

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****42 CFR Part 85a**

[Docket No. CDC-2014-0001; NIOSH-271]

RIN 0920-AA51

**Occupational Safety and Health Investigations of Places of Employment****AGENCY:** Centers for Disease Control and Prevention, HHS.**ACTION:** Notice confirming effective date of direct final rule.**SUMMARY:** The National Institute for Occupational Safety and Health (NIOSH) in the Centers for Disease Control and Prevention (CDC) within the Department of Health and Human Services (HHS) is publishing this notice to confirm the effective date of the direct final rule, published on January 16, 2014 (79 FR 2789).**DATES:** The direct final rule published at 79 FR 2789, January 16, 2014, will become effective on April 16, 2014.**FOR FURTHER INFORMATION CONTACT:** Teresa Schnorr Ph.D., Director NIOSH Division of Surveillance, Hazard Evaluations and Field Studies (DSHEFS); 4676 Columbia Parkway, Cincinnati, OH 45226; 513-841-4428 (this is not a toll-free number).**SUPPLEMENTARY INFORMATION:** On January 16, 2014, HHS published a direct final rule (DFR) to make minor technical amendments to the regulatory text in 42 CFR Part 85a (79 FR 2789). On the same date, HHS simultaneously published a companion notice of proposed rulemaking (NPRM) that proposed identical amendments. In the preambles to both documents, HHS indicated that if no significant adverse comments on the DFR were received by March 17, 2014, the agency would publish a document in the **Federal Register** withdrawing the NPRM and confirming the effective date of the DFR within 30 days of the conclusion of the comment period. HHS received one public comment that was not a significant adverse comment, but rather was in support of the companion NPRM. Because HHS did not receive any significant adverse comments to the NPRM within the specified comment period, we have published a notice to withdraw the NPRM [INSERT CITATION FOR NOTICE TO WITHDRAWAL NPRM]. Therefore, consistent with the DFR, the technical amendments to 42 CFR Part 85a will become effective on April 16, 2014.

Dated: April 3, 2014.

**Kathleen Sebelius,**  
*Secretary.*

[FR Doc. 2014-07988 Filed 4-9-14; 8:45 am]

**BILLING CODE 4163-18-P****DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration****49 CFR Part 390****Rescission of Certain Emergency Exemptions****AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.**ACTION:** Notice of rescission.**SUMMARY:** The Federal Motor Carrier Safety Administration (FMCSA), after consultation with representatives of the governors of the affected States, rescinds certain covered emergency exemptions. The exemptions originally took effect automatically upon declaration of an emergency by various governors or FMCSA, and were extended by FMCSA after consultation with representatives of the governors. The President signed the "Home Heating Emergency Assistance Through Transportation Act of 2014" (HHEATT Act, or "the Act") on March 21, 2014. The Act extends until May 31, 2014, all "covered emergency exemptions" created between February 5, 2014, and March 21, 2014, to provide regulatory relief to commercial motor vehicle operators directly supporting the delivery of propane and other home heating fuels. In accordance with the Act, FMCSA has consulted with representatives of each of the governors to determine whether emergency circumstances still exist and has determined that certain covered emergency exemptions created under the HHEATT Act are no longer necessary and should be rescinded.**DATES:** This decision is effective April 10, 2014.**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas Yager, Chief, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 202-366-4325. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov).**SUPPLEMENTARY INFORMATION:****Background**

On March 21, 2014, the President signed the HHEATT Act. The Act extends until May 31, 2014, all "covered emergency exemptions" issued (or extended) by the Federal Motor Carrier Safety Administration (FMCSA) under 49 CFR 390.23 or 390.25 between

February 5, 2014, and March 21, 2014, to provide regulatory relief to commercial motor vehicle operators directly supporting the delivery of propane and other home heating fuels ". . . unless the Secretary of Transportation, after consultation with the Governors of the affected States, determines that the emergency for which the exemption was provided ends before that date" [Section 2(a)].

The HHEATT Act revived or extended the Agency's emergency exemptions for 36 States and the District of Columbia. FMCSA has contacted the chief executives of these jurisdictions, or their designees, to inquire whether critical shortages of propane and other home heating fuels still persist, or whether the exemptions may no longer be needed.

Thirty States plus DC have replied that they are no longer experiencing shortages of propane and other home heating fuels. Six governors have indicated that fuel supplies in their States have not yet returned to normal and that they want the exemption to remain in effect [Illinois, Maryland, Minnesota, North Carolina, Pennsylvania and Virginia].

In accordance with Section 2(a) of the HHEATT Act, FMCSA rescinds, effective immediately, the emergency declarations or extensions issued between February 5, 2014, and March 21, 2014, for the following States and DC, which have reported that the exemptions are no longer needed:

Alabama  
Arkansas  
Connecticut  
Delaware  
District of Columbia  
Florida  
Georgia  
Indiana  
Iowa  
Kansas  
Kentucky  
Louisiana  
Maine  
Massachusetts  
Michigan  
Mississippi  
Missouri  
Nebraska  
New Hampshire  
New Jersey  
New York  
North Dakota  
Ohio  
Oklahoma  
Rhode Island  
South Carolina  
South Dakota  
Tennessee  
Vermont  
West Virginia