

made immediately effective by Emergency AD 2010–19–51, issued August 31, 2010, which contained the requirements of this amendment.

**Note 3:** The subject of this AD is addressed in Transport Canada AD No. CF–2010–29, dated August 26, 2010.

Issued in Fort Worth, Texas, on November 9, 2010.

**Kim Smith,**

*Manager, Rotorcraft Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG–2010–0999]

**RIN 1625–AA00**

#### **Safety Zone; Gulf Intracoastal Waterway, Mile Marker 49.0 to 50.0, west of Harvey Locks, Bank to Bank, Bayou Blue Pontoon Bridge, Lafourche Parish, LA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary Final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone in the Gulf Intracoastal Waterway extending from Mile Marker 49.0 to Mile Marker 50.0, bank to bank, West of Harvey Locks, Lafourche Parish, LA. This Safety Zone is needed to protect the general public, vessels, and tows from destruction, loss, or injury due to repairs of the Bayou Blue Pontoon Bridge and associated hazards.

**DATES:** This rule is effective in the CFR on November 24, 2010 through February 28, 2011. This rule is effective with actual notice for purposes of enforcement on October 28, 2010. This rule will remain in effect until February 28, 2011.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG–2010–0999 and are available online by going to <http://www.regulations.gov>, inserting USCG–2010–0999 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 Junior Grade (LTJG) Barron Lacy, Coast Guard; telephone 985–857–8507 ext. 232, e-mail [Barron.K.Lacy@uscg.mil](mailto:Barron.K.Lacy@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 publishing a NPRM would be impracticable, as immediate action is needed to protect the general public, vessel and tows from hazards associated with the repairs of the Bayou Blue Pontoon Bridge, Mile Marker 49.8, Gulf Intracoastal Waterway, West of Harvey Locks.

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, as immediate action is needed to protect the general public, vessel and tows from hazards associated with the repairs of the Bayou Blue Pontoon Bridge, Mile Marker 49.8, Gulf Intracoastal Waterway, West of Harvey Locks.

##### **Background and Purpose**

The Bayou Blue Pontoon Bridge on State Route 316 across the Gulf Intracoastal Waterway, Mile 49.8 West of Harvey Lock, near Bourg, Louisiana has been severely damaged as the result of a vessel allision. The pontoon barge has been secured along the north side of the waterway and protrudes approximately 30 feet into the navigational channel. Most of the fender system has been destroyed or has been seriously damaged. As a result, the bridge must be repaired, and the Coast Guard is establishing a safety zone to ensure the safety of persons and vessels due to the hazards during this time.

##### **Discussion of Rule**

The Coast Guard is establishing a temporary Safety Zone in the Gulf Intracoastal Waterway from Mile Marker 49.0 to 50.0, bank to bank, West of Harvey locks. The temporary Safety Zone will continue from November 1, 2010 through February 28, 2011. Vessels and tows may not enter this zone unless authorized by the Captain of the Port Morgan City.

In order to facilitate repairs, the following waterway closure schedule will be implemented Mondays through Fridays beginning November 1, 2010 and continuing through the end of February, 2011, at the following times:

6 a.m. to 10:30 a.m.—Complete closure with the exception of small tows less than 40 feet wide and small boats.

10:30 a.m. to 1:30 p.m.—Open to all tows with eastbound traffic allowed to transit first, followed by westbound traffic.

1:30 p.m. to 6 p.m.—Complete closure with the exception of small tows less than 40 feet and small boats. Outside of the above closure times and on weekends, mariners will be able to transit through the work zone unrestricted. Additionally, no waterway restrictions will occur during the following holidays: Thanksgiving holidays (November 25 through 28, 2010); Christmas Holidays (December 24 through 26, 2010) and New Year’s Holidays (December 31, 2010 through January 2, 2011). Diving operations will be conducted throughout the repair operation. All mariners are to contact the bridge on VHF–FM Channel 13 or at telephone 985–857–3666 in advance of arriving at the bridge for clearance and passing instructions. Mariners may also contact the attendant tug, M/V MISS DIXIE on VHF–FM Channel 13. Once cleared for passage, mariners should exercise extreme caution and transiting through the bridge at slowest safe speed.

##### **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.

This rule will only be in effect for a short period of time and notifications to the marine community will be made through broadcast notice to mariners and Local Notice to Mariners. The impacts on routine navigation are expected to be minimal.

### **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 or operators of vessels intending to transit through the Safety Zone from 01 NOV, 2010 through 28 FEB, 2011. This Safety Zone will not have a significant economic impact on a substantial number of small entities because this rule will be in effect for only a short period of time.

If you are a small business entity and are significantly affected by this regulation, please contact LTJG Barron Lacy, Marine Safety Unit Houma, at 985–857–8507 ext. 232.

### **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 (adjusted for inflation) 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 cause 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 an emergency situation and will be in effect for over one week, but is not expected to result in any significant adverse environmental impact as described in NEPA.

An environmental analysis checklist and a categorical exclusion

determination will be provided and made available at the docket as indicated in the **ADDRESSES** section.

