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9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-0737]

RIN 1625-AA00

Safety Zone; Rockport Illuminations Fireworks, Rockport Harbor, Rockport, MA

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the navigable waters of Rockport Harbor, Rockport, MA within a 350-yard radius of the land-based Rockport Illuminations Fireworks launch site. The safety zone is needed to protect spectators, personnel, vessels, and the marine environment from potential hazards associated with the firework displays. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Boston, or their designated representative.

DATES: This rule is effective from 8 p.m. on August 8, 2026, through 10 p.m. on August 9, 2026. It will only be enforced, however, from 8 p.m. until 10 p.m. on August 8, 2026, unless the event is delayed because of weather conditions, in which case it will be subject to enforcement during those same hours on August 9, 2026.

ADDRESSES: To view available documents, go to https://www.regulations.gov and search for USCG 2026-0737.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or e-mail Mr. Timothy W. Chase, Sector Boston Waterways Management, phone (617) 447-1620, email Timothy.w.chase@uscg.mil or SECBOSWaterways@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port, Boston
DHS	Department of Homeland Security
FR	***Federal Register***
NPRM	Notice of proposed rulemaking
TFR	Temporary Final Rule
MA	Massachusetts
§	Section
U.S.C.	United States Code

II. Background and Authority

On June 12, 2026, the Coast Guard received notification that fireworks will be launched from a near shore land site in the vicinity of Rockport Harbor, Rockport, MA. The Captain of the Port (COTP) Boston has determined that potential hazards associated with the fireworks, such as being hit by unexploded pyrotechnics and other falling debris, are a safety concern for anyone within 350 yards of the fireworks display. The COTP is issuing this rule under the authority of 46 U.S.C. 70034 to protect spectators, personnel, vessels, and the marine environment in the navigable waters within the safety zone.

The Coast Guard is issuing this rule without prior notice and comment. As authorized by 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 it is impracticable to publish an NPRM, respond to comments, and publish a final rule within the time since notification of the fireworks and August 8, when the safety zone must be in place to protect spectators, personnel, vessels, and the marine environment.

For the same reason, 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*.

III. Discussion of the Rule

This rule establishes a safety zone from 8 p.m. on August 8, 2026, through 10 p.m. on August 9, 2026. It will only be enforced, however, from 8 p.m. until 10 p.m. August 8, 2026, unless the event is delayed because of weather conditions, in which case it will be subject to enforcement during those same hours on August 9, 2026. The safety zone will cover all navigable waters in Rockport Harbor, Rockport, MA within a 350-yard radius of the land-based launch site near shore at position 42°39.99′ N, 070°37.25′ W. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the COTP Boston.

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. Regulatory Planning and Review

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

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). 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.

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

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under Executive Order 13132and 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 is a safety zone. 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. A Record of Environmental Consideration supporting this determination is available in the docket.

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; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

2. Add § 165.T01-0737 to read as follows:

§ 165.T01-0737 Safety Zone; Rockport Illuminations Fireworks, Rockport Harbor, Rockport, MA.

(a) *Location*. The following area is a safety zone: All waters of a portion of Rockport Harbor, Rockport, MA, from surface to bottom, encompassed by a 350-yard radius of the land-based launch site near shore at position 42°39.99′ N, 070°37.25′ W. These coordinates are based on the World Geodetic System (WGS 84) / North American Datum 83 (NAD 83).

(b) *Definitions*. As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other

officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Boston (COTP) in the enforcement of the safety zone.

(c) *Regulations*. (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF-FM channel 16 or by contacting the Coast Guard Sector Boston Command Center by telephone at (857) 416-3015. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period*. This rule is effective from 8 p.m. on August 8, 2026, through 10 p.m. on August 9, 2026. It will be enforced from 8 p.m. until 10 p.m. on August 8, 2026, unless the event is delayed because of weather conditions, in which case it will be subject to enforcement during those same hours on August 9, 2026.

Date: July 24, 2026.

J. C. FREDERICK,
Captain, U.S. Coast Guard,
Captain of the Port, Sector Boston.

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