

**§ 370.30 [Amended]**

- 6. Amend § 370.30 by:
- a. In paragraph (a), removing the text “§ 1A370.10”, and adding “§ 370.10” in its place; and
- b. Revising paragraph (a)(2).
- The revised text reads as follows:

**§ 370.30 What information must I provide and what format must I use?**

(a) \* \* \*

(2) Submitting a list of all hazardous chemicals present at your facility at or above the applicable threshold levels. The hazardous chemicals on your list must be grouped by the specific health and physical hazards as defined in § 370.66. The list must contain the chemical or common name of each hazardous chemical as provided on the MSDS (or SDS).

\* \* \* \* \*

**§ 370.40 [Amended]**

- 7. Amend § 370.40, paragraph (b), by removing the text “<http://www.epa.gov/emergencies>”, and adding “<http://www.epa.gov/epcra>” in its place.
- 8. Amend § 370.41 by revising the introductory text to read as follows:

**§ 370.41 What is Tier I inventory information?**

Tier I information provides State and local officials and the public with information on the general types and locations of hazardous chemicals present at your facility during the previous calendar year. The Tier I information is the minimum information that you must provide to be in compliance with the inventory reporting requirements of this part. If you are reporting Tier I information, you must report aggregate information on hazardous chemicals by hazard categories. The hazard categories (physical and health hazards) are defined in § 370.66. Tier I inventory form includes the following data elements:

\* \* \* \* \*

- 9. Amend § 370.42 by revising paragraphs (s)(1), (3), and (5) to read as follows:

**§ 370.42 What is Tier II inventory information?**

\* \* \* \* \*

(s) For each hazardous chemical that you are required to report, you must:

(1) *Pure Chemical*: Provide the chemical name (or the common name of the chemical) as provided on the Material Safety Data Sheet (MSDS) (or Safety Data Sheet (SDS)) and provide the Chemical Abstract Service (CAS) registry number of the chemical provided on the MSDS (or SDS).

**Note to Paragraph (s)(1):** If you are withholding the name in accordance with trade secret criteria, you must provide the generic class or category that is structurally descriptive of the chemical and indicate that the name is withheld because of trade secrecy. Trade secret criteria are addressed in § 370.64(a).

\* \* \* \* \*

(3) *Mixture*. If you are reporting a mixture, enter the mixture name, product name or trade name as provided on the Material Safety Data Sheet (MSDS) (or Safety Data Sheet (SDS)) and provide the Chemical Abstract Service (CAS) registry number of the mixture provided on the MSDS (or SDS). If there is no CAS number provided or it is not known, check the box “Not Available.”

\* \* \* \* \*

(5) *Pure Chemical or Mixture*: Indicate which hazard categories (or hazard classes) apply to the chemical or the mixture. The hazard categories (or physical and health hazards) are defined in § 370.66.

\* \* \* \* \*

**§ 370.64 [Amended]**

- 10. Amend § 370.64 by removing “<http://www.epa.gov/emergencies>” and adding “<http://www.epa.gov/epcra>” in its place, two times.

- 11. Amend § 370.66 by revising the definition “*Hazard category*”, and adding in alphabetical order the definition “*Safety Data Sheet or SDS*” to read as follows:

**§ 370.66 How are key words in this part defined?**

\* \* \* \* \*

*Hazard category* is divided into two categories, health and physical hazards.

(1) Health hazard means a chemical which poses one of the following hazardous effects: Carcinogenicity; acute toxicity (any route of exposure); aspiration hazard; reproductive toxicity; germ cell mutagenicity; skin corrosion or irritation; respiratory or skin sensitization; specific target organ toxicity (single or repeated exposure); simple asphyxiant; and hazard not otherwise classified (HNOC).

(2) Physical hazard means a chemical which poses one of the following hazardous effects: Flammable (gases, aerosols, liquids or solids); gas under pressure; explosive; self-heating; pyrophoric (liquid or solid); pyrophoric gas; oxidizer (liquid, solid or gas); organic peroxide; self-reactive; in contact with water emits flammable gas; combustible dust; corrosive to metal;

and hazard not otherwise classified (HNOC).

\* \* \* \* \*

*Safety Data Sheet or SDS* means the sheet required to be developed under 29 CFR 1910.1200(g). This term means the same as the term “material safety data sheet or MSDS” defined in this section.

\* \* \* \* \*

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**FEDERAL MARITIME COMMISSION****46 CFR Part 535****[Docket No. 16–09]****RIN 3072–AC65****Optional Method of Filing Ocean Common Carrier and Marine Terminal Operator Agreements Subject to the Shipping Act of 1984****AGENCY:** Federal Maritime Commission.**ACTION:** Confirmation of effective date of direct final rule.

**SUMMARY:** The Federal Maritime Commission (Commission) is publishing this document to confirm the effective date of the direct final rule published on April 27, 2016.

**DATES:** The direct final rule published on April 27, 2016 (81 FR 24703) will become effective on June 13, 2016.

**FOR FURTHER INFORMATION CONTACT:** Karen V. Gregory, Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573–0001. Phone: (202) 523–5725. Email: [secretary@fmc.gov](mailto:secretary@fmc.gov).

