

| Inert ingredients | Limits | Uses |
|---|---|---|
| * * 2-Ethyl-1-hexanol (CAS Reg. No. 104-76-7) .. | * * Not more than 10% of pesticide | * * Solvent adjuvant of surfactants. |
| * * | * * | * * |

[FR Doc. 2012-8195 Filed 4-5-12; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA-2011-0002]

Changes in Flood Elevation Determinations

Correction

In rule document 2011-33772 appearing on pages 423-425 in the issue of Thursday, January 5, 2012 make the following correction:

§ 65.4 [Corrected]

On page 425, in the table, in the column "Chief executive officer of community", on the 10th line, "Mr. Robert Hyatt Davidson, County Manager" should read "Mr. Robert Hyatt, Davidson County Manager".

[FR Doc. C1-2011-33772 Filed 4-5-12; 8:45 am]

BILLING CODE 1505-01-D

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1219]

Changes in Flood Elevation Determinations

Correction

In rule document 2011-25157 appearing on pages 60748-60751 in the issue of Friday, September 30, 2011, make the following corrections:

§ 65.4 [Corrected]

1. In the table appearing on page 60750, in the column titled "Chief executive officer of the community", the eighth entry from the bottom of the page, "199 Town Center, Parkway Spring Hill, TN 37174" should read

"199 Town Center Parkway, Spring Hill, TN 37174".

2. In the table appearing on page 60750, the last entry in the column titled "Chief executive officer of the community", "301 West 2nd Street, 2nd Floor Austin, Texas 78701" should read "301 West 2nd Street, 2nd Floor, Austin, Texas 78701".

[FR Doc. C1-2011-25157 Filed 4-5-12; 8:45 am]

BILLING CODE 1505-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Parts 2, 24, 30, 70, 90, 91, and 188

[Docket No. USCG-2011-0363]

RIN 1625-AB71

Seagoing Barges

AGENCY: Coast Guard, DHS.

ACTION: Direct final rule; withdrawal.

SUMMARY: The Coast Guard is withdrawing its direct final rule published on December 14, 2011. The direct final rule notified the public of the Coast Guard's intent to revise regulations for the inspection and certification of seagoing barges to align with the language of the applicable statutes. We are withdrawing that rule because we received two adverse comments. That rule will not become effective as scheduled. Instead, we plan to consider these issues in a notice of proposed rulemaking.

DATES: The direct final rule published December 14, 2011, (76 FR 77712), is withdrawn on April 6, 2012.

ADDRESSES: The docket for this withdrawn rulemaking is available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet by going to <http://www.regulations.gov>, inserting USCG-2011-0363 in the "Keyword" box, and then clicking "Search."

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice, call or email Mr. Ken Smith, U.S. Coast Guard, telephone 202-372-1413, email Ken.A.Smith@uscg.mil. If you have questions on viewing material in the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

Background

On December 14, 2011, we published a direct final rule entitled "Seagoing Barges" in the *Federal Register* (76 FR 77712). That rule would have redefined "seagoing barge" in 46 CFR parts 90 and 91 and would have revised 46 CFR parts 2, 24, 30, 70, 90, 91, and 188 to exempt specified seagoing barges from inspection and certification to align Coast Guard regulations with the language of the applicable statutes.

In 1983, section 2101(32), Public Law 98-89, 97 Stat. 500 (46 U.S.C. 2101) redefined "seagoing barge" as a non self-propelled vessel of at least 100 gross tons making voyages beyond the Boundary Line. Coast Guard regulations at 46 CFR 91.01-10(c) do not reflect the language change and instead refer to seagoing barges as vessels "on the high seas or ocean." The withdrawn rule would have changed the language in 46 CFR 91.01-10 from "on the high seas or ocean" to "beyond the Boundary Line" to reflect the language of Public Law 98-89.

In 1993, Congress exempted from inspection seagoing barges that are unmanned and (1) not carrying hazardous material as cargo, or (2) carrying a flammable or combustible liquid, including oil, in bulk. (See Coast Guard Authorization Act of 1993, Pub. L. 103-206, 107 Stat. 2419 (46 U.S.C. 3302(m).) Also in 1993, we stopped requiring the specified seagoing barges to be inspected in compliance with Public Law 103-206. However, we did not amend our regulations to reflect the exemption. That withdrawn rule would have changed the language concerning seagoing barges in 46 CFR 90.05-25, and 46 CFR 91.01-10, and in the vessel inspection tables in 46 CFR parts 2, 24, 30, 70, 90, and 188, to reflect the exemption created by Public Law 103-206.

We published the withdrawn rule as a direct final rule under 33 CFR 1.05–55 because we considered the rule to be noncontroversial and therefore did not expect any adverse comments. In the direct final rule, we notified the public of our intent to make the rule effective on April 12, 2012, unless an adverse comment or notice of intent to submit an adverse comment was received on or before February 13, 2012.

