G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying to those regulatory actions that concern health or safety risks, such that the analysis required under section 5–501 of the Order has the potential to influence the regulation. This action is not subject to Executive Order 13045 because it is based solely on technology performance.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This direct final rule is not a “significant energy action” as defined in Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (“NTTAA”), Public Law 104–113 (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities, unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

These direct final rule amendments do not involve technical standards as defined in the NTTAA. Therefore, this direct final rule is not subject to NTTAA.

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

Executive Order 12898 (59 FR 7629, February 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.

EPA has determined that this direct final rule would 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.

K. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801, et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of Congress and to the Comptroller General of the United States. EPA will submit a report containing these final rule amendments and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the final rule amendments in the Federal Register. A major rule cannot take effect until 60 days after it is published in the Federal Register. This action is not a “major rule” as defined by 5 U.S.C. 804(2). This direct final rule will be effective on November 2, 2010.

List of Subjects for 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: July 14, 2010.

Lisa P. Jackson, Administrator.

For the reasons set out in the preamble, title 40, chapter I, part 63, subpart DDDDDD of the Code of Federal Regulations is amended as follows:

PART 63—[AMENDED]

1. The authority citation for part 63 continues to read as follows:

Authority: 42 U.S.C. 7401, et seq.

Subpart DDDDDD—[Amended]

2. Section 63.11624 is amended as follows:

a. Revising the second sentence of paragraph (a)(2) introductory text;

b. Revising paragraph (a)(2)(iv) and

c. Revising paragraph (b) introductory text.

The revisions are to be read as follows:

§ 63.11624 What are the notification, reporting, and recordkeeping requirements?

(a) * * *

(2) * * * If you are the owner or operator of a new affected source, you must submit a Notification of Compliance Status within 120 days of initial startup, or by October 18, 2010, whichever is later. * * * * *

(iv) If you own or operate an affected source that is not subject to the requirement in § 63.11621(e) to install and operate a cyclone to control emissions from pelleting operations because your initial average daily feed production level was 50 tpd or less, documentation of your initial average daily feed production level determination.

(b) Annual compliance certification report. You must, by March 1 of each year, prepare an annual compliance certification report for the previous calendar year containing the information specified in paragraphs (b)(1) through (b)(6) of this section. You must submit the report if you had any instance described by paragraph (b)(3) or (b)(4) of this section.

* * * * *

[FR Doc. 2010–17711 Filed 7–19–10; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 102–5

[FMR Amendment 2010–02; FMR Case 2010–102–4; Docket 2010–0013, Sequence 1]

RIN 3090–AJ05

Federal Management Regulation; Home-to-Work Transportation

AGENCY: Office of Governmentwide Policy, General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: The General Services Administration is amending the Federal Management Regulation (FMR) to clarify existing Home-to-Work Transportation policy. This final rule updates and clarifies who is not covered by 41 CFR part 102–5.

DATES: Effective Date: This final rule is effective on July 20, 2010.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact Mr.
List of Subjects in 41 CFR Part 102–5

Government property, Home-to-work transportation, Motor vehicles.


Martha Johnson,
Administrator of General Services.

For the reasons set forth in the preamble, GSA amends 41 CFR part 102–5 as set forth below:

PART 102–5—HOME-TO-WORK TRANSPORTATION

§ 102–5.20 Who is not covered by this part?

(a) Employees who use a passenger carrier in conjunction with official travel, including temporary duty (TDY) or relocation;

(b) Employees who use a passenger carrier for transportation between places of employment and mass transit facilities.

(b) Employees who use a passenger carrier in conjunction with official travel, including temporary duty (TDY) or relocation;

(c) Employees who use a passenger carrier for transportation between places of employment and mass transit facilities.

§ 102–5.20 Removing the period at the end of paragraph (b).

§ 102–5.20 Redesignating paragraph (c) as paragraph (b);

§ 102–5.20 Adding the period at the end of paragraph (b).

§ 102–5.20 Adding a new paragraph (c).

The revisions read as follows:

§ 102–5.20 Who is not covered by this part?

* * * * *

(a) Employees who use a passenger carrier in conjunction with official travel, including temporary duty (TDY) or relocation;

* * * * *

(c) Employees who use a passenger carrier for transportation between places of employment and mass transit facilities.

Summary:

NMFS closes the northern area Angling category fishery for large medium and giant BFT (measuring 73 inches curved fork length or greater) north of 39° 18’ N. lat. (off Great Egg Inlet, NJ) is prohibited effective at 11:59 p.m., July 18, 2010. This action is being taken to prevent overharvest of the 2010 Angling category quota for large medium and giant BFT.

DATES: Effective 11:59 p.m. on July 18, 2010, through December 31, 2010.

FOR FURTHER INFORMATION CONTACT: Sarah McLaughlin or Brad McHale, 978–281–9260.