

The EPA believes that this action is not subject to requirements of Section 12(d) of NTTAA because application of those requirements would be inconsistent with the CAA.

Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order 12898 (59 FR 7629 (Feb. 16, 1994)) establishes Federal executive policy on environmental justice. Its main provision directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

Consistent with EPA guidance addressing Executive Order 12898, EPA has determined that this proposed rule will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations because it increases the level of environmental protection for all affected populations without having any disproportionately high and adverse human health or environmental effects on any population, including any minority or low-income population. States' EPA-approved PSD and NSR regulations must meet certain minimum requirements promulgated by EPA, and these regulations apply to all affected populations within the State of Wisconsin. This action proposes to disapprove the portions of Wisconsin's SIP that do not contain certain EPA-promulgated minimum requirements.

Statutory Authority

The statutory authority for this action is provided by sections 110 of the CAA, as amended (42 U.S.C. 7410).

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

Environmental protection, Air pollution control, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 9, 2012.

**Susan Hedman,**

*Regional Administrator, Region 5.*

[FR Doc. 2012-9608 Filed 4-19-12; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2011-0944; FRL-9648-7]

#### Approval and Promulgation of Air Quality Implementation Plans; Illinois; Leisure Properties LLC/D/B/A Crownline Boats; Adjusted Standard

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve into the Illinois State Implementation Plan (SIP) an adjusted standard for Leisure Properties LLC/D/B/A Crownline Boats (Crownline) at its West Frankfort, Illinois facility. On June 10, 2011, the Illinois Environmental Protection Agency submitted to EPA for approval an adjustment to the general rule, Use of Organic Material Rule, commonly known as the eight pound per hour rule, as it applies to emissions of volatile organic matter (VOM) from Crownline's manufacturing facility. The adjusted standard relieves Crownline from being subject to the general rule for VOM emissions from its West Frankfort facility. EPA is proposing to approve this SIP revision because it will not interfere with attainment or maintenance of the ozone National Ambient Air Quality Standard.

**DATES:** Comments must be received on or before May 21, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2011-0944, by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.
2. *Email*: [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov).
3. *Fax*: (312) 692-2450.
4. *Mail*: Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.
5. *Hand Delivery*: Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see the direct final rule which is located in the Final Rules section of this

**Federal Register** for detailed instructions on how to submit comments.

#### FOR FURTHER INFORMATION CONTACT:

Carolyn Persoon, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8290, [persoon.carolyn@epa.gov](mailto:persoon.carolyn@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules section of this **Federal Register**, EPA is approving the state's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: February 29, 2012.

**Susan Hedman,**

*Regional Administrator, Region 5.*

[FR Doc. 2012-9495 Filed 4-19-12; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 120409403-2403-01]

RIN 0648-BB93

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Annual Catch Limit Amendment Supplement

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

**ACTION:** Supplemental proposed rule; request for comments.

**SUMMARY:** NMFS proposes to supplement the regulations implementing the Comprehensive Annual Catch Limit Amendment (Comprehensive ACL Amendment) for the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Snapper-Grouper FMP), as prepared and submitted by the South Atlantic Fishery Management Council (Council). The Comprehensive ACL Amendment specified, in part, annual catch limits (ACLs) and accountability measures (AMs) for species in the Snapper-Grouper FMP. A final rule implementing the Comprehensive ACL Amendment was published in the **Federal Register** on March 16, 2012, and is effective on April 16, 2012. However, after publishing the final rule, NMFS discovered that the commercial quota for greater amberjack (commercial ACL for greater amberjack), which was specified in the Comprehensive ACL Amendment, was inadvertently not specified in the proposed or final rules. The intent of this supplemental proposed rule is to specify the commercial ACL for greater amberjack, while maintaining catch levels consistent with achieving optimum yield (OY) for the resource.

**DATES:** Written comments on this proposed rule must be received no later than May 7, 2012.

**ADDRESSES:** You may submit comments on the supplemental proposed rule identified by “NOAA–NMFS–2012–0039” by any of the following methods:

- **Electronic submissions:** Submit electronic comments via the Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
  - **Mail:** Rick DeVictor, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.
- Instructions:** Comments are specifically sought on the action contained in the supplemental proposed rule to revise the greater amberjack commercial sector quota. All comments received are a part of the public record and will generally be posted to <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.

