCT - Structure
St M - Statute Mile

F - Fixed
fl - flash
Fl - Flashing
G - Green
HAZ - Hazard to Navigation
HBR - Harbor
HOR - Horizontal Clearance
HT - Height

NO/NUM - Number
NOS - National Ocean Service
NW - Notice Writer
OBSCU - Obscured
OBST - Obstruction
OBSTR - Obstruction
Oc - Occulting
ODAS - Anchored Oceanographic Data Buoy

TEMP - Temporary Aid Change
TMK - Topmark
TRLB - Temporarily Replaced by Lighted Buoy
TRLT - Temporarily Replaced by Light
TRUB - Temporarily Replaced by Unlighted Buoy
W - White
Y - Yellow

Additional Abbreviations Specific to this LNM Edition:

DMGD - Damaged
MSLD SIG - Misleading Signal
REDUCED INT DAY - Burning During the Day
SS - Sound Signal

SECTION I - SPECIAL NOTICES

This section contains information of special concern to the Mariner.

USACOE NOTICE TO NAVIGATION INTERESTS

All recent Federal Channel conditions that have conditional surveys can be found at the USACE Detroit District web site at: <http://www.lre.usace.army.mil/who/operationsofficehomepage/latestnotices/index.cfm?> and <http://www.lre.usace.army.mil/who/operationsofficehomepage/noticetonavigationinterest/>, the USACE Chicago District website at: http://www.lrc.usace.army.mil/co%2Do/Nav_Notice.htm, and the USACE Buffalo District website at: <http://www.lrb.usace.army.mil/>

LNM: 27/08

ST LAWRENCE SEAWAY - NAVIGATION NOTICES

All recent notices that have been created by the St Lawrence Seaway System can be found at the following web addresses: <http://www.greatlakes-seaway.com/en/seaway/index.html>

LNM: 13/07

The Dates of Latest Editions, Nautical Charts and Miscellaneous Maps

The Dates of Latest Editions, Nautical Charts and Miscellaneous Maps, dated October 1, 2007, published by the National Ocean Service, is available for issue. It may be obtained for free, by mail, from the FAA/National Aeronautical Charting Office, Distribution Division AVN-530, 10201 Good Luck Road, Glenn Dale MD, 20769-9700, by telephone at 1-800-638-8972, or from your local authorized nautical chart sales agent. This is a quarterly publication listing the most recent editions of nautical charts, miscellaneous maps and publications relating to navigation, weather, etc. with brief descriptions and newly updated prices for most of the publications listed. Much of this information may also be obtained online at: <http://chartmaker.ncd.noaa.gov/mcd/dole.htm>

LNM: 43/07

LAKE HURON - Sebewaing Harbor - Chart 14863

Sebewaing Harbor has recently been dredged by the USACOE to a project depth of 5ft. Recent surveys performed indicate shoaling in the Federal navigation channel. Shoaling to 4 ft depths is located in the vicinity of 43-44-53.820N and 083-30-23.280W.

LNM: 25/09

GREAT LAKES - Great Lakes Water Levels

The expected water levels on the Great Lakes for July 5, 2009. Connecting Channels and the St. Lawrence River, given in inches above (+) or below (-) Low Water Datum (LWD). LWD is a plane of reference used on a navigation chart. It is also known as chart Datum.

Great Lakes:

Lake Ontario +37, Lake Erie +36, Lake St. Clair +33, Lake Michigan-Huron +18, Lake Superior +6.

St Lawrence River:

Above Long Sault Dam +47, Above Iroquois Dam +38, Ogdensburg +43, Alexandria Bay +37, Head of River at Cape Vincent +37.

Detroit River:

Lake Erie at Pelee Passage +36, Mouth of River at Gibraltar +35, Head of River above Belle Isle +33.

St. Clair River:

Mouth of River at St. Clair Flats +33, Algonac +31, St. Clair +25, Blue Water Bridge +21, Head of River at Fort Gratiot +18, Lake Huron

Approach Channel +18.

St. Marys River:

Mouth of River at Detour +18, West and Middle Neebish +19, Head of Little Rapids +15, U.S. Slip +13, Above Locks +8, Head of River at

Point Iroquois +6.

Available water depth is determined for a location by adding (if +) or subtracting (if -) the amount from the above to the water depth shown on National Oceanic and Atmospheric Administration (NOAA) navigational charts. Caution: Depths so determined are representative of a still water surface elevation, disturbed by neither wind nor other causes. Depth, however, may be reduced or increased as much as several feet for short periods of time due to these disturbances, or when sections of channels develop shoals. Vessel masters should refer to the Local Notice to Mariners for extent of shoaling and scattered bedrock projections in all channels. For further information direct inquires to: Department of the Army, Detroit District Corps of Engineers, P. O. Box 1027, Detroit, MI 48231, (313) 226-6443. Additional information can be found on the U.S. Army Corps of Engineers Information Center website at <http://www.lre.usace.army.mil/greatlakes/hh/greatlakeswaterlevels/waterlevelforecasts/connectingchannelsforecasts/index.cfm?>.

LNM: 43/08

****UPDATED FOR LNM 14/09****

BUOY REPOSITIONED DUE TO CHANGE IN SHOALING

LAKE ST CLAIR - St. Clair Cut-Off Channel - Shoaling - Charts 14850, and 14853

Shoaling has been confirmed inside the St. Clair Cut-Off channel in the vicinity of Canadain Pier Lighted Buoy X32. The US Coast Guard has established St. Clair Cut-Off channel Lighted Buoy 32 (LLNR 8600). This quick flashing red buoy marked "32" has been established in position 42-30-56.057N 082-4109.411W in 31' of water to best mark the shoaling. For more information visit: [http://www.lre.usace.army.mil/OandM/mappdf/mapstclaircut2\[1\].pdf](http://www.lre.usace.army.mil/OandM/mappdf/mapstclaircut2[1].pdf)

LNM: 14/08

LAKE HURON - Au Sable River, MI - Shoaling - Oscoda Break Wall - Chart 14863

Shoaling has been reported, from depths of 1.9 feet to 3 feet, immediately outside the entrance to the Au Sable River. All mariners are advised to use caution while transiting the area.

LNM: 18/08

SECTION II - DISCREPANCIES

This section lists all reported and corrected discrepancies related to Aids to Navigation in this edition. A discrepancy is a change in the status of an aid to navigation that differs from what is published or charted.

DISCREPANCIES (FEDERAL AIDS)

LLNR	Aid Name	Status	Chart No.	BNM Ref.	LNM St	LNM End
40	St. Lawrence Seaway Lighted Buoy 6	REDUCED INT		B058-09	23/09	
55	St. Lawrence Seaway Lighted Buoy 8	REDUCED INT		B030-09	18/09	
100	St. Lawrence Seaway Lighted Buoy 17	LT EXT		B063-09	24/09	
295	St. Lawrence Seaway Lighted Buoy 48A	LT IMCH		B054-09	23/09	
1170	St. Lawrence Seaway Lighted Buoy 153	RAC INOP		B016-09	15/09	
2080	Oswego Harbor West Pierhead Light	LT EXT	14813	B071-09	25/09	
2375	Oak Orchard Breakwater Light C	LT EXT	14805	B057-09	23/09	
3520	Erie Harbor Entrance Lighted Buoy 2	LT EXT	14835	B059-09	23/09	
3835	Fairport Harbor East Breakwater East End Light	LT EXT	14837	B070-09	25/09	
4650	Sandusky Straight Channel Lighted Buoy 13	LT EXT	14845	D082-09	22/09	
4730	Sandusky Bay Exit Channel Range Rear Light	DBN DMGD	14845	D199-08	44/08	
5375	Middle Harbor Shoal Lighted Buoy 1	LT EXT	14844	D076-09	21/09	
5410	West Harbor Access Channel Lighted Buoy 8	LT EXT	14842	D102-09	25/09	
5430	West Harbor Inner Channel Daybeacon 11	DBN DEST	14842	D034-09	13/09	
6355	Maumee River Lighted Buoy 62	OFF STA	14847	D086-07	23/09	
10560	Saginaw Bay Channel Range Rear Light	LT EXT	14867	D037-09	14/09	
11505	Nordmeer Wreck Lighted Buoy WR1	RAC INOP	14864	D067-09	19/09	
12875	Pipe Island Light	LT IMCH	14882	S205-08	51/08	

13355	Lower Nicolet East Range Front Light	DBN DMGD	14883	S222-08	01/09
13370	Lower Nicolet West Range Rear Light	LT EXT	14883	S092-09	24/09
13960	Upper Nicolet Range Rear Light	DBN DEST	14883	S025-09	12/09
19215	Grand River Buoy 64	OFF STA	14933	M244-09	25/09
21795	Sister Islands Buoy 1	MISSING	14909	M236-09	25/09

DISCREPANCIES (FEDERAL AIDS) CORRECTED

LLNR	Aid Name	Status	Chart No.	BNM Ref.	LNM St	LNM End
3770	Ashtabula Harbor Junction Lighted Buoy A	WATCHING PROPERLY	14836		16/09	25/09
6001	Ward Canal West Jetty Light 2	WATCHING PROPERLY	14846		25/09	25/09
6285	Maumee Bay Lighted Buoy 46	WATCHING PROPERLY	14847		25/09	25/09
8205	Belle Isle Lower Junction Lighted Buoy	WATCHING PROPERLY	14853		25/09	25/09
8245	Belle Isle North Lighted Buoy 113	WATCHING PROPERLY	14853		25/09	25/09
13030	Munuscong Channel (Upbound) Junction Lighted Bell Buoy	WATCHING PROPERLY	14883		23/09	25/09
14940	Pilgrim Point Leading Light	WATCHING PROPERLY	14972		25/09	25/09
15185	Copper Harbor Range Front Light	WATCHING PROPERLY	14964		25/09	25/09
16415	St. Louis River Buoy 64	WATCHING PROPERLY	14975		25/09	25/09
19295	Holland Harbor South Pierhead Light	WATCHING PROPERLY	14932		25/09	25/09
19430	Lake Macatawa Buoy 23	WATCHING PROPERLY	14932		25/09	25/09
19435	Lake Macatawa Buoy 25	WATCHING PROPERLY	14932		25/09	25/09
20820	Sheboygan Breakwater Light	WATCHING PROPERLY	14922		24/09	25/09

DISCREPANCIES (PRIVATE AIDS)

LLNR	Aid Name	Status	Chart No.	BNM Ref.	LNM St	LNM End
895	St. Lawrence Seaway Ice Boom Cell Light C	LT EXT	14763	B024-09	17/09	
2393	Golden State Park Entrance Light 3	LT EXT	14805	B040-09	21/09	
3910	Mentor Harbor Light 1	LT EXT	14825	B032-09	18/09	
3920	Mentor Harbor Light 3	LT EXT	14825	B032-09	18/09	
5996	Turtle Creek Breakwater Light 2	LT EXT	14846		24/09	
6375	Pier 75 Detached Breakwater Light B	MISSING	14847		25/09	
6395	Pier 75 Detached Breakwater Light F	MISSING	14847		25/09	
6425	Corbutt Island Intake Crib Buoy K	OFF STA	14846		25/09	
6430	Corbutt Island Intake Crib Buoy L	OFF STA	14846		25/09	
6435	Brookford Road Water Intake Crib Buoy M	MISSING	14846		25/09	
8165	Detroit Lime Company Light	LT IMCH	14854	D168-08	36/08	
8705	Grosse Point Club Dock South Light	LT IMCH	14853		25/09	
8710	Grosse Point Club Dock North Light	LT IMCH	14853		25/09	
18795	Great Lakes Marina Entrance Light 3	LT EXT	14934		22/09	
18805	Great Lakes Marina Entrance Light 5	LT EXT	14934	M174-09	21/09	
18810	Great Lakes Marina Entrance Light 6	LT EXT	14934	M174-09	21/09	
19605	Gary Bulkhead Light	LT EXT	14926	M189-09	22/09	
19648	City Of East Chicago, Indiana Casino Harbor Light 1	LT EXT	14926	M216-09	24/09	
19650	City Of East Chicago, Indiana Pastrick Marina Light 3	LT EXT	14926	M225-09	24/09	
20015	Chicago Harbor Filtration Plant Light B	LT EXT	14926	M201-09	23/09	
20240	Wilmette Harbor Entrance North Light	LT EXT	14926	M218-09	24/09	
20355	Zion Intake Lighted Buoy A	OFF STA	14904	M173-09	21/09	
20685	Milwaukee City Pier South Slip Light 2	LT EXT	14924		24/09	
20695	Milwaukee City South Pier No. 2 North Light	LT EXT	14924		24/09	

20700 Milwaukee City South Pier No. 2 South LT EXT 14924 24/09
Light

DISCREPANCIES (PRIVATE AIDS) CORRECTED

LLNR	Aid Name	Status	Chart No.	BNM Ref.	LNM St	LNM End
3696	Walnut Creek Channel Light	WATCHING PROPERLY	14824		24/09	25/09
19925	Four-Mile Crib Light	WATCHING PROPERLY	14927		23/09	25/09
20012	Chicago Harbor Navy Pier North Light	WATCHING PROPERLY	14926		23/09	25/09
20135	Wilson Avenue Intake Crib Light	WATCHING PROPERLY	14926		23/09	25/09

PLATFORM DISCREPANCIES

Name	Status	Position	BNM Ref.	LNM St	LNM End
None					

PLATFORM DISCREPANCIES CORRECTED

Name	Status	Position	BNM Ref.	LNM St	LNM End
None					

SECTION III - TEMPORARY CHANGES and TEMPORARY CHANGES CORRECTED

This section contains temporary changes and corrections to Aids to Navigation for this edition. When charted aids are temporarily relocated for dredging, testing, evaluation, or marking an obstruction, a temporary correction shall be listed in Section IV giving the new position.

TEMPORARY CHANGES

LLNR	Aid Name	Status	Chart No.	BNM Ref.	LNM St	LNM End
2295	Irondequoit Bay Light A	TRLB	14804		19/09	
3305	Buckhorn Island Dike Light 1	DISCONTINUED	14832		23/09	
4220	Cleveland Harbor West Basin Channel Light 2	DISCONTINUED	14839		44/08	
5670	Perry Memorial Monument Light	DISCONTINUED	14844		50/08	
5920	Toussaint River Entrance Buoy 1	DISCONTINUED	14846		22/09	
5930	Toussaint River Entrance Buoy 3	DISCONTINUED	14846		22/09	
5935	Toussaint River Entrance Buoy 4	DISCONTINUED	14846		22/09	
5940	Toussaint River Entrance Buoy 5	DISCONTINUED	14846		22/09	
5945	Toussaint River Entrance Buoy 6	DISCONTINUED	14846		22/09	
6040	Maumee Bay Safe Water Lighted Buoy	Reduced Intensity	14847		24/09	
7650	Stony Island Buoy 8	DISCONTINUED	14853		22/09	
11780	Cheboygan River Entrance Lighted Buoy 2	TRUB	14881		17/09	
12975	Point Aux Frenes Light 21	Reduced Intensity	14882	S005-09	02/09	
13280	Middle Neebish South Range Rear Light	DISCONTINUED	14883		18/09	
15670	Superior Harbor Basin Buoy 1	DISCONTINUED FOR DREDGING	14975		23/09	
15675	Superior Harbor Basin Buoy 3	DISCONTINUED FOR DREDGING	14975		23/09	
19290	Holland Harbor North Pierhead Light	DISCONTINUED	14932		21/09	
19520	St. Joseph North Pier Inner Light	DISCONTINUED	14930		13/09	

TEMPORARY CHANGES CORRECTED

LLNR	Aid Name	Status	Chart No.	BNM Ref.	LNM St	LNM End
None						

PLATFORM TEMPORARY CHANGES

Name	Status	Position	BNM Ref.	LNM St	LNM End
None					

PLATFORM TEMPORARY CHANGES CORRECTED

Name	Status	Position	BNM Ref.	LNM St	LNM End
None					

SECTION IV - CHART CORRECTIONS

This section contains corrections to federally and privately maintained Aids to Navigation, as well as NOS corrections.

This section contains corrective actions affecting chart(s). Corrections appear numerically by chart number, and pertain to that chart only. It is up to the mariner to decide which chart(s) are to be corrected. The following example explains individual elements of a typical chart correction.

Chart Number	Chart Edition	Edition Date	Last Local Notice to Mariners	Horizontal Datum Reference	Source of Correction	Current Local Notice to Mariners
12327	91st Ed.	19-APR-97	Last LNM: 26/97	NAD 83		27/97

Chart Title: NY-NJ-NEW YORK HARBOR - RARITAN RIVER

Main Panel 2245 NEW YORK HARBOR

CGD01

(Temp) ADD	NATIONAL DOCK CHANNEL BUOY 3				at 40-41-09.001N	074-02-48.001W
	Green can					

Corrective Action	Object of Corrective Action	Position
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(Temp) indicates that the chart correction action is temporary in nature. Courses and bearings are given in degrees clockwise from 000 true.

Bearings of light sectors are toward the light from seaward. The nominal range of lights is expressed in nautical miles (NM) unless otherwise noted.

14500	27th Ed.	01-OCT-02	Last LNM: 19/09	NAD 83		25/09
<i>Chart Title: Great Lakes, Lake Champlain to Lake of the Woods</i>						
Main Panel 1568 GREAT LAKES. Page/Side: N/A						
ADD	Little Lake Harbor Light 2				CGD09 at 46-43-04.840N	085-21-56.270W
	FI R 4s 19 Ft, 5 Stat Mi					
14901	15th Ed.	01-AUG-06	Last LNM: 22/09	NAD 83		25/09
<i>Chart Title: Lake Michigan (Mercator Projection)</i>						
Main Panel 1361 LAKE MICHIGAN. Page/Side: N/A						
CHANGE	Michigan City East Pierhead Light from 14 SM to 13 SM				CGD09 at 41-43-44.281N	086-54-41.705W
14905	31st Ed.	01-JAN-07	Last LNM: 19/09	NAD 83		25/09
<i>Chart Title: Waukegan to South Haven;Michigan City;Burns International Harbor;New Buffalo</i>						
CHART WAUKEGAN TO SOUTH HAVEN. Page/Side: N/A						
CHANGE	Michigan City East Pierhead Light from 14 SM to 13 SM				CGD09 at 41-43-44.281N	086-54-41.705W
14961	12th Ed.	01-NOV-03	Last LNM: 05/09	NAD 83		25/09
<i>Chart Title: Lake Superior (Mercator Projection)</i>						
Main Panel 1499 LAKE SUPERIOR. Page/Side: N/A						
ADD	Little Lake Harbor Light 2				CGD09 at 46-43-04.840N	085-21-56.270W
	FI R 4s 19 Ft, 5 Stat Mi					
ADD	UMinn Research Bouy				CGD09 at 46-51-54.000N	091-55-36.000W

Yellow
Fl Y 4s

14962 **20th Ed.** **01-FEB-04** **Last LNM: 03/09** **NAD 83** **25/09**

ChartTitle: St. Marys River to Au Sable Point;Whitefish Point;Little Lake Harbors;Grand Marais Harbor

Inset 1503 LITTLE LAKE HARBOR MICHIGAN. Page/Side: N/A

ADD Little Lake Harbor Light 2 CGD09
at 46-43-04.840N 085-21-56.270W

Fl R 4s
19 Ft, 5 Stat Mi

Main Panel 1500 LAKE SUPERIOR ST MARYS RIVER TO AU SABLE POINT. Page/Side: N/A

ADD Little Lake Harbor Light 2 CGD09
at 46-43-04.840N 085-21-56.270W

Fl R 4s
19 Ft, 5 Stat Mi

14966 **27th Ed.** **01-MAY-05** **Last LNM: 23/09** **NAD 83** **25/09**

ChartTitle: Little Girls Point to Silver Bay, including Duluth and Apostle Islands;Cornucopia Harbor;Port Wing Harbor;Knife River Harbor;Two Harbors

Main Panel 1515 LITTLE GIRLS POINT TO SILVER BAY - INCLUDING APOSTLE ISLAND. Page/Side: N/A

ADD UMinn Research Bouy CGD09
at 46-51-54.000N 091-55-36.000W
Yellow
Fl Y 4s

14975 **35th Ed.** **01-DEC-07** **Last LNM: 23/09** **NAD 83** **25/09**

ChartTitle: Duluth-Superior Harbor;Upper St. Louis River

CHART DULUTH-SUPERIOR HARBOR. Page/Side: N/A

RELOCATE Minnesota Channel (Western Section) Buoy 23 CGD09
from 46-42-51.540N 092-11-20.280W
to 46-42-52.910N 092-11-20.079W
CGD09
RELOCATE Superior Entry Inner North Pierhead Light from 46-42-51.540N 092-11-20.280W
from 4 sm to 46-42-30.920N 092-00-49.200W
to 5 sm

SECTION V - ADVANCE NOTICES

This section contains advance notice of approved projects, changes to aids to navigation, or upcoming temporary changes such as dredging, etc. Mariners are advised to use caution while transiting these areas.

SUMMARY OF ADVANCED APPROVED PROJECTS

Approved Project(s) Project Date Ref. LNM
None

Advance Notice(s)

LAKE ERIE - West End of Sandusky Bay - Chart 14842

The following Aids to Navigation will be changed to warn the mariner of rocks and shoaling:

Muddy Creek:

Squaw Island Light 12 (LLNR 5085) change flash characteristic to QW and day board to white with orange bands to read "Danger Shoal"

Sandusky River:

Sandusky River Daybeacon 13 (LLNR 5090) change day board to white with orange bands and to read "Danger Rock"

Sandusky River Daybeacon 15 (LLNR 5096) change day board to white with orange bands and to read "Danger Rock"

Sandusky River Daybeacon 17 (LLNR 5100) change day board to white with orange bands and to read "Danger Rock"

LNM: 19/08

LAKE SAINT CLAIR - Chart 14850

Lake St. Clair Lighted Buoy "30" (LLNR 8570)

Construction of a fixed aid to navigation to replace lighted buoy "30" will begin in late spring of 2009. The fixed aid to navigation will have the same

characteristic Q R with a range of 9 statute miles.

LNM: 05/09

LAKE HURON - Harrisville to Forty Mile Point - Chart 14864

Presque Isle Light (LLNR 11550) Change the aid from a federal aid to navigation to a private aid to navigation. The characteristic will remain the same.

LNM: 20/07

LAKE HURON - Harrisville to Forty Mile Point - Chart 14864

Sturgeon Point Light (LLNR 11345) change to private aid. Characteristics and range will remain the same.

LNM: 01/07

LAKE HURON - Lake Huron Cut - Chart 14862

Lake Huron Cut Light "7" (LLNR 10065)
Increase the range of the light from 6 to 9 statute miles.

LNM: 05/09

LAKE HURON - Les Cheneaux Islands - Chart 14885

Change the radar range of the following buoys from 1.7 to .5 statute miles on the following buoys due to a change in the buoy hull being used to mark these positions.

Les Cheneaux Islands West Entrance Lighted Buoy "2" (LLNR 12380)
Les Cheneaux Islands West Entrance Lighted Buoy "3" (LLNR 12385)
Les Cheneaux Islands West Entrance Lighted Buoy "4" (LLNR 12390)
Scammons Harbor Lighted Buoy "4" (LLNR 12270)

LNM: 15/09

LAKE MICHIGAN - Holland Harbor - Chart 14932

Change the following buoys from a permanent year round buoy to a seasonal buoy maintained from 14 April to 07 November.

Lake Macatawa Buoy "23" (LLNR 19430)
Lake Macatawa Buoy "25" (LLNR 19435)
Lake Macatawa Buoy "26" (LLNR 19440)

LNM: 18/09

LAKE MICHIGAN - Sturgeon Bay Ship Canal - Chart 14919

Sturgeon Bay Ship Canal Buoy "15A" (LLNR 21117) change from an unlighted buoy to a lighted buoy. Fl G 2.5s, 3 statute mile range. Seasonal from 21 April through 21 November replaced by a can in the winter.

LNM: 16/08

LAKE MICHIGAN - Stony Lake to Point Betsie - Chart 14907

Change the following lights from a Federal Aid to Navigation to a Private Aid to Navigation. The light would be operated by the Sable Points Lighthouse Keepers Association.

Big Sable Light (LLNR 18525)
Little Sable Light (LLNR 18645)

LNM: 33/08

LAKE MICHIGAN - Chart 14901

Change the seasonal dates of the following lighted buoys
From: 28 March - 14 December
To: 14 April - 07 December:

Calumet East Shoal LB "4" (LLNR 19795)
Clemson Shoal LBB "4" (LLNR 19910)
Wilmette Shoal LBB "WR2" (LLNR 20250)
Grossepoint Outer LBB "4" (LLNR 20255)
Waukegan Shoals LB "3" (LLNR 20330)
Racine Reef West End LB "1" (LLNR 20485)
Wind Point North Shoal LB "14" (LLNR 20610)

LNM: 11/09

LAKE MICHIGAN - Detroit Harbor -Chart 14909

Detroit Harbor Entrance Light (LLNR 21350)
Increase the range of the light from 8 statute mile to 11 statute miles

Detroit Harbor Channel Lighted Buoy "2A" (LLNR 21354)
Replaced by nun from 21 Nov to 07 May

Detroit Harbor Channel Buoy "5" (LLNR 21365)
Change to a lighted buoy with a characteristic of FI G 2.5s. Range of 4 statute miles. Replaced by can from 21 Nov to 07 May.

Detroit Harbor Channel Buoy "8" (LLNR 21375)
Change to seasonal maintained from 07 May to 21 Nov

Detroit Harbor Channel Buoy "9" (LLNR 21380)
Change to seasonal maintained from 07 May to 21 Nov.

Detroit Harbor Channel Buoy "11" (LLNR 21385)
Change to seasonal maintained from 07 May to 21 Nov.

LNM: 24/09

LAKE MICHIGAN - Dutch Johns Point to Fishery Point - Chart 14908

Manistique Light (LLNR 21475) Change the operation of the Fog Signal to a user activated system. The Coast Guard will install a user activated fog signal; to operate the fog signal, key the microphone on VHF Marine radio channel 79 five times.

LNM: 18/09

LAKE MICHIGAN - Manitowoc Harbor - Chart 14922

Manitowoc Breakwall Light (LLNR 20860) The purpose is to change the lantern from the existing incandescent lamps to a more energy efficient LED. This will reduce the range of the light from 15 to 12 statute miles.

Change the operation of the Fog Signal to a user activated system. The Coast Guard will install a user activated fog signal; to operate the fog signal, key the microphone on VHF Marine radio channel 79 five times.

LNM: 01/07

ST MARYS RIVER - De Tour Passage to Munuscong Lake - Chart 14882

Pipe Island Light (LLNR 12875)
Reduce the range of the light from 17 statute miles to 12 statute miles. The change would be a result of installing a more reliable LED lantern.

LNM: 10/09

LAKE SUPERIOR - Big Bay Point to Redridge - Chart 14964

Huron Island Light (LLNR 14730) The purpose is to change the lantern from the existing incandescent lamps to a more energy efficient LED. This will reduce the range of the light from 15 to 12 statute miles.

Manitou Island Light (LLNR 15170) The purpose is to change the lantern from the existing incandescent lamps to a more energy efficient LED. This will reduce the range of the light from 18 to 12 statute miles.

LNM: 19/08

LAKE SUPERIOR - Isle Royale - Chart 14976

Passage Island Light (LLNR 16835) The purpose is to change the lantern from the existing incandescent lamps to a more energy efficient LED. This will reduce the range of the light from 17 to 12 statute miles.

Rock of Ages Light (LLNR 16655) The purpose is to change the lantern from the existing incandescent lamps to a more energy efficient LED. This will reduce the range of the light from 17 to 12 statute miles.

LNM: 07/08

SECTION VI - PROPOSED CHANGES

Periodically, the Coast Guard evaluates its system of aids to navigation to determine whether the conditions for which the aids to navigation were established have changed. When changes occur, the feasibility of improving, relocating, replacing, or discontinuing aids are considered. This section contains notice(s) of non-approved, proposed projects open for comment. SPECIAL NOTE: Mariners are requested to respond in writing to the District office unless otherwise noted (see banner page for address).

PROPOSED WATERWAY PROJECTS OPEN FOR PUBLIC COMMENT

Proposed Project(s)

Closing

Docket No.

Ref. LNM

None

Proposed Change Notice(s)

LAKE MICHIGAN - White Lake - Chart 14935

Reduce the visual range from 1.4 miles to 1.2 miles and reduce the radar range from 1.3 miles to .5 miles on the following seasonal buoys:

- White Lake LB "5" (LLNR 18665)
- White Lake LB "7" (LLNR 18670)
- White Lake LB "9" (LLNR 18670)
- White Lake LB "11" (LLNR 18680)
- White Lake LB "12" (LLNR 18685)

LNM: 20/09

LAKE MICHIGAN - St. Joseph and Benton Harbor - Chart 14930

Change the characteristics and ranges of the following lights due submarine cable failure and solarization:

St. Joseph North Pierhead Light (LLNR 19515) change the characteristic from ISO W 6s to FI W 2.5s and the range from 15 to 10 statute miles.

St. Joseph North Pier Inner Light (LLNR 19520) change the characteristic from F W to Oc W 4s and the range from 16 to 7 statute miles. The light will be relocated on the western side railing of the cupola.

LNM: 19/08

STRAITS OF MACKINAC - Les Cheneaux Islands - Chart 14885

Crow Island Leading Light (LLNR 12220)

Reduce the advertised range from 13 to 11 statute miles. Eliminate the advertised high intensity beam on bearing 160 degrees due to the installation of a new LED lantern.

LNM: 23/09

LAKE SUPERIOR - Keweenaw Waterway - Chart 14972

Due to the installation of LED lanterns remove the high intensity beam of light from the following aids to navigation:

- Keweenaw Waterway South Range Front Light (LLNR 14820)
- Rouleau Point Range Front Light (LLNR 15040)

LNM: 23/09

For any comments or questions on these proposed changes please contact:

Mr. Doug Sharp of the Ninth District Aids to Navigation office at (216) 902-6070.

LNM: 34/05

SECTION VII - GENERAL

This section contains information of general concern to the Mariners. Mariners are advised to use caution while transiting these areas.

Waterways Analysis and Management System Study - 2009

The Coast Guard is conducting a Waterways Analysis and Management System Study on the following waterways during 2009. The study focuses on the area's aid to navigation system, waterborne commerce, marine casualty information, emergency response plans, routine and emergency communication capabilities, and future development projects. Any company or individual wishing to provide comments or participate in a user survey should contact the office listed below each study area.

- Lake Erie - Erie Harbor (LLNR 3495 - 3696)
- Lake Ontario - Youngstown Harbor (LLNR 2400 -2655)
- Lake Ontario - Rochester Harbor (LLNR 2280 - 2395)
- Contact:
Commander
USCG Sector Buffalo
1 Fuhrmann Blvd.
Buffalo, NY 14203-3189
(716) 843-9524

- Lake Erie - Eastern Ohio - (LLNR 3700 thru LLNR 3955)
- Contact:

Waterways Analysis and Management System Study - 2009

Commander
USCG Sector Buffalo
1 Fuhrmann Blvd.
Buffalo, NY 14203
(716) 813-9524

Lake Erie - Erie Islands - Chart 14844

Contact:
Commander
USCG Sector Detroit
110 Mt. Elliot Ave.
Detroit, MI 48207
(313) 568-9523

Lake St. Clair - Anchor Bay (LLNR 9305 - 9565)

Lake St. Clair - Lake St. Clair Recreation/Belle Isle (LLNR 8280 - 8396)

Contact:
Commander
USCG Sector Detroit
110 Mt. Elliot Ave.
Detroit, MI 48207-4380
(313)568-9523

Lake St. Clair - Main Shipping Channel (LLNR 8400 -8660)

Lake Erie - Sandusky Harbor/Moseley Channel (LLNR 4560 - 5030)

Lake Erie - Lorain/Huron Harbor (LLNR 4265 - 5455)

Commanding Officer
USCGC Bristol Bay (WTGB 102)
110 Mt. Elliot Ave.
Detroit, MI 48207-4380
(313) 568-9548

Lake Huron - Au Gres and Tawas Bay - Chart 14863

Contact:
Commander
USCG Sector Detroit
110 Mt. Elliot Ave.
Detroit, MI 48207-4380
(313) 568-9523

Lake Huron - Alpena (LLNR 11345 -11715)

Lake Huron - Port Sanilac/Harbor Beach (LLNR 10095 - 10212)

Lake Huron - Port Austin/Caseville (LLNR 10215 -10385)

Contact:
Commanding Officer
USCGC Hollyhock (WLB 214)
2700 Omar Street
Port Huron, MI 48060-8519

Lake Michigan - Milwaukee Harbor (LLNR 20635 - 20765)

Contact:
Commanding Officer
USCGC Mackinaw (WLBB 30)
632 Coast Guard Drive
Cheboygan, MI 49721-1299
(231) 597-2030

Lake Michigan - Grand Traverse Bay (LLNR 17855 - 18366)

Lake Superior - Knife River /Two Harbors (LLNR 16495 - 16580)

Contact:
Commanding Officer
USCGC Alder (WLB 216)
1201 Minnesota Ave
Duluth, MN 55802-2492
(216) 529-3131

Lake Michigan - Holland Harbor (LLNR 19270 - 19511.6)

Lake Michigan - White Lake (LLNR 18650 - 18960)

Lake Michigan - Michigan City (LLNR 19535 - 19570)

Contact:

Waterways Analysis and Management System Study - 2009

Commander
USCG Sector Lake Michigan
2420 South Lincoln Memorial Drive
Milwaukee, WI 53207-1997
(414) 747-7188

Lake Michigan - Muskegon/Grand Haven (LLNR 18705 - 19265)
Lake Michigan - Portage Lake/Manistee/Ludington (LLNR 18370 - 18645)
Contact:
Commanding Officer
USCGC Mobile Bay (WTGB 103)
P.O. Box 287
Sturgeon Bay, WI 54235-0287
(920) 743-2646

Lake Superior - Upper St. Louis River (LLNR 16255 - 16492)
Contact:
Commander
USCG Sector Sault Ste Marie
337 Water Street
Sault Ste Marie, MI 49783-9501
(906) 635-3270

LNM: 07/08

ST. LAWRENCE RIVER – Massena, NY – Chart 14500

The D.A. Collins Environmental Services, LLC. Will be conducting river bottom capping and near shore excavation on the St. Lawrence River in Massena, NY. Operations will commence on June 15, 2009 thru October 5, 2009. The hours of operation are 0530-1930, Monday thru Saturday. The TUG D.A. COLLINS may be contacted VHF - FM channels 9, 12, 81a and 16. For further information contact Keith Chadwick at: (518) 378-9255.

LNM: 25/09

NEW YORK STATE BARGE CANAL

There is a partially submerged barge located in the middle of the New York State Canal between locks 29 and 28B. The barge is marked with flashing yellow lights. There are also 4 yellow buoys marking the upstream and down stream caution area surrounding the submerged barge. Mariners are urged to use caution while transiting the area.

LNM: 25/09

LAKE ERIE – Cleveland Harbor – Chart 14839

The Shoreline Contractors Inc. will be conducting marine construction near the West Basin Light #2 at the entrance to Edgewater Yacht Club, Cleveland, OH. Operations will commence on June 19, 2009 thru July 15, 2009. The hours of operation are from 0700 - 1530, Monday thru Saturday. The TUG EAGLE may be contacted VHF - FM channel 16. For further information contact George Quinn at (216) 857-4152 or Tom Murowsky at (216) 857-4148.

LNM: 25/09

LAKE ST. CLAIR – Chart 14850

The Great Lakes Dock and Materials, LLC. will be conducting marine construction on Lake St. Clair Light 30 in Lake St Clair. Operations will commence on June 22, 2009 thru August 9, 2009. The hours of operation are 24 hours a day, Seven days a week. All mariners should use extreme caution when transiting the area, all traffic should stay clear of the operations and reduce wake during construction. The CRANE BARGE HANNAH AVERY or TUG FISCHER HAYDEN may be contacted VHF - FM channel 16 and 18. For further information contact Eric Toth at (231) 728-4172.

LNM: 25/09

*******NEW FOR LNM 25/09*******

LAKE MICHIGAN – WI – Fox River, Bridge Inspection, Chart 14916

Visual inspections will be conducted on the Canadian National Railroad Bridge (Oshkosh-Fox River Valley Railroad Bridge) at Mile 55.72 over the Fox River on June 24, 2009 from 0800 to 1800. A small work punt will be in various positions under the bridge and will be visually monitoring marine traffic in the event the punt needs to move for transiting marine traffic. All mariners are urged to pass with caution [25/09]

LNM: 25/09

GREAT LAKES - GENERAL - MARINE EVENTS - SAFETY ZONES - SECURITY ZONES

Events listed below are those events that may have accompanying special local regulations. Mariners transiting these areas should contact the U.S. Coast Guard with any questions and are asked to exercise caution when navigating through the area of the event. Summary located in Enclosure (2)

LAKE ERIE / LAKE ONTARIO - Marine Events / Safety Zones - Charts 14820 - 14800

LAKE ERIE / LAKE ONTARIO - Marine Events / Safety Zones - Charts 14820 - 14800

The Following Marine Events or Safety zones will take place in Lake Erie / Lake Ontario for information about the following events contact the POC or USCG Sector Buffalo's Prevention Department.

LAKE ERIE:

The Event: MercyHurst College "Old Fashion 4th of July"
Date/Time: 04 July 2009/2145-2215
Location: Presque Isle, Erie, PA
Sponsor or POC: David Rocco (814) 870-1253

LAKE ONTARIO:

The Event: July 4th Fireworks
Date/Time: 03 July 2009/ 2200-2220
Location: Lake Ontario, Kendall, NY
Sponsor or POC: Jim Freemesser (585) 455-0999

The Event: Labor Day Fireworks
Date/Time: 07 Sept 2009/2200-2220
Location: Lake Ontario, Kendall, NY
Sponsor or POC: Jim Freemesser (585) 455-0999

The Event: Olcott fireworks
Date/Time: 03 July 2009/2200-2225
Location: Lake Ontario at Eighteen Mile Creek
Sponsor or POC: Jane Voelpel (716) 628-4007

The Event: Oswego Harborfest
Date/Time: 25 July 2009/2100-2200
Location: Lake Ontario, Oswego, NY
Sponsor or POC: Edward Rubio (631) 312-1411

The Event: Tom Graves Memorial
Date/Time: 03 July 2009/2200/2230
Location: Lake Ontario, Port Bay, NY
Sponsor or POC: Harry DeKing (315) 594-2691

The Event: Seneca River Days
Date/Time: July 10 Fireworks from 2130-2230/ July 11 Marine Events from 0900-1700 2009.
Location: Seneca River, Baldwinsville, NY
POC: Ann Smiley (315) 635-5999

The Event: Lyme Community Days
Date and Time: 25-26 July 2009/ 2100-2200
Location: Chaumont Bay, Chaumont, NY
POC: Guy Gosier (315)649-5452

LNM: 33/08

LAKE SUPERIOR - Marine Events / Safety Zones - Chart 14961

The following Marine Events or Safety Zones take place in Lake Superior . For information about the following events contact the POC or USCG Sector Sault Ste Marie's Prevention Department.

Please Refer to Enclosure 2 for details

LNM: 39/08

LAKE HURON - Marine Events / Safety Zones - Chart 14860

The following Marine Events or Safety Zones take place in Lake Huron . For information about the following events contact the POC or USCG Sector Detroit's Prevention Department..

Please Refer to Enclosure 2 for details

LNM: 39/08

LAKE MICHIGAN - Marine Events / Safety Zones- Chart 14961

The following Marine Events or Safety Zones take place in Lake Michigan. For information about the following events contact the POC or the USCG Sector Lake Michigan's Prevention Department.

The Event: Summerfest Fireworks
Location: Milwaukee Harbor, Milwaukee, WI.

LAKE MICHIGAN - Marine Events / Safety Zones- Chart 14961

Date/Time: 25 June 09, 2130-2200.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Olympic Day

Location: North Avenue Beach, Chicago, IL.

Date/Time: 23 June 09, 1800-2200. Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Boyne City Fireworks

Location: Veterans Park Point, Boyne City, MI.

Date/Time: 04 July 09, 2230-2300. Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Duck Race Raffle

Location: Manistee River, Manistee, MI

Date/Time: 02 July 09, 1800-1900

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: National Cherry Festival Air Show

Location: Charlevoix, MI.

Date/Time: 03-6 July 09, 1200-1500.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Taste of Chicago

Location: Lake Michigan, Chicago, IL

Date/Time: 03July09, 2030-2145

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Gary Air & Water Show

Location: Lake Michigan, Chicago, IL

Date/Time: 10-12 July 09, 0830-1700.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Boyne Thunder Poker Run

Location: Lake Michigan, Charlevoix, MI

Date/Time: 11 July 09, 0900-1600.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Michigan City Summerfest

Location: Lake Michigan, Michigan City, IN.

Date/Time: 12July09, 2100-2130

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Ludington Offshore Classic

Location: Lake Michigan, Ludington, MI

Date/Time: 16-19July09, 0600-1400

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Annual Trout Festival

Location: Lake Michigan, Kewaunee, WI

Date/Time: 17July09, 2130-2145

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Milwaukee Air & Water Show

Location: Lake Michigan, Milwaukee, WI.

Date/Time: 23-26 July 09, 0900-1700.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Milwaukee's Saturday Night Air Show

Location: Milwaukee Harbor, Milwaukee, WI.

Date/Time: 25 July 09, 1830-2130.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Chicago Dragon Boat Race

Location: Chicago River, Chicago, IL

Date/Time: 24 -25 July 09, 0830-1700.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Chicago Venetian Night

Location: Chicago River, Chicago, IL

Date/Time: 25 July 09, 2000-2200.

Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

LAKE MICHIGAN - Marine Events / Safety Zones- Chart 14961

The Event: Grand Haven Water Ski Show
Location: Lake Michigan, Grand Haven, MI.
Date/Time: 28 July 09, 1900-2100.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

LNLM: 25/09

LAKE MICHIGAN - Marine Events / Safety Zones -Chart 14901 (cont)

The Event: Great Lakes Watercross Races
Location: Lake Michigan, Kenosha, WI
Date/Time: 25-26 July 09, 0700-1900
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Town of Porter Fireworks Display
Location: Lake Michigan, Porter, IN
Date/Time: 01 July 09, 2100-2130
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Dune Acres Independence Day Fireworks
Location: Lake Michigan, Dune Acres, IN
Date/Time: 03 July 09, 2030-2200
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: New Buffalo Business Association Fireworks
Location: Lake Michigan, New Buffalo, MI.
Date/Time: 03 July 09, 2115-2200
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Pentwater Annual Fireworks
Location: Lake Michigan, Pentwater, MI.
Date/Time: 03 July 09, 2100-2200
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Celebration Freedom Fireworks
Location: Lake Macatawa, Holland, MI.
Date/Time: 03 July 09, 2200-2230
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Independence Day Fireworks
Location: Lake Michigan, Manistee, MI.
Date/Time: 03 July 09, 2130-2230
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Bay Harbor Yacht Club 4th of July Fireworks
Location: Lake Michigan, Bay Harbor, MI.
Date/Time: 03 July 09, 2200-2230
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Glencoe Park District Fireworks
Location: Glencoe Beach, Glencoe, IL
Date/Time: 04 July 09, 2100-2120.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Lakeshore Celebration Fireworks
Location: Lakeshore Country Club, Glencoe, IL
Date/Time: 04 July 09, 2115-2130.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Art Armada
Location: Sheboygan River, Sheboygan, WI.
Date/Time: 04 July 09, 1200-1600.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: City of Sheboygan 4th of July Fireworks
Location: Sheboygan River, Sheboygan, WI.
Date/Time: 04 July 09, 2130-2215.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

LAKE MICHIGAN - Marine Events / Safety Zones -Chart 14901 (cont)

The Event: Shoreacres Country Club Fireworks
Location: Lake Michigan, Lake Bluff, IL.
Date/Time: 04 July 09, 2115-2135.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

LNLM: 25/09

LAKE MICHIGAN - Marine Events / Safety Zones - Chart 14901 (cont)

The Event: Chain-O-Lakes Fireworks
Location: Mineda Bay, Fox Lake, IL.
Date/Time: 04 July 09, 2130-2200.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Harbor Springs Fireworks
Location: Little Traverse Bay, Harbor Springs, MI.
Date/Time: 04 July 09, 2200-2230.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Traverse City 4th of July Fireworks
Location: Little Traverse Bay, Harbor Springs, MI.
Date/Time: 04 July 09, 2200-2245.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Sturgeon Bay 4th of July Fireworks
Location: Lake Michigan, Sturgeon Bay, WI.
Date/Time: 04 July 09, 2130-2230.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: St. Joseph 4th of July Fireworks
Location: Lake Michigan, St. Joseph, MI.
Date/Time: 04 July 09, 2130-2230.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: City of Racine 4th of July Fireworks
Location: Lake Michigan, Racine, WI.
Date/Time: 04 July 09, 2130-2200.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Grand Haven 4th of July Fireworks
Location: Grand River, Grand Haven, MI.
Date/Time: 04 July 09, 2200-2300.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Kenosha 4th of July Fireworks
Location: Lake Michigan, Kenosha, WI.
Date/Time: 04 July 09, 2115-2200.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Community Festival
Location: Lake Winnebago, Neenah, WI.
Date/Time: 04 July 09, 0800-2200.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Muskegon Summer Celebration Fireworks
Location: Lake Muskegon, Muskegon, MI.
Date/Time: 04 July 09, 2200-2300.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Fish Creek Fireworks
Location: Green Bay, Fish Creek, WI.
Date/Time: 04 July 09, 2100-2300.
Sponsor or POC; VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

LNLM: 25/09

LAKE MICHIGAN - Marine Events / Safety Zones - Chart 14901 (cont)

The Event: Ottawa 4th of July Fireworks
Location: Chicago Ship Canal, Ottawa, IL.
Date/Time: 04 July 09, 2100-2200.

LAKE MICHIGAN - Marine Events / Safety Zones - Chart 14901 (cont)

Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Festa Italiana Fireworks
Location: Milwaukee Harbor, Milwaukee, WI.
Date/Time: 16-19 July 09, 2215-2245.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: German Fest Fireworks
Location: Milwaukee Harbor, Milwaukee, WI.
Date/Time: 23-26 July 09, 2130-2300.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Gills Rock Fireworks
Location: Gills Rock, Ellison Bay, WI.
Date/Time: 04 July 09, 2100-2200.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Fire Over the Fox/Celebrate Americafest
Location: Lake Michigan, De Pere, WI
Date/Time: 04July09, 1400-2300 S
ponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Ludington Freedom Festival Fireworks
Location: Ludington Harbor Ludington, MI.
Date/Time: 04 July 09, 2130-2300.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Van Andel Fireworks
Location: Holland, MI.
Date/Time: 04 July 09, 2200-2300.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Petoskey 4th of July Fireworks
Location: Petoskey, MI.
Date/Time: 04 July 09, 2200-2300.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: South Haven Fireworks
Location: Lake Michigan, South Haven, MI
Date/Time: 05 July 09, 2220-2245.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: St. Joseph Annual Venetian Festival Fireworks
Location: Lake Michigan, St. Joseph, MI.
Date/Time: 18 July 09, 2200-2300.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Port Fish Day Fireworks
Location: Lake Michigan, Port Washington, WI.
Date/Time: 18 July 09, 2130-2200.
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

The Event: Venetian Night Fireworks
Location: Kalamazoo Lake, Saugatuck, MI
Date/Time: 25July09, 2200-2330
Sponsor or POC: VHF-FM 16 or Sector Lake Michigan at (414) 747-7182

LNM: 38/08

SECTION VIII - LIGHT LIST CORRECTIONS

An Asterisk *, indicates the column in which a correction has been made to new information

(1) No.	(2) Name and Location	(3) Position	(4) Characteristic	(5) Height	(6) Range	(7) Structure	(8) Remarks
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SECTION VIII - LIGHT LIST CORRECTIONS (Continued)

(1) No.	(2) Name and Location	(3) Position	(4) Characteristic	(5) Height	(6) Range	(7) Structure	(8) Remarks
14540	LITTLE LAKE HARBOR LIGHT 2	46-43-04.840N 085-21-56.270W	FI R 4s	19 6	5		25/09
*	*	*	*	*	*	*	*
16270	Minnesota Channel (Western Section) Buoy 23	46-42-52.910N 092-11-20.079W				Green can.	25/09
16494	<i>UMinn Research Bouy</i>	46-51-54.000N 091-55-36.000W	FI Y 4s				Private aid. 25/09
18910	CONSUMERS POWER COMPANY LIGHT 1	43-15-04.860N 086-14-53.700W	F G				Maintained from Apr. 1 to 25/09 Nov. 30. Private aid.
18915	CONSUMERS POWER COMPANY LIGHT 3	43-15-08.160N 086-14-46.080W	F G				Maintained from Apr. 1 to 25/09 Nov. 30. Private aid.
18920	CONSUMERS POWER COMPANY LIGHT 5	43-15-12.240N 086-14-37.200W	F G				Maintained from Apr. 1 to 25/09 Nov. 30. Private aid.
19545	Michigan City East Pierhead Light	41-43-44.281N 086-54-41.705W	Oc W 4s	55 17	13	White octagonal tower with red roof attached to fog signal building. 55	HORN: 2 blasts ev 30s 25/09 (2s bl-2s si-2s bl-24s sj). Operates by keying microphone five times on VHF-FM Ch. 79.
					*		*

PUBLICATION CORRECTIONS

None

ENCLOSURES

(1) Summary of Dredging[SUMMARY OF DREDGIN2.pdf](#)

Construction Operations in Effect

(2) GREAT LAKES - General - Marine Events[GREAT LAKES.pdf](#)

Summary of Marine Events

(3) FEDERAL REGISTER[E9-14381.pdf](#) [E9-14382.pdf](#) [E9-14384.pdf](#) [E9-14388.pdf](#) [E9-14389.pdf](#) [E9-14549.pdf](#) [E9-14552.pdf](#)

The above enclosures are in the Federal Registers for the last week.

