

regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804; therefore, Congressional notification is not required.

Regulatory Flexibility Act

Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

Administrative Procedure Act

The Committee finds under 5 U.S.C. 553(b)(3)(A) that the statute does not apply to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice. This final rule simply substitutes a word in a term defined in the regulation and authorizes the use of specific interchangeable or synonymous terms when describing individuals who are eligible to participate in the AbilityOne Program. Further, pursuant to 5 U.S.C. 553(b)(3)(A), this rule of agency organization, procedure and practice is not subject to the requirement to provide prior notice and an opportunity for public comment. The Committee also finds that the 30-day delay in effectiveness, required under 5 U.S.C. 553(d), is inapplicable because this rule is not a substantive rule.

Paperwork Reduction Act of 1995

The Committee has determined that the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, does not apply because this rule does not contain any information collection requirements that require approval of OMB.

List of Subjects in 41 CFR Part 51–1

Government procurement, Individuals with disabilities.

For the reasons stated in the preamble, the Committee for Purchase From People Who Are Blind or Severely Disabled amends 41 CFR Part 51–1 as set forth below:

41 CFR PART 51–1—GENERAL

- 1. The authority for 41 CFR part 51–1 continues to read as follows:

Authority: 56 FR 48976, Sept. 26, 1991, unless otherwise noted.

- 2. Amend § 51–1.3 by amending the heading of the definition “*Other severely handicapped and severely handicapped individuals*” by removing

the word “handicapped” and adding the word “disabled” in its place, and adding the definition “*Severely disabled individual; Severe disability; Significantly disabled individual; Significant disability*” to read as follows:

§ 51–1.3 Definitions.

* * * * *

Severely disabled individual; Severe disability; Significantly disabled individual; Significant disability; are interchangeable or synonymous terms used within the AbilityOne Program to describe persons with severe disabilities who qualify to participate in the AbilityOne Program.

* * * * *

III. Approval Authority

The Executive Director of the Committee has approved the publication of this notice and authorized the undersigned to sign and submit the document to the Office of the Federal Register.

Dated: September 18, 2012.

Barry S. Lineback,

Director, Business Operations.

[FR Doc. 2012–23330 Filed 9–20–12; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 541

[Docket No. NHTSA–2012–0072]

Final Theft Data; Motor Vehicle Theft Prevention Standard

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Publication of 2010 final theft data.

SUMMARY: This document publishes the final data on thefts of model year (MY) 2010 passenger motor vehicles that occurred in calendar year (CY) 2010. The final 2010 theft data indicated a decrease in the vehicle theft rate experienced in CY/MY 2010. The final theft rate for MY 2010 passenger vehicles stolen in calendar year 2010 is 1.17 thefts per thousand vehicles, a decrease of 12.03 percent from the rate of 1.33 thefts per thousand in 2009. Publication of these data fulfills NHTSA’s statutory obligation to periodically obtain accurate and timely theft data and publish the information for review and comment.

DATES: *Effective date:* September 21, 2012.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Avenue SE., Washington, DC 20590. Ms. Mazyck’s telephone number is (202) 366–4139. Her fax number is (202) 493–2990.

SUPPLEMENTARY INFORMATION: NHTSA administers a program for reducing motor vehicle theft. The central feature of this program is the Federal Motor Vehicle Theft Prevention Standard, 49 CFR part 541. The standard specifies performance requirements for inscribing and affixing vehicle identification numbers (VINs) onto certain major original equipment and replacement parts of high-theft lines of passenger motor vehicles.

The agency is required by 49 U.S.C. 33104(b)(4) to periodically obtain, from the most reliable source, accurate and timely theft data and publish the data for review and comment. To fulfill this statutory mandate, NHTSA has published theft data annually beginning with MYs 1983/84. Continuing to fulfill the § 33104(b)(4) mandate, this document reports the final theft data for CY 2010, the most recent calendar year for which data are available.

