

user fees and conditions specified in §§ 700.40, 700.45(b), and 700.49 of this chapter.

■ 13. Section 725.33 is amended by revising paragraphs (a)(9) and (10) to read as follows:

**§ 725.33 Incomplete submissions.**

(a) \* \* \*

(9) The submitter does not remit the fees required by § 700.45(b) of this chapter.

(10) The submitter does not include an identifying number and a payment identity number.

\* \* \* \* \*

**PART 790—[AMENDED]**

■ 14. The authority citation for part 790 continues to read as follows:

**Authority:** 15 U.S.C. 2603.

■ 15. Section 790.45 is amended by adding paragraphs (c)(7) and (g) to read as follows:

**§ 790.45 Submission of letter of intent to conduct testing or exemption application.**

\* \* \* \* \*

(c) \* \* \*

(7) A payment identity number on the front page of the letter, as required in § 700.45(e)(3) of this chapter.

\* \* \* \* \*

(g) Manufacturers and processors subject to a test rule described in § 790.40 and required to comply with the requirements of that test rule as provided in § 790.42(a) must remit the applicable user fee specified in § 700.45(b) of this chapter.

■ 16. Section 790.59 is amended by adding paragraph (c) to read as follows:

**§ 790.59 Failure to comply with a test rule.**

\* \* \* \* \*

(c) Persons who fail to pay the requisite user fee as specified in § 700.45(b) of this chapter will be in violation of the rule.

■ 17. Section 790.60 is amended by adding paragraphs (a)(18) and (d) to read as follows:

**§ 790.60 Contents of consent agreements.**

(a) \* \* \*

(18) Payment identity number, as required in § 700.45(e)(3) of this chapter.

\* \* \* \* \*

(d) *Fees.* Manufacturers and/or processors signing the consent agreement are subject to the applicable user fee specified in § 700.45(b) of this chapter.

■ 18. Section 790.65 is amended by revising paragraph (b) to read as follows:

**§ 790.65 Failure to comply with a consent agreement.**

\* \* \* \* \*

(b) The Agency considers failure to comply with any aspect of a consent agreement, including the failure to pay requisite user fees as specified in § 700.45 of this chapter, to be a “prohibited act” under section 15 of TSCA, subject to all the provisions of the Act applicable to violations of section 15. Section 15(1) of TSCA makes it unlawful for any person to fail or refuse to comply with any rule or order issued under section 4. Consent agreements adopted pursuant to this part are “orders issued under section 4” for purposes of section 15(1) of TSCA.

\* \* \* \* \*

**PART 791—[AMENDED]**

■ 19. The authority citation for part 791 continues to read as follows:

**Authority:** 15 U.S.C. 2603 and 2607.

■ 20. Section 791.39 is amended by removing paragraph (a)(3) and revising paragraph (b).

The revision reads as follows:

**§ 791.39 Fees and expenses.**

\* \* \* \* \*

(b) *Expenses.* All expenses of the hearing, including the cost of recording (though not transcribing) the hearing and required traveling and other expenses of the hearing officer and of American Arbitration Association representatives, and the expenses of any witness or the cost of any proofs produced at the direct request of the hearing officer, shall be borne equally by the parties, unless they agree otherwise, or unless the hearing officer, in the award, assesses such expenses or any part thereof against any specified party or parties.

\* \* \* \* \*

[FR Doc. 2018–02928 Filed 2–23–18; 8:45 am]

**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 721**

[EPA–HQ–OPPT–2011–0941; FRL–9974–60]

**RIN 2070–AB27**

**Modification of Significant New Use of a Certain Chemical Substance; Extension of Comment Period**

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

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** EPA issued a proposed rule in the **Federal Register** of February 8, 2018, proposing to amend the significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for oxazolidine, 3,3'-methylenebis[5-methyl-, which was the subject of a premanufacture notice (PMN) and a significant new use notice (SNUN). This document extends the comment period for 17 days and provides notice that EPA has added two documents to the docket.

**DATES:** The comment period for the proposed rule published February 8, 2018 (83 FR 5598) is extended. This document extends the comment period for 17 days, from February 23, 2018, to March 12, 2018. Comments, identified by docket identification (ID) number EPA–HQ–OPPT–2011–0941, must be received on or before March 12, 2018.

**ADDRESSES:** Follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of February 8, 2018 (83 FR 5598) (FRL–9973–02).

**FOR FURTHER INFORMATION CONTACT:**

*For technical information contact:* Kenneth Moss, Chemical Control Division, Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–9232; email address: [moss.kenneth@epa.gov](mailto:moss.kenneth@epa.gov).

