

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R03-OAR-2011-0714; FRL-9645-6]

**Approval and Promulgation of Air Quality Implementation Plans; Delaware, New Jersey, and Pennsylvania; Determinations of Attainment of the 1997 Annual Fine Particulate Standard for the Philadelphia-Wilmington Nonattainment Area; Withdrawal of Direct Final Rule****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Withdrawal of direct final rule.

**SUMMARY:** Due to an adverse comment, EPA is withdrawing the direct final rule, published on January 23, 2012 (77 FR 3147), that made two determinations regarding the Philadelphia-Wilmington fine particulate (PM<sub>2.5</sub>) nonattainment area (the Philadelphia Area), which is comprised of the New Castle County in Delaware; Burlington, Camden, and Gloucester Counties in New Jersey; and Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties in Pennsylvania. First, EPA made a determination that the Philadelphia Area attained the 1997 annual PM<sub>2.5</sub> national ambient air quality standard (NAAQS) by its attainment date of April 5, 2010. Second, EPA made a clean data determination, finding that the Philadelphia Area has attained the 1997 PM<sub>2.5</sub> NAAQS, based on quality assured and certified ambient air monitoring data for the 2007–2009 and 2008–2010 monitoring periods. In the direct final rule, EPA stated that if we received adverse comment by February 22, 2012, the rule would be withdrawn and not take effect. EPA subsequently received adverse comments. EPA will address the comments received in a subsequent final action based upon the proposed action also published on January 23, 2012 (77 FR 3223). EPA will not institute a second comment period on this action.

**DATES:** The direct final rule published on January 23, 2012 (77 FR 3147) is withdrawn as of March 13, 2012.

**ADDRESSES:** EPA has established docket number EPA-R03-OAR-2011-0714 for this action. The index to this action is available electronically at <http://www.regulations.gov> and in hard copy at Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

**FOR FURTHER INFORMATION CONTACT:** If you have questions concerning EPA's

action related to Delaware or Pennsylvania, please contact Maria A. Pino, (215) 814-2181, or by email at [pino.maria@epa.gov](mailto:pino.maria@epa.gov). If you have questions concerning EPA's action related to New Jersey, please contact Henry Feingersh, (212) 637-3382, or by email at [feingersh.henry@epa.gov](mailto:feingersh.henry@epa.gov).

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: February 6, 2012.

**W.C. Early,**

*Acting Regional Administrator, Region III.*

Accordingly, the addition of 40 CFR 52.425, 52.427, 52.1576, 52.1602(d), 52.2056(f), and 52.2059(e), published on January 23, 2012 (77 FR 3147), is withdrawn as of March 13, 2012.

Dated: February 22, 2012.

**Judith A. Enck,**

*Regional Administrator, Region II.*

[FR Doc. 2012-5880 Filed 3-12-12; 8:45 am]

**BILLING CODE 6560-50-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 0910051338-0151-02]

**RIN 0648-XB059****Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery**

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

**ACTION:** Temporary rule; inseason adjustment of landing limits.

**SUMMARY:** NMFS increases the possession limits for Georges Bank (GB) cod and Southern New England (SNE)/Mid-Atlantic (MA) yellowtail flounder for Northeast (NE) multispecies common pool vessels for the remainder of the 2011 fishing year (FY), through April 30, 2012. This is intended to facilitate the harvest of GB cod and SNE/MA yellowtail flounder to allow the total catch of these stocks to approach their pertinent common pool sub-annual catch limits (sub-ACLs).

**DATES:** Effective March 8, 2012, through April 30, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Brett Alger, Fisheries Management Specialist, (978) 675-2153, fax (978) 281-9135.

**SUPPLEMENTARY INFORMATION:**

Regulations governing the NE multispecies fishery are found at 50 CFR part 648, subpart F. The regulations at § 648.86(o) authorize the NE Regional Administrator (RA) to adjust the possession limits for common pool vessels in order to optimize the harvest of NE regulated multispecies by preventing the overharvest or underharvest of the pertinent common pool sub-ACLs. For FY 2011, the common pool sub-ACLs for GB cod is 205,030 lb (93 mt). The initial FY 2011 trip limit for GB cod was 2,000 lb (907.2 kg) per day-at-sea (DAS), up to 20,000 lb (9,071.8 kg) per trip, for Category A DAS vessels. However, the intended initial trip limit for GB cod for FY 2011 under Framework Adjustment 45 to the NE Multispecies Fishery Management Plan (FMP) was 3,000 lb (1,360.8 kg) per DAS, up to 30,000 lb (13,607.8 kg) per trip. Therefore, an inseason action that published in the **Federal Register** on May 19, 2011 (76 FR 30035) increased the trip limit to 3,000 lb (1,360.8 kg) per DAS, up to 30,000 (13,607.8 kg) per trip to adjust for this inadvertent error. Subsequently, an inseason action that published in the **Federal Register** on August 30, 2011 (76 FR 53832), reduced the GB cod trip limit to 300 lb (136.1 kg) per DAS, up to 600 lb (272.2 kg) per trip, for Category A DAS vessels. For Handgear B vessels, the GB cod trip limit was reduced to 25 lb (11.3 kg) per trip from 75 lb (34.0 kg) per trip on October 3, 2011 (76 FR 61060).

For FY 2011, the common pool sub-ACL for SNE/MA yellowtail flounder is 265,555 lb (120 mt). The initial trip limit for SNE/MA yellowtail flounder was 500 lb (226.8 kg) per DAS up to 2,000 lb (907.2 kg) per trip, and has not been revised for this fishing year.

As of February 25, 2011, the best available catch information, including information from Vessel Monitoring System (VMS) reports and dealer reports, indicates that approximately 58.5 percent of the GB cod and 1.2 percent of the SNE/MA yellowtail flounder common pool sub-ACLs has been harvested. Based on this information, the RA has determined that additional measures are warranted to help facilitate the harvest of GB cod and SNE/MA yellowtail flounder to better allow the total catch of these stocks by