

for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2) of the CAA, 42 U.S.C. 7607(b)(2).)

Under 5 U.S.C. 801(a)(1)(A) added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 58

Environmental protection, Air pollution control, Intergovernmental relations.

Dated: January 21, 1997.

A. Stanley Meiburg,  
Acting Regional Administrator.

Part 58 of chapter 1, title 40 of the Code of Federal Regulations is amended as follows.

**PART 58—[AMENDED]**

1. The authority citation for part 58 is revised to read as follows:

Authority: 42 U.S.C. 7410, 7601(a), 7613, 7619.

Appendix D—[Amended]

2. In Appendix D, the table in section 2.5 is amended by revising the entries for Alabama, Georgia, and Mississippi to read as follows:

Appendix D—Network Design for State and Local Air Stations (SLAMS), National Air Monitoring Stations (NAMS), and Photochemical Assessment Monitoring Stations (PAMS).

\* \* \* \* \*

2.5 \* \* \*

**OZONE MONITORING SEASON BY STATE**

State	Begin month	End month
Alabama .....	Apr .....	Oct.
* * *	* * *	* * *
Georgia .....	Apr .....	Oct.
* * *	* * *	* * *
Mississippi .....	Apr .....	Oct.
* * *	* * *	* * *

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 20**

RIN 1018-AD69

**Migratory Bird Hunting; Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds; Supplemental**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final Rule.

**SUMMARY:** The Fish and Wildlife Service (hereinafter Service) is supplementing the rule prescribing the late open season, hunting hours, hunting areas, and daily bag and possession limits for general waterfowl seasons in South Dakota that appeared in the Federal Register on September 27, 1996 (61 FR 50738).

**DATE:** Effective on February 13, 1997.

**FOR FURTHER INFORMATION CONTACT:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, ms 634—ARLSQ, 1849 C Street, NW., Washington, DC 20240, (703) 358-1714.

**SUPPLEMENTARY INFORMATION:** In the September 27, 1996, Federal Register (61 FR 50738), the Service published a final rule prescribing the late open season, hunting hours, hunting areas, and daily bag and possession limits for general waterfowl seasons and certain other migratory bird seasons in the conterminous United States. Public comment was received on the proposed rules for the seasons and limits contemplated herein. These comments were addressed in the Federal Registers dated August 29, 1996, (61 FR 45836) and September 26, 1996 (61 FR 50662). This supplement involves no change in substance in the contents of the prior proposed and final rules. In the case of South Dakota, the State has elected to select the remaining allowable hunt days permitted under the existing frameworks for snow geese.

Dated: February 3, 1997

George T. Frampton, Jr.  
Assistant Secretary for Fish and Wildlife and Parks.

**PART 20—[AMENDED]**

For the reasons set out in the preamble, title 50, chapter I, subchapter B, Part 20, subpart K is amended as follows:

1. The authority citation for Part 20 continues to read as follows:

AUTHORITY: 16 U.S.C. 703-712; and 16 U.S.C. 742 a-j.

**§ 20.105 [Amended]**

2. In Section 20.105, paragraph (e) is amended by revising the Season Dates for South Dakota, subheading Light Geese, to read "Sept. 28-Dec. 22 & Feb. 18-Mar. 10."

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Parts 217 and 222**

[Docket No. 960730211-7020-02; I.D. 072296B]

RIN 0648-AJ03

**North Atlantic Right Whale Protection**

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

ACTION: Interim final rule.

**SUMMARY:** Disturbance is identified in the Final Recovery Plan for the Northern Right Whale (Recovery Plan) as among the principal human-induced factors impeding recovery of the northern right whale (*Eubalaena glacialis*) (NMFS, 1991). NMFS is issuing this interim final rule to restrict approaches within 500 yards (460 m) of a right whale, whether by vessel, aircraft or other means, in an attempt to reduce the current level of disturbance and the potential for vessel interaction and injury. This rule requires right whale avoidance measures if a vessel or aircraft is within the 500-yard (460 m) restricted area. Generally, vessels are required to immediately depart from the area at a slow, safe speed in a direction away from the whale. Exceptions are provided for emergency situations, where certain authorizations are provided for aircraft operations (unless the aircraft is conducting whale watch activities), for certain right whale disentanglement/rescue efforts and investigations, and for a vessel restricted in its ability to maneuver and unable to comply with the right whale avoidance measures.

EFFECTIVE DATE: March 17, 1997.

FOR FURTHER INFORMATION CONTACT: Margot Bohan, NMFS/FPR, 301-713-2322; Doug Beach, NMFS/Northeast Regional Office, 508-281-9254; or