In calculating the 2010 theft rates, NHTSA followed the same procedures it used in calculating the MY 2009 theft rates. (For 2009 theft data calculations, see 76 FR 65610, October 24, 2011). As in all previous reports, NHTSA’s data were based on information provided to NHTSA by the National Crime Information Center (NCIC) of the Federal Bureau of Investigation. The NCIC is a government system that receives vehicle theft information from nearly 23,000 criminal justice agencies and other law enforcement authorities throughout the United States. The NCIC data also include reported thefts of self-insured and uninsured vehicles, not all of which are reported to other data sources.

The 2010 theft rate for each vehicle line was calculated by dividing the number of reported thefts of MY 2010 vehicles of that line stolen during calendar year 2010 by the total number of vehicles in that line manufactured for MY 2010, as reported to the Environmental Protection Agency (EPA).

The final 2010 theft data show a decrease in the vehicle theft rate when compared to the theft rate experienced in CY/MY 2009. The final theft rate for MY 2010 passenger vehicles stolen in calendar year 2010 decreased to 1.17

thefts per thousand vehicles produced, a decrease of 12.03 percent from the rate of 1.33 thefts per thousand vehicles experienced by MY 2009 vehicles in CY 2009. A similar decreasing trend in vehicle thefts was reported in the Federal Bureau of Investigation's (FBI) 2010 Uniform Crime Report showing a 7.4% reduction in motor vehicle thefts (automobiles, trucks, buses and other vehicles) from 2009 to 2010.

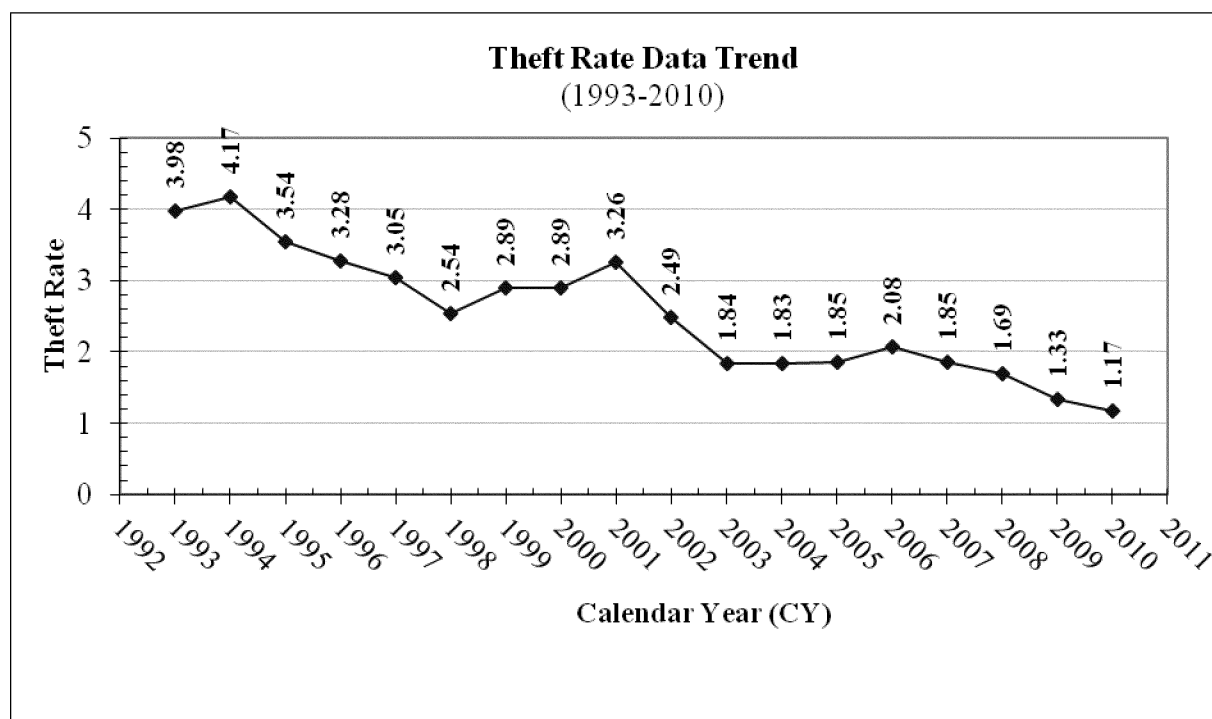
For MY 2010 vehicles, out of a total of 225 vehicle lines, three lines had a

