

**PART 80—REGULATION OF FUELS AND FUEL ADDITIVES**

1. The authority citation for part 80 continues to read as follows:

**Authority:** Secs. 114, 211, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7414, 7545, and 7601(a)).

2. Section 80.41 is amended by amending the paragraph (f) table "Phase II Complex Model Averaged Standards" by revising the entry for "Benzene (percent, by volume)" to read as follows:

**§ 80.41 Standards and requirements for compliance.**

\* \* \* \* \*  
(f) \* \* \*

**PHASE II COMPLEX MODEL AVERAGED STANDARDS**

*	*	*	*	*
Benzene (percent, by volume):				
Standard .....				≤0.95
Per-Gallon Maximum .....				≤1.30

3. Effective July 27, 1999, § 80.101 is amended by adding paragraph (f)(4) introductory text, (f)(4)(i) and (f)(4)(ii) to read as follows:

**§ 80.101 Standards applicable to refiners and importers.**

\* \* \* \* \*  
(f) \* \* \*

(4) Any compliance baseline under paragraph (f)(1) of this section shall be adjusted for each averaging period as follows:

(i) If the total volume of the conventional gasoline, RBOB,

reformulated gasoline, and California gasoline as defined in § 80.81(a)(2), produced or imported by any refiner or importer during the averaging period is equal to or less than that refiner's or importer's 1990 baseline volume as determined under § 80.91(f)(1), the compliance baseline for each parameter or emissions performance shall be that refiner's or importer's individual 1990 baseline; or

(ii) If the total volume of the conventional gasoline, RBOB, reformulated gasoline, and California gasoline as defined in § 80.81(a)(2), produced or imported by any refiner or importer during the averaging period is greater than that refiner's or importer's 1990 baseline volume as determined under § 80.91(f)(1), the compliance baseline for each parameter or emissions performance shall be calculated according to the following formula:

$$CB_i = \left( B_i * \left( \frac{V_{1990}}{V_a} \right) \right) + \left( DB_i * \left( 1 - \frac{V_{1990}}{V_a} \right) \right)$$

Where:

- CB<sub>i</sub> = The compliance baseline value for parameter or emissions performance i.
- B<sub>i</sub> = The refiner's or importer's individual baseline value for parameter or emission performance i calculated according to the methodology in § 80.91.
- DB<sub>i</sub> = The anti-dumping statutory baseline value for parameter or emissions performance i, as specified at § 80.91(c)(5)(iii) or (c)(5)(iv), respectively.
- V<sub>1990</sub> = The 1990 baseline volume as determined under § 80.91(f)(1).
- V<sub>a</sub> = The total volume of reformulated gasoline, conventional gasoline, RBOB, and California gasoline as defined in § 80.81(a)(2) produced or imported by a refiner or importer during the averaging period.

\* \* \* \* \*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**49 CFR Part 395**

**Global Positioning System (GPS) Technology; Extension of Application Date**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of extension of deadline for submission of applications to

participate in the GPS technology pilot demonstration project.

**SUMMARY:** The FHWA is extending the deadline for motor carriers to submit applications to participate in the agency's Global Positioning System (GPS) technology pilot demonstration project. This project allows qualified motor carriers that use GPS technology and related safety management computer systems to enter into an agreement with the FHWA to use such systems to record and monitor drivers' hours-of-service, in lieu of requiring them to prepare handwritten records of duty status. This project is intended to demonstrate that the motor carrier industry can use this technology to improve compliance with the hours-of-service requirements in a manner which promotes safety and operational efficiency while reducing paperwork.

**DATES:** Applications must be received on or before December 31, 1999.

**ADDRESSES:** Written applications should be mailed to the Office of Motor Carrier Research and Standards (HCS-10), Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590.

**FOR FURTHER INFORMATION CONTACT:** Mr. Neill L. Thomas, Office of Motor Carrier Research and Standards (HMCS-10), (202) 366-4009, or Mr. Charles Medalen, Office of Chief Counsel (HCC-20), (202) 366-1354, Federal Highway

Administration, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays. Application requests and specific questions regarding this pilot demonstration project may also be directed to the contact person(s) named in this notice or the Division Offices of the FHWA in your State.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

An electronic copy of this document may be downloaded by using a computer modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of the Federal Register's home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

**Background**

On September 30, 1988, the FHWA published a final rule (53 FR 38666) to allow motor carriers to use certain automatic on-board devices to record their drivers' duty status in lieu of the handwritten records required by 49 CFR 395.8. This provision is now codified at 49 CFR 395.15. Many motor carriers employing this technology found that their compliance with the hours-of-

service regulations improved. New technologies are emerging, however, and the narrowly crafted on-board recorder provision is becoming obsolete.

