

**DEPARTMENT OF TRANSPORTATION****Research and Special Programs Administration**

**49 CFR Parts 171, 172, 173, 174, 175, 176, 177, 178, 179, 180**

[Docket No. RSPA-99-6283 (HM-230)]

RIN 2137-AD39

**Hazardous Materials Regulations; Compatibility With the Regulations of the International Atomic Energy Agency**

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Advance notice of proposed rulemaking; extension of time to file comments.

**SUMMARY:** RSPA is extending for 90 days, until June 29, 2000, the period for filing comments to an advance notice of proposed rulemaking (ANPRM) published under Docket HM-230. RSPA is taking this action in response to a petition filed by the United States Department of Energy (DOE). DOE requested that RSPA allow additional time for interested persons to review and provide comments on the ANPRM and the recent changes contained in the International Atomic Energy Agency (IAEA) publication titled "IAEA Safety Standards Series: Regulations for the Safe Transport of Radioactive Material, 1996 Edition, Requirements, No. ST-1" (hereafter referred to as ST-1).

**DATES:** Comments must be received on or before June 29, 2000. To the extent practicable, we will consider comments received after this date.

**ADDRESSES:** Submit written comments to the Dockets Management System, U.S. Department of Transportation, PL 401, 400 Seventh Street, SW, Washington, D.C. 20590-0001. Comments should refer to Docket Number RSPA-99-6283 and be submitted in two copies. If you wish to receive confirmation of receipt of your written comments, include a self-addressed, stamped postcard.

Comments may also be submitted to the docket electronically by logging onto the Dockets Management System website at <http://dms.dot.gov>. Click on "Help & Information" to obtain instructions for filing the comment electronically. In every case, the comment should refer to the Docket number "RSPA-99-6283".

The Dockets Management System is located on the Plaza level of the Nassif Building at the Department of Transportation at the above address. You can review public dockets there between the hours of 9:00 a.m. and 5:00

p.m., Monday through Friday, except Federal holidays. You can also review comments on-line at the DOT Dockets Management System web site at "<http://dms.dot.gov/>."

**FOR FURTHER INFORMATION CONTACT:** Dr. Fred D. Ferate II, Office of Hazardous Materials Technology, (202) 366-4545, or Charles E. Betts, Office of Hazardous Materials Standards, (202) 366-8553; RSPA, U.S. Department of Transportation, 400 Seventh Street SW, Washington, DC 20590-0001.

**SUPPLEMENTARY INFORMATION:** On December 28, 1999, RSPA published an ANPRM in the **Federal Register** under Docket HM-230 (64 FR 72633) that solicits comments on the development of regulations to harmonize the radioactive materials requirements in the Hazardous Materials Regulations (HMR) with the recent changes contained in the IAEA publication, ST-1, on the transportation of radioactive materials. In the ANPRM, specific comments are requested from interested persons in defining the scope of the notice of proposed rulemaking, i.e., extent to which differences between the HMR and the IAEA publication ST-1 should be considered in proposing changes to the HMR.

RSPA received a petition from DOE requesting an extension of the comment period to the ANPRM for an additional 90 days. DOE stated that it is still in the process of obtaining and distributing the information in ST-1 to its sizeable transportation community. RSPA agrees additional time should be allowed and is extending the comment period from March 29, 2000 to June 29, 2000.

Issued in Washington, DC on February 23, 2000, under authority delegated in 49 CFR Part 106.

**Robert A. McGuire,**

*Acting Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 00-4926 Filed 2-29-00; 8:45 am]

**BILLING CODE 4910-60-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

[I.D. 021500A]

RIN 0648-AM75

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendment 12 to the Fishery Management Plan (FMP) for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (Amendment 12)**

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

**ACTION:** Notice of availability of Amendment 12; request for comments.

**SUMMARY:** NMFS announces that the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) have submitted Amendment 12 for review, approval, and implementation by NMFS. Amendment 12 contains a single action that would extend the expiration date of the commercial king mackerel vessel permit moratorium through October 15, 2005. Written comments are requested from the public.

**DATES:** Comments must be received at the appropriate address or fax number, (see **ADDRESSES**), no later than 5:00 p.m., eastern standard time, on May 1, 2000.

**ADDRESSES:** Written comments should be sent to Steve Branstetter, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702. Comments also may be sent via fax to 727-570-5583. Comments will not be accepted if submitted via e-mail or Internet.

Requests for copies of Amendment 12, which includes an environmental assessment and a regulatory impact review, may be obtained from the Gulf of Mexico Fishery Management Council, Suite 1000, 3018 U.S. Highway 301 North, Tampa, FL 33619; telephone: 813-228-2815; fax: 813-225-7015; e-mail: [gulf.council@noaa.gov](mailto:gulf.council@noaa.gov); or from the South Atlantic Fishery Management Council, Southpark Building, One Southpark Circle, Suite 306, Charleston, SC 29407-4699; telephone: 843-571-4366; fax: 843-769-4520; e-mail: [safmc@noaa.gov](mailto:safmc@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Steve Branstetter, 727-570-5305; fax 727-570-5583; e-mail: [steve.branstetter@noaa.gov](mailto:steve.branstetter@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each Regional Fishery Management Council to submit an FMP or amendment to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP or amendment, immediately publish a document in the **Federal Register** stating that the amendment is available for public review and comment.