To submit comments through the Federal e-Rulemaking Portal: <http://www.regulations.gov>, click on “submit a

comment,” then enter “NOAA–NMFS–2012–0039” in the keyword search and click on “search”. To view posted comments during the comment period, enter “NOAA–NMFS–2012–0039” in the keyword search and click on “search.” NMFS will accept anonymous comments (enter N/A in the required field if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Comments through means not specified in this rule will not be accepted.

Electronic copies of the Comprehensive ACL Amendment, which includes a final environmental impact statement (FEIS), a regulatory flexibility analysis, and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at <http://sero.nmfs.noaa.gov/sf/pdfs/Comp%20ACL%20Am%20101411%20FINAL.pdf>.

**FOR FURTHER INFORMATION CONTACT:** Rick DeVictor, Southeast Regional Office, NMFS, telephone: 727–824–5305; email: [rick.devictor@noaa.gov](mailto:rick.devictor@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The fishery for snapper-grouper is managed under the Snapper-Grouper FMP. The FMP is prepared by the Council and is implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

### Background

Greater amberjack managed under the FMP is neither overfished nor undergoing overfishing, and is not in a rebuilding plan. The 2006 revisions to the Magnuson-Stevens Act require that by 2011, for fisheries determined by the Secretary of Commerce (Secretary) to not be subject to overfishing, ACLs and AMs must be established at a level that prevents overfishing and helps to achieve OY. These mandates are intended to ensure fishery resources are managed for the greatest overall benefit to the nation, particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems.

An ACL is the level of annual catch of a stock or stock complex that is set to prevent overfishing from occurring. An ACL that is met or exceeded serves as the basis for triggering an AM. ACLs may incorporate management and scientific uncertainty, and take into account the amount of data available and level of vulnerability to overfishing for each species. Separate ACLs may be

established for each sector of a fishery, *i.e.*, commercial and recreational. However, the combined total of both sector ACLs may not exceed the total ACL for a species or stock complex.

As specified in the Comprehensive ACL Amendment, the total ACL for greater amberjack is 1,968,000 lb (892,670 kg), round weight. Within the snapper-grouper fishery of the South Atlantic, the harvest of greater amberjack is divided between the commercial and recreational sectors; the total ACL is also so divided. The commercial sector ACL for greater amberjack is 800,163 lb (362,948 kg), round weight, or 769,388 lb (348,989 kg), gutted weight, and the recreational sector ACL is 1,167,837 lb (529,722 kg), round weight. The commercial quota for greater amberjack is specified in the regulations in gutted weight, because the fishermen are accustomed to the quota being specified in gutted weight. The greater amberjack commercial sector quota proposed through this rulemaking also serves as the greater amberjack commercial sector ACL, set forth in the Comprehensive ACL Amendment.

However, although it is set out in the Comprehensive ACL Amendment, the commercial quota for greater amberjack was inadvertently omitted from the proposed and final rules implementing the Comprehensive ACL. On October 20, 2011, NMFS published a notice of availability for the Comprehensive ACL Amendment and requested public comment (76 FR 65153). On December 1, 2011, NMFS published a proposed rule for the Comprehensive ACL Amendment and requested public comment (76 FR 74757). Additionally, on December 30, 2011, NMFS published an amended proposed rule for the Comprehensive ACL Amendment specific to a revised allowable biological catch (ABC) and a corresponding reduction to the commercial and recreational sector ACLs for wreckfish and requested public comment (76 FR 82264). The Secretary of Commerce approved the Comprehensive ACL Amendment on January 18, 2012. The final rule to implement the Comprehensive ACL Amendment was published on March 16, 2012 (77 FR 15916).

In the proposed rule, the revised commercial quota for greater amberjack referenced in 50 CFR 622.49(b)(11)(i)(A) was inadvertently left unrevised in the commercial quota section in 50 CFR 622.42(e)(3). Therefore the final rule also left the commercial quota for greater amberjack unrevised. This supplemental proposed rule would

revise the commercial quota for greater amberjack.

