

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 155**

[USCG-1998-3417]

RIN 1625-AA19

**Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil****AGENCY:** Coast Guard, DHS.**ACTION:** Rule; information collection approval; clarification.

**SUMMARY:** On September 3, 2010, the Coast Guard announced the Office of Management and Budget (OMB) approval of the information collection associated with the vessel response plan salvage and marine firefighting requirements for tank vessels carrying oil. That announcement indicated that the collection of information requirements would be enforced beginning September 3, 2010. This document clarifies that although OMB has approved the information collection, the compliance date for updates to vessel response plans required by the Salvage and Marine Firefighting final rule remains February 22, 2011.

**DATES:** The collection of information approved under OMB Control Number 1625-0066 became enforceable beginning September 3, 2010. The compliance date for updates to vessel response plans required by the Salvage and Marine Firefighting final rule remains February 22, 2011.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this document contact Lieutenant Commander Ryan Allain at 202-372-1226 or *Ryan.D.Allain@uscg.mil*. If you have questions on viewing the docket (USCG-1998-3417), call Ms. Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** On December 31, 2008, the Coast Guard published a final rule entitled "Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil" (73 FR 80618). The final rule amended the vessel response plan salvage and marine firefighting requirements for tank vessels carrying oil. The final rule included information collection requirements affecting OMB Control Number 1625-0066 that could not be enforced without approval by OMB. In the final rule the Coast Guard stated that it would publish notice in the **Federal Register** announcing OMB's decision to

approve, modify, or disapprove the collection.

On August 31, 2009, the Coast Guard published another final rule concerning vessel response plans, "Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technology Revisions" (74 FR 45004). One of the effects of this rule was to defer the compliance date for the salvage and marine firefighting requirements from June 1, 2010, to February 22, 2011.

The information collection associated with OMB Control Number 1625-0066 affects a variety of vessel response plans, not just salvage and marine firefighting requirements. On August 20, 2010, OMB approved the Coast Guard's requested revisions to OMB Control Number 1625-0066, and on September 3, 2010, the Coast Guard published a notice announcing this approval (75 FR 54026). OMB approval of this information collection does not alter the existing compliance date for vessel response plan salvage and marine firefighting requirements for tank vessels carrying oil.

Dated: September 9, 2010.

**Kathryn Sinniger,***Acting Chief, Office of Regulations and Administrative Law.*

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**BILLING CODE 9110-04-P****DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket No. USCG-2010-0786]

RIN 1625-AA00

**Safety Zone; Illinois River, Mile 000.5 to 001.5****AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for all waters of the Illinois River, Mile 000.5 to 001.5, extending the entire width of the river. This safety zone is needed to protect persons and vessels from safety hazards associated with a land based firework display occurring on the Illinois River. Entry into this zone will be prohibited unless specifically authorized by the Captain of the Port Upper Mississippi River or a designated representative.

**DATES:** This rule is effective from 9 p.m. until 10 p.m. on September 18, 2010.

**ADDRESSES:** Documents indicated in this preamble as being available in this docket are part of docket USCG-2010-0786 and are available online by going to <http://www.regulations.gov>, inserting USCG-2010-0786 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at 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 Lieutenant (LT) Rob McCaskey, Sector Upper Mississippi River Response Department at telephone 314-269-2541, e-mail *Rob.E.McCaskey@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." The Coast Guard finds that it would be impracticable to publish a notice of proposed rulemaking (NPRM) with respect to this rule because the event would occur before the rulemaking process could be completed.

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**. Publishing a NPRM and delaying its effective date would be impracticable because immediate action is needed to protect vessels and mariners from the safety hazards associated with a land based fireworks display.

**Basis and Purpose**

On September 18, 2010 the City of Grafton will be conducting a land based fireworks display at mile 001.0 on the Illinois River. This event presents safety hazards to the navigation of vessels between mile 000.5 and mile 001.5, extending the entire width of the river. A safety zone around the launch site is