theft rate higher than 3.5826 per thousand vehicles, the established median theft rate for MYs 1990/1991. (See 59 FR 12400, March 16, 1994). Of the three vehicle lines with a theft rate higher than 3.5826, three are passenger car lines, none are multipurpose passenger vehicle lines, and none are light-duty truck lines.

NHTSA's data show that the MY 2010 theft rate reduction is consistent with the general decreasing trend of theft rates over the past 17 years as indicated

by Figure 1. The agency believes that the theft rate reduction is the result of several factors including the increased use of standard antitheft devices (i.e., immobilizers) and vehicle parts marking as well as the effectiveness of combined measures used by Federal agencies, law enforcement, vehicle manufacturers and the insurance industry to help combat vehicle theft.

Figure 1: Theft Rate Data Trend (1993-2010)



Theft rate per thousand vehicles produced

On Tuesday, June 26, 2012, NHTSA published the preliminary theft rates for CY 2010 passenger motor vehicles in the **Federal Register** (77 FR 38025). The agency tentatively ranked each of the MY 2010 vehicle lines in descending order of theft rate. The public was requested to comment on the accuracy of the data and to provide final

production figures for individual vehicle lines. The agency did not receive any comments from the public to make adjustments to its data. As a result, the final theft rates and rankings of vehicle lines did not change from those published in the June 2012 notice.

The following list represents NHTSA's final calculation of theft rates

for all 2010 passenger motor vehicle lines. This list is intended to inform the public of calendar year 2010 motor vehicle thefts of model year 2010 vehicles and does not have any effect on the obligations of regulated parties under 49 U.S.C. chapter 331, Theft Prevention.

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2010 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR
2010