LNM: 31/08

(4) US ARMY CORP OF ENGINEERS - Notice to Navigation IntrestThe above Enclosures are the most current for the Army Corp of Engineers and can be found at
<http://www.lre.usace.army.mil/who/operationsofficehomepage/latestnotices/index.cfm?>

LNM: 36/08

Peter V. Neffenger
Rear Admiral, U. S. Coast Guard
Commander, Ninth Coast Guard District

SUMMARY OF DREDGING/CONSTRUCTION OPERATIONS IN EFFECT

The LNM column is where the entry originally appeared and where detailed information may be obtained. The dates listed for completions are tentative.

Location	LNM	Subject	Hours / Days	Until
<u>NEW YORK STATE BARGE CANAL</u>				
Fort Edward, NY	18/09	DREDGING	24 HRS A DAY / 7 DAYS	01 NOV 09
<u>ST. LAWRENCE RIVER</u>				
Massena, NY	25/09	DREDGING	0530-1930 / MON-SAT	05 OCT 09
<u>LAKE ONTARIO</u>				
Rochester, NY	16/09	DREDGING	24 HRS A DAY / 7 DAYS	07 JUL 09
<u>LAKE ERIE</u>				
Cleveland, OH	43/08 52/08	CONSTRUCTION	0700-1530 / MON-SAT	30 JUN 09
Niagara River, NY	11/09	REDUCTION IN VERTICAL CLEARANCE	24 HRS A DAY / 7 DAYS	31 DEC 10
Ashtabula, OH	24/09	DREDGING	24 HRS A DAY / 7 DAYS	01 AUG 09
Fairport, OH	22/09	CONSTRUCTION	0600-1800	30 JUN 09
Conneaut, OH	24/09	DREDGING	24 HRS A DAY / 7 DAYS	30 AUG 09
Cleveland, OH	25/09	CONSTRUCTION	0700-1530 / MON-SAT	15 JUL 09
<u>DETROIT RIVER</u>				
None Reported				
<u>LAKE ST CLAIR</u>				
Mt. Clemens, MI	40/08	PROPOSED BRIDGE REPLACEMENT	TBD	TBD
Mt. Clinton, MI	06/09	REPLACEMENT OF THE BRIDGEVIEW AVE BRIDGE	0700-1930 /MON-FRI	30 SEP 09
Algonac, MI	25/09	CONSTRUCTION	24 HRS A DAY/ 7 DAYS	09 AUG 09
<u>ST CLAIR RIVER</u>				
Port Huron, MI	13/09	BRIDGE REHABILITATION	24 HRS A DAY / 7 DAYS	30 JUN 09
<u>LAKE HURON</u>				
None Reported				
<u>STRAITS OF MACKINAC</u>				
None Reported				
<u>SAINT MARY'S RIVER</u>				
Course S	23/09	DREDGING	HRS A DAY / 7 DAYS	15 JUL 09
<u>LAKE SUPERIOR</u>				
Keweenaw Waterway, MI	08/09	CHANGE TO OPERATING SCHEDULE	SPECIAL	15 NOV 09
Various Locations	16/09	GILL NET SURVEY	VARIOUS	30 JUN 09
Duluth, MN	23/09	DREDGING	24 HRS A DAY / 7 DAYS	10 JUL 09
Silver Bay, MN	24/09	DREDGING	0500-0100	01 NOV 09
<u>LAKE MICHIGAN</u>				
Chicago Harbor, IL	13/08	INOPERABLE STATUS	VARIOUS	TBD
Chicago, IL	11/09	BRIDGE CLOSURES FOR SPECIAL EVENTS	VARIOUS	21 NOV 09
Wolf River, WI	13/09	BRIDGE CLOSURE	24 HRS A DAY / 7 DAYS	TBD
Milwaukee, WI	16/09	DREDGING	24 HRS A DAY / 7 DAYS	20 DEC 09
Petoskey, MI	19/09	BREAKWALL REPAIRS	24 HRS A DAY / 7 DAYS	20 AUG 09
Green Bay Harbor	19/09	DREDGING	24 HRS A DAY / 7 DAYS	20 AUG 09
Chicago, IL	23/09	BRIDGE REPAIR WORK	0700-1530	31 JUL 09
Sturgeon Bay, WI	23/09	CHANGE TO OPERATING SCHEDULE	24 HRS A DAY / 7 DAYS	15 NOV 10
Sturgeon Bay, WI	24/09	BRIDGE REHABILITATION	24 HRS A DAY / 7 DAYS	01 JAN 10

GREAT LAKES - GENERAL - MARINE EVENTS – SAFETY ZONES – SECURITY ZONES

Events listed below are those events that may have accompanying special local regulations. Mariners transiting these areas should contact the U.S. Coast Guard with any questions and are asked to exercise caution when navigating through the area of the event.

<u>Location</u>	<u>LNM</u>	<u>Events</u>	<u>Dates</u>	<u>Time (Local)</u>	<u>POC or Sponsor</u>	<u>Number</u>
<u>LAKE ONTARIO</u>						
Rochester, NY	11/09	Rochester Harborfest Boast Parade of Lights	26 JUN 09	2000-2200	James Farr	(585) 428-6866
Hamlin State Park	11/09	Shoreline Triathlon	26 JUL 09	0815-1100	David & Ellen Boutillier	(585) 697-3338
Sackets Harbor, NY	11/09	Can Am Festival Boat Parade	18 JUL 09	1300-1430	Timothy Scee	(315) 804-3161
Casino Island	11/09	Pirate Day Invasion	08-15 AUG 09	1400	Susan Boyer	(315) 482-9531
Oswego, NY	14/09	Oswego Yacht Club Weekly Races	MAY – DEC	1100-2200	John Gary	(315) 343-3127
Oswego, NY	14/09	Oswego Yacht Club Events	21 JUN 09	1000-1800	John Gary	(315) 343-3127
Oswego, NY	14/09	Oswego Yacht Club Events	04 JUL 09	1000-1800	John Gary	(315) 343-3127
Oswego, NY	14/09	Oswego Yacht Club Events	19 SEP 09	1000-1800	John Gary	(315) 343-3127
Oswego, NY	14/09	Oswego Yacht Club Events	10 OCT 09	1000-1800	John Gary	(315) 343-3127
Oswego, NY	14/09	Oswego Yacht Club All J Regatta	14-16 AUG 09	0800-1900	John Gary	(315) 343-3127
Oswego, NY	14/09	Oswego Yacht Club Sail Oswego Regatta	23-25 JUL 09	0800-1900	John Gary	(315) 343-3127
Liverpool, NY	14/09	Rochester Ontario Hobie Regatta	07-09 AUG 09	0900-1600	Michael Conway	(585) 392-5021
Sodus Bay, NY	14/09	2009 Lightning North American Championship	04-13 AUG 09	1030-1600	Tom Knapp	(315) 483-9550
Henderson, NY	17/09	EYC 2009	9-11 JUL 09	1000-1500	Lee Cagwin	(315) 727-9449
Rochester, NY	18/09	Genesee Yacht Club 2009 Racing Season	MAY – OCT	1000-1200	Dave Overy	(585) 455-0350
Oswego, NY	19/09	Fireworks Display	05 JUL 09	2130-2215	Danielle Hayden	(315) 343-7681
Sackets Harbor, NY	19/09	Fireworks Display	04 JUL 09	2130-2200	Gertrude Karris	(315) 646-3548
Sackets Harbor, NY	19/09	Fireworks Display	18 JUL 09	2100-2200	Joel Derouin	(315) 767-1244
Sodus Point, NY	19/09	Fireworks Display	03 JUL 09	2200-2230	Frank Wackerle	(315) 573-2405
Rochester, NY	19/09	Fireworks Display	27 JUN 09	2000-2200	James Farr	(585) 428-6866
Rochester, NY	19/09	Fireworks Display	03 JUL 09	2200-2245	Martin Howden	(585) 964-2462
Tonawanda, NY	19/09	Fireworks Display	04 JUL 09	2115-2145	Ken Furstoss	(724) 510-6221
Clayton, NY	19/09	Fireworks Display	03 JUL 09	2200-2300	JoeyLynn Ramseier	(315) 778-8293
Cape Vincent, NY	19/09	Fireworks Display	11 JUL 09	2130-2230	Patricia Hinckley	(315) 654-4826
Alexandria Bay, NY	19/09	Fireworks Display	05 JUL 09	2100-2200	Susan Boyer	(315) 482-9531
Brewerton, NY	20/09	Fireworks Display	03 JUL 09	2130-2200	Nick Chervinsky	(315) 727-4318
Baldwinsville, NY	20/09	Fireworks Display	04 JUL 09	2145-2230	Bob Kesel	(315) 224-9212
Spencerport, NY	20/09	Canaligator Race	26 JUL 09	1400-1530	Peter O'Brien	(585) 617-6179
Syracuse, NY	20/09	Fireworks Display	26 JUN 09	2130-2230	Mary Beth Roach	(315) 582-7776
Rochester, NY	22/09	Rochester Yacht Club Race Season 2009	MAY-OCT	Various	Charles Ross	(585) 342-5511
Sodus Bay, NY	22/09	2009 Lake Ontario Classic Boat Roundup	11 JUL 09	1300-1400	Robert Wood	(585) 330-5934
Sackets Hbr, NY	22/09	Hospice Charity Cup	01 AUG 09	1000-1600	Bob Wardwell	(315) 778-7299
Kendall, NY	23/09	Fireworks Display	03 JUL 09	2200-2220	Jim Freemesser	(585) 455-0999
Kendall, NY	23/09	Fireworks Display	07 SEP 09	2200-2220	Jim Freemesser	(585) 455-0999
Eighteen Mile Creek	23/09	Fireworks Display	03 JUL 09	2200-2225	Jane Voelpel	(716) 628-4007
Oswego, NY	23/09	Oswego Harbor Fest	25 JUL 09	2100-2200	Edward Rubio	(631) 312-1411
Port Bay, NY	23/09	Tom Graves Memorial	03 JUL 09	2100-2230	Harry DeKing	(315) 594-2691
Baldwinsville, NY	23/09	Seneca River Days	10 JUL 09	2130-2230	Ann Smiley	(315) 635-5999
Baldwinsville, NY	23/09	Seneca River Days	11 JUL 09	0900-1700	Ann Smiley	(315) 635-5999
Chaumont, NY	23/09	Lyme Community Days	25-26 JUL 09	2100-2200	Guy Gosier	(315) 649-5452
<u>LAKE ERIE</u>						
Lower Niagara River	11/09	Jack Beatty Hospice Memorial Regatta	10 JUL 09	24 HRS	Paul R. Beatty Jr.	(716) 745-7827

GREAT LAKES - GENERAL - MARINE EVENTS – SAFETY ZONES – SECURITY ZONES

Events listed below are those events that may have accompanying special local regulations. Mariners transiting these areas should contact the U.S. Coast Guard with any questions and are asked to exercise caution when navigating through the area of the event.

Location	LNM	Events	Dates	Time (Local)	POC or Sponsor	Number
Grand Island, NY	11/09	Paddles up the Niagara	25 JUL 09	1200-1500	Dave Clark	(716) 628-3103
Buffalo, NY	11/09	BYC J/22 Raw Bar Regatta	26 JUL 09	0900-1630	James Franzek	(716) 839-0823
Buffalo, NY	11/09	Queen City and Mayor's Cup Regatta	07-09 AUG 09	0900-1700	Theodore Johnson	(716) 479-0719
North Tonawanda, NY	11/09	Thunder on the Niagara	29-30 AUG 09	1100-1800	Dan Kanfoush	(716) 284-9358
Buffalo, NY	11/09	Black Jack Run	01 AUG 09	1030-1400	Harry Bollman	(716) 860-4209
Grand Island, NY	11/09	Antique Boat Show	12 SEP 09	1000-1600	Tom Frauenheim	(716) 873-8288
Buffalo, NY	11/09	Buffalo HBR Sailing Club 2009 Race Season	17 MAY 09 – 30 SEP 09	VARIOUS	Chuck Chilcott	(716) 472-4916
Erie Canal, NY	12/09	Canal Duck Race	25 JUL 09	1500-1525	Lynne Smith	(716) 868-4241
Erie, PA	14/09	52 nd Annual Lake Erie interclub Cruise	27 JUN09 – 01 JUL 09	0530-1900	Diane Mitra	(814) 882-6677
Toledo, OH	17/09	Great Lakes Single-handed Society Lake Erie Solo Challenge	29 AUG 09 – 02 SEP 09	24 HRS	Tom Munson	(734) 522-8124
Buffalo, NY	22/09	West Side invitational Regatta	12 JUL 09	0800-1600	Matt Logue	(716) 830-1399
Erie, PA	22/09	Key West Phest Boat Parade	08 AUG 09	1300-1400	Tom Madura	VHF-FM ch: 72
Erie, PA	23/09	MercyHurst Collage Old fashioned 4 th of July	04 JUL 09	2145-2215	David Rocco	(814) 870-1253

LAKE HURON

None Reported

LAKE SUPERIOR

None Reported

LAKE MICHIGAN

Milwaukee, WI	22/09	Queen's Cup	26 JUN 09	1800-0600	Sector Lake Michigan	(414) 747-7182
Chicago, IL	22/09	Port Huron and Chicago to Mackinac Island Solo Challenge	20-25 JUN 09	0800-TBD	Sector Lake Michigan	(414) 747-7182
Chicago, IL	22/09	Fireworks Display	24 JUN 09	2130-2145	Sector Lake Michigan	(414) 747-7182
Chicago, IL	22/09	Fireworks Display	27 JUN 09	2215-2230	Sector Lake Michigan	(414) 747-7182
Manistee River, MI	25/09	Duck Race Raffle	02 JUL 09	1800-1900	Sector Lake Michigan	(414) 747-7182
Charlevoix, MI	25/09	National Cherry Festival	03-06 JUL 09	1200-1500	Sector Lake Michigan	(414) 747-7182
Chicago, IL	25/09	Gary Air & Water Show	10-12 JUL 09	0830-1700	Sector Lake Michigan	(414) 747-7182
Chicago, IL	25/09	Taste of Chicago	03 JUL 09	2030-2145	Sector Lake Michigan	(414) 747-7182
Charlevoix, MI	25/09	Boyne Thunder Poker Run	11 JUL 09	0900-1600	Sector Lake Michigan	(414) 747-7182
Michigan City, IN	25/09	Michigan City Summer Fest	12 JUL 09	2100-2130	Sector Lake Michigan	(414) 747-7182
Ludington, MI	25/09	Ludington Offshore Classic	16-19 JUL 09	0600-1400	Sector Lake Michigan	(414) 747-7182
Kewaunee, WI	25/09	Annual Trout Festival	17 JUL 09	2130-2145	Sector Lake Michigan	(414) 747-7182
Milwaukee, WI	25/09	Milwaukee Air & Water Show	23-26 JUL 09	0900-1700	Sector Lake Michigan	(414) 747-7182
Milwaukee, WI	25/09	Milwaukee's Saturday Night Air Show	25 JUL 09	1830-2130	Sector Lake Michigan	(414) 747-7182
Chicago, IL	25/09	Chicago Dragon Boat Race	24-25 JUL 09	0830-1700	Sector Lake Michigan	(414) 747-7182
Chicago, IL	25/09	Chicago Venetian Night	25 JUL 09	2000-2200	Sector Lake Michigan	(414) 747-7182
Grand Haven, MI	25/09	Grand Haven Water Ski Show	28 JUL 09	1900-2100	Sector Lake Michigan	(414) 747-7182
Kenosha, WI	25/09	Great Lakes Watercross Races	25-26 JUL 09	0700-1900	Sector Lake Michigan	(414) 747-7182
Porter, IN	25/09	Town of Porter Fireworks Display	01 JUL 09	2100-2130	Sector Lake Michigan	(414) 747-7182
Dune Acres, IN	25/09	Dune Acres Independence Day Fireworks	03 JUL 09	2030-2200	Sector Lake Michigan	(414) 747-7182
New Buffalo, MI	25/09	New Buffalo Business Assoc. Fireworks	03 JUL 09	2115-2200	Sector Lake Michigan	(414) 747-7182
Pentwater, MI	25/09	Pentwater Annual Fireworks	03 JUL 09	2100-2200	Sector Lake Michigan	(414) 747-7182
Holland, MI	25/09	Celebration Freedom Fireworks	03 JUL 09	2200-2230	Sector Lake Michigan	(414) 747-7182

GREAT LAKES - GENERAL - MARINE EVENTS – SAFETY ZONES – SECURITY ZONES

Events listed below are those events that may have accompanying special local regulations. Mariners transiting these areas should contact the U.S. Coast Guard with any questions and are asked to exercise caution when navigating through the area of the event.

