

significant impact on the quality of the human environment.

5. Executive Order 12778 (Civil Justice Reform)

This final rule does not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the State requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, tires.

In consideration of the foregoing, 49 CFR part 571 is amended as set forth below:

PART 571—[AMENDED]

1. The authority citation for part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

§ 571.211 [Removed]

2. Section 571.211 is removed and reserved.

Issued on: April 30, 1996.

Ricardo Martinez,
Administrator.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 620

[Docket No. 960126016-6121-04; I.D. 042996F]

General Provisions for Domestic Fisheries; Extension of Emergency Fishing Closure in Block Island Sound

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

ACTION: Emergency interim rule; extension.

SUMMARY: In response to a request from the State of Rhode Island, NMFS is extending the emergency interim rule that closed a portion of Federal waters off the coast of the State of Rhode Island, in Block Island Sound subsequent to an oil spill. Fishing for and possession of lobsters in a small area east and north of Block Island will remain prohibited.

EFFECTIVE DATE: May 1, 1996, through July 23, 1996.

FOR FURTHER INFORMATION CONTACT: Daniel Morris, (508) 281-9388.

SUPPLEMENTARY INFORMATION: On January 19, 1996, an oil barge grounded and spilled more than 800,000 gallons (3.0 million liters) of heating oil into the waters of Block Island Sound, RI. On January 26, 1996, NMFS, at the request of and in conjunction with the State of Rhode Island, prohibited the harvest of seafood from an area of approximately 250 square miles (647 square km) in Block Island Sound. The original area of closure was announced and defined in an emergency interim rule published in the Federal Register on February 1, 1996 (61 FR 3602).

The Federal closure has been twice amended, effective on March 13, 1996 (61 FR 11164, March 19, 1996), and April 9, 1996 (61 FR 16401, April 15, 1996). The latter citation describes the current closure.

Following the oil spill, State officials, in consultation with Federal agencies and the responsible party, developed a protocol for reopening fisheries in the affected area. The protocol sets sampling, inspection, and analysis standards, which, if met, would ensure that seafood is wholesome and would provide a basis for reopening fisheries. In the most recent round of inspection, evidence of oil adulteration was found in lobster samples taken from the closed Federal waters. Therefore, the closure to fishing for and possessing lobsters in a small area east and north of Block Island is extended by 90 days or until the testing protocol is satisfied.

The New England Fishery Management Council (Council) has concurred in the extension of this emergency closure, so long as the extension complements the State's regulations and is implemented at the State's request.

Classification

Extension of the emergency interim rule is intended to prevent oil-adulterated lobsters from reaching consumers. Also, the extension does not

change existing regulations. On these grounds, NMFS finds good cause to extend the emergency interim rule in accordance with section 305(c)(3)(B) of the Magnuson Fishery Conservation and Management Act (Magnuson Act). It would be contrary to public interest to provide notice and opportunity for comment or to delay for 30 days the effective date of this action under authority at 5 U.S.C. 553(b)(B) and (d)(3).

The Assistant Administrator for Fisheries, NOAA (AA), has determined that this rule is necessary to respond to an emergency situation and is consistent with the Magnuson Act and other applicable law.

This emergency rule extension has been determined to be not significant for the purposes of E.O. 12866.

This emergency rule extension is exempt from the procedures of the Regulatory Flexibility Act because this rule is not required to be issued with prior notice and opportunity for public comment.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 30, 1996.

Gary Matlock,
Program Management Officer, National Marine Fisheries Service.

[FR Doc. 96-11163 Filed 5-1-96; 10:02 am]

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50 CFR Part 661

[Docket No. 960429120-6120-01; I.D. 042496C]

RIN 0648-A135

Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California; 1996 Management Measures and Technical Amendment

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

ACTION: Annual management measures for the ocean salmon fishery and technical amendment; request for comments.

SUMMARY: NMFS establishes fishery management measures for the ocean salmon fisheries off Washington, Oregon, and California for 1996 and for those salmon seasons opening earlier than May 1, 1997. Specific fishery management measures vary by fishery and area. The measures establish fishing areas, seasons, quotas, legal gear, recreational fishing days and catch limits, possession and landing restrictions, and minimum lengths for salmon taken in the exclusive economic