**Management Measure Contained in This Proposed Rule**

*Greater Amberjack Commercial Quota*

The final rule to implement the Comprehensive ACL Amendment (77 FR 15916, March 16, 2012) implemented ACLs and AMs for greater amberjack. However, as noted above, NMFS inadvertently failed to revise the commercial quota for greater amberjack. Because the commercial quota serves as the commercial sector ACL, which acts as the trigger for the commercial sector's AM, without the revised commercial quota, the commercial sector ACL is incomplete. This rule would revise the greater amberjack commercial quota to accurately reflect the actions within the amendment and meet the intent of the Council. This rule reduces the current commercial sector quota of 1,169,931 lb (530,672 kg), gutted weight, to 769,388 lb (348,989 kg), gutted weight.

**Classification**

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the Comprehensive ACL Amendment, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that the final rule to implement the Comprehensive ACL Amendment would not have a significant economic impact on a substantial number of small entities. The purpose of this proposed rule, as described in the preamble, is to revise the commercial greater amberjack quota that was inadvertently not revised in the final rule implementing the Comprehensive ACL Amendment (77 FR 15916, March 16, 2012), consistent with the intent of the Council. The effects of the commercial quota, 800,163 lb (362,948 kg), round weight, or 769,388 lb (348,989 kg), gutted weight, were fully described in the Comprehensive ACL Amendment. This revised commercial quota is approximately 400,000 lb (181,437 kg), gutted weight, less than the existing commercial quota. However, the average annual commercial greater amberjack harvest for 2005 to 2009 was only 690,725 lb (313,308 kg), gutted weight,

which is substantially less than the existing commercial quota, and which is still less than the quota proposed here. Because the new commercial quota would be more than the average annual commercial greater amberjack harvest, the specification of the new quota is not expected to have any direct adverse economic effects on the commercial harvesters of greater amberjack or associated industries. These results and conclusions were provided in the Comprehensive ACL Amendment. The Classification section of the proposed rule (76 FR 74757, December 1, 2011) and the final rule (77 FR 15916, March 16, 2012) implementing the Comprehensive ACL Amendment, however, focused on the actions which were expected to have direct adverse economic effects on small entities. Because the revision of the greater amberjack commercial quota (commercial ACL) is not expected to have any direct adverse economic effects on small entities, no reference to, or discussion of the expected economic effects of this revision was included in the Classification sections of these two rules.

In summary, this proposed rule, if implemented, would simply correct an administrative oversight in a previous rulemaking. For the reasons above, if implemented this rule will not have a significant economic impact on a substantial number of small entities.

**List of Subjects in 50 CFR Part 622**

Fisheries, Fishing, Puerto Rico, Reporting and recordkeeping requirements, Virgin Islands.

Dated: April 17, 2012.

**Alan D. Risenhoover,**

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

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

**PART 622—FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC**

1. The authority citation for part 622 continues to read as follows:

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

2. In § 622.42, paragraph (e)(3) is revised to read as follows:

**§ 622.42 Quotas.**

\* \* \* \* \*  
(e) \* \* \*

(3) *Greater amberjack*—769,388 lb (348,989 kg).

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[FR Doc. 2012-9600 Filed 4-19-12; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 665**

[Docket No. 110909578-1582-01]

RIN 0648-BB45

**Western Pacific Pelagic Fisheries; Modification of American Samoa Large Vessel Prohibited Area**

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to modify certain boundaries of the large fishing vessel prohibited area around Tutuila, the Manua Islands, and Rose Atoll in American Samoa to align with the boundaries of the Rose Atoll Marine National Monument. The proposed action would simplify enforcement and administration of the management area.

**DATES:** NMFS must receive comments on the proposed rule by May 11, 2012.

**ADDRESSES:** You may send comments on the proposed rule, identified by NOAA-NMFS-2011-0226, to either of the following addresses:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal [www.regulations.gov](http://www.regulations.gov); or
- *Mail:* Michael D. Tosatto, Regional Administrator, NMFS, Pacific Islands Region (PIR), 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700.

Instructions: You must send any comments to one of the above two addresses to ensure that NMFS receives, documents, and considers the comments. Comments sent to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and NMFS will generally post them to [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the commenter may be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept