

National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*). The EPA's compliance with these statutes and Executive Orders for the underlying rule is discussed in the October 29, 2009, **Federal Register** document.

B. Submission to Congress and the Comptroller General

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 the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this notice and other required information to the United States Senate, the United States House of Representatives and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. The stay of the provisions in 40 CFR part 63, subpart VVVVVV is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Monitoring, Reporting and recordkeeping.

Dated: October 19, 2012.

Lisa P. Jackson,
Administrator.

For the reasons stated in the preamble, title 40, chapter I, part 63 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 VVVVVV—[AMENDED]

- 2. Subpart VVVVVV is stayed from October 25, 2012 until December 24, 2012.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 111220786–1781–01]

RIN 0648–XC303

Fisheries of the Northeastern United States; Black Sea Bass Fishery; Recreational Quota Harvested

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that the 2012 black sea bass recreational harvest limit has been exceeded. No one may fish for or possess black sea bass in Federal waters for the remainder of calendar year 2012, unless issued a Federal moratorium permit and fishing commercially. Regulations governing the black sea bass fishery require publication of this notification to advise that the recreational quota has been harvested and to advise vessel permit holders that no Federal recreational quota is available for fishing black sea bass.

DATES: Effective at 0001 hr local time, November 1, 2012, through 2400 hr local time December 31, 2012.

FOR FURTHER INFORMATION CONTACT: Moira Kelly, Fishery Policy Analyst, (978) 281–9218, or *Moira.Kelly@noaa.gov*.

SUPPLEMENTARY INFORMATION: Regulations governing the black sea bass

fishery are found at 50 CFR part 648. The regulations require annual specification of a recreational harvest limit (RHL) for the Atlantic coast from Cape Hatteras, North Carolina, through Maine. The process to set the annual RHL is described in § 648.142.

The initial total RHL for black sea bass for the 2012 fishing year is 1.86 million lb (844 mt) (76 FR 82189, December 30, 2011). The 2012 RHL was reduced to 1.32 million lb (599 mt) after deduction of research set-aside and discards.

The Administrator, Northeast Region, NMFS (Regional Administrator), monitors the recreational harvest limit and determines when the recreational harvest limit has been met or exceeded. NMFS is required to publish notification in the **Federal Register** advising and notifying recreational vessels that, effective upon a specific date, the recreational harvest limit has been harvested. The Regional Administrator has determined based upon data from the Marine Recreational Fishing Statistical Survey and the Marine Recreational Information Program that the 2012 recreational black sea bass quota has been exceeded.

Effective 0001 hours, November 1, 2012, no one may fish for or possess black sea bass in Federal waters for the remainder of the 2012 calendar year, unless issued a commercial moratorium permit and fishing commercially. This closure also applies to vessels issued a Federal party/charter permit fishing in state waters.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 19, 2012.

Emily H. Menashes,
Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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