N., 077°01'19.8" W., southward across the Anacostia River to the District of Columbia shoreline at Giesboro Point at position 38°50'52.4" N., 077°01'10.9" W., including the waters of the Washington Channel;

(3) Zone 3. All navigable waters of the Potomac River, from shoreline to shoreline, bounded to the north by a line drawn from the Virginia shoreline at Ronald Reagan Washington National Airport, at 38°51'23.3" N., 077°02'00.0" W., eastward across the Potomac River to the District of Columbia shoreline at Hains Point at position 38°51'24.3" N., 077°01'19.8" W., thence southward across the Anacostia River to the District of Columbia shoreline at Giesboro Point at position 38°50'52.4" N., 077°01'10.9" W., and bounded to the south by the Woodrow Wilson Memorial (I–95/I–495) Bridge, at mile 103.8.

(4) Zone 4. All navigable waters of the Georgetown Channel of the Potomac River, 75 yards from the eastern shore measured perpendicularly to the shore, between the Long Railroad Bridge (the most eastern bridge of the 5-span, Fourteenth Street Bridge Complex) to the Theodore Roosevelt Memorial Bridge; and all waters in between, totally including the waters of the Georgetown Channel Tidal Basin.

(5) Zone 5. All navigable waters in the Potomac River, including the Boundary Channel and Pentagon Lagoon, bounded on the west by a line running north to south from points along the shoreline at 38°52'50" N., 077°03'25" W., thence to 38°52'49" N., 077°03'25" W.; and bounded on the east by a line running from points at 38°53'10" N., 077°03'30" W., thence northeast to 38°53'12" N., 077°03'26" W., thence southeast to 38°52'31" N., 077°02'34" W., and thence southwest to 38°52'28" N., 077°02'38" W.

(6) Zone 6. All navigable waters described in paragraphs (a)(1) through (a)(3) of this section.

(b) Regulations. The general security zone regulations found in 33 CFR 165.33 apply to the security zones created in this section, § 165.508.

(1) Entry into or remaining in a zone listed in paragraph (a) in this section is prohibited unless authorized by the Coast Guard Captain of the Port Maryland-National Capital Region. Public vessels and vessels already at berth at the time the security zone is implemented do not have to depart the security zone. All vessels underway within the security zone at the time it is implemented are to depart the zone at the time the security zone is implemented.

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

(3) The U.S. Coast Guard may be assisted in the patrol and enforcement of the security zones listed in paragraph (a) in this section by Federal, State, and local agencies.

(c) Definitions. As used in this section:

Captain of the Port Maryland-National Capital Region means the Commander, U.S. Coast Guard Sector Maryland-National Capital Region or any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port to act on his or her behalf.

Designated representative means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Maryland-National Capital Region to assist in enforcing the security zones described in paragraph (a) of this section.

Public vessel means a vessel that is owned or demise–bareboat) chartered by the government of the United States, by a State or local government, or by the government of a foreign country and that is not engaged in commercial service.

(d) Enforcement. (1) In addition to the specified times in paragraphs (d)(2) through (4) of this section, the security zones created by this section will be enforced only upon issuance of a notice of enforcement by the Captain of the Port Maryland-National Capital Region. The Captain of the Port Maryland-National Capital Region will cause notice of enforcement of these security zones to be made by all appropriate means to the affected segments of the public of the enforcement dates and times of the security zones including publication in the Federal Register, 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.

(2) Security Zone 4, established in paragraph (a)(4) of this section, will be enforced annually from 12:01 a.m. to 11:59 p.m. on July 4.

(3) Security Zone 5, established in paragraph (a)(5) of this section, will be enforced annually on three dates: Memorial Day (observed), September 11, and November 11. Security Zone 5 will be enforced from 10 a.m. until 1 p.m. on Memorial Day (observed); from 8 a.m. until 11:59 a.m. on September 11; and from 10 a.m. until 1 p.m. on November 11.

(4) Security Zone 6, established in paragraph (a)(6) of this section, will be enforced annually on the day the State of the Union Address is delivered. Security Zone 6 will be enforced from 9 a.m. on the day of the State of the Union Address until 2 a.m. on the following day.