Location	LNM	Events	Dates	Time (Local)	POC or Sponsor	Number
Manistee, MI	25/09	Independence Day Fireworks	03 JUL 09	2130-2230	Sector Lake Michigan	(414) 747-7182
Bay Harbor, MI	25/09	Bay Harbor Yacht Club 4 th of July Fireworks	03 JUL 09	2200-2230	Sector Lake Michigan	(414) 747-7182
Glencoe, IL	25/09	Glencoe Park District Fireworks	04 JUL 09	2100-2120	Sector Lake Michigan	(414) 747-7182
Glencoe, IL	25/09	Lakeshore Celebration Fireworks	04 JUL 09	2115-2130	Sector Lake Michigan	(414) 747-7182
Sheboygan, WI	25/09	Art Armada	04 JUL 09	1200-1600	Sector Lake Michigan	(414) 747-7182
Sheboygan, WI	25/09	City of Sheboygan 4 th of July Fireworks	04 JUL 09	2130-2215	Sector Lake Michigan	(414) 747-7182
Lake Bluff, IL	25/09	Shoreacres Country Club Fireworks	04 JUL 09	2115-2135	Sector Lake Michigan	(414) 747-7182
Fox Lake, MI	25/09	Chain-O-Lakes Fireworks	04 JUL 09	2130-2200	Sector Lake Michigan	(414) 747-7182
Harbor Springs, MI	25/09	Harbor Springs Fireworks	04 JUL 09	2200-2230	Sector Lake Michigan	(414) 747-7182
Harbor Springs, MI	25/09	Traverse City 4 th of July Fireworks	04 JUL 09	2200-2245	Sector Lake Michigan	(414) 747-7182
Sturgeon Bay, WI	25/09	Sturgeon Bay 4 th of July Fireworks	04 JUL 09	2130-2230	Sector Lake Michigan	(414) 747-7182
St. Joseph, MI	25/09	St. Joseph 4 th of July Fireworks	04 JUL 09	2130-2230	Sector Lake Michigan	(414) 747-7182
Racine, WI	25/09	City of Racine 4 th of July Fireworks	04 JUL 09	2130-2200	Sector Lake Michigan	(414) 747-7182
Grand Haven, MI	25/09	Grand Haven 4 th of July Fireworks	04 JUL 09	2200-2300	Sector Lake Michigan	(414) 747-7182
Kenosha WI	25/09	Kenosha 4 th of July Fireworks	04 JUL 09	2115-2200	Sector Lake Michigan	(414) 747-7182
Neenah, WI	25/09	Community Festival	04 JUL 09	0800-2200	Sector Lake Michigan	(414) 747-7182
Muskegon, MI	25/09	Muskegon Summer Celebration Fireworks	04 JUL 09	2200-2300	Sector Lake Michigan	(414) 747-7182
Fish Creek, WI	25/09	Fish Creek Fireworks	04 JUL 09	2100-2300	Sector Lake Michigan	(414) 747-7182
Ottawa, IL	25/09	Ottawa 4 th of July Fireworks	04 JUL 09	2100-2200	Sector Lake Michigan	(414) 747-7182
Milwaukee, WI	25/09	Festa Italiana Fireworks	16-19 JUL 09	2130-2300	Sector Lake Michigan	(414) 747-7182
Milwaukee, WI	25/09	German Fest Fireworks	23-26 JUL 09	2130-2300	Sector Lake Michigan	(414) 747-7182
Ellison Bay, WI	25/09	Gills Rock Fireworks	04 JUL 09	2100-2200	Sector Lake Michigan	(414) 747-7182
De Pere, WI	25/09	Fire Over the Fox / Celebrate America Fest	04 JUL 09	1400-2300	Sector Lake Michigan	(414) 747-7182
Ludington, MI	25/09	Ludington Freedom Festival Fireworks	04 JUL 09	2130-2300	Sector Lake Michigan	(414) 747-7182
Holland, MI	25/09	Van Andel Fireworks	04 JUL 09	2200-2300	Sector Lake Michigan	(414) 747-7182
Petoskey, MI	25/09	Petoskey 4 th of July Fireworks	04 JUL 09	2200-2300	Sector Lake Michigan	(414) 747-7182
South Haven, MI	25/09	South Haven Fireworks	05 JUL 09	2220-2245	Sector Lake Michigan	(414) 747-7182
St. Joseph, MI	25/09	St. Joseph Annual Venetian Festival Fireworks	18 JUL 09	2200-2300	Sector Lake Michigan	(414) 747-7182
Port Washington, WI	25/09	Port Fish Day Fireworks	18 JUL 09	2130-2200	Sector Lake Michigan	(414) 747-7182
Saugatuck, MI	25/09	Venetian Night Fireworks	25 JUL 09	2200-2330	Sector Lake Michigan	(414) 747-7182

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165**

[Docket No. USCG–2009–0461]

RIN 1625–AA00

Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port Buffalo Zone**AGENCY:** Coast Guard, DHS.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes establishment of safety zones for annual events in the Captain of the Port Buffalo Zone. This proposed rule adds events not previously published in Coast Guard regulations. These safety zones are necessary to protect spectators, participants, and vessels from the hazards associated with fireworks displays or other events.

DATES: Comments and related materials must reach the Coast Guard on or before July 20, 2009.

ADDRESSES: You may submit comments identified by Coast Guard docket number USCG–2009–0461 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

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

(2) *Fax:* 202–493–2251

(3) *Mail:* 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.

(4) *Hand delivery:* Room W12–140 on the Ground Floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

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

FOR FURTHER INFORMATION CONTACT: LT Brian Sadler, Waterways Management Division Chief, Sector Buffalo, 1 Fuhrmann Blvd., Buffalo, NY 14203; telephone 716–843–9573, e-mail Brian.L.Sadler@USCG.MIL. If you have questions on viewing or submitting material to the docket, call Renee V.

Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:**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.

Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG–2009–0461), indicate the specific section of this document to which each comment applies, and give the reason for each suggestion or recommendation. You may submit your comments and material online (via <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 via <http://www.regulations.gov>, 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 e-mail 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>, select the Advanced Docket Search option on the right side of the screen, insert “USCG–2009–0461” in the Docket ID box, press Enter, and then click on the balloon shape in the Actions column. 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.

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>, select the Advanced Docket Search option on the

right side of the screen, insert USCG–2009–0461 in the Docket ID box, press Enter, and then click on the item in the Docket ID column. 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. We have an agreement with the Department of Transportation to use the Docket Management Facility.

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).

Public Meeting

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

Background and Purpose

We propose these safety zones to control vessel traffic within the immediate location of the fireworks launching area during annual fireworks displays.

The Coast Guard is now proposing to add 6 permanent safety zones in 33 CFR 165.939. Establishing permanent safety zones provides better notice than promulgating temporary rules annually, and decreases the amount of paperwork required for these events. The Coast Guard has not previously received notice of any impact caused by safety zones created for these events.

These safety zones are necessary to protect vessels and people from the hazards associated with fireworks displays or other events. Such hazards include obstructions to the waterway that may cause marine casualties and the explosive danger of fireworks and debris falling into the water that may cause death or serious bodily harm.

Discussion of Proposed Rule

The proposed rule and associated safety zones are necessary to ensure the safety of vessels and people during

annual firework events in the Captain of the Port Buffalo area of responsibility that may pose a hazard to the public.

The proposed safety zones will be enforced only immediately before, during, and after events that pose hazard to the public, and only upon notice by the Captain of the Port.

The Captain of the Port Buffalo will notify the public that the zones in this proposal are or will be enforced by all appropriate means to the affected segments of the public including publication in the **Federal Register** as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include, but are not limited to Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is cancelled.

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port Buffalo or the designated representative. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Buffalo Zone, or his designated representative. The Captain of the Port Buffalo Zone or his designated representative may be contacted via VHF Channel 16.

Regulatory Analyses

We developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

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, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation is unnecessary. The Coast Guard's use of these safety zones will be periodic, of short duration, and designed to minimize the impact on navigable waters. These safety zones will only be enforced immediately before, during, and after the time the events occur. Furthermore, these safety zones have been designed to allow vessels to transit unrestricted to portions of the waterways not affected by the safety zones. The Coast Guard expects

insignificant adverse impact to mariners from the activation of these safety zones.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. 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 proposed rule would not have a significant economic impact on a substantial number of small entities.

This proposed rule would affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit or anchor in the areas designated as safety zones during the dates and times the safety zones are being enforced.

These safety zones would not have a significant economic impact on a substantial number of small entities for the following reasons: This proposed rule would be in effect for short periods of time, and only once per year, per zone. The safety zones have been designed to allow traffic to pass safely around the zone whenever possible and vessels will be allowed to pass through the zones with the permission of the Captain of the Port.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed 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 proposed rule would economically affect it.

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 so that they can better evaluate its effects on them and participate in the rulemaking. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact CDR Joseph Boudrow, Prevention Dept. Chief, Sector Buffalo, 1 Fuhrmann Blvd., Buffalo, NY 14203; telephone 716–843–9572, e-mail *Joseph.A.Boudrow@uscg.mil*. 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.

Collection of Information

This proposed rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

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 or more in any one year. Though this proposed rule will not result in such expenditure, we nevertheless discuss its effects elsewhere in this preamble.

Taking of Private Property

This proposed rule will not affect the taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

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.

Protection of Children

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

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.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

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

Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.1D, 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 which do not individually or cumulatively have a significant effect on the human environment. A preliminary environmental analysis checklist supporting this determination is

available in the docket where indicated under **ADDRESSES**. This proposed rule involves the establishment of safety zones and as such should be categorically excluded, under figure 2-1, paragraph 34(g) of the Instruction from further environmental documentation.

We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

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 proposes to amend 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: 33 U.S.C. 1226, 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; Public Law 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1

2. In § 165.939 revise paragraph (a) introductory text and add paragraphs (a)(27) through (32) to read as follows:

§ 165.939 Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone.

(a) *Safety Zones:*

* * * * *

(27) *Independence Celebration Fireworks, Lake Ontario, Oswego Harbor, Oswego, NY*—(i) *Location.* All waters of Lake Ontario at within an 800-foot radius of position 43°28'05" N, 076°31'01" W; in Oswego Harbor, Oswego, NY. (DATUM: NAD 83).

(ii) *Enforcement date.* One day in the first week of July.

(28) *Rochester Harborfest, Lake Ontario at the Genesee River, Rochester, NY*—(i) *Location.* All waters of Lake Ontario at Genesee River, within a 500-foot radius of position 43°15'21" N, 077°36'19" W; in Rochester, NY. [DATUM: NAD 83]. Located on the Ontario Beach West pier.

(ii) *Enforcement date.* One weekend after Fathers Day weekend in June.

(29) *A Salute to Our Hero's, Lake Ontario, Hamlin, NY*—(i) *Location.* All waters of Lake Ontario within a 300-foot radius of position 43°16'27" N, 076°58'27" W; off Hamlin Beach State Park Area 1. (DATUM: NAD 83).

(ii) *Enforcement date.* One day in the first week of July.

(30) *Olcott NY Fireworks, Lake Ontario, Olcott, NY*—(i) *Location.* All waters of Lake Ontario within a 600-foot radius of position 43°20'24" N, 078°43'09" W; located on the West Federal Pier in Olcott, NY. (DATUM: NAD 83).

(ii) *Enforcement date.* One day in the first week of July.

(31) *Erie Summer Festival of the Arts, Lake Erie, Presque Isle Bay, Erie, PA*—(i) *Location.* All waters of Lake Erie, Presque Isle Bay within a 420-foot radius of position 42°07'45" N, 080°06'20" W; in Erie, PA (DATUM: NAD 83).

(ii) *Enforcement date.* One day in the last week of June.

(32) *Mercyhurst College "Old Fashion 4th of July," Lake Erie, Presque Isle Bay, Erie, PA*—(i) *Location.* All waters of Lake Erie, Presque Isle Bay 1,000 feet NW of the Chestnut Street Boat Launch in a 400-foot radius of position 42°08'41" N, 080°06'40" W; in Erie, PA. (DATUM: NAD 83).

(ii) *Enforcement date.* One day in the first week of July.

Dated: June 4, 2009.

R.S. Burchell,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. E9-14381 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Part 8

RIN 0930-AA14

Opioid Drugs in Maintenance and Detoxification Treatment of Opiate Addiction; Buprenorphine and Buprenorphine Combination; Approved Opioid Treatment Medications Use

AGENCY: Substance Abuse and Mental Health Services Administration (SAMHSA), Department of Health and Human Services.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule amends the Federal opioid treatment program regulations by modifying the dispensing requirements for buprenorphine and buprenorphine combination products approved by FDA for opioid dependence and used in federally certified and registered opioid treatment programs. Opioid treatment programs that use these products in the treatment of opioid dependence will adhere to all other Federal treatment standards established for methadone.

Congressional Review Act

This action pertains to agency organization and management and does not substantially affect the rights or obligations of non-agency parties. Accordingly, it is not a "rule" as that term is used by the Congressional Review Act (Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA)). Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies), Government employees, Organization and functions (Government agencies).

■ Accordingly, by virtue of the authority vested in me as Attorney General, including 5 U.S.C. 301 and 28 U.S.C. 509 and 510, part 0 of title 28 of the Code of Federal Regulations is amended as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

■ 1. The authority citation for part 0 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 515–19.

§ 0.23a [Redesignated as § 0.24]

■ 2. Section 0.23a, currently under Subpart D–2, is redesignated as § 0.24, transferred to new Subpart D–3, and revised to read as follows:

Subpart D–3—Office of Information Policy

§ 0.24 General functions.

The Office of Information Policy shall be headed by a Director appointed by the Attorney General. The Director shall report to the Associate Attorney General. The following functions are assigned to, and shall be conducted, handled, or supervised by the Director of the Office of Information Policy:

(a) Exercising the power and performing the functions vested in the Attorney General under 5 U.S.C. 552(e).

(b) Developing, coordinating, and implementing policy with regard to the Freedom of Information Act ("FOIA"), including publishing guidance and other material related to FOIA matters;

(c) Providing legal assistance and advice to government agencies and organizational components of the Department on questions regarding the interpretation and application of the FOIA;

(d) Undertaking, arranging, or supporting training and informational programs concerning the FOIA for

government agencies and the Department;

(e) Responding to initial requests made under the FOIA and the Privacy Act for the Office of Information Policy, as well as for the following Leadership Offices:

- (i) Office of the Attorney General;
- (ii) Office of the Deputy Attorney General;
- (iii) Office of the Associate Attorney General;
- (iv) Office of Legal Policy;
- (v) Office of Legislative Affairs;
- (vi) Office of Public Affairs;
- (vii) Office of Intergovernmental and Public Liaison; and

(viii) Any other Department component that the Attorney General assigns to the Office of Information Policy for responding to requests made to such component under the FOIA and the Privacy Act.

