

rule this spring. If EPA has not yet taken final action to reclassify the DFW area for the 1997 ozone standard before a final rulemaking revoking the 1997 ozone NAAQS for all purposes is effective, and that rulemaking is finalized as proposed with respect to EPA's obligation concerning reclassification of areas for the revoked standard, then EPA will not finalize this proposed reclassification for DFW. However, the DFW area will still be subject to appropriate "anti-backsliding" requirements for the 1997 ozone NAAQS as established in any final rule EPA may promulgate in connection with any revocation of the 1997 standard. Anti-backsliding provides protection against degradation of air quality (*e.g.*, the DFW area does not "backslide") and ensures the area continues to make progress toward attainment of the new, more stringent NAAQS. Anti-backsliding also ensures there is consistency with the ozone NAAQS implementation framework outlined in subpart 2 of Part D of the CAA (78 FR 34178, 34211).

## V. Proposed Action

Pursuant to section 181(b)(2) of the Act, the EPA is proposing to determine, based on certified, quality-assured monitoring data for 2010–2012 that the DFW area did not attain the 1997 ozone standard by the applicable June 15, 2013 attainment deadline. If the EPA finalizes this determination, upon the effective date of the final determination the DFW 9-county nonattainment area will be reclassified by operation of law as a Severe ozone nonattainment area under the 1997 ozone standard. Pursuant to section 182(i) of the Act, the EPA is also proposing the schedule for submittal of the SIP revisions required for Severe areas once the DFW area is reclassified. The EPA is proposing that Texas submit to the EPA the required SIP revisions for the Severe attainment demonstration, RFP and for all other Severe area measures required under sections 172, 182(c), 182(d) and 185 of the Act no later than one year after the effective date of the final rulemaking for this reclassification.

## VI. Statutory and Executive Order Reviews

Under section 181(b)(2) of the CAA, a determination of nonattainment is a factual determination based upon air quality considerations and the resulting reclassification must occur by operation of law. A determination of nonattainment and the resulting reclassification of a nonattainment area by operation of law under section 181(b)(2) does not in and of itself create

any new requirements, but rather applies the requirements contained in the Clean Air Act. For these reasons, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule does not have tribal implications because it will not have a substantial direct effect on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, this proposed rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

## List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

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

Dated: February 9, 2015.

**Ron Curry,**

*Regional Administrator, Region 6.*

[FR Doc. 2015–03152 Filed 2–13–15; 8:45 am]

**BILLING CODE 6560–50–P**

## GENERAL SERVICES ADMINISTRATION

### 48 CFR Parts 523 and 552

[GSAR Case 2006–G506; Docket No. 2009–0005; Sequence No. 2]

RIN 3090–A182

### General Services Administration Acquisition Regulation (GSAR); Environmental, Conservation, Occupational Safety and Drug-Free Workplace

**AGENCY:** Office of Acquisition Policy, General Services Administration.

**ACTION:** Proposed rule.

**SUMMARY:** The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to update the text and clauses regarding Hazardous Materials Identification and Material Safety Data. The second proposed rule incorporates many of the changes of the proposed rule and makes additional modifications to the text.

**DATES:** Interested parties should submit written comments to the Regulatory Secretariat at one of the addressees shown below on or before April 20, 2015 to be considered in the formation of the final rule.

**ADDRESSES:** Submit comments in response to GSAR Case 2006–G506 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments by searching for "GSAR Case 2006–G506." Select the link "Comment Now" that corresponds with "GSAR Case 2006–G506." Follow the instructions provided at the "Comment Now" screen. Please include your name, company name (if any), and "GSAR Case 2006–G506" on your attached document.

- *Fax:* 202–501–4067.

- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), ATTN: Ms. Flowers, 1800 F Street NW., 2nd Floor, Washington, DC 20405.

*Instructions:* Please submit comments only and cite GSAR Case 2006–G506, in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any

personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Kevin Funk, Program Analyst, at 215-446-4860 or [kevin.funk@gsa.gov](mailto:kevin.funk@gsa.gov), for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202-501-4755. Please cite GSAR Case 2006-G506.

#### SUPPLEMENTARY INFORMATION:

### I. Background

GSA is proposing to amend the GSAR to update the text and clauses regarding Subpart 523.3-Hazardous Materials Identification and Material Safety Data.

