

proposing to determine that based on the most recent three years of complete quality-assured ozone monitoring data, the Greater Connecticut area is currently attaining the NAAQS.

#### IV. Proposed Determinations

For the reasons set forth in this notice, EPA is proposing to determine that the Greater Connecticut one-hour ozone nonattainment area did not meet its applicable one-hour ozone attainment date of November 15, 2007, based on 2005–2007 quality-assured ozone monitoring data.<sup>5</sup> Separate from and independent of this proposed determination, EPA is also proposing to determine that the Greater Connecticut one-hour ozone nonattainment area is currently attaining the one-hour ozone standard, based on the most recent three years (2008–2010) of complete, quality-assured ozone monitoring data at all monitoring sites in the area. EPA's review of the data shows that the area began attaining the one-hour ozone standard in the 2006–2008 period, and has continued through 2007–2009 and 2008–2010. Preliminary data available for 2011 indicate that the area continues to attain the one-hour NAAQS.

EPA is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA New England Regional Office listed in the **ADDRESSES** section of this **Federal Register**.

#### V. Statutory and Executive Order Reviews

This action proposes to make determinations of attainment based on monitored air quality data and does not impose additional requirements beyond those imposed by state law. For that reason, these proposed actions:

- Are not “significant regulatory actions” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Do not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Are certified as not having a significant economic impact on a substantial number of small entities

under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Do not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Do not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Are not economically significant regulatory actions based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Are not significant regulatory actions subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Are not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Do not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, these actions do not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

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

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: November 14, 2011.

**H. Curtis Spalding,**

*Regional Administrator, EPA New England.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

RIN 0648–XA823

#### Atlantic Highly Migratory Species; Electronic Dealer Reporting System Workshop

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

**ACTION:** Notice of public workshop.

**SUMMARY:** On June 28, 2011, NMFS published a proposed rule that considered requiring, among other things, Federal Atlantic swordfish, shark, and tunas dealers (except for dealers reporting Atlantic bluefin tuna) to report commercially-harvested Atlantic sharks, swordfish, and bigeye, albacore, yellowfin, and skipjack (BAYS) tunas to NMFS through one centralized electronic reporting system. This electronic reporting system would allow dealers to submit Atlantic sharks, swordfish, and BAYS tuna data on a more real-time basis and more efficiently, which will reduce duplicative data submissions from different regions. NMFS proposed to delay the effective date of the electronic reporting requirements until 2012 in order to give sufficient time for dealers to adjust to implementation of the new system and the additional requirements. In this notice, NMFS announces the date and location for an upcoming workshop in the Caribbean area in order to introduce the new reporting system to HMS dealers. NMFS will announce additional workshops in a future notice.

**DATES:** The initial Workshop will be held on December 14, 2011, from 6 to 8 p.m.

**ADDRESSES:** The initial workshop will be held in St. Thomas, USVI, Frenchman's Reef and Morning Star Marriott Beach Resort, 5 Estate Bakkreore, St. Thomas, Virgin Islands, 00801. See **SUPPLEMENTARY INFORMATION** for additional details.

**FOR FURTHER INFORMATION CONTACT:** Delisse Ortiz or Karyl Brewster-Geisz, at (301) 427–8503 (phone) or (301) 713–1917 (fax) or <http://www.nmfs.noaa.gov/sfa/hms/index.htm>.

**SUPPLEMENTARY INFORMATION:** Atlantic HMS are managed under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), 16 U.S.C. 1801 *et seq.*, and the Atlantic Tunas Convention Act

<sup>5</sup> For the reasons set forth above, a final determination that the Greater Connecticut one-hour ozone nonattainment area did not meet its applicable one-hour ozone attainment deadline will not result in reclassification of the area for the one-hour standard, nor in any additional air quality obligations for the area.

(ATCA), 16 U.S.C. 971 *et seq.* Under the MSA, NMFS must ensure consistency with the National Standards and manage fisheries to maintain optimum yield, rebuild overfished fisheries, and prevent overfishing. Under the ATCA, the Secretary of Commerce is required to promulgate regulations, as may be necessary and appropriate, to implement the recommendations adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT). The authority to issue regulations under MSA and ATCA has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA. The implementing regulations for Atlantic HMS are at 50 CFR part 635.