#### 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(g), 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 § 165.T08–0999 to read as follows:

**§ 165.T08–0999 Safety Zone; Gulf Intracoastal Waterway, Mile Marker 49.0 to Mile Marker 50.0, West of Harvey Locks, bank to bank, Lafourche Parish, LA.**

(a) *Enforcement areas.* Gulf Intracoastal Waterway, Mile Marker 49.0 to Mile Marker 50.0, West of Harvey Locks, bank to bank, Lafourche Parish, LA.

(b) *Enforcement times.* This safety zone will be enforced at the following times:

(1) *6 a.m. to 10:30 a.m.*—Complete closure with the exception of small tows less than 40 feet wide and small boats.

(2) *10:30 a.m. to 1:30 p.m.*—Open to all tows with eastbound traffic allowed to transit first, followed by westbound traffic.

(3) *1:30 p.m. to 6 p.m.*—Complete closure with the exception of small tows less than 40 feet and small boats.

(4) Outside of the above closure times and on weekends, mariners will be able to transit through the work zone unrestricted. Additionally, no waterway restrictions will occur during the following holidays: Thanksgiving holidays (November 25 through 28, 2010); Christmas Holidays (December 24 through 26, 2010) and New Year's Holidays (December 31, 2010 through January 2, 2011).

(b) *Effective date.* This rule is effective from October 28, 2010, through February 28, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.33 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Morgan City.

(2) Vessels requiring entry into or passage through the Safety Zone must

request permission from the Captain of the Port Morgan City, or a designated representative. They may be contacted on VHF Channel 13 or 16, or by telephone at (985) 857–8507.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Morgan City and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

Dated: October 28, 2010.

J.C. Burton,

*Captain, U.S. Coast Guard, Captain of the Port Morgan City, Louisiana.*

[FR Doc. 2010–29670 Filed 11–23–10; 8:45 am]

**BILLING CODE 9110–04–P**

#### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

#### 36 CFR Parts 1253, 1254, and 1280

[NARA–10–0004]

RIN 3095–AB68

#### Changes to NARA Facilities' Hours of Operation

**AGENCY:** National Archives and Records Administration.

**ACTION:** Final rule.

**SUMMARY:** The National Archives and Records Administration (NARA) is changing its regulations that provide NARA facilities' hours of operation. NARA facilities' hours of operation will no longer be listed in the Code of Federal Regulations (CFR). Further, NARA offices must follow specific procedures when changing facilities' hours of operation. These procedures provide the public with advance notice of any proposed changes in hours and will include justification for the change in writing. Note that there are no proposed changes to hours of operation at any NARA facility at this time.

**DATES:** This rule is effective December 27, 2010.

#### FOR FURTHER INFORMATION CONTACT:

Stuart Culy on (301) 837–0970 or Laura McCarthy on (301) 837–3023.

**SUPPLEMENTARY INFORMATION:** On September 8, 2010, NARA published a proposed rule in the **Federal Register** (75 FR 54543) for a 60-day public comment period. This proposed rule changed NARA's regulations for providing NARA facilities' hours of operation and established procedures which NARA offices must follow when changing facilities' hours of operation. The public comment period closed on November 8, 2010. NARA received no comments.

This proposed rule is not a significant regulatory action for the purposes of Executive Order 12866 and has not been reviewed by the Office of Management and Budget. As required by the Regulatory Flexibility Act, I certify that this rule will not have a significant impact on a substantial number of small entities because it affects Federal agencies and individual researchers. This regulation does not have any federalism implications.

#### List of Subjects in 36 CFR Parts 1253, 1254 and 1280

Archives and records, Buildings and facilities.

■ For the reasons set forth in the preamble, NARA amends 36 CFR parts 1253, 1254 and 1280 to read as follows:

■ 1. Revise part 1253 to read as follows:

#### PART 1253—LOCATION OF NARA FACILITIES AND HOURS OF USE

Sec.

1253.1 National Archives Building.

1253.2 National Archives at College Park.

1253.3 Presidential Libraries.

1253.4 Washington National Records Center.

1253.5 National Personnel Records Center.

1253.6 Records Centers.

1253.7 Regional Archives.

1253.8 Federal Register.

1253.9 Federal Holidays.

1253.10 Notification Process for Changes in Hours.

**Authority:** 44 U.S.C. 2104(a).

#### § 1253.1 National Archives Building.

The National Archives Building is located at 700 Pennsylvania Avenue, NW., Washington, DC 20408. Hours for the Research Center and the Central Research Room are posted at <http://www.archives.gov>. The exhibit areas' hours of operation are also posted at <http://www.archives.gov>. Last admission to the exhibit areas of the building will be no later than 30 minutes before the stated closing hour. The phone number for the National Archives Building is 202–357–5000.

#### § 1253.2 National Archives at College Park.

The National Archives at College Park is located at 8601 Adelphi Road, College Park, MD 20740–6001. Hours for the Research Center are posted at <http://www.archives.gov>. The phone number for the Research Center is 800–234–8861.

#### § 1253.3 Presidential Libraries.

Hours for the Presidential libraries' research rooms are posted at <http://www.archives.gov>. The Presidential library museums are open every day except Thanksgiving, December 25, and January 1 (with the exception of the