

6, 2019, because relevant adverse comments were received. The rule pertained to EPA approval of revisions to the Texas State Implementation Plan (SIP) submitted by the Texas Commission on Environmental Quality. The revisions remove rules from the Texas SIP that address motor vehicle anti-tampering requirements and the Low Income Repair Assistance Program (LIRAP) for certain participating counties. In a separate subsequent final rulemaking, EPA will address the portion of the direct final rule on which relevant adverse comments were received.

DATES: Effective August 13, 2019, the EPA withdraws amendatory instruction 2 from the direct final rule published on June 6, 2019, at 84 FR 26349.

FOR FURTHER INFORMATION CONTACT: Carrie Paige, EPA Region 6 Office, 214-665-6521, paige.carrie@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document “we,” “us,” and “our” means the EPA. On June 6, 2019, we published a direct final rule to approve revisions to the Texas SIP to remove two rules from the Texas SIP. The revisions remove 30 TAC 114, Subchapter B (the Motor Vehicle Anti-tampering Requirements) in its entirety; and 30 TAC 114, Section 114.86 (the LIRAP for Participating Early Action Compact (EAC) Counties) from the SIP (see 84 FR 26349, June 6, 2019). The direct final rule was published without prior proposal because we anticipated no adverse comments. We stated in the direct final rule that if we received relevant adverse comments by July 8, 2019, we would publish a timely withdrawal in the **Federal Register**. We received relevant adverse comments on the portion of the direct final rule regarding our approval of revisions to the Texas SIP to remove rules from the Texas SIP that address the LIRAP for Participating EAC Counties at 30 TAC 114, Section 114.86 and accordingly are withdrawing that portion of the direct final rule on which adverse comments were received. In a separate subsequent final rulemaking, we will address the comments received. The portion of the direct final rule approving revisions to remove 30 TAC 114, Subchapter B (the Motor Vehicle Anti-tampering Requirements) ¹ in its entirety from the Texas SIP received only supportive comments and will be effective on

September 4, 2019, as provided in the direct final action at 84 FR 26349.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Ozone, Volatile organic compounds.

Dated: August 1, 2019.

David Gray,

Acting Regional Administrator, Region 6.

■ Accordingly, amendatory instruction 2 from the direct final rule published in the **Federal Register** on June 6, 2019 (84 FR 26349), which was to become effective on September 4, 2019, is withdrawn.

[FR Doc. 2019-16934 Filed 8-12-19; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 258

[EPA-R05-RCRA-2019-0319; FRL-9997-83-Region 5]

Determination of Adequacy of Wisconsin's Research, Development and Demonstration Permit Provisions for Municipal Solid Waste Landfills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification of approval.

SUMMARY: On May 10, 2016, EPA revised the maximum permit term for Municipal Solid Waste Landfills (MSWLF) units operating under Research, Development and Demonstration (RD&D) permits. The revision allows states to increase the number of RD&D permit renewals issued to six, 3-year permit renewals, for a total permit term of up to 21 years. On May 6, 2019, Wisconsin Department of Natural Resources (WDNR) submitted a notification to EPA Region 5 seeking Federal approval of its revised RD&D requirements per the procedures in Requirements for State Permit Program Determination of Adequacy. Subject to public review and comment, this document approves Wisconsin's revised RD&D permit requirements.

DATES: This determination of adequacy of the RD&D permit program for Wisconsin are *effective* October 15, 2019 unless adverse comments are received. If adverse comments are received, EPA will review those comments and publish another **Federal Register** document responding to those comments and either affirm or revise EPA's initial decision. Comments on

this determination of adequacy must be received on or before October 15, 2019.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R05-RCRA-2019-0319, by one of the following methods:

- www.regulations.gov: Follow the on-line instructions for submitting comments.
- Email: schilf.julie@epa.gov.
- Mail: Julie Schilf, U.S. EPA Region 5, Land, Chemicals and Redevelopment Division, 77 West Jackson Boulevard LM-16J, Chicago, Illinois 60604.

Instructions: Identify your comments as relating to Docket ID No. EPA-R05-RCRA-2019-0319. EPA's policy is that all comments received will be included in the public docket without change and may be available online at www.regulations.gov, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information or claimed to be other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION, CONTACT: Julie Schilf, U.S. EPA Region 5, Land, Chemicals and Redevelopment Division, 77 West Jackson Boulevard LM-16J, Chicago, Illinois 60604, (312) 886-0407, schilf.julie@epa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

On March 22, 2004, EPA issued a final rule amending the MSWLF criteria in 40 CFR 258 to allow for RD&D permits (69 FR 13242). This rule allows for variances from specified criteria for a limited period of time, to be implemented through state-issued RD&D permits. RD&D permits are available only in states with approved MSWLF permit programs that have been modified to incorporate RD&D permit authority. On May 10, 2016, EPA revised the maximum permit term for MSWLF units operating under RD&D permits (81 FR 28720). The revision allows states to increase the number of RD&D permit renewals issued to six, 3-year permit renewals, for a total permit term of up to 21 years (40 CFR 258.4). While states are not required to incorporate this new provision, those states interested in providing RD&D permits must seek approval from EPA before issuing such permits. On January 10, 2006, Wisconsin received EPA approval of its RD&D permit program (71 FR 3293). On May 6, 2019, WDNR submitted a notification to EPA Region 5 seeking Federal approval of its revised RD&D requirements per the procedures in 40 CFR 239.12. Wisconsin's revised RD&D provisions can be found in

¹ Due to an apparent oversight, 30 TAC 114 Subchapter B (Motor Vehicle Anti-Tampering Requirements) was not included in Table (c) “EPA Approved Regulations in the Texas SIP” at 40 CFR 52.2270, so there is no amendatory instruction in the direct final rule to remove those provisions.

