

Dated: November 8, 1996.
 Mary D. Nichols,
*Assistant Administrator for Air and
 Radiation.*
 [FR Doc. 96-29659 Filed 11-22-96; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[PR Docket No. 89-552; FCC 96-448]

220 MHz Radio Service

AGENCY: Federal Communications
 Commission.

ACTION: Proposed rule.

SUMMARY: The Commission seeks
 comment on its tentative conclusion
 that the "40-mile rule" should be
 repealed, as recommended by the SMR
 Advisory Group L.C. This action is
 needed to establish a comprehensive
 record on which to base a final decision.

DATES: Comments are due December 10,
 1996.

ADDRESSES: Federal Communications
 Commission, 1919 M Street, N.W.,
 Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:
 Marty Liebman, Wireless
 Telecommunications Bureau, (202) 418-
 1310.

SUPPLEMENTARY INFORMATION:

Commission Seeks Supplemental
 Comment on Request To Eliminate 40-
 Mile Rule for 220 MHz Radio Service

Released: November 19, 1996.

1. Section 90.739 of the Commission's
 Rules stipulates that a licensee in the
 220 MHz radio service may not hold
 more than one license within a 40-mile
 area, unless the licensee can justify the
 need for an additional license based on
 communications requirements.

2. On April 5, 1996, the SMR
 Advisory Group, L.C. (SMR Group) filed
ex parte comments in the above-
 captioned proceeding, urging the
 Commission to eliminate Section 90.739
 (the "40-mile rule"). In its comments,
 SMR Group suggests that elimination of
 the rule would enhance the competitive
 potential of the 220 MHz service, and
 would be consistent with Commission
 findings of regulatory parity between
 the 220 MHz service and other
 commercial mobile radio services. SMR
 Group also contends that the original
 purpose for the rule—*i.e.*, to prevent
 spectrum warehousing—is no longer
 relevant in the context of today's mobile
 communications marketplace.

Subsequently, the American Mobile
 Telecommunications Association,
 Securicor Radiocom, Ltd., and SEA,
 Inc., also filed *ex parte* comments
 asking that the Commission eliminate
 this rule. Based on these filings, the
 Commission tentatively concludes that
 the rule should be repealed.

3. Pursuant to Section 1.415(d) of the
 Commission's Rules, 47 CFR § 1.415(d),
 the Commission seeks comment on this
 tentative conclusion. In particular,
 interested parties are invited to address
 any legal, factual, or policy
 considerations that may be associated
 with this issue. Comments must be filed
 no later than December 10, 1996. No
 reply comments will be accepted.

4. All comments should be filed with
 the Office of the Secretary, Federal
 Communications Commission, 1919 M
 Street NW, Room 222, Washington, DC
 20554, referencing PR Docket No. 89-
 552. The full text of the comments is
 available for inspection and duplication
 during regular business hours in the
 FCC Reference Center, Federal
 Communications Commission, 1919 M
 Street NW, Room 239, Washington, DC
 20554. Copies may also be obtained
 from the International Transcription
 Service, Inc. (ITS), 2100 M Street NW,
 Suite 140, Washington, DC 20037, (202)
 857-3800.

Initial Regulatory Flexibility Analysis

5. For purposes of this Public Notice,
 the Initial Regulatory Flexibility
 Analysis adopted in the Third Notice of
 Proposed Rulemaking in PR Docket No.
 89-552 (60 FR 46564, September 7,
 1995) applies.

List of Subjects in 47 CFR Part 90

Radio.

Federal Communications Commission
 William F. Caton,
Acting Secretary.

[FR Doc. 96-30002 Filed 11-22-96; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 961108316-6316-01; I.D.
 101796C]

RIN 0648-AI47

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 14

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

ACTION: Proposed rule, request for
 comments.

SUMMARY: NMFS issues this proposed
 rule to implement Amendment 14 to the
 Fishery Management Plan for the Reef
 Fish Resources of the Gulf of Mexico
 (FMP). This proposed rule would
 prohibit the use or possession of fish
 traps in the exclusive economic zone
 (EEZ) of the Gulf of Mexico (Gulf)
 beginning February 8, 2007; prohibit the
 use or possession of fish traps west of
 85°30' W. long.; modify the procedure
 for retrieval of fish traps when a
 breakdown prevents a vessel with a trap
 endorsement from retrieving its traps;
 modify the restrictions on transfer of
 fish trap endorsements and reef fish
 permits; prohibit the harvest or
 possession of Nassau grouper in or from
 the EEZ of the Gulf; and clarify the
 authority of the Regional Administrator,
 Southeast Region, NMFS (RA), to
 reopen a prematurely closed fishery. In
 addition, NMFS proposes to extend the
 current prohibition on the possession of
 dynamite on board a permitted vessel to
 those vessels permitted in the South
 Atlantic golden crab fishery. The
 intended effects of this rule are to
 conserve and manage the reef fish
 resources of the Gulf and enhance
 enforceability of the regulations.

DATES: Written comments must be
 received on or before January 9, 1997.

ADDRESSES: Comments on the proposed
 rule or on the initial regulatory
 flexibility analysis (IRFA) must be sent
 to Robert Sadler, Southeast Regional
 Office, NMFS, 9721 Executive Center
 Drive N., St. Petersburg, FL 33702.

Comments regarding the collection-of-
 information requirement contained in
 this rule should be sent to Edward E.
 Burgess, Southeast Regional Office,
 NMFS, 9721 Executive Center Drive N.,
 St. Petersburg, FL 33702, and to the
 Office of Information and Regulatory