

United States. EPA will submit 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 United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. section 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 13, 2002. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition 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).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: March 14, 2002.

Laura Yoshii,

Acting Regional Administrator, Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(288)(i)(B) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(288) * * *

(i) * * *

(B) Lake County Air Quality Management District.

(1) Sections [Rules] 203, 204.5, 208.3, 208.8, 226.4, 226.5, 240.8, 246, 248.3, 248.5, 249.5, 251.7, 270, 431, 431.5, 433, 434, 1000, 1001, 1003, 1105, 1107, 1130,

1140, 1145, 1150, 1160, and 1170, adopted on June 19, 2001.

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[FR Doc. 02-14512 Filed 6-13-02; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[CS Docket No. 96-85, FCC 02-117]

Implementation of Cable Act Reform Provisions of the Telecommunications Act of 1996

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission addresses petitions for reconsideration or clarification regarding certain decisions in this proceeding. It affirms its earlier decisions and denies the petitions. This action by the Commission implements the cable reform provisions of the Telecommunications Act of 1996.

FOR FURTHER INFORMATION CONTACT:

Thomas L. Horan, Media Bureau, 202-418-7200.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order on Reconsideration, FCC 02-117, adopted on April 16, 2002 and released on April 22, 2002. The full text of this Order on Reconsideration is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY-A257, 445 12th Street, SW., Washington, DC 20554 or may be downloaded at www.fcc.gov. The Order may be purchased from the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

In the Report and Order (“R&O”), 64 FR 35948, July 2, 1999, in this proceeding, the Commission adopted rules to implement the cable reform provisions of the Telecommunications Act of 1996. This Order on Reconsideration addresses and subsequently denies petitions for reconsideration or clarification regarding certain of our decisions in the R&O. The major decisions in the Order on Reconsideration are as follows:

- The Commission reiterates that a Local Franchising Authority (“LFA”) may establish and enforce requirements for facilities and equipment pursuant to the franchising and renewal provisions

of the statute consistent with the statutory directive that forbids an LFA from directing the use of particular transmission technologies.

- The Commission reaffirms that bulk discounts should not be premised on a cable operator's exclusive access to all residents.

- The Commission reaffirms its prior decision that truly passive investments should be excluded when determining whether an entity is affiliated with a cable operator for purposes of the small cable operator rate rules

- The Commission reiterates that when determining if there is effective competition by a local exchange carrier, the Commission will make a fact-specific finding in each case.

Ordering Clause

It is ordered that, pursuant to section 405 of the Communications Act of 1934, as amended, 47 U.S.C. 405, and section 1.106 of the Commission's rules, 47 CFR 1.106, the petitions for reconsideration or clarification are *denied*.

List of Subjects in 47 CFR Part 76

Cable television.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 02-15082 Filed 6-13-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 600 and 660

[Docket No. 011231309-2090-03 ;I.D. 121301A]

RIN 0648-AO69

Magnuson-Stevens Act Provisions; Fisheries off the West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Fishery Management Measures; Corrections

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

ACTION: Corrections to the 2002 specifications and management measures and the limited entry trawl trip limit table.

SUMMARY: This document contains corrections to the trawl trip limits and management measures for flatfish north and south of 40°10' N. lat. published in the March 7, 2002, final rule

implementing the 2002 Pacific Coast groundfish fishery specifications and management measures (March 7, 2002) and to the inseason action published May 7, 2002.

DATES: Effective June 14, 2002, through the effective date of the 2003 specifications and management measures for the Pacific Coast groundfish fishery, unless modified, superceded, or rescinded, in which case it will be announced in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:
Jamie Goen (Northwest Region, NMFS), 206-526-6140.

SUPPLEMENTARY INFORMATION:

Background

The specifications and management measures for the current fishing year (January 1 - December 31, 2002) were initially published in the **Federal Register** as an emergency rule for January 1–February 28, 2002 (67 FR 1540, January 11, 2002), and as a proposed rule for all of 2002 (67 FR 1555, January 11, 2002) that was finalized effective March 1, 2002 (67 FR 10490, March 7, 2002). In the meantime,

the emergency rule was amended at 67 FR 3820 (January 28, 2002) and at 67 FR 7289 (February 19, 2002). The final rule was subsequently amended at 67 FR 15338 (April 1, 2002) and, at 67 FR 30604 (May 7, 2002).

The final rule (67 FR 10490, March 7, 2002) and the subsequent inseason action (67 FR 30604, May 7, 2002) contained errors that need correction. More specifically, corrections to the limited entry trawl regulatory language on large footrope restrictions in the final rule and to the trip limit table (Table 3) in the inseason action are needed to clarify the Council's intent for limited entry trawl, large footrope flatfish limits north and south of 40°10' N. lat.