GSA published a proposed rule in the **Federal Register** at 74 FR 11889 on March 20, 2009 to update the text and clauses regarding Hazardous Materials Identification and Material Safety Data. No comments were received in response to the proposed rule. This case is issued as a second proposed rule due to the length of time since the original proposed rule was published in 2009 and updates to the regulations referenced in the General Services Administration Manual (GSAM) Subpart 523.3.

This proposed rule changes the title of GSAR part 523 to "Environment, Energy and Water Efficiency, Renewable Energy Technologies, Occupational Safety, and Drug-Free Workplace", to correspond to the title in Federal Acquisition Regulation (FAR) part 23. The title for GSAR Subpart 523.3 is changed to "Hazardous Material Identification and Material Safety Data" to be consistent with the corresponding FAR subpart.

In addition, this rule adds a new hazardous materials GSAR clause 552.223-73. GSAR clause 552.223-73, Preservation, Packaging, Packing, Marking and Labeling of Hazardous Materials (HAZMAT) for Shipments is added to require compliance by contractors regarding preservation, packaging, packing, marking and labeling of hazardous materials. This clause is also added to the provision and clause matrix.

In addition, the GSAR clause 552.212-72, Contract Terms and Conditions Required to Implement Statutes or Executive Orders Applicable to GSA Acquisition of Commercial Items, is updated to include the new hazardous material clause 552.223-73.

### II. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory

approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

### III. Regulatory Flexibility Act

GSA does not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because there are no substantive changes. Therefore, an Initial Regulatory Flexibility Analysis (IRFA) has not been performed. GSA invites comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

GSA will also consider comments from small entities concerning the existing regulations in subparts affected by the rule in accordance with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (GSAR Case 2006-G506), in correspondence.

### IV. Paperwork Reduction Act

The proposed rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

### List of Subjects in 48 CFR Parts 523 and 552

Government procurement.

Dated: February 11, 2015.

**Jeffrey A. Koses,**

*Senior Procurement Executive, Office of Acquisition Policy, Office of Government-Wide Policy, General Services Administration.*

Therefore, GSA proposes to amend 48 CFR parts 523 and 552 as set forth below:

### PART 523—ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

■ 1. The authority citation for 48 CFR part 523 is revised to read as follows:

**Authority:** 40 U.S.C. 121(c).

■ 2. Revise the heading of part 523 to read as set forth above.

■ 3. Amend section 523.303 by revising the section heading and adding paragraph (c) to read as follows:

#### 523.303 Contract clauses.

\* \* \* \* \*

(c) Insert 552.223-73, Preservation, Packaging, Packing, Marking and Labeling of Hazardous Materials (HAZMAT) for Shipments, in solicitations and contracts for packaged items subject to the Occupational Safety and Health Act and the Hazardous Materials Transportation Act.

### PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 4. The authority citation for 48 CFR part 552 continues to read as follows:

**Authority:** 40 U.S.C. 121(c).

■ 5. Amend section 552.212-72 by revising the introductory text, the date of the clause, and paragraph (b) to read as follows:

#### 552.212-72 Contract Terms and Conditions Required To Implement Statutes or Executive Orders Applicable to GSA Acquisition of Commercial Items.

As prescribed in 512.301(a)(2), insert the following clause:

Contract Terms and Conditions Required To Implement Statutes or Executive Orders Applicable to GSA Acquisition of Commercial Items (Date)

\* \* \* \* \*

(b) *Clauses.*

(1) \_ 552.223-70 Hazardous Substances.

(2) \_ 552.223-71 Nonconforming Hazardous Material.

(3) \_ 552.223-73 Preservation, Packaging, Packing, Marking and Labeling of Hazardous Materials (HAZMAT) for Shipments.

(4) \_ 552.238-70 Identification of Electronic Office Equipment Providing Accessibility for the Handicapped.

(5) \_ 552.238-72 Identification of Products that have Environmental Attributes.

\* \* \* \* \*

■ 6. Add section 552.223-73 to read as follows:

#### 552.223-73 Preservation, Packaging, Packing, Marking and Labeling of Hazardous Materials (HAZMAT) for Shipments.

As prescribed in 523.303(c), insert the following clause:

Preservation, Packaging, Packing, Marking and Labeling of Hazardous Materials (HAZMAT) for Shipments (Date)

(a) *Definition.* *United States*, as used in this clause, means the 48 adjoining U.S. States, Alaska, Hawaii, and U.S. territories and possessions, such as Puerto Rico.

(b) Preservation, packaging, packing, marking and labeling of hazardous materials for export shipment outside the United States in all transport modes shall comply with the following, as applicable:

(1) International Maritime Dangerous Goods (IMDG) Code as established by the International Maritime Organization (IMO).