### Background

The current regulations and infrastructure of the Atlantic HMS quota-monitoring systems result in a delay of several weeks to almost a month before NMFS receives dealer data. This can affect management and monitoring of small Atlantic HMS quotas and short fishing seasons. As such, on June 28, 2011 (76 FR 37750), NMFS published a proposed rule in the **Federal Register** that considered requiring, among other things, Federal Atlantic swordfish, shark, and tunas dealers (except for dealer reporting Atlantic bluefin tuna) to report commercially-harvested Atlantic sharks, swordfish, and BAYS tunas to NMFS through one centralized electronic reporting system. Under this new system, dealers would submit HMS data electronically instead of in a paper format and include additional information that is necessary for management of HMS (*e.g.*, vessel and logbook information). The electronic submission of data will eliminate the delay associated with mailing in reports to NMFS. In this manner, HMS landings data will be submitted on a more real-time basis, allowing for timely and efficient data collection for management of Atlantic HMS.

In order to give sufficient time for dealers to adjust to implementation of the new system and the additional requirements, NMFS proposed delaying implementation of the new HMS electronic reporting system for all federally-permitted HMS dealers until 2012. Additionally, NMFS decided to conduct outreach to HMD dealers to train them how to use the new system and help ease the transition from the current paper format to the new HMS electronic reporting system. NMFS will conduct an initial workshop for HMS dealers in St. Thomas, U.S.V.I. on December 14, 2011 (see **DATES** and

**ADDRESSES**). NMFS will announce additional workshops in other regions in a future **Federal Register** notice.

Dated: November 18, 2011.

**Steven Thur,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

**RIN 0648-BA17**

#### Atlantic Highly Migratory Species; Atlantic Shark Management Measures

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

**ACTION:** Notice of workshops; extension of comment period.

**SUMMARY:** NMFS previously published, on September 16, 2011, a notice of intent (NOI) to prepare an environmental impact statement (EIS) and fishery management plan (FMP) amendment that would consider catch shares for the Atlantic shark fisheries. The comment period in the NOI ends on March 1, 2012. In this notice, NMFS announces the dates and locations for five upcoming scoping workshops to provide the opportunity for public comment on various design elements for potential catch shares programs in the Atlantic shark fisheries. Additionally, NMFS is extending the comment period to March 31, 2012, to provide additional opportunities for the five Fishery Management Councils, the Atlantic and Gulf States Marine Fisheries Commissions, and other interested parties to comment on the consideration of catch shares.

**DATES:** Workshops for Amendment 6 to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) will be held from December 2011 through March 2012. See **SUPPLEMENTARY INFORMATION** for meeting dates, times, and locations. The deadline for comments on the NOI has been extended from March 1, 2012, as published in the NOI on September 16, 2011 (76 FR 57709), to 5 p.m. on March 31, 2012.

**ADDRESSES:** Workshops will be held in Madeira Beach, FL; Cocoa Beach, FL; Barnegat, NJ; Belle Chasse, LA; and Manteo, NC. See **SUPPLEMENTARY**

**INFORMATION** for dates, times, and locations.

As published on September 16, 2011 (76 FR 57709), written comments on this action may be submitted, identified by NOAA-NMFS-2010-0188, by any one of the following methods:

- **Electronic submissions:** Submit all electronic public comments via the Federal e-Rulemaking Portal: <http://www.regulations.gov>. To submit comments via the e-Rulemaking Portal, first click the "Submit a Comment" icon, then enter in the keyword search. Locate the document you wish to comment on from the resulting list and click on the "Submit a Comment" icon on the right of that line.

- **Fax:** (301) 713-1917, Attn: Margo Schulze-Haugen.

- **Mail:** NMFS SF1, 1315 East-West Highway, Silver Spring, MD 20910.

**Instructions:** All comments received are part of the public record and generally will be posted to portal <http://www.regulations.gov> without change. All personal identifying information (for example, name, address, *etc.*) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NMFS will accept anonymous comments. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Related documents—including the 2006 Consolidated HMS FMP and its amendments, and the 2010 Stock Assessment and Fishery Evaluation Report—are available upon request at the mailing address noted above or on the HMS Management Division's Web page at: <http://www.nmfs.noaa.gov/sfa/hms/>.

#### FOR FURTHER INFORMATION CONTACT:

Karyl Brewster-Geisz, LeAnn Southward Hogan, or Guý DuBeck at (301) 427-8503 or fax at (301) 713-1917.

**SUPPLEMENTARY INFORMATION:** The Atlantic shark fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The 2006 Consolidated HMS FMP is implemented by regulations at 50 CFR part 635 and was amended in 2008 and 2010 to address management needs in the Atlantic shark fisheries.

On September 16, 2011 (76 FR 57709), NMFS published a NOI that announces NMFS intent to prepare an EIS and FMP Amendment that would consider catch shares for the Atlantic shark fisheries. The NOI also established a control date for eligibility to participate in an