

#### *D. Unfunded Mandates Reform Act (UMRA)*

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local or tribal governments or the private sector.

#### *E. Executive Order 13132: Federalism*

This action does not have federalism implications. It will not 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.

#### *F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments*

This action does not have tribal implications as specified in Executive Order 13175. This action does not apply on any Indian reservation land, any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction, or non-reservation areas of Indian country. Thus, Executive Order 13175 does not apply to this action.

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

EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. This action is not subject to Executive Order 13045 because it merely proposes to determine that the HGB area failed to meet an ozone NAAQS attainment deadline, reclassify the area and set the date when a revised SIP is due to EPA.

#### *H. Executive Order 13211, Actions That Significantly Affect Energy Supply, Distribution or Use*

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

#### *I. National Technology Transfer and Advancement Act*

This rulemaking does not involve technical standards.

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

EPA believes the human health or environmental risk addressed by this action will not have potential disproportionately high and adverse human health or environmental effects on minority, low-income or indigenous populations. This action merely proposes to determine that the HGB area failed to meet an ozone NAAQS attainment deadline, reclassify the area and set the date when a revised SIP is due to EPA.

#### **List of Subjects in 40 CFR Part 81**

Environmental protection, Air pollution control.

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

Dated: September 21, 2016.

**Ron Curry,**

*Regional Administrator, Region 6.*

[FR Doc. 2016–23247 Filed 9–26–16; 8:45 am]

**BILLING CODE 6560–50–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Motor Carrier Safety Administration**

#### **49 CFR Part 390**

**[Docket No. FMCSA–2012–0103]**

**RIN 2126–AB90**

#### **Lease and Interchange of Vehicles; Motor Carriers of Passengers**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of meeting; request for comment.

**SUMMARY:** FMCSA announces it will hold a roundtable discussion on October 31, 2016, as a follow-up to its August 31, 2016, notice of intent concerning the petitions for reconsideration of the final rule, titled “Lease and Interchange of Vehicles; Motor Carriers of Passengers,” which published May 27, 2015. The meeting will be open to the public. Individuals with diverse experience, expertise, and perspectives are encouraged to attend. If all comments have been exhausted before the end of the session, the session may conclude early.

**DATES:** The roundtable discussion will be held on Monday, October 31, 2016, from 9:30 a.m. to 4:30 p.m., Eastern Time (ET) at the U.S. Department of Transportation, Media Center, 1200 New Jersey Avenue SE., Ground Floor,

Washington, DC 20590. The entire proceedings will be public.

**ADDRESSES:** You may submit comments bearing the Federal Docket Management System Docket ID (FMCSA–2012–0103) using any of the following methods:

**Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

**Mail:** Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.

**Hand Delivery or Courier:** West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays.

**Fax:** 1–202–493–2251.

Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to [www.regulations.gov](http://www.regulations.gov), including any personal information included in a comment. Please see the Privacy Act heading below.

**Docket:** For access to the docket to read background documents or comments, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The online Federal document management system is available 24 hours each day, 365 days each year. If you would like acknowledgment that the Agency received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments online. The docket FMCSA–2016–0102 will remain open indefinitely.

**Privacy Act:** In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**FOR FURTHER INFORMATION CONTACT:** Ms. Loretta G. Bitner, (202) 385–2428, [loretta.bitner@dot.gov](mailto:loretta.bitner@dot.gov), Chief, Commercial Passenger Carrier Safety Division, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration. FMCSA office hours are from 8 a.m. to 4:30 p.m. ET, Monday through Friday, except Federal holidays.

For information about the public meeting: Ms. Shannon L. Watson, Senior Policy Advisor, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590, by telephone at 202-366-2551, or by email at [Shannon.Watson@dot.gov](mailto:Shannon.Watson@dot.gov). If you have questions on viewing or submitting material to the docket, contact Docket Services at 202-366-9826. Business hours are from 8 a.m. to 4:30 p.m. ET, Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Background:

On August 31, 2016, FMCSA published a notice of intent concerning the lease and interchange of passenger-carrying commercial motor vehicles (CMVs) (81 FR 59951). The purpose of the notice of intent was to inform the public about the Agency's decision concerning the 37 petitions for reconsideration which have been filed in the public docket referenced above. Upon review of these petitions, FMCSA concluded that some have merit. FMCSA, therefore, extended the compliance date of the final rule from January 1, 2017, to January 1, 2018 (82 FR 13998; March 16, 2016), to allow the Agency time to complete any rulemaking action to amend the rule where necessary.