Before considering changes to the rule, the FHWA determined that it would be prudent to demonstrate the effectiveness of more recent technology for ensuring compliance with the hours-of-service regulations. On April 6, 1998, the FHWA announced a pilot project that would allow motor carriers to use GPS tracking systems and related computer programs to monitor compliance with the hours-of-service regulations. Drivers would be exempted from the requirement to maintain paper logs (63 FR 16697). Werner Enterprises, Inc., was the first carrier to enter into an agreement with the FHWA to use a GPS system for this purpose. The FHWA believes GPS technology and many of the complementary safety management computer systems currently available to the motor carrier industry provide at least the same degree of monitoring accuracy as 49 CFR 395.15. The FHWA also believes the project will demonstrate that reduced paperwork and recordkeeping requirements are consistent with highway safety, while providing economic advantages to the motor carrier industry.

#### Reason for Extending the Application Deadline

The FHWA has received letters or telephone calls from 17 entities that have expressed their desire to participate in the pilot program. Development of the related safety management computer systems has been slow. Those motor carriers that wish to participate in the pilot demonstration project have been unable to purchase or develop the requisite computer systems and software that complement the GPS technology before the extended application deadline of June 30, 1999. Two entities have informed us that they now have the requisite software. Others will be coming on-line shortly. Therefore, to ensure the best possible results for this pilot project, the agency is extending the application period to December 31, 1999. Motor carriers that wish to participate in the pilot demonstration project must have GPS technology and complementary safety management computer systems which meet all of the conditions specified in the April 6, 1998, notice.

**Authority:** 5 U.S.C. 553(b); 23 U.S.C. 315; 49 U.S.C. 31133, 31136, and 31502; sec. 345, Pub. L. 104-59, 109 Stat. 568, 613; and 49 CFR 1.48.

Issued on: July 7, 1999.

**Kenneth R. Wykle,**

*Federal Highway Administrator.*

[FR Doc. 99-17804 Filed 7-12-99; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 216

[I.D. 062499B]

#### Regulations Governing the Taking of Marine Mammals by Alaskan Natives; Marking and Reporting of Beluga Whales Harvested in Cook Inlet

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

**ACTION:** Interim final rule; notice of public hearing.

**SUMMARY:** On May 24, 1999, NMFS published an interim final rule amending 50 CFR 216.23 to require that Alaskan Natives harvesting beluga whales in Cook Inlet collect the lower left jaw from harvested whales and complete a report (64 FR 27925). At that time, NMFS requested public comments on the rule and announced that a public hearing would be held as part of the process. NMFS announces the location, date, and time of the hearing.

**DATES:** The hearing will be held on Thursday, July 29, 1999, beginning at 3:00 p.m.

**ADDRESSES:** The hearing will be held in room 135 of the Anchorage Federal Office Building, 222 W. 7<sup>th</sup> Avenue, Anchorage, Alaska.

**FOR FURTHER INFORMATION CONTACT:** Brad Smith, (907) 271-5006.

#### Special Accommodations

This hearing is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Brad Smith (see **FOR FURTHER INFORMATION CONTACT**) by July 26, 1999.

Dated: July 7, 1999.

**Art Jeffers,**

*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 622

[Docket No. 990330083-9166-02; I.D. 031999B]

RIN 0648-AK32

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Certification of Bycatch Reduction Devices

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

**ACTION:** Final rule.

**SUMMARY:** In accordance with the framework procedure for adjusting management measures of the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP), NMFS establishes procedures for the testing and certification of bycatch reduction devices (BRDs) for use in shrimp trawls in the exclusive economic zone (EEZ) in the Gulf of Mexico. Consistent with these procedures, NMFS certifies the Jones-Davis and Gulf fishery BRDs for use in the Gulf of Mexico. NMFS also establishes the specifications for the Jones-Davis, Gulf fishery, and fishery BRDs. The intended effect is to foster the development and provide for the certification of additional BRDs.

**DATES:** Effective July 13, 1999, except for the collection-of-information requirements in: § 622.41(h)(3)(i) and (h)(3)(ii), Appendix—Gulf of Mexico Bycatch Reduction Device Testing Protocol Manual, and Appendix I—Qualifications of Observer. This rule is being issued prior to the Office of Management and Budget's (OMB) approval of the information collection requirements in: § 622.41(h)(4)(i) and (h)(4)(ii), Appendix—Gulf of Mexico Bycatch Reduction Device Testing Protocol Manual, and Appendix I—Qualifications of Observer. When OMB approval is received, the effective dates of these paragraphs and appendices will be published in the **Federal Register**.

**ADDRESSES:** Copies of the regulatory impact review (RIR) may be obtained from the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Comments regarding the collection-of-information requirements contained in this rule should be sent to Edward E. Burgess, Southeast Regional Office,