**SUPPLEMENTARY INFORMATION:** On April 27, 2016 (81 FR 24703), the Commission published a direct final rule (DFR) amending 46 CFR part 535 relating to the filing of Ocean Common Carrier and Marine Terminal Operator Agreements to provide for optional filing of these agreements through a new electronic filing system. The Commission indicated that if it did not receive any significant adverse comments by May 27, 2016, the DFR would go into effect on June 13, 2016.

The Commission received only one comment that was not a significant adverse comment, but rather in support of the amendments. The commenter stated that the amendments are a “win-win” and will make the filing process of agreements and amendments more efficient, expeditious, and effective. The Commission agrees with the commenter that the optional filing system will facilitate more efficient filing, review, and publication of these agreements.

Therefore, because the Commission received no significant adverse comments, the amendments to 46 CFR part 535 will become effective on June 13, 2016.

By the Commission.

**Rachel E. Dickon,**

*Assistant Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 140818679-5356-02]

RIN 0648-XE674

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Extension of the 2016 Gulf of Mexico Private Angling Recreational Red Snapper Season

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

**ACTION:** Temporary rule; extension.

**SUMMARY:** NMFS extends the recreational fishing season for the private angling component for red snapper in the exclusive economic zone (EEZ) of the Gulf of Mexico (Gulf) through this temporary rule. NMFS previously determined the private angling component would reach its annual catch target (ACT) for Gulf red snapper by 12:01 a.m., local time, June 10, 2016. However, due to recent severe weather conditions in the eastern Gulf, fishing opportunities were restricted during the recreational fishing season for the private angling component. NMFS has projected the private angling component will not reach its ACT by the current closure date. Therefore, NMFS is extending the recreational red snapper fishing season for the private angling component for 2 days to allow the ACT to be harvested. The intent of this action is to provide the recreational private angling component the opportunity to harvest its red snapper ACT, and the opportunity to achieve the optimum yield for the fishery, thus enhancing social and economic benefits to the fishery.

**DATES:** The extension is effective from 12:01 a.m., local time, June 10, 2016, until 12:01 a.m., local time, June 12, 2016. The beginning of the 2017 Federal

recreational fishing season for the private angling component begins on June 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Steve Branstetter, NMFS Southeast Regional Office, telephone: 727-824-5305, email: [steve.branstetter@noaa.gov](mailto:steve.branstetter@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Gulf reef fish fishery includes red snapper and is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council (Council) and is implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On April 28, 2016, NMFS announced in the **Federal Register** the 2016 recreational fishing seasons for the private angling and Federal charter vessel/headboat (for-hire) components for red snapper in the Gulf EEZ (81 FR 25583, April 28, 2016). The Federal recreational seasons for red snapper in the Gulf began on June 1, 2016. Regulations at 50 CFR 622.41(q)(2)(i) require NMFS to close the respective recreational fishing seasons for Gulf red snapper in Federal waters when the respective recreational component ACT, specified in 50 CFR 622.41(q)(2)(iii), is met or projected to be met. For recreational harvest by the private angling component, NMFS determined that the season would end at 12:01 a.m., local time, on June 10, 2016, which constituted a 9-day fishing season.

Landings and effort data are not available in-season to determine if the recreational ACT for the private angling component will be met on June 9, 2016. However, the eastern Gulf experienced severe weather conditions from Tropical Storm Colin during the 2016 red snapper recreational fishing season and it is likely that fishing effort and landings for the private angling component are less than NMFS projected. The majority of red snapper recreational harvest in the Gulf comes from the eastern Gulf. Because of the assumed effort reduction as a result of severe weather, NMFS has determined that the recreational private angling component will not harvest its red snapper ACT by the previously estimated June 10, 2016, closing date. Based on the assumption that weather conditions will improve and recreational fishing effort will return to expected rates, NMFS projects the recreational red snapper season for the private angling component can be extended for an additional 2 days, and

will therefore close at 12:01 a.m., local time, on June 12, 2016.

The Federal season for the Federal for-hire component began at 12:01 a.m., local time, June 1, 2016, and will close at 12:01 a.m., local time, July 17, 2016 (81 FR 25583, April 28, 2016). The Federal recreational fishing season for the for-hire component will not be revised by NMFS as a result of the recent severe weather, because the comparatively longer component fishing season allows for greater flexibility in scheduling fishing trips and greater opportunity to harvest the component ACT.

The 2017 Federal recreational fishing seasons for both private angling and for-hire components begin on June 1, 2017.

On and after the effective date of a recreational component closure, the bag and possession limits for red snapper in the respective component are zero. When the Federal charter vessel/headboat component or entire recreational sector is closed, these bag and possession limits apply in the Gulf on board a vessel for which a valid Federal charter vessel/headboat permit for Gulf reef fish has been issued, without regard to where such species were harvested, *i.e.*, in state or Federal waters.

#### Classification

The Regional Administrator for the NMFS Southeast Region has determined this temporary rule is necessary for the conservation and management of Gulf red snapper and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.8(c) and 622.41(q)(2)(i) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available. The Assistant Administrator for NOAA Fisheries (AA), finds that the need to immediately implement this action to extend the season for the private angling component for the red snapper recreational sector constitute good cause to waive the requirements to provide prior notice and opportunity for public comment on this temporary rule pursuant to the authority set forth in 5 U.S.C. 553(b)(B), because such procedures are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule implementing the recreational red snapper ACLs and ACTs, and the rule