	Manufacturer	Make/model (line)	Thefts 2010	Production (Mfr's) 2010	2010 Theft rate (per 1,000 vehicles produced)
1	CHRYSLER	DODGE CHARGER	532	88,032	6.0433
2	GENERAL MOTORS	PONTIAC G6	111	25,586	4.3383
3	GENERAL MOTORS	CHEVROLET IMPALA	579	150,391	3.8500
4	CHRYSLER	300	185	52,261	3.5399
5	NISSAN	INFINITI FX35	30	9,385	3.1966
6	MITSUBISHI	GALANT	38	12,053	3.1527
7	CHRYSLER	SEBRING	130	43,022	3.0217
8	TOYOTA	LEXUS SC	1	335	2.9851
9	CHRYSLER	DODGE AVENGER	197	67,604	2.9140
10	KIA	RIO	55	18,975	2.8986
11	NISSAN	INFINITI M35/M45	12	4,287	2.7992
12	GENERAL MOTORS	CHEVROLET HHR	178	64,733	2.7498
13	FORD MOTOR CO	LINCOLN TOWN CAR	27	9,937	2.7171
14	MERCEDES-BENZ	CL-CLASS	3	1,124	2.6690
15	BMW	7	15	5,702	2.6307
16	HYUNDAI	SONATA	195	77,219	2.5253
17	HYUNDAI	ACCENT	139	55,245	2.5161
18	KIA	OPTIMA	60	25,135	2.3871
19	GENERAL MOTORS	CADILLAC DTS	36	15,744	2.2866
20	FORD MOTOR CO	MUSTANG	162	72,346	2.2392
21	GENERAL MOTORS	CHEVROLET COBALT	260	116,273	2.2361
22	VOLVO	C70	5	2,238	2.2341
23	CHRYSLER	DODGE CALIBER	103	47,199	2.1822
24	TOYOTA	CAMRY/SOLARA	691	317,754	2.1746
25	GENERAL MOTORS	CHEVROLET MALIBU	381	183,777	2.0732
26	GENERAL MOTORS	CHEVROLET AVEO	65	31,692	2.0510
27	NISSAN	VERSA	162	79,164	2.0464
28	CHRYSLER	DODGE CHALLENGER	106	51,812	2.0459
29	HONDA	PILOT	42	22,528	1.8643
30	BMW	6	5	2,808	1.7806
31	CHRYSLER	SEBRING CONVERTIBLE	16	9,219	1.7355
32	MITSUBISHI	ENDEAVOR	8	4,674	1.7116
33	VOLVO	S40	12	7,306	1.6425
34	CHRYSLER	JEEP COMPASS	30	18,549	1.6173
35	GENERAL MOTORS	CHEVROLET CAMARO	190	117,961	1.6107
36	FORD MOTOR CO	FOCUS	279	176,089	1.5844
37	AUDI	AUDI S4/S5	11	7,068	1.5563
38	NISSAN	PATHFINDER	16	10,308	1.5522
39	GENERAL MOTORS	CADILLAC CTS	61	40,045	1.5233
40	NISSAN	ALTIMA	340	224,551	1.5141
41	GENERAL MOTORS	PONTIAC VIBE	21	14,075	1.4920
42	FORD MOTOR CO	MERCURY GRAND MARQUIS	41	27,956	1.4666
43	SUZUKI	SX4	19	13,405	1.4174
44	KIA	FORTE	137	98,010	1.3978
45	FORD MOTOR CO	TAURUS	87	62,367	1.3950
46	GENERAL MOTORS	SATURN VUE	4	2,904	1.3774
47	TOYOTA	4RUNNER	18	13,345	1.3488
48	NISSAN	MAXIMA	89	66,639	1.3356
49	NISSAN	XTERRA	31	23,420	1.3237
50	MAZDA	5	26	20,150	1.2903
51	TOYOTA	COROLLA	615	478,294	1.2858
52	HYUNDAI	ELANTRA	194	151,343	1.2819
53	PORSCHE	PANAMERA	7	5,531	1.2656
54	NISSAN	SENTRA	116	92,736	1.2509
55	SUBARU	B9 TRIBECA	3	2,412	1.2438
56	FORD MOTOR CO	FUSION	341	280,461	1.2159
57	FORD MOTOR CO	MERCURY MILAN	47	38,824	1.2106
58	TOYOTA	YARIS	74	63,285	1.1693
59	MAZDA	6	53	45,410	1.1671
60	NISSAN	INFINITI G37	49	42,113	1.1635
61	TOYOTA	SCION XB	24	20,718	1.1584
62	TOYOTA	MATRIX	31	26,950	1.1503
63	VOLKSWAGEN	JETTA/GLI	142	123,543	1.1494
64	VOLKSWAGEN	CC	33	29,078	1.1349
65	MERCEDES-BENZ	S-CLASS	17	15,555	1.0929
66	MERCEDES-BENZ	GLK-CLASS	38	35,364	1.0745
67	VOLKSWAGEN	NEW BEETLE	18	16,829	1.0696

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2010 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR
2010—Continued

