

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 rule 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. section 804(2). This rule is effective on October 2, 2014.

#### L. Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 3, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental Relations, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

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

Dated: August 11, 2014.

Alexis Strauss,

Acting Regional Administrator, Region IX.

[FR Doc. 2014-20691 Filed 8-29-14; 8:45 am]

**BILLING CODE** 6560-50-P

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### 43 CFR Part 2

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RIN 1090-AB02

#### Privacy Act Regulations; Exemption for the Incident Management, Analysis and Reporting System

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Interior is issuing a final rule to amend its regulations to exempt certain records in the Incident Management, Analysis and Reporting System from one or more provisions of the Privacy Act because of

criminal, civil, and administrative law enforcement requirements.

**DATES:** This final rule is effective October 2, 2014.

**FOR FURTHER INFORMATION CONTACT:** Teri Barnett, Departmental Privacy Act Officer, U.S. Department of the Interior, 1849 C Street NW., Mail Stop 5547 MIB, Washington, DC 20240. Email at [privacy@ios.doi.gov](mailto:privacy@ios.doi.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department of the Interior (DOI) published a notice of proposed rulemaking in the **Federal Register**, 78 FR 46555, August 1, 2013, proposing to exempt certain records in the Incident Management, Analysis and Reporting System (IMARS) from 5 U.S.C. 552a(j)(2) and (k)(2) of the Privacy Act because of criminal, civil, and administrative law enforcement requirements. The IMARS system of records notice was published in the **Federal Register**, 78 FR 45949, July 30, 2013, and an amended notice was published on June 3, 2014, 79 FR 31974. Comments were invited on both the IMARS system of records notice and the amended system of records, and the notice of proposed rulemaking. DOI received no comments on the notice of proposed rulemaking or published system of records notices and will therefore implement the rulemaking as proposed.

##### Procedural Requirements

###### 1. Regulatory Planning and Review (*E.O. 12866*)

Executive Order 12866 provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget will review all significant rules. The Office of Information and Regulatory Affairs has determined that this rule is not significant.

Executive Order 13563 reaffirms the principles of *E.O. 12866* while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. *E.O. 13563* emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed

this rule in a manner consistent with these requirements.

###### 2. Regulatory Flexibility Act

The Department of the Interior certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*). This rule does not impose a requirement for small businesses to report or keep records on any of the requirements contained in this rule. The exemptions to the Privacy Act apply to individuals, not to entities covered under the Regulatory Flexibility Act.

###### 3. Small Business Regulatory Enforcement Fairness Act (*SBREFA*)

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

(a) Does not have an annual effect on the economy of \$100 million or more.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises.

###### 4. Unfunded Mandates Reform Act

This rule does not impose an unfunded mandate on State, local, or tribal governments in the aggregate, or on the private sector, of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or tribal governments or the private sector. This rule makes only minor changes to 43 CFR part 2. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

###### 5. Takings (*E.O. 12630*)

In accordance with Executive Order 12630, the rule does not have significant takings implications. This rule makes only minor changes to 43 CFR part 2. A takings implication assessment is not required.

###### 6. Federalism (*E.O. 13132*)

In accordance with Executive Order 13132, this rule does not have any federalism implications to warrant the preparation of a Federalism Assessment. The rule is not associated with, nor will it have substantial direct effects on the States, on the relationship between the

national government and the States, or on the distribution of power and responsibilities among the various levels of government. A Federalism Assessment is not required.

#### 7. Civil Justice Reform (E.O. 12988)

This rule complies with the requirements of Executive Order 12988. Specifically, this rule:

(a) Does not unduly burden the judicial system.

(b) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(c) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

#### 8. Consultation With Indian Tribes (E.O. 13175)

In accordance with Executive Order 13175, the Department of the Interior has evaluated this rule and determined that it would have no substantial effects on federally recognized Indian Tribes.

#### 9. Paperwork Reduction Act

This rule does not require an information collection from 10 or more parties and a submission under the Paperwork Reduction Act is not required.

#### 10. National Environmental Policy Act

This rule does not constitute a major Federal action and would not have a significant effect on the quality of the human environment. Therefore, this rule does not require the preparation of an environmental assessment or environmental impact statement under the requirements of the National Environmental Policy Act of 1969.

#### 11. Effects on Energy Supply (E.O. 13211)

This rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

#### List of Subjects in 43 CFR Part 2

Administrative practice and procedure, Classified information, Courts, Freedom of information, Government employees, Privacy.