(2) U.S. Department of Transportation (DOT) Hazardous Material Regulation (HMR) 49 CFR parts 171 through 180. (Note: Classifications permitted by the HMR, but not permitted by the IMDG code, such as Consumer Commodities classed as ORM-D shall be packaged in accordance with the IMDG Code and dual marked with both Consumer Commodity and IMDG marking and labeling.)

(3) Occupational Safety and Health Administration (OSHA) Regulation 29 (CFR) part 1910.1200.

(4) International Air Transport Association (IATA), Dangerous Goods Regulation and/or International Civil Aviation Organization (ICAO), Technical Instructions.

(5) AFMAN 24–204, Air Force Inter-Service Manual, Preparing Hazardous Materials For Military Air Shipments.

(6) Any preservation, packaging, packing, marking and labeling requirements contained elsewhere in this solicitation and contract.

(c) Preservation, packaging, packing, marking and labeling of hazardous materials for domestic shipments within the United States in all transport modes shall comply with the following; as applicable:

(1) U.S. Department of Transportation (DOT) Hazardous Material Regulation (HMR) 49, CFR parts 171 through 180.

(2) Occupational Safety and Health Administration (OSHA) Regulation 29 CFR part 1910.1200.

(3) Any preservation, packaging, packing, marking and labeling requirements contained elsewhere in this solicitation and contract.

(d) Hazardous Material Packages designated for outside the United States destinations through Forwarding Points, Distribution Centers, or Container Consolidation Points (CCPs) shall comply with the IMDG, IATA, ICAO or AFMAN 24–204 codes, as applicable.

(e) The test certification data showing compliance with performance-oriented packaging or UN approved packaging requirements shall be made available to GSA contract administration/management representatives or regulatory inspectors upon request.

(End of clause)

[FR Doc. 2015–03164 Filed 2–13–15; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 141222999–5114–01]

RIN 0648–BE72

#### Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Trawl Rationalization Program; Midwater Trawl Fishery Season Date Change

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This action would implement revisions to the Pacific Coast Groundfish Trawl Rationalization Program affecting the limited entry midwater trawl fisheries managed under the Pacific Coast Groundfish Fishery Management Plan (FMP). This action would revise the Shorebased Individual Fishing Quota (IFQ) Program regulations to change the primary season opening date for the shorebased whiting fishery and the shorebased non-whiting midwater trawl fishery to May 15 north of 40°30' N. lat. to the U.S./Canada border. This moves the season a month earlier off Washington and Oregon, and a month and half later off northern California (north of 40°30' N. lat.), increasing consistency in the season start date along the coast and between the shorebased and at-sea midwater trawl fleets.

**DATES:** Comments on this proposed rule must be received on or before March 19, 2015.

**ADDRESSES:** You may submit comments on this document, identified by NOAA–NMFS–2015–0016, by any 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-2015-0016, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to William W. Stelle, Jr., Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115–0070; Attn: Jamie Goen.

- **Fax:** 206–526–6426; Attn: Jamie Goen.

**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). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

#### FOR FURTHER INFORMATION CONTACT:

Jamie Goen, 206–526–4656; [jamie.goen@noaa.gov](mailto:jamie.goen@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

In January 2011, NMFS implemented a trawl rationalization program, a type of catch share program, for the Pacific coast groundfish fishery's trawl fleet. The program was adopted through Amendment 20 to the FMP and consists of three sectors: An IFQ program for the shorebased trawl fleet (including vessels targeting whiting and non-whiting with midwater trawl gear); and cooperative (coop) programs for the at-sea mothership (MS) and catcher/processor (C/P) trawl fleets (whiting only).

Since implementation, the Pacific Fishery Management Council (Council) and NMFS have been working to implement additional regulatory changes to further improve the trawl rationalization program and respond to industry requests. Changing the midwater trawl fishery season date would further increase consistency in the season start date along the coast and between the shorebased and at-sea midwater trawl fleets. This rule would revise the Shorebased IFQ Program regulations to change the primary season opening date for the midwater trawl fishery (whiting and non-whiting) to May 15 north of 40°30' N. lat. to the U.S./Canada border. This would move the season a month earlier off Washington and Oregon and a month and half later off northern California (north of 40°30' N. lat.).

The Council discussed the season date change at its March and April 2012 meetings, with final Council recommendations to NMFS during the September 2012 Council meeting. In addition, NMFS received further