

\* \* \* \* \*

4. Section 80.65 is amended by revising paragraph (d)(2)(ii) and by removing "[Reserved]" in paragraph (d)(2)(iii), to read as follows:

**§ 80.65 General requirements for refiners, importers, and oxygenate blenders.**

\* \* \* \* \*

- (d) \* \* \*
- (2) \* \* \*

(ii) In the case of gasoline or RBOB designated as VOC-controlled:

(A) Either intended for use in VOC-Control Region 1 or VOC-Control Region 2 (as defined in § 80.71); or

(B) Designated as "adjusted VOC gasoline" (as defined in § 80.40(c)(1));

\* \* \* \* \*

4. Section 80.67 is amended by revising paragraph (g)(1) to read as follows:

**§ 80.67 Compliance on average.**

\* \* \* \* \*

- (g) \* \* \*

(1)(i)(A)The compliance total using the following formula:

$$\text{COMPLIANCE TOTAL} = \left( \sum_{i=1}^n V_i \right) \times \text{std}$$

Where:

$V_i$ =the volume in gallons of gasoline batch i.  
std=the standard for the parameter being evaluated.

n=the number of batches of gasoline produced or imported during the averaging period.

(B) For computation of the VOC performance standard compliance total, Std for each VOC control region is determined by the following formula:

$$\text{Std} = \frac{\text{Std}_u \times \sum_{i=1}^{n_u} VU_i + \text{Std}_a \times \sum_{i=1}^{n_a} VA_i}{\sum_{i=1}^{n_u} VU_i + \sum_{i=1}^{n_a} VA_i}$$

Where, for gasoline and RBOB designated for that VOC control region:

Std=the value to be used in the compliance total formula.

Std<sub>u</sub>=the averaged VOC emissions performance reduction standard applicable to reformulated gasoline and RBOB not designated for compliance with the adjusted VOC gasoline standard.

Std<sub>a</sub>=the averaged VOC emissions performance reduction standard applicable to reformulated gasoline and RBOB designated for compliance with the adjusted VOC gasoline standard.

VU<sub>i</sub>=the volume of batch i not designated for compliance with the adjusted VOC gasoline standard.

VA<sub>i</sub>=the volume of batch i designated for compliance with the adjusted VOC gasoline standard.

n<sub>u</sub>=the number of batches produced or imported and not designated for compliance with the adjusted VOC gasoline standard.

n<sub>a</sub>=the number of batches produced or imported and designated for compliance with the adjusted VOC gasoline standard.

(C) The actual total using the following formula:

$$\text{ACTUAL TOTAL} = \sum_{i=1}^n (V_i \times \text{parm}_i)$$

Where:

$V_i$ =the volume in gallons of gasoline batch i.  
parm<sub>i</sub>=the parameter value of gasoline batch i.

n=the number of batches of gasoline produced or imported during the averaging period.

- (ii) [Reserved]

\* \* \* \* \*

5. Section 80.68 is amended by removing the period at the end of paragraph (c)(8)(ii)(B) and adding in its place a semicolon and by adding paragraph (c)(8)(ii)(C) to read as follows:

**§ 80.68 Compliance surveys.**

\* \* \* \* \*

- (c) \* \* \*
- (8) \* \* \*
- (ii) \* \* \*

(C) For adjusted VOC gasoline sold in the covered areas described at § 80.70(f) and (i), the covered area shall have failed the complex model VOC survey if the VOC emissions reduction percentage average of all survey samples is less than the weighted average of the applicable per-gallon standards for VOC emissions reduction calculated according to the following formula:

$$\text{WSTD} = \frac{\text{VOCU} \times n_u + \text{VOCA} \times n_a}{n}$$

Where:

WSTD=Weighted average of the applicable per-gallon VOC standards.

VOCU=Per gallon VOC standard applicable in the covered area to RFG containing less than 10 percent ethanol by volume.

VOCA=Per gallon VOC standard applicable in the covered area to RFG containing 10 percent ethanol by volume.

n<sub>u</sub>=Number of samples in the VOC survey with oxygen content less than 3.5 percent by weight.

n<sub>a</sub>=Number of samples in the VOC survey with oxygen content equal to or greater than 3.5 percent by weight.

n=Total number of samples in the VOC survey.

\* \* \* \* \*

6. Section 80.69 is amended by revising the introductory text to read as follows:

**§ 80.69 Requirements for downstream oxygenate blending.**

The requirements of this section apply to all reformulated gasoline blendstock for oxygenate blending, or RBOB, to which oxygenate is added at any oxygenate blending facility, except that paragraph (a)(7) of this section does not apply to adjusted VOC gasoline as defined in § 80.40(c).

\* \* \* \* \*

[FR Doc. 01-17563 Filed 7-16-01; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 648**

[Docket No. 001121328-1041-02; I.D. 071101C]

**Fisheries of the Northeastern United States; Black Sea Bass Fishery; Commercial Quota Harvested for Quarter 3 Period**

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

**ACTION:** Closure; Quarter 3 commercial black sea bass fishery.

**SUMMARY:** NMFS announces that the black sea bass commercial quota available in the quarter 3 period to the coastal states from Maine through North Carolina has been harvested.