	Manufacturer	Make/model (line)	Thefts 2010	Production (Mfr's) 2010	2010 Theft rate (per 1,000 vehicles produced)
68	TOYOTA	SCION TC	21	19,786	1.0614
69	HONDA	ACURA 3.5 RL	3	2,859	1.0493
70	KIA	SPORTAGE	13	12,465	1.0429
71	GENERAL MOTORS	CHEVROLET CORVETTE	12	11,615	1.0331
72	MAZDA	3	164	158,778	1.0329
73	MERCEDES-BENZ	C-CLASS	58	56,579	1.0251
74	MASERATI	GRANTURISMO	1	989	1.0111
75	GENERAL MOTORS	CADILLAC STS	3	3,010	0.9967
76	GENERAL MOTORS	BUICK LACROSSE/ALLURE	55	55,836	0.9850
77	FORD MOTOR CO	FLEX	22	22,451	0.9799
78	MERCEDES-BENZ	E-CLASS	61	63,473	0.9610
79	FORD MOTOR CO	LINCOLN MKS	14	14,730	0.9504
80	CHRYSLER	DODGE JOURNEY	70	74,562	0.9388
81	GENERAL MOTORS	BUICK LUCERNE	19	20,529	0.9255
82	JAGUAR LAND ROVER	XK/XKR	2	2,198	0.9099
83	CHRYSLER	JEEP LIBERTY	44	48,487	0.9075
84	KIA	SOUL	68	75,847	0.8965
85	BMW	3	42	47,715	0.8802
86	FORD MOTOR CO	EDGE	105	119,546	0.8783
87	CHRYSLER	DODGE NITRO	17	19,432	0.8748
88	AUDI	AUDI A3	4	4,587	0.8720
89	HYUNDAI	GENESIS	25	29,056	0.8604
90	BMW	Z4/M	1	1,165	0.8584
91	JAGUAR LAND ROVER	XF	7	8,206	0.8530
92	HONDA	ACCORD CROSSTOUR	29	34,114	0.8501
93	HONDA	CIVIC	217	259,907	0.8349
94	AUDI	AUDI TT	1	1,201	0.8326
95	TOYOTA	FJ CRUISER	16	19,395	0.8250
96	FORD MOTOR CO	LINCOLN MKZ	23	27,963	0.8225
97	SUBARU	IMPREZA	31	38,000	0.8158
98	TOYOTA	LEXUS LS	11	13,636	0.8067
99	BENTLEY MOTORS	CONTINENTAL	1	1,249	0.8006
100	TOYOTA	SIENNA VAN	43	54,895	0.7833
101	NISSAN	CUBE	15	19,411	0.7728
102	HONDA	ACURA ZDX	3	3,994	0.7511
103	FORD MOTOR CO	ESCAPE	146	200,970	0.7265
104	GENERAL MOTORS	GMC CANYON PICKUP	6	8,394	0.7148
105	NISSAN	GT-R	1	1,420	0.7042
106	HONDA	ACCORD	198	281,286	0.7039
107	HYUNDAI	SANTA FE	39	55,423	0.7037
108	MITSUBISHI	LANCER	21	29,952	0.7011
109	KIA	SEDONA VAN	11	15,716	0.6999
110	TOYOTA	TACOMA PICKUP	77	111,599	0.6900
111	TOYOTA	HIGHLANDER	58	84,152	0.6892
112	AUDI	AUDI A4/A5	26	38,497	0.6754
113	MERCEDES-BENZ	SLK-CLASS	1	1,505	0.6645
114	NISSAN	370Z	7	10,913	0.6414
115	GENERAL MOTORS	CADILLAC SRX	31	48,740	0.6360
116	TOYOTA	SCION XD	10	15,884	0.6296
117	CHRYSLER	JEEP PATRIOT	25	40,670	0.6147
118	HONDA	ACURA MDX	21	34,613	0.6067
119	AUDI	AUDI A6	4	6,777	0.5902
120	SUZUKI	KIZASHI	4	6,807	0.5876
121	KIA	RONDO	1	1,713	0.5838
122	NISSAN	FRONTIER PICKUP	26	44,888	0.5792
123	FORD MOTOR CO	LINCOLN MKX	12	21,164	0.5670
124	FORD MOTOR CO	CROWN VICTORIA	1	1,809	0.5528
125	TOYOTA	VENZA	27	49,445	0.5461
126	VOLKSWAGEN	TIGUAN	9	17,505	0.5141
127	BMW	1	3	5,890	0.5093
128	HONDA	INSIGHT	22	43,523	0.5055
129	TOYOTA	LEXUS IS	21	41,696	0.5036
130	NISSAN	ROGUE	44	89,165	0.4935
131	TOYOTA	RAV4	89	180,634	0.4927
132	HONDA	ELEMENT	8	16,560	0.4831
133	HONDA	ACURA TSX	23	47,770	0.4815
134	TOYOTA	AVALON	7	14,551	0.4811