We received two submissions from the same commenter during the comment period, and we determined that both are adverse comments, as explained below. As such, we are withdrawing the direct final rule. We plan to consider the issues raised in the adverse comments in a notice of proposed rulemaking.

Withdrawal

We received two comments in response to the direct final rule. In the first comment, the commenter stated that without a definition of the term “oil in bulk,” the rule would be ineffective. In the second comment, the commenter stated that without a definition of the term “manned,” the rule would be ineffective. In the direct final rule, we explained that a comment is considered adverse if the commenter explains why this rule or part of this rule would be inappropriate, including a challenge to its underlying premise or approach, or would be ineffective or unacceptably without a change. We have determined that both comments received are adverse comments.

In the first comment, the commenter expressed concern that, without a definition of “in bulk,” the rule does not make it clear whether a barge that carries flammable or combustible liquids, including oil, in bulk for use by the vessel and not as cargo, is exempt from inspection and certification. Furthermore, the commenter asked at what quantity of such flammable or combustible liquid carried in bulk is the barge no longer considered exempt under the rule. The commenter also expressed concern that without a definition of “in bulk,” barges that carry flammable or combustible liquid, including oil, in bulk as cargo would be subject to inspection regardless of how small the quantity.

In the second comment, the commenter requested a definition for the term “manned,” and stated that without such a definition, the rule would be ineffective. The commenter was concerned that there are times when barges that do not require manning to operate have personnel on board to prepare the barges for transfer and off-load, and that without a

definition in the rule, it is not clear whether barges with personnel permissively on board require inspection or are exempt.

Authority

We issue this notice of withdrawal under the authority of 33 U.S.C. 494, 502, 525, 33 CFR 1.05–55, and Department of Homeland Security Delegation No. 0170.1.

Because we consider these comments to be adverse, we are withdrawing the direct final rule. We plan to seek comment on these concerns in a forthcoming notice of proposed rulemaking.

J.G. Lantz,

Director of Commercial Regulations and Standards, U.S. Coast Guard.

[FR Doc. 2012–8310 Filed 4–5–12; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 111011616–2102–02]

RIN 0648–BB51

Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 23

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

ACTION: Final rule.

SUMMARY: This action approves Framework Adjustment 23 to the Atlantic Sea Scallop Fishery Management Plan (Framework 23) and implements its measures. Framework 23 was developed and adopted by the New England Fishery Management Council and includes measures to: Minimize impacts on sea turtles through the requirement of a turtle deflector dredge; improve the effectiveness of the scallop fishery’s accountability measures related to the yellowtail flounder annual catch limits; adjust the limited access general category Northern Gulf of Maine management program; and modify the scallop vessel monitoring system trip notification procedures to improve flexibility for the scallop fleet.

DATES: Effective May 7, 2012.

ADDRESSES: An environmental assessment (EA) was prepared for Framework 23 that describes the action and other considered alternatives and

provides a thorough analysis of the impacts of these measures and alternatives. Copies of Framework 23, the EA, and the Initial Regulatory Flexibility Analysis (IRFA), are available upon request from Paul J. Howard, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Emily Gilbert, Fishery Policy Analyst, 978–281–9244; fax 978–281–9135.

SUPPLEMENTARY INFORMATION:

Background

The New England Fishery Management Council (Council) adopted Framework 23 on September 27, 2011, initially submitted it to NMFS on October 25, 2011, for review and approval, and submitted a revised final framework document on November 30, 2011. Framework 23 includes measures that require vessels fishing in the Atlantic Sea Scallop fishery to use a turtle deflector dredge (TDD), including where, when, and to which vessels this TDD requirement applies. It also revises the current accountability measures (AMs) related to the yellowtail flounder (YTF) annual catch limits (sub-ACLs) for the Georges Bank (GB) and Southern New England/Mid-Atlantic (SNE/MA) YTF stock areas. These modifications only alter the months when a closure applies and do not change the locations for these seasonal closure AMs. Framework 23 also changes how scallop landings are applied to the Northern Gulf of Maine Management (NGOM) total allowable catch (TAC) when harvested by federally NGOM-permitted vessels. Finally, Framework 23 implements procedural changes to when and where a vessel can declare a scallop trip through vessel monitoring systems (VMS).

The Council reviewed the Framework 23 proposed rule regulations as drafted by NMFS, which included regulations proposed by NMFS under the authority of section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and deemed them to be necessary and consistent with section 303(c) of the Magnuson-Stevens Act. The proposed rule for Framework 23 published in the **Federal Register** on January 3, 2012 (77 FR 52), with a 15-day public comment period that ended January 18, 2012. Three comments were received on the proposed measures.

The final Framework 23 management measures are described below. Details concerning the Council’s development of these measures were presented in the