Dated: August 21, 2014.

#### Rhea Suh,

Assistant Secretary for Policy, Management and Budget.

For the reasons stated in the preamble, the Department of the Interior amends 43 CFR Part 2 as follows:

## PART 2—FREEDOM OF INFORMATION ACT; RECORDS AND TESTIMONY

■ 1. The authority citation for part 2 continues to read as follows:

**Authority:** 5 U.S.C. 301, 552, 552a, 553; 31 U.S.C. 3717; 43 U.S.C. 1460, 1461.

■ 2. In § 2.254, revise paragraph (a) introductory text, add paragraph (a)(5) revise paragraph (b) introductory text, and add paragraph (b)(15) to read as follows:

#### § 2.254 Exemptions.

(a) *Criminal law enforcement records exempt under 5 U.S.C. 552a(j)(2).* Pursuant to 5 U.S.C. 552a(j)(2) the following systems of records have been exempted from all of the provisions of 5 U.S.C. 552a and the regulations in the subpart except paragraphs (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i) of 5 U.S.C. 552a and the portions of the regulations in this subpart implementing these paragraphs:

\* \* \* \* \*

(5) Incident Management, Analysis and Reporting System, DOI-10.

(b) *Law enforcement records exempt under 5 U.S.C. 552a(k)(2).* Pursuant to 5 U.S.C. 552a(k)(2), the following systems of records have been exempted from paragraphs (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) of 5 U.S.C. 552a and the provisions of the regulations in this subpart implementing these paragraphs:

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(15) Incident Management, Analysis and Reporting System, DOI-10.

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[FR Doc. 2014-20744 Filed 8-29-14; 8:45 am]

**BILLING CODE 4310-RK-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 140106011-4338-02]

RIN 0648-XD474

### Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trimester Closure for the Common Pool Fishery

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

**ACTION:** Temporary rule; area closure.

**SUMMARY:** This action closes the Southern New England/Mid-Atlantic

yellowtail flounder Trimester Total Allowable Catch Area for the remainder of Trimester 1, through August 31, 2014. Based on our projection, the common pool fishery has caught over 90 percent of its Southern New England/Mid-Atlantic yellowtail flounder Trimester 1 total allowable catch, triggering the regulatory requirement to close the area for the remainder of the trimester. This action is intended to prevent further overages of the common pool's annual quota of Southern New England/Mid-Atlantic yellowtail flounder.

**DATES:** This action is effective August 27, 2014, through August 31, 2014.

**FOR FURTHER INFORMATION CONTACT:** Brett Alger, Fishery Management Specialist, 978-675-2153.

**SUPPLEMENTARY INFORMATION:** Federal regulations at § 648.82(n)(2)(ii) require the Regional Administrator to close a common pool Trimester Total Allowable Catch (TAC) Area for a stock when 90 percent of the Trimester TAC is projected to be caught. In such cases, the Trimester TAC Area for a stock closes to all common pool vessels fishing with gear capable of catching that stock for the remainder of the trimester. The fishing year 2014 (May 1, 2014, through April 30, 2015) common pool sub-annual catch limit (sub-ACL) for Southern New England/Mid-Atlantic (SNE/MA) yellowtail flounder is 95.0 mt and the Trimester 1 (May 1, 2014, through August 31, 2014) TAC is 19.9 mt. Based on the most recent data and information, which include vessel trip reports, dealer-reported landings, and vessel monitoring system (VMS) information, we have determined that 150 percent of the Trimester 1 TAC was caught as of August 20, 2014. Because of the low trimester catch limit and the rate at which common pool vessels can harvest SNE/MA yellowtail flounder, it was not possible to initiate this action any earlier than this. Therefore, effective August 27, 2014, the SNE/MA Yellowtail Flounder Trimester TAC Area is closed for the remainder of Trimester 1, through August 31, 2014, to all common pool vessels fishing with trawl gear and sink gillnet gear. Effective August 27, 2014, it is unlawful for common pool vessels to fish for, harvest, possess, or land regulated species or ocean pout in or from the SNE/MA Yellowtail Flounder Trimester TAC Area. The SNE/MA Yellowtail Flounder Trimester TAC Area includes statistical areas 537, 538, 539, and 613. This restriction does not apply to the groundfish trip of a common pool vessel that crossed the VMS demarcation line before August 27, 2014, therefore, if you have crossed the VMS demarcation line