Corrections

In the final rule, FR Doc. 02-5302, in the issue of Thursday, March 7, 2002 (67 FR 10490) make the following correction:

1. On page 10512, in the third column, under section IV. NMFS Actions(A)(14), the second sentence of paragraph (b)(i) is corrected to read as follows:

* * * * *

(b) * * *

(i) *Large footrope trawl.* * * * It is unlawful to take and retain, possess or land petrale sole, rex sole, or arrowtooth flounder from a fishing trip if large footrope gear is onboard and the trip is conducted at least in part between May 1 and October 31; cumulative limits for "all other flatfish" (all flatfish except those with cumulative trip limits in Table 3 to section IV) and arrowtooth flounder (during January-April and September-December) are lower for vessels with large footrope gear on board throughout the year (See Table 3).

* * * * *

In the inseason action rule, FR Doc. 02-11218, in the issue of Tuesday, May 7, 2002 (67 FR 30604) make the following correction:

1. On page 30609, in line 34 (All other flatfish—North and South: large footrope) in Table 3 is removed and the large footrope information previously contained in line 34 is added under the headers "Flatfish-North" and "Flatfish-South" to read as follows:

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Table 3. Trip Limits¹ and Gear Requirements² for Limited Entry Trawl Gear

Other Limits and Requirements Apply -- Read Sections IV. A. and B. NMFS Actions before using this table

line	Species/groups	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
1	Minor slope rockfish				1,800 lb/ 2 months		
2	North						
3	South						
4	40°10' - 36° N. lat.	50,000 lb/ 2 months		5,000 lb/ 2 months		50,000 lb/ 2 months	
5	South of 36° N. lat.			50,000 lb/ 2 months			
6	Splitnose - South						
7	40°10' - 36° N. lat.	25,000 lb/ 2 months		5,000 lb/ 2 months		25,000 lb/ 2 months	
8	South of 36° N. lat.			25,000 lb/ 2 months			
9	Pacific ocean perch - North ^{6/}	2,000 lb/ month		4,000 lb/ month		2,000 lb/ month	
10	Chilipepper - South ^{8/}						
11	mid-water trawl			25,000 lb/ 2 months			
12	small footrope trawl	7,500 lb/ 2 months		4,000 lb/ 2 months			
13	large footrope trawl		500 lb/ trip, not to exceed small footrope cumulative 2-month limits at any time during the year				
14	DTS complex - North						
15	Sablefish	6,000 lb/ 2 months	3,500 lb/ 2 months	3,000 lb/ 2 months	3,500 lb/ 2 months	2,500 lb/ 2 months	
16	Longspine thornyhead	10,000 lb/ 2 months	6,000 lb/ 2 months	1,500 lb/ 2 months	10,000 lb/ 2 months	2,000 lb/ 2 months	
17	Shortspine thornyhead	2,600 lb/ 2 months	2,000 lb/ 2 months	1,500 lb/ 2 months	2,600 lb/ 2 months	1,500 lb/ 2 months	
18	Dover sole	30,000 lb/ 2 months	28,000 lb/ 2 months	14,000 lb/ 2 months	20,000 lb/ 2 months	14,000 lb/ 2 months	
19	DTS complex - South						
20	Sablefish			4,500 lb/ 2 months			
21	Longspine thornyhead			10,000 lb/ 2 months			
22	Shortspine thornyhead			2,600 lb/ 2 months			
23	Dover sole			22,000 lb/ 2 months			
24	Flatfish - North						
25	All other flatfish ^{3/}	LARGE FOOTROPE: 1,000 lb/trip, not to exceed small footrope cumulative monthly limits, includes arrowtooth flounder. SMALL FOOTROPE: 15,000 lb/ month 35,000 lb/ month		LARGE FOOTROPE: 1,000 lb/trip, not to exceed small footrope cumulative monthly limits. Retention of petrale and rex sole prohibited if large footrope gear is onboard. SMALL FOOTROPE: 30,000 lb/ month, no more than 10,000 of which may be petrale sole		LARGE FOOTROPE: 1,000 lb/trip, not to exceed small footrope cumulative monthly limits, includes arrowtooth flounder. SMALL FOOTROPE: 50,000 lb/ month	
26	Petrale sole						
27	Rex sole	Not limited, large footrope allowed					Not limited, large footrope allowed
28	Arrowtooth flounder	LARGE FOOTROPE: included in "all other flatfish" limit. SMALL FOOTROPE: 30,000 lb/ trip		SMALL FOOTROPE REQUIRED: 7,500 lb/ trip, no more than 30,000 lb/ month; large footrope prohibited		LARGE FOOTROPE: included in "all other flatfish" limit. SMALL FOOTROPE: 30,000 lb/ trip	
29	Flatfish - South						
30	All other flatfish 3/	LARGE FOOTROPE: 1,000 lb/trip, not to exceed small footrope cumulative monthly limits, includes arrowtooth flounder. SMALL FOOTROPE: 70,000 lb/ month, no more than 40,000 lb of which may be species other than Pacific sanddabs.		LARGE FOOTROPE: 1,000 lb/trip, not to exceed small footrope cumulative monthly limits. Retention of petrale and rex sole prohibited if large footrope gear is onboard. SMALL FOOTROPE: 70,000 lb/ month, no more than 40,000 lb of which may be species other than Pacific sanddabs. Of the species other than Pacific sanddabs, no more than 15,000 lb may be petrale sole.		LARGE FOOTROPE: 1,000 lb/trip, not to exceed small footrope cumulative monthly limits, includes arrowtooth flounder. SMALL FOOTROPE: 70,000 lb/ month, no more than 40,000 lb of which may be species other than Pacific sanddabs.	
31	Petrale sole						
32	Rex sole	Not limited, large footrope allowed					Not limited, large footrope allowed
33	Arrowtooth flounder	LARGE FOOTROPE: included in "all other flatfish" limit. SMALL FOOTROPE: 30,000 lb/ trip		SMALL FOOTROPE REQUIRED: 7,500 lb/ trip, no more than 30,000 lb/ month; large footrope prohibited		LARGE FOOTROPE: included in "all other flatfish" limit. SMALL FOOTROPE: 30,000 lb/ trip	
35	Whiting ^{4/}	20,000 lb/ trip		Primary Season		20,000 lb/ trip	