Amendment 8 to the FMP for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic established the commercial king mackerel vessel permit moratorium in March 1998. Amendment 12 would extend the moratorium from its current expiration date of October 15, 2000, to October 15, 2005, or until the moratorium can be replaced with a license limitation, limited access, and/or individual fishing quota or individual transferrable quota system, whichever occurs earlier. The intended effects of extending the permit moratorium through the proposed action are to prevent increases in fishing effort, to possibly reduce the number of permittees in the king mackerel fishery, and to stabilize the economic performance of current participants while protecting king mackerel from overfishing.

Currently, various hook-and-line and run-around gillnet fisheries for king mackerel in the Gulf of Mexico and the South Atlantic region are subject to closures when the quotas are filled before the end of their respective fishing years. Such closures in recent years indicate that fleet size and fishery effort still exceed that needed to harvest the allowable quotas. The Councils are concerned that allowing the current moratorium to expire would increase the number of participants in the king mackerel fishery, thereby negating any reductions in effort that have been achieved as a result of the current moratorium. An increase in participants would exacerbate the current derby fisheries that occur in the western Gulf zone and in the Florida west coast gillnet fishery, would lead to even earlier closures, and would have an adverse impact on the economic returns to the current participants. Increased participation would also compound the complexity of the Councils' future task in developing a controlled access system for this fishery. For example, if the future assignment of fishing privileges under a new limited access system is weighted more toward historical rather than current

participation, new fishery entrants may lose a good part of their new investments.

In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to implement Amendment 12 to determine if it is consistent with the FMP, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NMFS will publish the proposed rule in the **Federal Register** for public review and comment.

NMFS will consider comments received by May 1, 2000, whether specifically directed to Amendment 12 or its proposed rule, in its decision to approve, disapprove, or partially disapprove the amendment. NMFS will address all the comments received during the respective comment periods for Amendment 12 and its proposed rule in the preamble of the final rule.

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

Dated: February 24, 2000.

**Bruce Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 00-4911 Filed 2-29-00; 8:45 am]

**BILLING CODE 3510-22-F**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 000223051-0051-01; I.D. 020300A]

#### Fisheries of the Northeastern United States; Deep-sea Red Crab Fishery

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

**ACTION:** Advance notice of proposed rulemaking; notice of a control date for the purposes of controlling entry in the deep-sea red crab fishery.

**SUMMARY:** NMFS announces that it is considering, and is seeking public comment on, proposed rulemaking to control future access to the deep-sea red crab (*Chaceon quinque-dens*) resource if a management regime is developed and implemented under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) that limits the number of participants in the fishery. This announcement is intended, in part, to promote awareness of potential eligibility criteria for future access so as to discourage speculative entry into the

fishery while the New England Fishery Management Council (Council) and NMFS consider whether and how access to the red crab fishery should be controlled. The date of publication of this notice, March 1, 2000, shall be known as the "control date" and may be used for establishing eligibility criteria for determining levels of future access to the red crab fishery subject to Federal authority.

**DATES:** Written comments must be received on or before 5:00 p.m., local time, March 31, 2000.

**ADDRESSES:** Written comments should be sent to Paul J. Howard, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950. Mark the outside of the envelope, "Comments on Deep-sea Red Crab Control Date." Comments also may be sent via facsimile (fax) to (978) 281-9135. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Regina L. Spallone, Fishery Policy Analyst, 978-281-9221, email: regina.l.spallone@noaa.gov

**SUPPLEMENTARY INFORMATION:** The deep-sea red crab (red crab, *Chaceon quinque-dens*) is a deep-water benthic species that supports a small commercial fishery on the Atlantic coast in southern New England and on the southern slope of Georges Bank. Although not regulated, the commercial fishery appears to be limited to approximately six vessels, with some seasonal participation by offshore lobster vessels likely.

Information is limited for this resource, but annual landings in 1998 by directed vessels of 3.5 million lbs (1,600 mt) appear to be close to the lower range of the estimate of maximum sustainable yield (MSY) (4.0-5.5 million lb (1,800-2,500 mt)). This MSY estimate was developed by NMFS Northeast Fisheries Science Center based on studies conducted in the late 1970's. No formal assessment was ever conducted. Current capacity in this fishery is sufficient to harvest or exceed this MSY. Seasonal participation by the offshore lobster fleet may have already pushed landings of red crab over the lower estimate of MSY. Also, there is concern that vessels that are not traditional participants in the red crab fishery may enter the fishery soon due to the decline of other resources, thereby increasing the likelihood of excess harvest capacity.

While there currently is no fishery management plan (FMP) for red crab, the Council has announced its intention