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2010 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2010—Continued

	Manufacturer	Make/model (line)	Thefts 2010	Production (Mfr's) 2010	2010 Theft rate (per 1,000 vehicles produced)
135	HYUNDAI	TUCSON	11	22,950	0.4793
136	GENERAL MOTORS	CHEVROLET COLORADO PICKUP	12	25,073	0.4786
137	VOLVO	V50	1	2,148	0.4655
138	FORD MOTOR CO	MERCURY MARINER	14	30,142	0.4645
139	SUBARU	LEGACY	16	34,726	0.4607
140	CHRYSLER	JEEP WRANGLER	45	98,149	0.4585
141	BMW	MINI COOPER	18	40,706	0.4422
142	VOLKSWAGEN	GOLF/RABBIT/GTI	11	24,911	0.4416
143	TOYOTA	LEXUS GS	3	6,801	0.4411
144	CHRYSLER	PT CRUISER	5	11,358	0.4402
145	MAZDA	MX-5 MIATA	3	7,090	0.4231
146	TOYOTA	LEXUS ES	23	54,389	0.4229
147	HONDA	ACURA 3.2 TL	15	37,466	0.4004
148	FORD MOTOR CO	RANGER PICKUP	22	58,434	0.3765
149	NISSAN	MURANO	22	58,921	0.3734
150	AUDI	AUDI Q5	7	18,853	0.3713
151	SUBARU	OUTBACK	25	71,253	0.3509
152	VOLVO	S80	3	8,805	0.3407
153	BMW	5	12	35,988	0.3334
154	SUBARU	FORESTER	37	111,861	0.3308
155	TOYOTA	LEXUS RX	49	152,431	0.3215
156	HONDA	CR-V	64	200,327	0.3195
157	TOYOTA	PRIUS	78	250,553	0.3113
158	VOLVO	XC90	3	9,846	0.3047
159	VOLKSWAGEN	PASSAT	4	13,204	0.3029
160	GENERAL MOTORS	GMC TERRAIN	13	48,605	0.2675
161	SUZUKI	VITARA/GRAND VITARA	2	7,498	0.2667
162	HONDA	ODYSSEY VAN	30	113,418	0.2645
163	MITSUBISHI	OUTLANDER	4	15,936	0.2510
164	PORSCHE	911	1	4,030	0.2481
165	TOYOTA	LEXUS HS	4	18,091	0.2211
166	FORD MOTOR CO	TRANSIT CONNECT VAN	8	36,886	0.2169
167	HONDA	ACURA RDX	3	14,117	0.2125
168	NISSAN	INFINITI EX35	2	9,536	0.2097
169	GENERAL MOTORS	CHEVROLET EQUINOX	29	139,654	0.2077
170	SAAB	9-3	1	5,090	0.1965
171	VOLVO	XC60	3	17,202	0.1744
172	VOLKSWAGEN	EOS	1	5,762	0.1736
173	MAZDA	CX-7	7	40,443	0.1731
174	HONDA	FIT	12	69,465	0.1727
175	BMW	X3	1	6,566	0.1523
176	MAZDA	CX-9	1	15,464	0.0647
177	ASTON MARTIN	DB9	0	68	0.0000
178	ASTON MARTIN	DBS	0	169	0.0000
179	ASTON MARTIN	RAPIDE	0	135	0.0000
180	ASTON MARTIN	VANTAGE	0	229	0.0000
181	AUDI	AUDI A8	0	649	0.0000
182	AUDI	AUDI R8	0	546	0.0000
183	AUDI	AUDI S6	0	140	0.0000
184	BENTLEY MOTORS	AZURE	0	38	0.0000
185	BENTLEY MOTORS	BROOKLANDS	0	2	0.0000
186	BMW	M3	0	1,869	0.0000
187	BMW	M5	0	386	0.0000
188	BMW	M6	0	523	0.0000
189	BUGATTI	VEYRON	0	8	0.0000
190	CHRYSLER	DODGE VIPER	0	384	0.0000
191	FERRARI	458	0	474	0.0000
192	FERRARI	599	0	153	0.0000
193	FERRARI	612 SCAGLIETTI	0	26	0.0000
194	FERRARI	CALIFORNIA	0	1,127	0.0000
195	GENERAL MOTORS	CADILLAC FUNERAL COACH/HEARSE	0	529	0.0000
196	GENERAL MOTORS	CADILLAC LIMOUSINE	0	272	0.0000
197	GENERAL MOTORS	PONTIAC G5	0	3	0.0000
198	GENERAL MOTORS	SATURN AURA	0	20	0.0000
199	HYUNDAI	AZERA	0	1,121	0.0000
200	HYUNDAI	VERACRUZ	0	8,344	0.0000
201	JAGUAR LAND ROVER	LAND ROVER LR2	0	4,430	0.0000