Commercial vessels may not land black sea bass in these states north of 35°15.3' N. lat. for the remainder of the 2001 quarter 3 quota period (through September 30, 2001). Regulations governing the black sea bass fishery require publication of this notification to advise the coastal states from Maine through North Carolina that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no commercial quota is available for landing black sea bass in these states north of 35°15.3' N. lat.

**DATES:** Effective 0001 hrs local time, July 17, 2001, through 2400 hrs local time, September 30, 2001.

**FOR FURTHER INFORMATION CONTACT:** Jennifer L. Anderson, Fishery Management Specialist, at (978) 281-9226.

**SUPPLEMENTARY INFORMATION:** Regulations governing the black sea bass

fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is allocated into four quota periods based upon percentages of the annual quota. The quarter 3 (July through September) commercial quota is distributed to the coastal states from Maine through North Carolina. The process to set the annual commercial quota is described in § 648.140.

The initial total commercial quota for black sea bass for the 2001 calendar year was 3,024,742 lb (1,372,000 kg) (66 FR 12902, March 1, 2001). The quarter 3 period quota, which is equal to 12.33 percent of the annual commercial quota, was 372,951 lb (169,168 kg). The quota allocation was adjusted downward to compensate for 2000 quarter 3 landings in excess of the 2000 quarter 3 quota, consistent with the procedures in § 648.140. The final adjusted quarter 3 quota was 276,875 lb (125,588 kg).

The Regional Administrator, Northeast Region, NMFS (Regional Administrator) monitors the commercial black sea bass quota for each quota period on the basis of dealer reports, state data, and other available information to determine when the commercial quota has been harvested. NMFS is required to publish a notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the black sea bass commercial quota has been harvested and no commercial quota is available for landing black sea bass for the remainder of the quarter 3 period, north of 35°15.3' N. lat. The Regional Administrator has determined, based upon dealer reports and other available information, that the black sea bass commercial quota for the 2001 quarter 3 period has been harvested.

The regulations at § 648.4 (b) provide that Federal black sea bass moratorium permit holders agree as a condition of the permit not to land black sea bass in any state after NMFS has published a notification in the **Federal Register** stating that the commercial quota for the period has been harvested and that no commercial quota for the black sea bass is available. The Regional Administrator has determined that the quarter 3 period for black sea bass no longer has commercial quota available. Therefore, effective 0001 hrs local time, July 17, 2001, further landings of black sea bass in coastal states from Maine through North Carolina, north of 35°15.3' N. lat., by vessels holding commercial Federal fishery permits are prohibited through September 30, 2001. The 2001 quarter 4 period for commercial black sea bass harvest will open on October 1, 2001.

Effective July 17, 2001, federally permitted dealers are also advised that they may not purchase black sea bass from federally permitted black sea bass moratorium permit holders who land in coastal states from Maine through North Carolina, north of 35°15.3' N. lat., for the remainder of the quarter 3 period (through September 30, 2001).

The regulations at § 648.4 (b) also provide that, if the commercial black sea bass quota for a period is harvested and the coast is closed to the possession of black sea bass north of 35°15.3' N. lat., any vessel owners who hold valid commercial permits for both the black sea bass and the NMFS Southeast Region snapper-grouper fisheries may surrender their black sea bass moratorium permit by certified mail addressed to the Regional Administrator (see Table 1 at § 600.502) and fish pursuant to their snapper-grouper permit, as long as fishing is conducted exclusively in waters, and landings are made, south of 35°15.3' N. lat. A moratorium permit for the black sea bass fishery that is voluntarily relinquished or surrendered will be reissued upon the receipt of the vessel owner's written request after a minimum period of 6 months from the date of cancellation.

#### Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: July 12, 2001.

**Bruce C. Morehead,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

**[Docket No. 010112013-1013-01; I.D. 071201A]**

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific ocean perch in the

Central Regulatory Area of the Gulf of Alaska (GOA). This is action is necessary to prevent exceeding the 2001 total allowable catch (TAC) of Pacific ocean perch in this area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 12, 2001, through 2400 hrs, A.l.t., December 31, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Mary Furuness, 907-586-2778.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for the Groundfish Fishery of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2001 TAC of Pacific ocean perch for the Central Regulatory Area was established as 9,610 metric tons (mt) by the Final 2001 Harvest Specifications and Associated Management Measures for the Groundfish Fisheries Off Alaska (66 FR 7276, January 22, 2001).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2001 TAC for Pacific ocean perch in the Central Regulatory Area will be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 8,610 mt, and is setting aside the remaining 1,000 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific ocean perch in the Central Regulatory Area of the GOA.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

#### Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds that the need to immediately implement this action to avoid exceeding the 2001 TAC of Pacific ocean perch for the Central Regulatory Area of the GOA constitutes good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3)(B) and 50 CFR