

List of Subjects**40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Oxides of nitrogen, Ozone, Volatile organic compounds.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: May 12, 2020.

Cheryl Newton,

Deputy Regional Administrator, Region 5.

Title 40 CFR parts 52 and 81 are amended as follows:

**PART 52—APPROVAL AND
PROMULGATION OF
IMPLEMENTATION PLANS**

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

■ 2. Section 52.2585 is amended by adding paragraph (jj) to read as follows:

§ 52.2585 Control strategy: Ozone.

* * * * *

(jj) *Redesignation.* Approval—On January 27, 2020, Wisconsin submitted a request to redesignate the Newport State Park area in Door County to attainment of the 2015 8-hour ozone standard. As part of the redesignation request, the State submitted a maintenance plan as required by section 175A of the Clean Air Act. Elements of the section 175 maintenance plan include a contingency plan and an obligation to submit a subsequent maintenance plan revision in eight years as required by the CAA. The ozone maintenance plan also establishes 2023 and 2030 Motor Vehicle Emission Budgets (MVEBs) for the area. The 2023 MVEBs for the area are 0.00027 tpd for

VOC and 0.00032 tpd for NO_x. The 2030 MVEBs for the area are 0.00019 tpd for VOC and 0.00016 tpd for NO_x.

**PART 81—DESIGNATION OF AREAS
FOR AIR QUALITY PLANNING
PURPOSES**

■ 3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

■ 4. Section 81.350 is amended by revising the entry for “Door County, WI” in the table entitled “Wisconsin-2015 8-Hour Ozone NAAQS [Primary and Secondary]” to read as follows:

§ 81.350 Wisconsin.

* * * * *

WISCONSIN—2015 8-HOUR OZONE NAAQS
[Primary and secondary]

Designated area ¹	Designation		Classification	
	Date ²	Type	Date ²	Type
* * *				
Door County, WI	6/10/2020	Attainment		Marginal (Rural Transport).
Door County (part): Newport State Park Boundary.				
* * *				

¹ Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

² This date is August 3, 2018, unless otherwise noted.

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DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
Administration**

50 CFR Parts 216 and 300

[Docket No. 200507–0131]

RIN 0648–BH48

**International Fisheries; Pacific Tuna
Fisheries; Procedures for the Active
and Inactive Vessel Register**

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule; date of effectiveness for collection-of-information requirements; correcting amendment.

SUMMARY: NMFS announces approval by the Office of Management and Budget (OMB) of collection-of-information requirements contained in regulations published in a final rule on December 20, 2019. The final rule implements International Maritime Organization (IMO) requirements in Inter-American Tropical Tuna Commission (IATTC) Resolution C–18–06 (*Resolution (Amended) on a Regional Vessel Register*) and amendments to existing regulations governing inclusion on the IATTC Regional Vessel Register (Vessel Register) by purse seine vessels fishing in the eastern Pacific Ocean (EPO). The intent of this final rule is to inform the public of the effectiveness of the collection-of-information requirements associated with the final rule. This final

rule also corrects the regulatory text to implement two collection-of-information requirements that were included in the December 20, 2019, final rule and inadvertently set to become effective on January 21, 2020, before being approved by OMB under the Paperwork Reduction Act (PRA). Those two collection-of-information requirements were corrected in a correcting amendment in a final rule published on February 13, 2020 and are made effective in this final rule.

DATES: Effective June 10, 2020.

ADDRESSES: Copies of supporting documents are available via the Federal eRulemaking Portal: <http://www.regulations.gov>, docket NOAA–NMFS–2018–0030, or by contacting Daniel Studd, NMFS West Coast Region, 501 W Ocean Blvd., Suite 4200, Long Beach, CA 90802, or emailing WCR.HMS@noaa.gov.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this rule may be submitted to the NMFS West Coast Region Long Beach Office at the address listed above, by email to OIRA_Submission@omb.eop.gov, or by fax to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: Daniel Studt, NMFS, West Coast Region, 562–980–4073.

