

**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

## Wisconsin

The emergency declaration extension will remain in effect until further notice, but in no circumstances, beyond May 31, 2014, for the following six States:

Illinois  
Maryland  
Minnesota  
North Carolina  
Pennsylvania  
Virginia

Issued under authority delegated in 49 CFR 1.87.

Issued on: April 3, 2014.

Anne S. Ferro,  
Administrator.

[FR Doc. 2014-08021 Filed 4-9-14; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 622

[Docket No. 130312235-3658-02]

RIN 0648-XD173

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2014 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS implements accountability measures (AMs) for the commercial sector for vermilion snapper in the exclusive economic zone (EEZ) of the South Atlantic. Commercial landings for vermilion snapper, as estimated by the Science Research Director (SRD), are projected to reach the commercial annual catch limit (ACL) for the January 1 through June 30, 2014, fishing period on April 19, 2014. Therefore, NMFS closes the commercial sector for vermilion snapper in the South Atlantic EEZ on April 19, 2014, and it will remain closed until the start of the July 1 through December 31, 2014, fishing period. This closure is necessary to protect the vermilion snapper resource.

**DATES:** This rule is effective 12:01 a.m., local time, April 19, 2014, until 12:01 a.m., local time, July 1, 2014.

**FOR FURTHER INFORMATION CONTACT:** Catherine Hayslip, telephone: 727-824-5305, email: *Catherine.Hayslip@noaa.gov*.

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

The commercial ACL (commercial quota) for vermilion snapper in the South Atlantic is divided into two quotas for two 6-month time periods, and is 401,874 lb (182,287 kg), gutted weight [446,080 lb (202,338 kg), round weight], for the current fishing period of January 1 through June 30, 2014, as specified in 50 CFR 622.190(a)(4)(i)(B).

On March 7, 2014, NMFS published a temporary rule (79 FR 12957) to reduce the commercial trip limit for vermilion snapper in or from the EEZ of the South Atlantic to 500 lb (227 kg), gutted weight, effective 12:01 a.m., local time, March 11, 2014, until July 1, 2014, or until the quota is reached and the commercial sector closes, whichever occurs first.

In accordance with regulations at 50 CFR 622.193(f)(1), NMFS is required to close the commercial sector for vermilion snapper when its commercial ACL (commercial quota) for that portion of the fishing year applicable to the respective commercial ACL (commercial quota) has been reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS has determined that the commercial ACL (commercial quota) for South Atlantic vermilion snapper for the January-June fishing period will have been reached by April 19, 2014. Accordingly, the commercial sector for South Atlantic vermilion snapper is closed effective 12:01 a.m., local time, April 19, 2014, until 12:01 a.m., local time, July 1, 2014. The commercial ACL (commercial quota) for vermilion snapper in the South Atlantic is 401,874 lb (182,287 kg), gutted weight [446,080 lb (202,338 kg), round weight], for the July 1 through December 31, 2014, fishing period, as specified in 50 CFR 622.190(a)(4)(ii)(B).

The operator of a vessel with a valid commercial vessel permit for South Atlantic snapper-grouper having vermilion snapper onboard must have landed and bartered, traded, or sold such vermilion snapper prior to 12:01 a.m., local time, April 19, 2014. During the closure, the bag limit specified in 50 CFR 622.187(b)(5) and the possession

limits specified in 50 CFR 622.187(c)(1), apply to all harvest or possession of vermilion snapper in or from the South Atlantic EEZ. During the closure, the sale or purchase of vermilion snapper taken from the EEZ is prohibited. As specified in 50 CFR 622.190(c)(1)(i), the prohibition on sale or purchase does not apply to the sale or purchase of vermilion snapper that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, April 19, 2014, and were held in cold storage by a dealer or processor. For a person on board a vessel for which a Federal commercial or charter vessel/headboat permit for the South Atlantic snapper-grouper fishery has been issued, the bag and possession limits and the sale and purchase provisions of the commercial closure for vermilion snapper would apply regardless of whether the fish are harvested in state or Federal waters, as specified in 50 CFR 622.190(c)(1)(ii).

## Classification

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

This action is taken under 50 CFR 622.193(f)(1) and is exempt from review under Executive Order 12866.

This action responds to the best available scientific information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA), finds that the need to immediately implement this action to close the commercial sector for vermilion snapper constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B), as such procedures would be unnecessary and contrary to the public interest. Such procedures would be unnecessary because the rule itself has been subject to notice and comment, and all that remains is to notify the public of the closure. Allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action to protect vermilion snapper since the capacity of the fishing fleet allows for rapid harvest of the commercial ACL (commercial quota). Prior notice and opportunity for public comment would require time and would likely result in a harvest well in excess of the established commercial ACL (commercial quota).