<< TABLE 3 CONTINUED ON NEXT PAGE >>

Table 3. (CONTINUED) Trip Limits^{1/} and Gear Requirements^{2/} for Limited Entry Trawl Gear

Other Limits and Requirements Apply -- Read Sections IV. A. and B. NMFS Actions before using this table

line	Species/groups	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
36 USE OF SMALL FOOTROPE BOTTOM TRAWL^{3/} OR MIDWATER TRAWL REQUIRED FOR LANDING ALL OF THE FOLLOWING SPECIES:							
37	Minor shelf rockfish						
38	North	300 lb/ month		1,000 lb/ month, no more than 300 lb of which may be yelloweye		300 lb/ month	
39	South	500 lb/ month		rockfish		500 lb/ month	
40	Canary rockfish	200 lb/ 2 months			600 lb/ 2 months		200 lb/ 2 months
41	Widow rockfish						
42	mid-water trawl	CLOSED ^{7/}		During primary whiting season, in trips of at least 10,000 lb of whiting: combined widow and yellowtail limit of 500 lb/ trip, cumulative widow limit of 1,500 lb/ month		CLOSED ^{7/}	
43	small footrope trawl			1,000 lb/ month			
44	Yellowtail - North^{8/}						
45	mid-water trawl	CLOSED ^{7/}		During primary whiting season, in trips of at least 10,000 lb of whiting: combined widow and yellowtail limit of 500 lb/ trip, cumulative yellowtail limit of 2,000 lb/ month		CLOSED ^{7/}	
46	small footrope trawl		In landings without flatfish, 1,000 lb/ month. As flatfish bycatch, per trip limit is the sum of 33% (by weight) of all flatfish except arrowtooth flounder, plus 10% (by weight) of arrowtooth flounder. Combined with and without flatfish, not to exceed 30,000 lb/ 2 months.				
47	Bocaccio - South^{8/}	600 lb/ 2 months		1,000 lb/ 2 months		600 lb/ 2 months	
48	Cowcod			CLOSED ^{7/}			
49	Minor nearshore rockfish						
50	North			300 lb/ month			
51	South			300 lb/ month			
52	Lingcod^{8/}	800 lb/ 2 months		1,000 lb/ 2 months		800 lb/ 2 months	

1/ Trip limits apply coastwide unless otherwise specified. "North" means 40°10' N. lat. to the U.S.-Canada border. "South" means 40°10' N. lat. to the U.S.-Mexico border.

40°10' N. lat. is about 20 nm south of Cape Mendocino, CA.

2/ Gear requirements and prohibitions are explained above. See IV.A.(14).

3/ "Other" flatfish means all flatfish at 50 CFR 660.302 except those in this Table 3 with species specific management measures, including trip limits.

4/ The whiting "per trip" limit in the Eureka area inside 100 fm is 10,000 lb/ trip throughout the year. Outside Eureka area, the 20,000 lb/ trip limit applies before and after the primary season.

5/ Small footrope trawl means a bottom trawl net with a footrope no larger than 8 inches (20 cm) in diameter. Midwater gear also may be used; the footrope must be bare. See above.

6/ Yellowtail rockfish in the south and bocaccio and chilipepper rockfishes in the north are included in the trip limits for minor shelf rockfish in the appropriate area. POP in the south and splitnose rockfish in the north are included in the trip limits for minor slope rockfish in the appropriate area.

7/ Closed means that it is prohibited to take and retain, possess, or land the designated species in the time or area indicated. See IV.A.(7).

8/ The minimum size limit for lingcod is 24 inches (61 cm) total length.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

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

Dated: June 7, 2002.

William T. Hogarth,

Assistant Administrator for Fisheries,
National Marine Fisheries Service.

[FR Doc. 02-14961 Filed 6-13-02; 8:45 am]

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