SUPPLEMENTARY INFORMATION:

Background

On December 20, 2019, NMFS published a final rule in the **Federal Register** (84 FR 70040) under the Tuna Conventions Act of 1950, as amended, and the Marine Mammal Protection Act, as amended, to implement IMO requirements in IATTC Resolution C–18–06 (*Resolution (Amended) on a Regional Vessel Register*) and amendments to existing regulations governing inclusion on the Vessel Register by purse seine vessels fishing in the EPO. That final rule became effective January 21, 2020, except for amendatory instructions that included new or revised information collections, which were delayed until publication of a document in the **Federal Register** announcing the effective date. A correcting amendment was published in the **Federal Register** (85 FR 8198) on February 13, 2020, to correct two information collection requirements in 50 CFR 300.22(b)(4)(ii)(A) and 50 CFR 300.22(b)(4)(iii)(B) allowing for the collection of a “business email address” that were included in the December 20, 2019, final rule and inadvertently set to become effective upon January 21, 2020, before being approved by OMB under the PRA and control number 0648–0387. OMB has now approved these collection-of-information requirements under control number 0648–387. Accordingly, this final rule announces effectiveness of the collection-of-information requirements that were published in the December 20, 2019, final rule and corrects the regulatory text to impose the collection of information requirements revised in the February 13, 2020, correcting amendment.

Classification

This final rule has been determined to be not significant for the purposes of Executive Order 12866. This rule is not an Executive Order 13771 regulatory action because this rule is not significant under Executive Order 12866.

This final rule announces the date of effectiveness and corrects the regulatory

text to reflect new and revised collection-of-information requirements approved by OMB under PRA control number 0648–0387 that were published in the **Federal Register** (84 FR 70040) on December 20, 2019. Comments regarding the burden estimates, or any other aspects of the collection of information should be sent to the NMFS West Coast Region Long Beach Office (see **ADDRESSES** above), by email to OIRA_Submission@omb.eop.gov, or by fax to (202) 395–5806. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number. All currently approved NOAA collections of information may be viewed at: http://www.cio.noaa.gov/services_programs/prasubs.html.

The NOAA Assistant Administrator for Fisheries (AA) finds there is good cause to waive prior notice and opportunity for public comment for this action pursuant to 5 U.S.C. 553(b)(B) of the Administrative Procedure Act (APA), because prior notice and opportunity for public comment on this final rule is unnecessary and contrary to the public interest. In part, this action simply provides notice of OMB’s approval of the reporting requirements at issue, which has already occurred, and renders those requirements effective. Thus, this part of this action does not involve any further exercise of agency discretion by NMFS or OMB. Moreover, the public has had prior notice and the opportunity to comment on the collection-of-information requirements. NMFS published a proposed rule including the collection-of-information requirements on April 16, 2019 (84 FR 15556), with comments accepted through May 16, 2019. NMFS received two comments on the collection-of-information requirements related to a proposed supplementation of a vessel departure notification and an ability to apply for associated permit applications online. The final rule published on December 20, 2019 (84 FR 70040), addressed these comments, keeping the proposed supplemental vessel departure notice in place for the reasons described there, while revising the purse seine vessel permit application collection-of-information requirements to allow for an online process. Both such processes were considered and approved under PRA control number 0648–0387. Additional opportunity for public comment at this

point would not be meaningful and would be duplicative. Any further delay to allow for public comment is therefore unnecessary and would result in public confusion.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

These measures are thus exempt from the procedures of the Regulatory Flexibility Act because prior notice and comment are not required under the APA.

List of Subjects in 50 CFR Parts 216 and 300

Fish, Fisheries, Fishing, Fishing vessels, Reporting and recordkeeping requirements.