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2010 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2010—Continued

	Manufacturer	Make/model (line)	Thefts 2010	Production (Mfr's) 2010	2010 Theft rate (per 1,000 vehicles produced)
202	JAGUAR LAND ROVER	XJ	0	68	0.0000
203	LAMBORGHINI	GALLARDO	0	190	0.0000
204	LAMBORGHINI	MURCIELAGO	0	59	0.0000
205	LOTUS	ELISE	0	354	0.0000
206	MASERATI	QUATTROPORTE	0	394	0.0000
207	MAZDA	RX-8	0	1,217	0.0000
208	MAZDA	TRIBUTE	0	4,180	0.0000
209	MERCEDES-BENZ	CLS-CLASS	0	1,352	0.0000
210	MERCEDES-BENZ	MAYBACH 57	0	1	0.0000
211	MERCEDES-BENZ	SMART FORTWO	0	3,255	0.0000
212	MITSUBISHI	ECLIPSE	0	793	0.0000
213	NISSAN	INFINITI FX50	0	460	0.0000
214	PORSCHE	BOXSTER	0	1,421	0.0000
215	PORSCHE	CAYMAN	0	955	0.0000
216	ROLLS ROYCE	GHOST	0	604	0.0000
217	ROLLS ROYCE	PHANTOM	0	281	0.0000
218	ROUSH PERFORMANCE	RPP MUSTANG	0	766	0.0000
219	SAAB	9-5	0	644	0.0000
220	SPYKER	C8	0	5	0.0000
221	SUZUKI	EQUATOR PICKUP	0	1,230	0.0000
222	TESLA	ROADSTER	0	278	0.0000
223	VOLVO	C30	0	1,536	0.0000
224	VOLVO	V70	0	1,496	0.0000
225	VOLVO	XC70	0	6,379	0.0000

Issued on: September 14, 2012.

Christopher J. Bonanti,

Associate Administrator for Rulemaking.

[FR Doc. 2012-23308 Filed 9-20-12; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 111207737-2141-02]

RIN 0648-XC207

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 620 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the C season allowance of the 2012 total allowable catch of pollock for Statistical Area 620 in the GOA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), September 18, 2012,

through 1200 hrs, A.l.t., October 1, 2012.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The C season allowance of the 2012 total allowable catch (TAC) of pollock in Statistical Area 620 of the GOA is 7,282 metric tons (mt) as established by the final 2012 and 2013 harvest specifications for groundfish of the GOA (77 FR 15194, March 14, 2012). In accordance with § 679.20(a)(5)(iv)(B), the Administrator, Alaska Region, NMFS (Regional Administrator), hereby decreases the C season pollock allowance by 220 mt to reflect the total amount of pollock TAC that has been caught prior to the C season in Statistical Area 620. Therefore, the revised C season allowance of the pollock TAC in Statistical Area 620 is 7,062 mt (7,282 mt minus 220 mt).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the C season allowance of the 2012 TAC of pollock in Statistical Area 620 of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 7,012 mt and is setting aside the remaining 50 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 620 of the GOA.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Acting Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) and § 679.25(c)(1)(ii) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it