(f) Acting on behalf of the Attorney General on FOIA and Privacy Act access administrative appeals for all components of the Department, except that a denial of a request by the Attorney General is the final action of the Department on that request;

(g) Representing government agencies in civil litigation claims arising under the FOIA through and under the direction of the United States Attorney's Office for the District of Columbia and any such other districts as may be designated;

(h) Providing staff support to the Department Review Committee, established by § 17.14 of this chapter; and

(i) Encouraging all Federal agencies that intend to deny FOIA requests raising novel issues to consult with the Office of Information Policy to the extent practicable.

Dated: June 12, 2009.

Eric H. Holder, Jr.,
Attorney General.

[FR Doc. E9–14413 Filed 6–18–09; 8:45 am]
BILLING CODE 4410–BE–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2009–0110]

RIN 1625–AA00

Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing of a safety zone for a powerboat race in the Captain of the Port Buffalo zone. This rule is intended to restrict vessels from areas of water during events that pose a hazard to public safety. The safety zone established by this rule is necessary to protect spectators, participants, and vessels from the hazards associated with a powerboat race.

DATES: This rule is effective from 11 a.m. August 29, 2009 to 6 p.m. August 30, 2009.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2009–0110 and are available online at <http://www.regulations.gov>, selecting the Advanced Docket Search option on the right side of the screen, inserting USCG–2009–0110 in the Docket ID box, pressing Enter, and then clicking on the item in the Docket ID column. This material is also available for inspection or copying at two locations: The 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays and the Coast Guard Sector Buffalo, 1 Fuhrmann Blvd, Buffalo, NY 14203 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call Lieutenant Brian Sadler, Prevention Department, U.S. Coast Guard Sector Buffalo, at (716) 843–9385. If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On April 30, 2009, we published a notice of proposed rulemaking (NPRM) entitled Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY in the **Federal Register** (74 FR 82). We received no comments on the proposed rule. No public meeting was requested, and none was held.

Background and Purpose

Temporary safety zones are necessary to ensure the safety of vessels and spectators from the hazards associated with powerboat races. Based on recent accidents that have occurred in other Captain of the Port zones, the Captain of

the Port Buffalo, has determined powerboat races pose significant risks to public safety and property. The likely combination of large numbers of recreational vessels, congested waterways, and alcohol use, could easily result in serious injuries or fatalities.

Discussion of Comments and Changes

There were no comments made to the proposed rule. Therefore, the temporary final rule is the same as the proposed rule.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation is unnecessary.

The Coast Guard's use of this safety zone will be periodic in nature, of short duration, and designed to minimize the impact on navigable waters. This safety zone will only be enforced immediately before and during the time the event occurs. Furthermore, this safety zone has been designed to allow vessels to transit unrestricted to portions of the waterway not affected by the safety zone. The Coast Guard expects insignificant adverse impact to mariners from the activation of this safety zone.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. 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.

This temporary final rule may affect the following entities, some of which

might be small entities: The owners of operators of vessels intending to transit or anchor in the area designated as the safety zone by this rule. This safety zone would not have a significant economic impact on a substantial number of small entities for the following reasons. The safety zone in this temporary final rule would be in effect for short periods of time and only once per year. The safety zone has been designed to allow traffic to pass safely around the zone whenever possible and vessels will be allowed to pass through the zone with the permission of the Captain of the Port.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), in the NPRM we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

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 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.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This 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.

Protection of Children

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

Indian Tribal Governments

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.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

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

Environment

We have analyzed this 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 concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. This rule involves a regulated navigation area and as such is covered by this paragraph.

An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under

ADDRESSES.**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: 33 U.S.C. 1226, 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.

■ 2. Add new temporary § 165.T09-0110 to read as follows:

§ 165.T09-0110 Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY.

(a) *Location.* The following area is a temporary safety zone: all waters of the Upper Niagara River, North Tonawanda, NY within two miles of the Grand Island Bridge located at 42°03'36" N, 078°54'45" W to 43°03'09" N, 078°55'21" W to 43°03'00" N, 078°53'42" W to 43°02'42" N, 078°54'09" W. All Geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Effective Period.* This regulation is effective from 11 a.m. August 29, 2009 to 6 p.m. August 30, 2009. This zone will be enforced from 11 a.m. to 6 p.m. on August 29, 2009 and August 30, 2009.

(c) *Regulations.* The general regulations contained in 33 CFR 165.23 apply.

(1) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed.

(2) Commercial vessels may request permission from the Captain of the Port Buffalo to transit the safety zone. Approval will be made on a case-by-case basis. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Sector Buffalo on Channel 16, VHF-FM.

Dated: May 29, 2009.

R.S. Burchell,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. E9-14382 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165**

[Docket No. USCG-2009-0472]

Safety Zones: Annual Events Requiring Safety Zones in the Captain of the Port Buffalo Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zones for annual fireworks displays in the Captain of the Port Buffalo Zone during June 1, 2009 through June 30, 2009. This action is necessary for the safety of life and property on navigable waters during these events. During the enforcement period, no person or vessel may enter the safety zones without the permission of the Captain of the Port Buffalo.

DATES: The regulations in 33 CFR 165.939(a)(10) and (a)(12) will be enforced on June 26, 2009 at 9:30 p.m. to 10:30 p.m. and June 27, 2009 at 8 p.m. to 10 p.m. respectively.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or e-mail LT Brian Sadler, Waterways Management Division Chief, Coast Guard Sector Buffalo, 1 Fuhrmann Blvd., Buffalo, NY 14203; telephone

716-843-9573, e-mail Brian.L.Sadler@USCG.MIL.

SUPPLEMENTARY INFORMATION:

The Coast Guard will enforce the safety zone for the City of Syracuse Fireworks Celebration on Onondaga Lake Inner Harbor, Syracuse, NY in 33 CFR 165.939(a)(10) on June 26, 2009 from 9:30 p.m. to 10:30 p.m. and the safety zone for Rochester Harbor and Carousel Festival Fireworks on the Genesee River at Lake Ontario, Rochester, NY in 33 CFR 165.939(a)(12) on June 27, 2009 from 8 p.m. to 10 p.m. These regulations can be found in the May 19, 2008 issue of the **Federal Register** (73 FR 28704).

Under the provisions of 33 CFR 165.20, entry into, transiting, or anchoring within these safety zones is prohibited unless authorized by the Captain of the Port Buffalo or his designated representative. Vessels that wish to transit through the safety zones may request permission from the Captain of the Port Buffalo. Requests must be made in advance and approved by the Captain of Port before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Buffalo on channel 16, VHF-FM. The Coast Guard will give notice to the public via a Broadcast to Mariners that the regulation is in effect.

This notice is issued under authority of 33 CFR 165.939 and 5 U.S.C. 552(a). If the District Commander, Captain of the Port, or other official authorized to do so, determines that the regulated area need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the safety zone.

Dated: June 4, 2009.

R.S. Burchell,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. E9-14384 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165**

[Docket No. USCG-2009-0478]

RIN 1625-AA00

Safety Zone; Southside Summer Fireworks, St. Clair River, Port Huron, MI

AGENCY: Coast Guard, DHS.

Environment

We have analyzed this 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 concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. This rule involves a regulated navigation area and as such is covered by this paragraph.

An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under

ADDRESSES.

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: 33 U.S.C. 1226, 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.

■ 2. Add new temporary § 165.T09-0110 to read as follows:

§ 165.T09-0110 Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY.

(a) *Location.* The following area is a temporary safety zone: all waters of the Upper Niagara River, North Tonawanda, NY within two miles of the Grand Island Bridge located at 42°03'36" N, 078°54'45" W to 43°03'09" N, 078°55'21" W to 43°03'00" N, 078°53'42" W to 43°02'42" N, 078°54'09" W. All Geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Effective Period.* This regulation is effective from 11 a.m. August 29, 2009 to 6 p.m. August 30, 2009. This zone will be enforced from 11 a.m. to 6 p.m. on August 29, 2009 and August 30, 2009.

(c) *Regulations.* The general regulations contained in 33 CFR 165.23 apply.

(1) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed.

(2) Commercial vessels may request permission from the Captain of the Port Buffalo to transit the safety zone. Approval will be made on a case-by-case basis. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Sector Buffalo on Channel 16, VHF-FM.

Dated: May 29, 2009.

R.S. Burchell,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. E9-14382 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0472]

Safety Zones: Annual Events Requiring Safety Zones in the Captain of the Port Buffalo Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zones for annual fireworks displays in the Captain of the Port Buffalo Zone during June 1, 2009 through June 30, 2009. This action is necessary for the safety of life and property on navigable waters during these events. During the enforcement period, no person or vessel may enter the safety zones without the permission of the Captain of the Port Buffalo.

DATES: The regulations in 33 CFR 165.939(a)(10) and (a)(12) will be enforced on June 26, 2009 at 9:30 p.m. to 10:30 p.m. and June 27, 2009 at 8 p.m. to 10 p.m. respectively.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or e-mail LT Brian Sadler, Waterways Management Division Chief, Coast Guard Sector Buffalo, 1 Fuhrmann Blvd., Buffalo, NY 14203; telephone

716-843-9573, e-mail Brian.L.Sadler@USCG.MIL.

SUPPLEMENTARY INFORMATION:

The Coast Guard will enforce the safety zone for the City of Syracuse Fireworks Celebration on Onondaga Lake Inner Harbor, Syracuse, NY in 33 CFR 165.939(a)(10) on June 26, 2009 from 9:30 p.m. to 10:30 p.m. and the safety zone for Rochester Harbor and Carousel Festival Fireworks on the Genesee River at Lake Ontario, Rochester, NY in 33 CFR 165.939(a)(12) on June 27, 2009 from 8 p.m. to 10 p.m. These regulations can be found in the May 19, 2008 issue of the **Federal Register** (73 FR 28704).

Under the provisions of 33 CFR 165.20, entry into, transiting, or anchoring within these safety zones is prohibited unless authorized by the Captain of the Port Buffalo or his designated representative. Vessels that wish to transit through the safety zones may request permission from the Captain of the Port Buffalo. Requests must be made in advance and approved by the Captain of Port before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Buffalo on channel 16, VHF-FM. The Coast Guard will give notice to the public via a Broadcast to Mariners that the regulation is in effect.

This notice is issued under authority of 33 CFR 165.939 and 5 U.S.C. 552(a). If the District Commander, Captain of the Port, or other official authorized to do so, determines that the regulated area need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the safety zone.

Dated: June 4, 2009.

R.S. Burchell,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. E9-14384 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0478]

RIN 1625-AA00

Safety Zone; Southside Summer Fireworks, St. Clair River, Port Huron, MI

AGENCY: Coast Guard, DHS.

Environment

We have analyzed this 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 concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. This rule involves a regulated navigation area and as such is covered by this paragraph.

An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under

ADDRESSES.

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: 33 U.S.C. 1226, 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.

■ 2. Add new temporary § 165.T09-0110 to read as follows:

§ 165.T09-0110 Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY.

(a) *Location.* The following area is a temporary safety zone: all waters of the Upper Niagara River, North Tonawanda, NY within two miles of the Grand Island Bridge located at 42°03'36" N, 078°54'45" W to 43°03'09" N, 078°55'21" W to 43°03'00" N, 078°53'42" W to 43°02'42" N, 078°54'09" W. All Geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Effective Period.* This regulation is effective from 11 a.m. August 29, 2009 to 6 p.m. August 30, 2009. This zone will be enforced from 11 a.m. to 6 p.m. on August 29, 2009 and August 30, 2009.

(c) *Regulations.* The general regulations contained in 33 CFR 165.23 apply.

(1) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed.

(2) Commercial vessels may request permission from the Captain of the Port Buffalo to transit the safety zone. Approval will be made on a case-by-case basis. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Sector Buffalo on Channel 16, VHF-FM.

Dated: May 29, 2009.

R.S. Burchell,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. E9-14382 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0472]

Safety Zones: Annual Events Requiring Safety Zones in the Captain of the Port Buffalo Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zones for annual fireworks displays in the Captain of the Port Buffalo Zone during June 1, 2009 through June 30, 2009. This action is necessary for the safety of life and property on navigable waters during these events. During the enforcement period, no person or vessel may enter the safety zones without the permission of the Captain of the Port Buffalo.

DATES: The regulations in 33 CFR 165.939(a)(10) and (a)(12) will be enforced on June 26, 2009 at 9:30 p.m. to 10:30 p.m. and June 27, 2009 at 8 p.m. to 10 p.m. respectively.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or e-mail LT Brian Sadler, Waterways Management Division Chief, Coast Guard Sector Buffalo, 1 Fuhrmann Blvd., Buffalo, NY 14203; telephone

716-843-9573, e-mail Brian.L.Sadler@USCG.MIL.

SUPPLEMENTARY INFORMATION:

The Coast Guard will enforce the safety zone for the City of Syracuse Fireworks Celebration on Onondaga Lake Inner Harbor, Syracuse, NY in 33 CFR 165.939(a)(10) on June 26, 2009 from 9:30 p.m. to 10:30 p.m. and the safety zone for Rochester Harbor and Carousel Festival Fireworks on the Genesee River at Lake Ontario, Rochester, NY in 33 CFR 165.939(a)(12) on June 27, 2009 from 8 p.m. to 10 p.m. These regulations can be found in the May 19, 2008 issue of the **Federal Register** (73 FR 28704).

Under the provisions of 33 CFR 165.20, entry into, transiting, or anchoring within these safety zones is prohibited unless authorized by the Captain of the Port Buffalo or his designated representative. Vessels that wish to transit through the safety zones may request permission from the Captain of the Port Buffalo. Requests must be made in advance and approved by the Captain of Port before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Buffalo on channel 16, VHF-FM. The Coast Guard will give notice to the public via a Broadcast to Mariners that the regulation is in effect.

This notice is issued under authority of 33 CFR 165.939 and 5 U.S.C. 552(a). If the District Commander, Captain of the Port, or other official authorized to do so, determines that the regulated area need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the safety zone.

Dated: June 4, 2009.

R.S. Burchell,

Captain, U.S. Coast Guard, Captain of the Port Buffalo.

[FR Doc. E9-14384 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0478]

RIN 1625-AA00

Safety Zone; Southside Summer Fireworks, St. Clair River, Port Huron, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the Captain of the Port Detroit Zone on the St. Clair River, Port Huron, Michigan. This Zone is intended to restrict vessels from portions of the St. Clair River during the Southside Summer Fireworks. This temporary safety zone is necessary to protect spectators and vessels from the hazards associated with fireworks displays.

DATES: This rule is effective from 10 p.m. on June 27, 2009 until 11 p.m. on June 28, 2009.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG–2009–0478 and are available online by going to <http://www.regulations.gov>, selecting the Advanced Docket Search option on the right side of the screen, inserting USCG–2009–0478 in the Docket ID box, pressing Enter, and then clicking on the item in the Docket ID column. They are also available for inspection or copying at the following location: the 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail CDR Joseph Snowden, Prevention Department, Sector Detroit, Coast Guard; telephone (313) 568–9508, e-mail Joseph.H.Snowden@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This 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, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the permit application was not received in time to publish an NPRM followed by a final rule before the effective date and

immediate action is necessary to prevent possible loss of life and property that is potentially associated with this fireworks display.

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 this rule would be contrary to the public interest of ensuring the safety of spectators and vessels during this event, and immediate action is necessary to prevent possible loss of life and property. The Coast Guard has not received any complaints or negative comments previously with regard to events of this type and duration.

Background and Purpose

This temporary safety zone is necessary to ensure the safety of vessels and spectators from hazards associated with a fireworks display. Such hazards include obstructions to the waterway that may cause marine casualties and the explosive danger of fireworks and debris falling into the water that may cause death or serious bodily harm. Establishing a safety zone to control vessel movement around the location of the launch platform will help ensure the safety of persons and property at these events and help minimize the associated risks.

Discussion of Rule

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Southside Summer Fireworks Display. The fireworks display will occur between 10 p.m. and 11 p.m., June 27, 2009. If the event is delayed by inclement weather, the fireworks display will occur between 10 p.m. and 11 p.m. on June 28, 2009.

The safety zone will encompass all waters of St. Clair River within a 300 yard radius of position 42°57'55" N, 082°25'20" W. This position is located on the shore of the St. Clair River in the vicinity of Oak and 3rd Street, Port Huron, MI. All geographic coordinates are North American Datum of 1983 (NAD 83).