*For general information contact:* The TSCA–Hotline, ABVI–Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554–1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

**SUPPLEMENTARY INFORMATION:** This document extends the public comment period established in the **Federal Register** document of February 8, 2018 (83 FR 5598) (FRL–9973–02), which proposed amendments to the SNUR for the chemical substance in 40 CFR 721.10461. EPA has added two documents to the docket: the redacted (to mask information claimed as confidential business information) Significant New Use Notice for oxazolidine, 3,3'-methylenebis[5-methyl-,; and a revised redacted version of the Structure Activity Team report. In order to give all interested persons the opportunity to comment fully, EPA is hereby extending the comment period, which was set to end on February 23, 2018, to March 12, 2018.

To submit comments, or access the docket, please follow the detailed instructions provided under **ADDRESSES** in the **Federal Register** document of February 8, 2018. If you have questions, consult the technical person listed

under **FOR FURTHER INFORMATION CONTACT.**

### List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous Substances, Reporting and recordkeeping requirements.

Dated: February 15, 2018.

**Jeffery T. Morris,**

*Director, Office of Pollution Prevention and Toxics.*

[FR Doc. 2018-03843 Filed 2-23-18; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 170919912-8142-01]

RIN 0648-BH26

#### Fisheries of the Northeastern United States; Scup Fishery; Framework Adjustment 10

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

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

**SUMMARY:** NMFS proposes modifications to the commercial scup quota periods, as recommended by the Mid-Atlantic Fishery Management Council. The proposed change would move the month of October from the Summer Period to the Winter II Period. This rule is intended to increase fishing opportunities by allowing for more scup to be landed by extending the Winter II Period when possession limits are higher.

**DATES:** Comments must be received by 5 p.m. local time, on March 13, 2018.

**ADDRESSES:** An environmental assessment (EA) was prepared for this action and describes the proposed measures and other considered alternatives, and provides an analysis of the impacts of the proposed measures and alternatives. Copies of the Scup Commercial Quota Period Modification Framework, including the EA, are available on request from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800

North State Street, Dover, DE 19901. These documents are also accessible via the internet at [http://www.mafmc.org/s/Scup\\_quota\\_period\\_framework\\_draftEA\\_Nov2017.pdf](http://www.mafmc.org/s/Scup_quota_period_framework_draftEA_Nov2017.pdf).

You may submit comments on this document, identified by NOAA-NMFS-2018-0001, by either of the following methods:

**Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal.

1. Go to [www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2018-0001](http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2018-0001),

2. Click the "Comment Now!" icon, complete the required fields, and

3. Enter or attach your comments.

—OR—

**Mail:** Submit written comments to Michael Pentony, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, "Comments on the Proposed Rule to Modify the Scup Commercial Quota Periods."

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Emily Gilbert, Fishery Policy Analyst, (978) 281-9244.

#### SUPPLEMENTARY INFORMATION:

##### General Background

Scup (*Stenotomus chrysops*) is managed jointly by the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission through the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan (FMP). The management unit specified in the FMP for scup is U.S. waters of the Atlantic Ocean from 35°13.3' N lat. (the latitude of Cape Hatteras Lighthouse, Buxton, NC) northward to the U.S./Canada

border. The scup stock is not overfished and it is not experiencing overfishing.

Currently, the scup commercial quota is broken into three periods: Winter I (January 1 through April 30) receives 45.11 percent of the annual quota; Summer (May 1 through October 31) receives 38.95 percent; and Winter II (November 1 through December 31) receives an initial 15.94 percent with any unused Winter I quota rolled over into Winter II. Federal trip limits are imposed during the two Winter Periods; states impose landing restrictions during the Summer Period. The Council established these quota periods in 1997 to recognize that there are two commercial fishing fleets (62 FR 27978; May 22, 1997). Larger vessels harvest scup offshore during the winter months and smaller vessels harvest scup inshore during the summer. Without the quota periods and Federal trip limits, the larger vessels would be able to fish the full annual quota early in the year, leaving no quota for the smaller inshore fleet.

The scup stock was declared rebuilt in 2009 based on the findings of a stock assessment. The commercial scup quota nearly doubled between 2010 and 2011. From 2011 to 2016, commercial scup landings have been 20 to 47 percent below the annual commercial quota. Stakeholders have stated that the more restrictive possession limits during the Summer Period, compared to the Winter I and II Periods, have prevented fishermen from landing high volumes of scup when they are available. This limits the ability of the fishery to achieve the annual commercial quota and results in forgone yield.

#### Proposed Action

In order to address these limits on the ability of the fishery to achieve the annual commercial quota, this action would move the month of October from the Summer Period to the Winter II Period (Table 1). This action would facilitate more landings at higher possession limits during longer periods of time. This change would be effective for October 2018 and is expected to have positive socioeconomic impacts compared to maintaining the status quo quota periods.

This action only considers a change to the seasons of the three quota periods. It is not changing the possession limits or the amount of quota allocated annually to each period.