

Interference with Constitutionally Protected Property Rights.

#### 9. 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.

#### 10. 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.

#### 11. 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.

#### 12. Energy Effects

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

#### 13. Technical Standards

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

#### 14. 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 determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the creation of three temporary safety zones that will be enforced for a total of 31 minutes. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction. An environmental analysis checklist supporting this determination and a Categorical Exclusion 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 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 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. 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, 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add a temporary § 165.T07-1041 to read as follows:

#### § 165.T07-1041 Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port Miami Zone, FL.

(a) *Regulated Areas.* The following regulated areas are safety zones:

(1) *Miami, FL.* All waters within a 280 yard radius around the barge from which the fireworks will be launched, located on Biscayne Bay in approximate position 25°46'32" N, 80°10'56" W. This regulated area will be enforced from 10:00 p.m. on December 31, 2012 until 12:30 a.m. on January 1, 2013.

(2) *Miami Beach, FL.* All waters within a 280 yard radius around the barge from which the fireworks will be launched, located on Biscayne Bay in approximate position 25°46'55" N, 80°08'41" W. This regulated area will be enforced from 10:00 p.m. on December 31, 2012 until 12:30 a.m. on January 1, 2013.

(3) *Palm Beach, FL.* All waters within a 280 yard radius around the barge from which the fireworks will be launched, located on Intracoastal Waterway in approximate position 26°42'32" N, 80°02'48" W. This regulated area will be enforced from 10:00 p.m. on December 31, 2012 until 12:30 a.m. on January 1, 2013.

(b) *Palm Beach, FL.* All waters within a 280 yard radius around the barge from which the fireworks will be launched, located in the Intracoastal Waterway in approximate position 26°42'32" N, 80°02'48" W. This regulated area will be enforced from 10:00 p.m. on December 31, 2012 until 12:30 a.m. on January 1, 2013.

(b) *Definition.* The term "designated representative" means Coast Guard

Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Miami in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated areas unless authorized by the Captain of the Port Miami or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated areas may contact the Captain of the Port Miami by telephone at 305-535-4472, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated areas is granted by the Captain of the Port Miami or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port Miami or a designated representative.

(3) The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

(d) *Effective Date.* This rule is effective from 10:00 p.m. on December 31, 2012 until 12:30 a.m. on January 1, 2013.

Dated: December 7, 2012.

**C.P. Scraba,**

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

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#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2012-1064]

#### Safety Zone; Fireworks Event in Captain of the Port New York Zone

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone in the Captain of the Port New York Zone on the specified date and time. This action is necessary to ensure the safety of vessels and spectators from hazards associated with fireworks displays. During the

enforcement period, no person or vessel may enter the safety zone without permission of the Captain of the Port.

**DATES:** The regulation for the safety zone described in 33 CFR 165.160 will be enforced on the date and time listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or email Lieutenant Junior Grade Kristopher Kesting, Coast Guard; telephone 718-354-4154, email [Kristopher.R.Kesting@uscg.mil](mailto:Kristopher.R.Kesting@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone listed in 33 CFR 165.160 on the specified date and time as indicated in Table 1 below. This regulation was published in the **Federal Register** on November 9, 2011 (76 FR 69614).

TABLE 1

1. Circle Line NYE Fireworks, Liberty Island Safety Zone, 33 CFR 165.160(2.1).	<ul style="list-style-type: none"> <li>• Launch site: A barge located in approximate position 40°41'16.5" N, 074°02'23" W (NAD 1983) located in Federal Anchorage 20-C, about 360 yards east of Liberty Island.</li> <li>• Date: December 31, 2012–January 1, 2013.</li> <li>• Time: 11:30 p.m.–12:40 a.m.</li> </ul>
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Under the provisions of 33 CFR 165.160, a vessel may not enter the regulated area unless given express permission from the Captain of the Port (COTP) or the designated representative. Spectator vessels may transit outside the regulated area but may not anchor, block, loiter in, or impede the transit of other vessels. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

This notice is issued under authority of 33 CFR 165.160(a) and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide mariners with advanced notification of enforcement periods via the Local Notice to Mariners and marine information broadcasts. If the COTP determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: December 7, 2012.

**G.P. Hitchen,**

*Captain, U.S. Coast Guard Acting Captain of the Port New York.*

[FR Doc. 2012-30761 Filed 12-20-12; 8:45 am]

**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2012-0029; FRL-9367-6]

### Chlorantraniliprole; Pesticide Tolerances, Technical Correction

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

**ACTION:** Final rule; technical correction.

**SUMMARY:** EPA issued a final rule in the **Federal Register** of October 3, 2012, concerning the establishment of tolerances for the insecticide chlorantraniliprole on multiple

commodities. This document corrects inadvertent errors and omissions. The corrections are further discussed in Unit II.

**DATES:** This technical correction is effective December 21, 2012.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2012-0029, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. 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 for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Urbanski, Registration Division, (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (703) 347-0156; email address: [urbanski.jennifer@epa.gov](mailto:urbanski.jennifer@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Does this action apply to me?

The Agency included in the final rule a list of those who may be potentially affected by this action.

#### II. What does this technical correction do?

EPA issued a final rule in the **Federal Register** on October 3, 2012, establishing tolerances for residues of the insecticide chlorantraniliprole in or on multiple commodities. (77 FR 60311). That rule incorrectly established tolerances for “Rapeseed subgroup 20B” and “Sunflower subgroup 20C.” Under

EPA’s crop group regulation there are no such crop groups or subgroups. Rather, as correctly indicated several times in the preamble to the rule, including in the description of the action being taken by the Agency and the amendatory instruction for § 180.628, the correct regulatory crop subgroup designation is “Rapeseed subgroup 20A” and “Sunflower subgroup 20B.” The rule also incorrectly established the tolerance level for the Sunflower subgroup as 0.3 parts per million (ppm) instead of 2.0 ppm, as indicated in the preamble. Both the correct crop subgroup names and the 2.0 tolerance level for the Sunflower subgroup tolerance were included in the publication of the notice of the petition. (77 FR 20344, April 4, 2012). The October 3, 2012 rule also incorrectly established tolerances for “Vegetable, foliage of legume, group 7, forage” and “Vegetable, foliage of legume, group 7, hay”. Under EPA’s crop group regulation there are no such crop groups. Rather, there is only a crop group for “Vegetable, foliage of legume, group 7.” The petition correctly requested a tolerance for “Vegetable, foliage of legume, group 7.” Therefore, this correction is replacing those two incorrect crop group designations and tolerances with “Vegetable, foliage of legume, group 7” at a tolerance of 90 ppm.

In addition, despite indicating that EPA was granting the petitioner’s request for the revocation of existing tolerances made redundant by the establishment of crop group tolerances, EPA failed to remove from § 180.628 the tolerances for cotton, undelinted seed, and lunaria, seed, even though tolerances for Cottonseed subgroup 20C and Rapeseed subgroup 20A, which cover cotton, undelinted seed and lunaria seed were granted. Therefore, EPA is revoking the tolerances for cotton, undelinted seed, and lunaria, seed, to address these redundancies.