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on scene representative. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

This determination is based on the minimal time that vessels will be restricted from the zone and the zone is an area where the Coast Guard expects insignificant adverse impact to mariners from the zone’s activation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. 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.

This rule will affect the following entities, some of which may be small entities: The owners and operators of vessels intending to transit or anchor in a portion of the St. Clair River near Port Huron, MI between 10 p.m. on June 27, 2009 and 11 p.m. on June 28, 2009.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: This rule will only be in effect for one hour. In the event that this temporary safety zone affects shipping, commercial vessels may request permission from the Captain of the Port Detroit to transit through the safety zone. The Coast Guard will give notice to the public via

a Broadcast Notice to Mariners that the regulation is in effect.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

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.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for Federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for Federalism.

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 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.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and

Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This 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.

Protection of Children

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

Indian Tribal Governments

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.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or

adopted by voluntary consensus standards bodies.

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

Environment

We have analyzed this rule under Commandant Instruction M16475.ID and Department of Homeland Security Management Directive 023–01, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2–1, paragraph (34)(g) of the Instruction because it involves the establishment of a temporary safety zone. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

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: 33 U.S.C. 1226, 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.

■ 2. Add new temporary § 165.T09–0478 as follows:

§ 165.T09–0478 Safety Zone; Southside Summer Fireworks; St. Clair River; Port Huron, MI.

(a) *Location.* The following area is a temporary safety zone: all waters of St. Clair River within a 300 yard radius of position 42°57'55" N, 082°25'20" W. This position is located on the shore of the St. Clair River in the vicinity of Oak and 3rd Street, Port Huron, MI. All geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Effective Period.* This regulation is effective from 10 p.m. on June 27, 2009, to 11 p.m. on June 28, 2009. This regulation will be enforced from 10 p.m. until 11 p.m. on June 27, 2009. If the event is delayed by inclement weather,

this regulation will be enforced from 10 p.m. to 11 p.m. on June 28, 2009.

(c) **Regulations.** (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Detroit or his on-scene representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port or his on-scene representative.

Dated: June 3, 2009.

F.M. Midgette,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. E9-14388 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0477]

RIN 1625-AA00

Safety Zone; Sigma Gamma Fireworks, Lake St. Clair, Grosse Pointe Farms, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the Captain of the Port Detroit Zone on Lake St. Clair, Grosse Pointe Farms, Michigan. This Zone is intended to restrict vessels from portions of Lake St. Clair during the Sigma Gamma Fireworks. This temporary safety zone is necessary to protect spectators and

vessels from the hazards associated with fireworks displays.

DATES: This rule is effective from 9 p.m. until 10 p.m. on June 22, 2009.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG-2009-0477 and are available online by going to <http://www.regulations.gov>, selecting the Advanced Docket Search option on the right side of the screen, inserting USCG-2009-0477 in the Docket ID box, pressing Enter, and then clicking on the item in the Docket ID column. They are also available for inspection or copying at the following location: the 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail CDR Joseph Snowden, Prevention Department, Sector Detroit, Coast Guard; telephone (313) 568-9508, e-mail Joseph.H.Snowden@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This 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, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the permit application was not received in time to publish an NPRM followed by a final rule before the effective date and immediate action is necessary to prevent possible loss of life and property that is potentially associated with this fireworks display.

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 this rule would be contrary to the public interest of ensuring the safety of spectators and vessels during this event, and

immediate action is necessary to prevent possible loss of life and property. The Coast Guard has not received any complaints or negative comments previously with regard to events of this type and duration.

Background and Purpose

This temporary safety zone is necessary to ensure the safety of vessels and spectators from hazards associated with a fireworks display. Such hazards include obstructions to the waterway that may cause marine casualties and the explosive danger of fireworks and debris falling into the water that may cause death or serious bodily harm. Establishing a safety zone to control vessel movement around the location of the launch platform will help ensure the safety of persons and property at these events and help minimize the associated risks.

Discussion of Rule

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Sigma Gamma Fireworks Display. The fireworks display will occur between 9 p.m. and 10 p.m., June 22, 2009.

The safety zone will encompass all U.S. waters of Lake St. Clair, off Ford’s Cove, within a 300-yard radius of the fireworks launch site located at position 42°27’ N, 082°52’ W. All geographic coordinates are North American Datum of 1983 (NAD 83).

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on scene representative. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that

this regulation will be enforced from 10 p.m. to 11 p.m. on June 28, 2009.

(c) **Regulations.** (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Detroit or his on-scene representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port or his on-scene representative.

Dated: June 3, 2009.

F.M. Midgette,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. E9-14388 Filed 6-18-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0477]

RIN 1625-AA00

Safety Zone; Sigma Gamma Fireworks, Lake St. Clair, Grosse Pointe Farms, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the Captain of the Port Detroit Zone on Lake St. Clair, Grosse Pointe Farms, Michigan. This Zone is intended to restrict vessels from portions of Lake St. Clair during the Sigma Gamma Fireworks. This temporary safety zone is necessary to protect spectators and

vessels from the hazards associated with fireworks displays.

DATES: This rule is effective from 9 p.m. until 10 p.m. on June 22, 2009.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG-2009-0477 and are available online by going to <http://www.regulations.gov>, selecting the Advanced Docket Search option on the right side of the screen, inserting USCG-2009-0477 in the Docket ID box, pressing Enter, and then clicking on the item in the Docket ID column. They are also available for inspection or copying at the following location: the 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail CDR Joseph Snowden, Prevention Department, Sector Detroit, Coast Guard; telephone (313) 568-9508, e-mail Joseph.H.Snowden@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This 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, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the permit application was not received in time to publish an NPRM followed by a final rule before the effective date and immediate action is necessary to prevent possible loss of life and property that is potentially associated with this fireworks display.

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 this rule would be contrary to the public interest of ensuring the safety of spectators and vessels during this event, and

immediate action is necessary to prevent possible loss of life and property. The Coast Guard has not received any complaints or negative comments previously with regard to events of this type and duration.

Background and Purpose

This temporary safety zone is necessary to ensure the safety of vessels and spectators from hazards associated with a fireworks display. Such hazards include obstructions to the waterway that may cause marine casualties and the explosive danger of fireworks and debris falling into the water that may cause death or serious bodily harm. Establishing a safety zone to control vessel movement around the location of the launch platform will help ensure the safety of persons and property at these events and help minimize the associated risks.

Discussion of Rule

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Sigma Gamma Fireworks Display. The fireworks display will occur between 9 p.m. and 10 p.m., June 22, 2009.

The safety zone will encompass all U.S. waters of Lake St. Clair, off Ford’s Cove, within a 300-yard radius of the fireworks launch site located at position 42°27’ N, 082°52’ W. All geographic coordinates are North American Datum of 1983 (NAD 83).

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on scene representative. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that

Order. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

This determination is based on the minimal time that vessels will be restricted from the zone and the zone is an area where the Coast Guard expects insignificant adverse impact to mariners from the zone’s activation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. 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.

This rule will affect the following entities, some of which may be small entities: the owners and operators of vessels intending to transit or anchor in a portion of Lake St. Clair near Grosse Pointe Farms, MI between 9 p.m. and 10 p.m. on June 22, 2009.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: This rule will only be in effect for one hour. In the event that this temporary safety zone affects shipping, commercial vessels may request permission from the Captain of the Port Detroit to transit through the safety zone. The Coast Guard will give notice to the public via a Broadcast Notice to Mariners that the regulation is in effect.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

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.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

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 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.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This 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.

Protection of Children

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

Indian Tribal Governments

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.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

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

Environment

We have analyzed this rule under Commandant Instruction M16475.ID and Department of Homeland Security Management Directive 023–01, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically

excluded, under figure 2–1, paragraph (34)(g) of the Instruction because it involves the establishment of a temporary safety zone. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

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: 33 U.S.C. 1226, 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.

■ 2. Add new temporary § 165.T09–0477 as follows:

§ 165.T09–0477 Safety Zone; Sigma Gamma Fireworks; Lake St. Clair; Grosse Pointe Farms, MI.

(a) *Location.* The following area is a temporary safety zone: all U.S. waters of Lake St. Clair, off Ford’s Cove, within a 300-yard radius of the fireworks launch site located at position 42°27’ N, 082°52’ W. All geographic coordinates are North American Datum of 1983 (NAD 83).

(b) *Effective Period.* This regulation is effective and will be enforced from 9 p.m. until 10 p.m. on June 22, 2009.

(c) *Regulations.* (1) In accordance with the general regulations in section 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Detroit or his on-scene representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port or his on-scene representative.

Dated: June 3, 2009.

F.M. Midgette,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. E9–14389 Filed 6–18–09; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 112

[EPA–HQ–OPA–2008–0546; FRL–8919–9]

RIN 2050–AG49

Oil Pollution Prevention; Non-Transportation Related Onshore and Offshore Facilities

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is amending the dates by which facilities must prepare or amend their Spill Prevention, Control, and Countermeasure (SPCC) Plans, and implement those Plans to November 10, 2010. The Agency is also establishing November 10, 2010 as the date for farms to prepare or amend their Spill Prevention, Control, and Countermeasure Plans (SPCC Plans), and implement those Plans.

DATES: This final rule is effective June 19, 2009.

ADDRESSES: The public docket for this rulemaking, Docket ID No. EPA–HQ–OPA–2008–0546, contains the information related to this rulemaking, including the response to comment document. All documents in the docket are listed in index at the <http://www.regulations.gov>. Although listed in the index, some information may not be publicly available, such as Confidential Business Information (CBI) or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically at <http://www.regulations.gov> or in hard copy at the EPA Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number of the Public Reading Room is 202–566–1744, and the telephone number to make an appointment to view the docket is 202–566–0276.

FOR FURTHER INFORMATION CONTACT: For general information, contact the Superfund, TRI, EPCRA, RMP and Oil Information Center at (800) 424–9346 or TDD (800) 553–7672 (hearing impaired). In the Washington, DC metropolitan area, call (703) 412–9810 or TDD (703) 412–3323. For more detailed information on specific aspects of this final rule, contact either Vanessa Principe at (202) 564–7913 (principe.vanessa@epa.gov) or Mark W. Howard at (202) 564–1964 (howard.markw@epa.gov), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460–0002, Mail Code 5104A.

SUPPLEMENTARY INFORMATION:

I. General Information

Does This Action Apply to Me?

Industry sector	NAICS code
Oil Production	21111
Farms	111, 112
Electric Utility Plants	2211
Petroleum Refining and Related Industries	324
Chemical Manufacturing	325
Food Manufacturing	311, 312
Manufacturing Facilities Using and Storing Animal Fats and Vegetable Oils	311, 325
Metal Manufacturing	331, 332
Other Manufacturing	31–33
Real Estate Rental and Leasing	531–533

**DEPARTMENT OF HOMELAND
SECURITY**
Coast Guard
33 CFR Part 165
[Docket No. USCG-2009-0483]
RIN 1625-AA00
Safety Zone; Target Fireworks, Detroit River, Detroit, MI
AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone in the Captain of the Port Detroit Zone on the Detroit River, Detroit, Michigan. This Zone is intended to restrict vessels from portions of the Detroit River during the Target Fireworks. This temporary safety zone is necessary to protect spectators and vessels from the hazards associated with fireworks displays.

DATES: This rule is effective from 7 a.m., June 20, 2009 until 12:15 a.m., June 26, 2009.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG-2009-0483 and are available online by going to <http://www.regulations.gov>, selecting the Advanced Docket Search option on the right side of the screen, inserting USCG-2009-0483 in the Docket ID box, pressing Enter, and then clicking on the item in the Docket ID column. They are also available for inspection or copying at the following location: The 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, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail CDR Joseph Snowden, Prevention Department, Sector Detroit, Coast Guard; telephone (313) 568-9508, e-mail Joseph.H.Snowden@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:
Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This 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, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the permit application was not received in time to publish an NPRM followed by a final rule before the effective date and because immediate action is necessary to protect the safety of spectators and vessels.

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 this rule would be contrary to the public interest of ensuring the safety of spectators and vessels during this event, and immediate action is necessary to prevent possible loss of life and property. The Coast Guard has not received any complaints or negative comments previously with regard to events of this type and duration.

Background and Purpose

This temporary safety zone is necessary to ensure the safety of vessels and spectators from hazards associated with a fireworks display. Such hazards include obstructions to the waterway that may cause marine casualties and the explosive danger of fireworks and debris falling into the water that may cause death or serious bodily harm. Establishing a safety zone to control vessel movement around the location of the launch platform will help ensure the safety of persons and property at these events and help minimize the associated risks.

Discussion of Rule

A temporary safety zone is necessary to ensure the safety of spectators and vessels during the setup, loading, and launching of the Target Fireworks Display. The fireworks display will occur between 10 p.m. and 10:45 p.m., June 24, 2009. In the event of inclement weather, the fireworks display will occur between 10 p.m. and 10:45 p.m., June 25, 2009.

Three temporary safety zone areas will be in effect at different periods throughout the enforcement of this rule. The first safety zone area will encompass all waters of the Detroit River bounded by the arc of a circle with a 900-foot radius with its center in approximate position 42°19'23" N, 083°04'34" W from 7 a.m. to 9 p.m. on June 20, 2009, from 6 a.m. to 9 p.m. June 21, 2009, from 6 a.m. to 9 p.m. June 22,

2009, from 6 a.m. to 9 p.m. June 23, 2009 and from 6 a.m. to 5 p.m. on June 24, 2009, and in the event of inclement weather, from 6 a.m. to 5 p.m. on June 25, 2009.

The second safety zone area will encompass a portion of the Detroit River bounded on the South by the International Boundary line, on the West by 83°03'30" W, on the North by the City of Detroit shoreline and on the East by 083°01'15" W from 5 p.m. on June 24, 2009 through 12:15 a.m. on June 25, 2009, and in the event of inclement weather, from 5 p.m. on June 25 to 12:15 a.m. on June 26, 2009.

The third safety zone area will restrict vessels 65 feet in length or greater from navigation or anchorage within a portion of the Detroit River bounded on the South by the International Boundary line, on the West by the Ambassador Bridge, on the North by the City of Detroit shoreline, and on the East by a line near the downstream end of Belle Isle starting at the U.S. shoreline at position 42°20'17" N; 083°00'39" W, and extending to the International Boundary line at position 42°19'53" N; 083°00'15" W from 8 p.m. on June 24, 2009 through 12:15 a.m. on June 25, 2009, and in the event of inclement weather, from 8 p.m. on June 25 to 12:15 a.m. on June 26, 2009.

In the event of inclement weather, the date of the fireworks display will be June 25, 2009. All geographic coordinates are North American Datum of 1983 (NAD 83).

All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Detroit or his designated on scene representative. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that

Order. It is not “significant” under the regulatory policies and procedures of the Department of Homeland Security (DHS).

This determination is based on the minimal time that vessels will be restricted from the zone and the zone is an area where the Coast Guard expects insignificant adverse impact to mariners from the zone’s activation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. 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.

This rule will affect the following entities, some of which may be small entities: The owners and operators of vessels intending to transit or anchor in a portion of the Detroit River near Detroit, MI between 7 a.m. on June 20, 2009 and 12 a.m. on June 25, 2009.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons: This rule will only be in effect for a few days for one event, and throughout most of the enforcement period, navigation around the safety zone will be available. In the event that this temporary safety zone affects shipping, commercial vessels may request permission from the Captain of the Port Detroit to transit through the safety zone. The Coast Guard will give notice to the public via a Broadcast Notice to Mariners that the regulation is in effect.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

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.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for Federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for Federalism.

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 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.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This 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.

Protection of Children

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

Indian Tribal Governments

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.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

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

Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human

environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. This rule involves the establishment of a safety zone. Based on our preliminary determination, there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, we believe that this rule should be categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction, from further environmental documentation. Because this event establishes a safety zone, paragraph (34)(g) of the Instruction applies. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

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: 33 U.S.C. 1226, 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.

■ 2. Add new temporary § 165.T09-0483 as follows:

§ 165.T09-0483 Safety Zone; Target Fireworks; Detroit River; Detroit, MI.

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

(1) The first safety zone area will encompass all waters of the Detroit River bounded by the arc of a circle with a 900-foot radius with its center in approximate position 42°19'23" N, 083°04'34" W (NAD 83).

(2) The second safety zone area will encompass a portion of the Detroit River bounded on the South by the International Boundary line, on the West by 83°03'30" W, on the North by the City of Detroit shoreline and on the East by 083°01'15" W (NAD 83).

