



## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Part 165

[Docket Number USCG-2026-0561]

RIN 1625-AA00

### Safety Zones; Fireworks Displays in the USCG East District

**AGENCY:** Coast Guard, Department of Homeland Security.

**ACTION:** Final rule.

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**SUMMARY:** The Coast Guard is amending its regulation for recurring safety zones for fireworks displays in the USCG East District by adding safety zones for three recurring events and by amending the safety zone for one recurring event. All lie within the Virginia Captain of the Port Zone. This rulemaking will provide for the safety of life on the navigable waters at the confluence of the James River and the Appomattox River, on the Hampton River, on the East River, and on the Elizabeth River, at Town Point Reach, during firework displays typically held on each of those rivers annually.

**DATES:** This rule is effective [INSERT DATE 1 DAY AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** To view available documents go to <https://www.regulations.gov> and search for USCG-2026-0561.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, contact LCDR Justin Z. Strassfield, Sector Virginia Waterways Management Division, U.S. Coast Guard; by phone, at (206) 815-7367, or by email, at [VirginiaWaterways@uscg.mil](mailto:VirginiaWaterways@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

## **I. Table of Abbreviations**

CFR	Code of Federal Regulations
COTP	Captain of the Port
DHS	Department of Homeland Security
FR	<i>Federal Register</i>
NPRM	Notice of proposed rulemaking
§	Section
U.S.C.	United States Code

## **II. Background and Authority**

Within the USCG East District, the Coast Guard has compiled many recurring safety zones in one regulation, 33 CFR 165.506. Within § 165.506, these safety zones are arranged in tables, organized by Captain of the Port Zone. We are now adding three recurring firework displays and amending one recurring firework display to the table for the Virginia Captain of the Port Zone. General provisions of § 165.506, such as definitions, controls on vessel movement, and Coast Guard contact information will apply to these safety zones.

On May 13, 2026, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Safety Zones; Fireworks Displays in the USCG East District (91 FR 26955). In that NPRM, we stated why we issued the NPRM and invited comments on our proposed regulatory action related to these firework displays.

The Captain of the Port, Sector Virginia (COTP) is establishing this rule under the authority in 46 U.S.C. 70034.

The Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the *Federal Register* because it is impracticable to do so before June 27, 2026, when one of the safety zones created by this rule needs to be in place to protect personnel, vessels, and the marine environment for an event scheduled then.

## **III. Discussion of Comments and the Rule**

During the comment period that ended on May 18, 2026, we received no comments. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

The first safety zone will establish a regulated area which will be subject to enforcement on the fourth or fifth Saturday in June of each year. This year, it will be subject to enforcement June 27, 2026, from 9 p.m. until 10 p.m. The safety zone will encompass the fallout zone located within a portion of the waters at the confluence of the Appomattox River and James River, in Hopewell, VA.

The second safety zone will establish a regulated area on July 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, or 6<sup>th</sup> of each year, beginning July 4, 2026, from 9 p.m. until 10 p.m. The safety zone will encompass two separate areas located on a portion of the Hampton River in Hampton, VA. One area will surround a fireworks barge on the Hampton River and the other area will provide for fireworks launched from land adjacent to the Hampton River.

The third safety zone will establish a regulated area on July 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, or 6<sup>th</sup> of each year, beginning July 5, 2026, from 9 p.m. until 10 p.m. That safety zone will encompass a portion of the East River, in Mathews, VA.

The amendment to an existing safety zone will update the date of enforcement for Item 13 in Table 3 to paragraph (h)(3) of § 165.506 to include one Saturday in June or on June 19<sup>th</sup>, and on July 4<sup>th</sup> of each year, beginning July 4, 2026, from 9 p.m. until 10 p.m.

As the dates and times of the fireworks displays are subject to change, the dates and times that the safety zones for the events will be subject to enforcement will also be subject to change, in accordance with regulatory text found in 33 CFR 165.506(c). In the event of a change, the COTP would provide notice to the public by issuing a Broadcast Notice to Mariners.

As provided in 33 CFR 165.506(d), no vessel or person would be permitted to enter the safety zone without obtaining permission from the COTP or their designated representative. The regulatory text we are proposing appears at the end of this document.

#### **IV. Regulatory Analyses**

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

##### *A. Impact on Small Entities*

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601-612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. 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. Section 605 of the RFA allows an agency to certify a rule, in lieu of preparing an analysis, if the rulemaking is not expected to have a significant economic impact on a substantial number of small entities.

The Coast Guard certifies that, although some small entities may intend to transit one of the above safety zones, this rule will not have a significant economic impact on a substantial number of small entities. Vessel traffic will be able to safely transit around these safety zones. These safety zones will only impact a small designated area for a few hours. It is during a time when vessel traffic is normally low. In addition, the Coast Guard will issue a Broadcast Notice to Marines via VHF FM marine channel 16, which will allow small entities to adjust their transit plans, and the rule allows vessels to request permission to enter the zone from the COTP.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), if this rule will affect your small business, organization, or

governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1-888-REG-FAIR (1-888-734-3247).

*B. Collection of Information*

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

*C. Federalism and Indian Tribal Governments*

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

Also, 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.

*D. Unfunded Mandates Reform Act*

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538), the Coast Guard certifies that this rule will not result in an annual expenditure of \$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

*E. Environment*

We have analyzed this rule under Department of Homeland Security Directive 023-01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the

National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), 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 creates or modifies safety zones. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1.

**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:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; DHS Delegation No. 00170.1, Revision No. 01.4.

2. In § 165.506, amend Table 3 to paragraph (h)(3) by adding entries for “Item 15”, “Item 16”, “Item 17”, and “Item 18” to read as follows:

**§ 165.506 Safety Zones; Fireworks Displays in the USCG East District**

\* \* \* \* \*

(h) \*\*\*

(3) Coast Guard Sector Virginia—COTP Zone

TABLE 3 TO PARAGRAPH (h)(3)

No.	Enforcement period(s)	Location	Safety zone- regulated area
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15	June – One Saturday or June 19 <sup>th</sup> ; and July 4 <sup>th</sup>	Elizabeth River, Town Point Reach, Norfolk, VA; Safety Zone	All waters of the Elizabeth River, Town Point Reach within a 500-yard radius of approximate position of the fireworks barge latitude 36°50'41" N, longitude 076°17'47" W, in vicinity of Town Point Park in Norfolk, VA.
16	June – 4 <sup>th</sup> or 5 <sup>th</sup> Saturday	Confluence of the James River and the Appomattox River, Hopewell, VA; Safety Zone	All navigable waters within 250 yards of a fireworks barge located at position 37°18'52" N, 077°17'12.5" W, at the confluence of the James River and the Appomattox River, near City Point in Hopewell, VA.
17	July 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> , or 6 <sup>th</sup>	Hampton River, Hampton, VA, Safety Zone	All navigable waters of the Hampton River, within a 250' radius of a fireworks barge located at position 37°01'21.3"N, 076°20'29.8"W and all waters within the following positions: 37°1'29"N, 076°20'19"W; 37°1'30"N, 076°20'25"W; 37°1'27"N, 076°20'28"W; 37°1'23"N, 076°20'29"W; 37°1'23"N, 076°20'26"W, in Hampton, VA
18	July 3 <sup>rd</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> , or 6 <sup>th</sup>	East River, Mathews, VA; Safety Zone	All navigable waters of the East River, within an 800' radius of position 37°24'02"N, 076°20'49"W, in Mathews, VA.

Peggy M. Britton  
Captain, U.S. Coast Guard,  
Captain of the Port, Sector Virginia