Dated: May 7, 2020.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 300 is corrected by making the following correcting amendments:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

Subpart C—Eastern Pacific Tuna Fisheries

■ 1. The general authority citation for part 300 continues to read as follows:

Authority: 16 U.S.C. 951 *et seq.*, 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 5501 *et seq.*, 16 U.S.C. 2431 *et seq.*, 31 U.S.C. 9701 *et seq.*

Subpart C also issued under 16 U.S.C. 951 *et seq.*

■ 2. In § 300.22, revise paragraphs (b)(4)(ii)(A) and (b)(4)(iii)(B) to read as follows:

§ 300.22 Recordkeeping and reporting requirements.

* * * * *

(b) * * *

(4) * * *

(ii) * * *

(A) To request a purse seine vessel of 400 st (362.8 mt) carrying capacity or less be listed on the Vessel Register and be categorized as active, the vessel owner or managing owner must submit to the HMS Branch written notification including, but not limited to, a vessel photograph, the vessel information as described under paragraph (b)(3) of this section, and the owner or managing owner’s signature, business email address, and business telephone and fax numbers. If a purse seine vessel of 400 st (362.8 mt) carrying capacity or less is

required by the Agreement on the IDCP to carry an observer, the vessel owner or managing owner must also submit payment of the vessel assessment fee to the IATTC.

* * * * *

(iii) * * *

(B) To request a tuna purse seine vessel of 400 st (362.8 mt) carrying capacity or less be listed on the Vessel Register and categorized as inactive for the following calendar year, the vessel owner or managing owner must submit to the HMS Branch a written notification including, but not limited to, the vessel name and registration number and the vessel owner or managing owner's name, signature, business address, business email address, and business telephone and fax numbers. Payment of the vessel assessment fee is not required for vessels of 400 st (362.8 mt) carrying capacity or less to be categorized as inactive.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 200227-0066]

RTID 0648-XY089

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the Herring Savings Areas of the Bering Sea and Aleutian Islands Management Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock by vessels using trawl gear in the Herring Savings Areas of the Bering Sea and Aleutian Islands (BSAI). This action is necessary to prevent exceeding the 2020 herring

bycatch allowance specified for the midwater trawl pollock fishery in the BSAI. This action includes prohibiting directed fishing for pollock by vessels participating in the Community Development Quota Program.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), June 15, 2020, through 1200 hours, A.l.t., March 1, 2021.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2020 herring bycatch allowance specified for the midwater trawl pollock fishery in the BSAI is 2,299 metric tons as established by the final 2020 and 2021 harvest specifications for groundfish in the BSAI (85 FR 13553, March 9, 2020).

The Administrator, Alaska Region, NMFS, has determined that the 2020 herring bycatch allowance specified for the midwater trawl pollock fishery in the BSAI has been caught. Consequently, in accordance with § 679.21(e)(7)(vi), NMFS is closing directed fishing for pollock by vessels using trawl gear in the three Herring Savings Areas of the BSAI. The Summer Herring Savings Area 1 is that part of the Bering Sea subarea that is south of 57° North latitude and between 162° W longitude and 164° W longitude from 1200 hours, A.l.t., June 15, 2020 through 1200 hours, A.l.t., July 1, 2020. The Summer Herring Savings Area 2 is that part of the Bering Sea subarea that is south of 56°30' North latitude and between 164° W longitude and 167° W longitude from 1200 hours, A.l.t., July 1, 2020 through 1200 hours A.l.t., August

15, 2020. The Winter Herring Savings Area is that part of the Bering Sea subarea that is between of 58° and 60° North latitude and between 172° W longitude and 175° W longitude from 1200 hours, A.l.t., September 1, 2020 through 1200 hours, A.l.t., March 1, 2021.

While this closure is effective the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of directed fishing for pollock by vessels using trawl gear in the Summer and Winter Herring Savings Areas of the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of June 3, 2020.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.21 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 5, 2020.

Hélène M.N. Scalliet,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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