Chapter NR 514 of the Wisconsin Administrative Code, as amended by the Wisconsin Natural Resources Board WA-06-18.

B. Decision

EPA has made a determination that the Wisconsin RD&D permit provisions in Chapter NR 514 of the Wisconsin Administrative Code, as amended, comply with the Federal criteria set forth in 40 CFR 258.4.

Authority: This action is issued under the authority of Sections 2002, 4005 and 4010(c) of the Solid Waste Disposal Act, as amended, 40 U.S.C. 6912, 6945 and 6949(a).

Dated: July 17, 2019.

Cathy Stepp,

Regional Administrator, Region 5.

[FR Doc. 2019-17123 Filed 8-12-19; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 180117042-8884-02]

RIN 0648-XT013

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

ACTION: Temporary rule; closure of the General category June through August fishery for 2019.

SUMMARY: NMFS closes the General category fishery for large medium and giant (*i.e.*, measuring 73 inches curved fork length or greater) Atlantic bluefin tuna (BFT) for the June through August subquota time period until the General category reopens on September 1, 2019. The intent of this closure is to prevent overharvest of the June through August subquota.

DATES: Effective 11:30 p.m., local time, August 9, 2019, through August 31, 2019.

FOR FURTHER INFORMATION CONTACT: Brad McHale, 978-281-9260, or Larry Redd, 301-420-8503.

SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by

persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories, per the allocations established in the 2006 Consolidated Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) (71 FR 58058, October 2, 2006) and amendments.

NMFS is required, under § 635.28(a)(1), to file a closure notice with the Office of the Federal Register for publication when a BFT quota (or subquota) is reached or is projected to be reached. On and after the effective date and time of such notification, for the remainder of the fishing year or for a specified period as indicated in the notification, retaining, possessing, or landing BFT under that quota category is prohibited until the opening of the subsequent quota period or until such date as specified in the notice.

The 2019 base quota for the General category is 555.7 mt. See § 635.27(a). Each of the General category time periods (January, June through August, September, October through November, and December) is allocated a subquota or portion of the annual General category quota. The baseline subquotas for each time period are as follows: 29.5 mt for January; 277.9 mt for June through August; 147.3 mt for September; 72.2 mt for October through November; and 28.9 mt for December. We previously adjusted the January subquota upwards to 100 mt through three inseason quota transfers (83 FR 67140, December 28, 2018; 84 FR 3724, February 13, 2019; and 84 FR 6701, February 28, 2019) (although it is called the “January” subquota, the regulations currently allow landings to continue until the subquota is reached, or until March 31, whichever comes first).

Based on the best available landings information for the General category BFT fishery, NMFS has determined that the June through August subquota of 277.9 mt is projected to be reached soon. As of August 6, reported landings total approximately 246 mt, and average catch rates are approximately 9.4 mt/day. Therefore the General category fishery should be closed to avoid exceeding the subquota. This action applies to Atlantic tunas General category (commercial) permitted vessels and HMS Charter/Headboat category permitted vessels with a commercial sale endorsement when fishing commercially for BFT and is taken consistent with the regulations at § 635.28(a)(1). Retaining, possessing, or

landing large medium or giant BFT by persons aboard vessels permitted in the Atlantic tunas General category and HMS Charter/Headboat category (while fishing commercially) must cease at 11:30 p.m. local time on August 9, 2019. The General category will reopen automatically on September 1, 2019, for the September 2019 subperiod. The intent of this closure is to prevent overharvest of the June through August subquota.

Fishermen may catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. All BFT that are released must be handled in a manner that will maximize their survival, and without removing the fish from the water, consistent with requirements at § 635.21(a)(1). For additional information on safe handling, see the “Careful Catch and Release” brochure available at <https://www.fisheries.noaa.gov/resource/outreach-and-education/careful-catch-and-release-brochure/>.

Monitoring and Reporting

NMFS will continue to monitor the BFT fisheries closely. Dealers are required to submit landing reports within 24 hours of a dealer receiving BFT. Late reporting by dealers compromises NMFS’ ability to timely implement actions such as quota and retention limit adjustment, as well as closures, and may result in enforcement actions. Additionally, and separate from the dealer reporting requirement, General and HMS Charter/Headboat category vessel owners are required to report the catch of all BFT retained or discarded dead within 24 hours of the landing(s) or end of each trip, by accessing hmspermits.noaa.gov, using the HMS Catch Reporting app, or calling (888) 872-8862 (Monday through Friday from 8 a.m. until 4:30 p.m.).

Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that additional adjustments are necessary to ensure available subquotas are not exceeded or to enhance scientific data collection from, and fishing opportunities in, all geographic areas. If needed, subsequent adjustments will be published in the **Federal Register**. In addition, fishermen may call the Atlantic Tunas Information Line at (978) 281-9260, or access hmspermits.noaa.gov, for updates on quota monitoring and inseason adjustments.

Classification

The Assistant Administrator for NMFS (AA) finds that it is impracticable