(e) Suspension of enforcement. (1) The Captain of the Port Maryland-National Capital Region may suspend enforcement of the enforcement period in paragraphs (d)(1) through (4) of this section earlier than listed in the notice of enforcement. Should the Captain of the Port Maryland-National Capital Region suspend the zone earlier than the duration listed, he or she will make the public aware of this suspension by Broadcast Notice to Mariners and/or on–scene notice by his or her designated representative.

Dated: November 9, 2016.

Lonnie P. Harrison, Jr.,
Captain, U.S. Coast Guard, Captain of the Port Maryland-National Capital Region.
The amendments to part 686 are effective on July 1, 2017, except for amendatory instructions 4.A., 4.B., 4.C.i., 4.C.x. and 4.C.xi., amending 34 CFR 686.2(d) and (e), which are effective on July 1, 2021.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271
[40 CFR Part 271]

[40 CFR Part 271]

State of Nebraska; Authorization of State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: Nebraska has applied to the Environmental Protection Agency (EPA) for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has determined that these revisions satisfy all requirements needed to qualify for final authorization and is authorizing Nebraska’s revisions through this direct final rule.

DATES: This final authorization will become effective on January 17, 2017, unless EPA receives adverse written comments by December 19, 2016. If EPA receives such comments, we will publish a timely withdrawal of this direct final rule in the Federal Register informing the public that this rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–RCRA–2016–0637, to http://www.regulations.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (i.e. on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit http://www2.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT: Lisa Haugen, EPA Region 7, Enforcement Coordination Office, 11201 Renner Boulevard, Lenexa, Kansas 66219, phone number: (913) 551–7877, and email address: haugen.lisa@epa.gov.

SUPPLEMENTARY INFORMATION: In the “Proposed Rules” section of this Federal Register, we are publishing a separate document that will serve as the proposal to authorize the revisions. EPA believes this action is not controversial and does not expect comments that oppose it. Unless EPA receives written comments that oppose this authorization during the comment period, the decision to authorize Nebraska’s revisions to its hazardous waste program will take effect. If EPA receives comments that oppose this action, EPA will publish a document in the Federal Register withdrawing today’s direct final rule before it takes effect.

Authorization of State-Initiated Changes

A. Why are revisions to State programs necessary?

States which have received final authorization from EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. As the Federal program is revised, the states must change their programs and ask the EPA to authorize the changes. Changes to state hazardous waste programs may be necessary when Federal or state statutory or regulatory authority is modified or when certain other changes occur. Most commonly, states must change their programs because of changes to EPA’s regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 268, 270, 273 and 279. States can also initiate their own changes to their hazardous waste program and these changes must then be authorized.

B. What decisions have we made in this rule?

EPA concludes that Nebraska’s application to revise its authorized program meets all of the statutory and regulatory requirements established by RCRA. Therefore, EPA is granting Nebraska final authorization to operate its hazardous waste program with the revisions described in the authorization application. Nebraska has responsibility for permitting Treatment, Storage, and Disposal Facilities (TSDFs) within its borders (except in Indian Country) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates under the authority of HSWA take effect in authorized states before they are authorized for the requirements. Thus, EPA will implement those requirements and prohibitions in Nebraska, including issuing permits, until Nebraska is granted authorization to do so.

C. What is the effect of this authorization decision?

The effect of this decision is that a facility in Nebraska subject to RCRA will now have to comply with the authorized state requirements instead of the equivalent Federal requirements in order to comply with RCRA. Nebraska has enforcement responsibilities under its state hazardous waste program for violations of such program, but EPA retains its authority under RCRA sections 3007, 3008, 3013, and 7003, which include, among others, authority to: (1) Perform inspections, and require monitoring, tests, analyses, or reports; and (2) Enforce RCRA requirements and suspend or revoke permits. This action does not impose additional requirements on the regulated community because the regulations for which Nebraska is being authorized by this direct final action are already effective and are not changed by this action.

D. Why wasn’t there a proposed rule before this rule?

Along with this direct final rule, EPA is publishing a separate document in the “Proposed Rules” section of this Federal Register that serves as the proposal to authorize these state program revisions. EPA did not publish a proposal before this direct final action because EPA views this action as a routine program change and does not expect comments that oppose its approval. EPA is providing an opportunity for public comment now, as described in Section E of this document.

E. What happens if EPA receives comments that oppose this action?

If EPA receives comments that oppose this authorization, we will withdraw this rule by publishing a document in the Federal Register before the rule