##### FMCSA Decision

FMCSA plans to issue a rulemaking notice to address the four areas of concern in the August 31, 2016, notice of intent:

- (1) Exclusion of "chartering" (*i.e.*, subcontracting) from the leasing requirements;
- (2) Amending the CMV requirements for the location of temporary markings for leased/interchanged vehicles;
- (3) Changing the requirement that carriers notify customers within 24 hours when they subcontract service to other carriers; and
- (4) Expanding the 48-hour delay in preparing a lease to include emergencies when passengers are not actually on board a bus.

The Agency believes that less burdensome regulatory alternatives that would not adversely impact safety could be adopted before the January 1, 2018, compliance date.

##### Public Roundtable

FMCSA will hold a public roundtable on Monday, October 31, 2016, to discuss these four issue areas. The public will have an opportunity to speak about these issues and provide the Agency with information on how to address them. All public comments will be

placed in the docket of this rulemaking. The agenda for this meeting will be posted on the FMCSA Web site [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) in the near future.

Issued on: September 15, 2016.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2016-23253 Filed 9-26-16; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 160815741-6741-01]

RIN 0648-BG30

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Atlantic Coastal Migratory Pelagic Fishery; Atlantic Dolphin and Wahoo Fishery; and South Atlantic Snapper-Grouper Fishery; Control Date

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

**ACTION:** Advanced notice of proposed rulemaking; consideration of a control date.

**SUMMARY:** This proposed rule announces the establishment of a control date of June 15, 2016. The South Atlantic Fishery Management Council (Council) may use this control date if it decides to create restrictions limiting participation in the exclusive economic zone for the Federal charter vessel/headboat (for-hire) component of the recreational sectors of the coastal migratory pelagics fishery in the Atlantic, dolphin and wahoo fishery in the Atlantic, and snapper-grouper fishery in the South Atlantic. Anyone obtaining a Federal for-hire permit for these recreational sectors after the control date will not be assured of future access should a management regime that limits participation in the sector be prepared and implemented. This announcement is intended, in part, to promote awareness of the potential eligibility criteria for future access so as to discourage speculative entry into the Federal for-hire component of the recreational sectors of the Atlantic coastal migratory pelagics, Atlantic dolphin and wahoo, or the South Atlantic snapper-grouper fisheries, while the Council and NMFS consider whether and how access to these recreational sector components should

be managed. NMFS invites comments on the establishment of this control date.

**DATES:** Written comments must be received by October 27, 2016.

**ADDRESSES:** You may submit comments identified by "NOAA-NMFS-2016-0121" by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov](http://www.regulations.gov)#!/docketDetail;D=NOAA-NMFS-2016-0121, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Mary Janine Vara, NMFS Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Mary Janine Vara, NMFS Southeast Regional Office, telephone: 727-824-5305, or email: [mary.vara@noaa.gov](mailto:mary.vara@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The coastal migratory pelagics fishery in the Atlantic is managed under the Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region (CMP FMP). The dolphin and wahoo fishery in the Atlantic is managed under the FMP for the Dolphin and Wahoo Fishery off the Atlantic States (Dolphin and Wahoo FMP). The snapper-grouper fishery in the South Atlantic is managed under the FMP for the Snapper-Grouper Fishery of the South Atlantic Region (Snapper-Grouper FMP). The CMP FMP was prepared jointly by the Gulf of Mexico and South Atlantic Fishery Management Councils. The Dolphin and Wahoo and Snapper-Grouper FMPs were prepared by the Council. The FMPs are implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) through regulations at 50 CFR part 622.