(3) The third safety zone will encompass a portion of the Detroit River bounded on the South by the International Boundary line, on the West by the Ambassador Bridge, on the North by the City of Detroit shoreline, and on the East by the downstream end of Belle Isle. The Captain of the Port Detroit has determined that vessels

below 65 feet in length may enter this zone.

(b) *Effective Period.*

(1) The first safety zone is effective from 7 a.m. on June 20, 2009 to 5 p.m. on June 25 2009. The first safety zone will be enforced from 7 a.m. to 9 p.m. on June 20, 2009, from 6 a.m. to 9 p.m. June 21, 2009, from 6 a.m. to 9 p.m. June 22, 2009, from 6 a.m. to 9 p.m. June 23, 2009 and from 6 a.m. to 5 p.m. on June 24, 2009. In the event of inclement weather, the first safety zone will also be enforced from 6 a.m. to 5 p.m. on June 25, 2009.

(2) The second safety zone is effective from 5 p.m. on June 24, 2009 through 12:15 a.m. on June 26, 2009. The second safety zone will be enforced from 5 p.m. on June 24, 2009 through 12:15 a.m. on June 25, 2009. In the event of inclement weather, the second safety zone will also be enforced from 5 p.m. on June 25, 2009 to 12:15 a.m. on June 26, 2009.

(3) The third safety zone is effective from 8 p.m. on June 24, 2009 through 12:15 a.m. on June 26, 2009. The third safety zone will be enforced from 8 p.m. on June 24, 2009 through 12:15 a.m. on June 25, 2009. In the event of inclement weather, the third safety zone will also be enforced from 8 p.m. on June 25, 2009 to 12:15 a.m. on June 26, 2009.

(c) *Regulations.*

(1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Detroit, or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Detroit or his designated on-scene representative.

(3) The "on-scene representative" of the Captain of the Port is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port to act on his behalf. The on-scene representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Detroit or his on-scene representative to obtain permission to do so.

(5) Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port or his on-scene representative.

Dated: June 8, 2009.

F.M. Midgette,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. E9-14549 Filed 6-19-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 1

Collection of Debts Owed by Reason of Participation in a Benefits Program

CFR Correction

In Title 38 of the Code of Federal Regulations, Parts 0 to 17, revised as of July 1, 2008, on page 91, in § 1.911, remove paragraphs (b)(1) through (b)(4).

[FR Doc. E9-14689 Filed 6-19-09; 8:45 am]

BILLING CODE 1505-01-D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 040205043-4043-01]

RIN 0648-XP56

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Closure of the 2009 Deepwater Grouper Commercial Fishery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS closes the commercial fishery for deepwater grouper (misty grouper, snowy grouper, yellowedge grouper, warsaw grouper, and speckled hind) in the exclusive economic zone (EEZ) of the Gulf of Mexico. NMFS has determined that the deepwater grouper quota for the commercial fishery will have been reached by June 27, 2009. This closure is necessary to protect the deepwater grouper resource.

DATES: Closure is effective 12:01 a.m., local time, June 27, 2009, until 12:01 a.m., local time, on January 1, 2010.

FOR FURTHER INFORMATION CONTACT: Catherine Bruger, telephone 727-551-5727, fax 727-824-5308, e-mail Catherine.Bruger@noaa.gov.

SUPPLEMENTARY INFORMATION: The reef fish fishery of the Gulf of Mexico is managed under the Fishery

A. Redesignating paragraphs (e)(26)(ii)(B)(2), (3) and (4) as paragraphs (e)(26)(ii)(B)(3), (4) and (5);

B. Adding a sentence to the end of the introductory text in paragraph (e)(26)(ii)(B);

C. Revising paragraph (e)(26)(ii)(B)(1)(ii);

D. Revising paragraph (e)(26)(ii)(B)(1)(iv);

E. Adding new paragraph (e)(26)(ii)(B)(1)(v); and

F. Adding a new paragraph (e)(26)(ii)(B)(2) to read as follows:

§ 199.4 Basic program benefits.

* * * * *

(e) * * *

(26) * * *

(ii) * * *

(B) * * * Additionally, Phase I studies may be approved on a case by case basis when the requirements below are met.

(1) * * *

(i) Such treatments are NCI sponsored Phase I, Phase II or Phase III protocols; and

* * * * *

(iv) The institutional and individual providers are CHAMPUS authorized providers; and,

(v) The requirements for Phase I protocols in paragraph (e)(26)(ii)(B)(2) of this section are met:

(2) Requirements for Phase I protocols are:

(i) Standard treatment has been or would be ineffective, does not exist, or there is no superior non-investigational treatment alternative; and,

(ii) The available clinical or preclinical data provide a reasonable expectation that the treatment will be at least as effective as the non-investigational alternative; and,

(iii) The facility and personnel providing the treatment are capable of doing so by virtue of their experience, training, and volume of patients treated to maintain expertise; and,

(iv) The referring physician has concluded that the enrollee's participation in such a trial would be appropriate based upon the satisfaction of paragraphs (e)(26)(ii)(B)(2)(i) through (e)(26)(ii)(B)(2)(iii) of this section.

* * * * *

Dated: May 15, 2009.

Patricia Toppings,

*OSD Federal Register Liaison Officer,
Department of Defense.*

[FR Doc. E9-14441 Filed 6-19-09; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[USCG-2009-0400]

RIN 1625-AA08

Regattas and Marine Parades; Great Lakes Annual Marine Events

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend special local regulations for annual regattas and marine parades in the Captain of the Port Sault Sainte Marie zone. This action is necessary to protect and separate the public from the hazards of these events. This proposed rule will establish restrictions upon, and control movement of, vessels in a specified area immediately prior to, during, and immediately after regattas or marine parades.

DATES: Comments and related materials must reach the Coast Guard on or before July 22, 2009.

ADDRESSES: You may submit comments identified by Coast Guard docket number USCG-2009-0400 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) *Online:* <http://www.regulations.gov>.

(2) *Mail:* 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.

(3) *Hand delivery:* Room W12-140 on the Ground Floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(4) *Fax:* 202-493-2251.

FOR FURTHER INFORMATION CONTACT:

LCDR Christopher Friese, Prevention Dept. Chief, Sector Sault Sainte Marie, 337 Water St., Sault Sainte Marie, MI 49783; 906-635-3220.

I. 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. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT's "Privacy Act" paragraph below.

A. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG-2009-0400), indicate the specific section of this document to which each comment applies, and give the reason for each comment. We recommend that you include your name, mailing address, and an e-mail address or other contact information in the body of your document to ensure that you can be identified as the submitter. This also allows us to contact you in the event further information is needed or if there are questions. For example, if we cannot read your submission due to technical difficulties and you cannot be contacted; your submission may not be considered. You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them 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. We may change this proposed rule in view of them.

B. 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> at any time, click on "Search for Dockets," and enter the docket number for this rulemaking (USCG-2008-XXXX) in the Docket ID box, and click enter. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

C. Privacy Act

Anyone can search the electronic form of all 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 the

Department of Transportation's Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://DocketsInfo.dot.gov>.

SUPPLEMENTARY INFORMATION:

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Commander, Coast Guard Sector Sault Sainte Marie at the address under **ADDRESSES** explaining why one 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**.

Background and Purpose

This proposed rule will add several regattas and marine parades not previously listed in 33 CFR Part 100. The specific events to be added are Copperhead Regatta, Houghton, MI, Spirit of the Lake Regatta, Superior, WI, Point to LaPoint Swim, LaPoint, WI, Duluth Rowing International Regatta, and Grand Marais Splash In, Grand Marais, MI.

Discussion of Proposed Rule

This proposed rule is intended to ensure safety of life on the navigable waters immediately prior to, during, and immediately after regattas or marine parades. This proposed rule will establish restrictions upon and control the movement of vessels through a specified area immediately prior to, during, and immediately after regattas or marine parades.

The Captain of the Port will cause notice of enforcement of the special local regulations established by this section to be made by all appropriate means to the affected segments of the public. Such means of notification will include, but is not limited to, Broadcast Notice to Mariners and Local Notice to Mariners. The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of the special local regulations is terminated.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

We expect the economic impact of this proposed rule to be so minimal that

a full Regulatory Evaluation is unnecessary.

The Coast Guard's use of these special local regulations will be periodic in nature, of short duration, and designed to minimize the impact on navigable waters. These special local regulations will only be enforced immediately before and during the time the marine events are occurring. Furthermore, these special local regulations have been designed to allow vessels to transit unrestricted to portions of the waterways not affected by the special local regulations. The Coast Guard expects insignificant adverse impact to mariners from the activation of these special local regulations.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. 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 proposed rule would not have a significant economic impact on a substantial number of small entities.

This proposed rule would affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit or anchor in the areas designated as special local regulations in this rule during the dates and times the special local regulations are being enforced.

These special local regulations would not have a significant economic impact on a substantial number of small entities for the following reasons. The special local regulations in this proposed rule would be in effect for short periods of time, and only once per year. The special local regulations have been designed to allow traffic to pass safely around the zone whenever possible and vessels will be allowed to pass through the zones with the permission of the Captain of the Port.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed 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 proposed rule would economically affect it.

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 so that they can better evaluate its effects on them and participate in the rulemaking. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact LCDR Christopher Friese, Prevention Dept. Chief, Sector Sault Sainte Marie, 337 Water St., Sault Sainte Marie, MI 49783; 906–635–3220. 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.

Collection of Information

This proposed rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

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 or more in any one year. Though this proposed rule will not result in such expenditure, we nevertheless discuss its effects elsewhere in this preamble.

Taking of Private Property

This proposed rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

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.

Protection of Children

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

Indian Tribal Governments

The Coast Guard recognizes the treaty rights of Native American Tribes. Moreover, the Coast Guard is committed to working with Tribal Governments to implement local policies and to mitigate tribal concerns. We have determined that these safety zones and fishing rights protection need not be incompatible. We have also determined that this proposed 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. Nevertheless, Indian Tribes that have questions concerning the provisions of this proposed rule or options for compliance are encouraged to contact the point of contact listed under **FOR FURTHER INFORMATION CONTACT**.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an

explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

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

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID and Department of Homeland Security Management Directive 023-01, 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 not likely to have a significant effect on the human environment. An environmental analysis checklist supporting this preliminary determination is 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 in 33 CFR Part 100

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 part 100 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 § 100.921 to read as follows:

§ 100.921 Copperhead Regatta, Houghton, MI.

(a) Regulated Area. A regulated area is established to encompass all waters west of the boundary line created by points 47°06'48" N, 088°30'04" W and 47°06'34" N, 088°30'48" W to the Houghton area lift Bridge (NAD 1983).

(b) Special Local Regulations. The regulations of § 100.901 apply. No vessel may enter, transit through, or anchor within the regulated area without the permission of the Coast Guard Patrol Commander.

(c) Effective date: The last Saturday in September. The exact dates and times for this event will be determined annually, and published through Local Notice to Mariners and Broadcast Notice to Mariners.

3. Add § 100.922 to read as follows:

§ 100.922 Spirit of the Lake Regatta, Superior, WI.

(a) Regulated Area. A regulated area is established to encompass all waters within the Superior Front Channel bounded by a line starting at 46°42.47' N, 092°02.42' W then running northeast to position 46°42.52' N, 092°02.36' W then running northwest to position 46°44.30' N, 092°04.75' W then running southwest to position 46°44.26' N, 092°05.03' W then running southeast back to the starting point (NAD 1983).

(b) Special Local Regulations. The regulations of § 100.901 apply. No vessel may enter, transit through, or anchor within the regulated area without the permission of the Coast Guard Patrol Commander.

(c) Effective Date. This event occurs the second weekend in September. The exact dates and times for this event will be determined annually, and published through Local Notice to Mariners and Broadcast Notice to Mariners.

4. Add § 100.923 to read as follows:

§ 100.923 Pointe to LaPointe Swim, LaPointe, WI.

(a) Regulated Area. A regulated area is established to include all waters of Lake Superior extending 50 yards on both sides of a line starting at position 46°48.50' N, 090°48.41' W then running southeast to position 46°47.12' N, 090°47.19' W (NAD 1983).

(b) Special Local Regulations. The regulations of § 100.901 apply. No vessel may enter, transit through, or anchor within the regulated area without the permission of the Coast Guard Patrol Commander.

(c) Effective Date. This event occurs the second weekend in August. The exact dates and times for this event will be determined annually and published through Local Notice to Mariners and Broadcast Notice to Mariners.

5. Add § 100.924 to read as follows:

§ 100.924 Duluth Rowing International Regatta.

(a) Regulated Area. A regulated area is established to include all waters adjacent to Park Point in Duluth-Superior Harbor within the following boundaries beginning at latitude 46°45'19.3" N, longitude 92°04'43" W; thence to latitude 46°45'11.7" N, longitude 92°05'01" W; thence to latitude 46°44'21.2" N, longitude 92°04'15.7" W; thence to latitude

46°44'29.4" N, longitude 92°03'57.5" W; thence to the point of beginning (NAD 1983). This area is also the Special Anchorage Area for Duluth-Superior Harbor as designated in 33 CFR § 110.77a.

(b) Special Local Regulations. The regulations of § 100.901 apply. No vessel may enter, transit through, or anchor within the regulated area without the permission of the Coast Guard Patrol Commander.

(c) Effective Date. This event occurs the second weekend in July. The exact dates and times for this event will be determined annually and published through Local Notice to Mariners and Broadcast Notice to Mariners.

6. Add § 100.925 to read as follows:

§ 100.925 Grand Marais Splash In, Grand Marais, MI.

(a) Regulated Area. A regulated area is established to include all waters of Lake Superior within a 1500-foot radius of position 46°40.37' N, 085°58.74' W (NAD 1983).

(b) Special Local Regulations. The regulations of § 100.901 apply. No vessel may enter, transit through, or anchor within the regulated area without the permission of the Coast Guard Patrol Commander.

(c) Effective Date. This event occurs the third week in June. The exact dates and times for this event will be determined annually and published through Local Notice to Mariners and Broadcast Notice to Mariners.

Dated: June 8, 2009.

M.J. Huebschman,

Captain, U.S. Coast Guard, Captain of the Port Sault Sainte Marie.

[FR Doc. E9-14552 Filed 6-19-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 146

[Docket Number USCG-2008-1088]

RIN 1625-AB28

Notice of Arrival on the Outer Continental Shelf

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to enhance maritime domain safety and security awareness on units and personnel engaging in activities on the Outer Continental Shelf by proposing regulations which will require notice of

arrival for units planning to engage in Outer Continental Shelf activities. The proposed rules would implement provisions of the Security and Accountability for Every Port Act of 2006 and increase overall maritime domain awareness by requiring owners or operators of United States and foreign flag floating facilities, mobile offshore drilling units, and vessels to submit notice of arrival information to the National Vessel Movement Center prior to engaging in Outer Continental Shelf activities.

DATES: Comments and related material must either be submitted to our online docket via <http://www.regulations.gov> on or before September 21, 2009 or reach the Docket Management Facility by that date.

Comments sent to the Office of Management and Budget (OMB) on collection of information must reach OMB on or before September 21, 2009.

ADDRESSES: You may submit comments identified by Coast Guard docket number USCG-2008-1088 using any one of the following methods:

(1) *Federal eRulemaking Portal*

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

(2) *Fax:* 202-493-2251.

(3) *Mail:* 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.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these methods. For instructions on submitting comments, see the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

Collection of Information Comments: If you have comments on the collection of information discussed in section V.D. of this notice of proposed rulemaking (NPRM), you must also send comments to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget. To ensure that your comments to OIRA are received on time, the preferred methods are by e-mail to oira_submission@omb.eop.gov (include the docket number and "Attention: Desk Officer for Coast Guard, DHS" in the subject line of the e-mail) or fax at 202-395-6566. An alternate, though slower, method is by U.S. mail to the Office of Information and Regulatory Affairs, Office of

Management and Budget, 725 17th Street, NW., Washington, DC 20503, ATTN: Desk Officer, U.S. Coast Guard.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or e-mail Mr. James M. Magill, Vessel and Facility Operating Standards Division (CG-5222), Coast Guard; telephone 202-372-1414, e-mail James.M.Magill@uscg.mil. If you have questions on viewing or submitting material to the docket, call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

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I. 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.

A. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG-2008-1088), 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 or by fax, mail, or hand delivery, but please use only one of these means. We recommend that you include your name and a mailing address, an e-mail address, or a phone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comments online, go to <http://www.regulations.gov>, select the