

(c) * * * Stay petitions must be filed at least 7 days before the exemption becomes effective.

- * * * * *
- 3. Amend § 1150.35 as follows:
 - A. In paragraph (e), remove the words “21 days” and add, in their place, the words “45 days”.
 - B. In paragraph (e), remove the words “30 days” and add, in their place, the words “16 days”.
 - C. In paragraph (f), revise the third sentence to read as follows:

§ 1150.35 Procedures and relevant dates—transactions that involve creation of Class I or Class II carriers.

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(f) * * * Stay petitions must be filed at least 14 days before the exemption becomes effective. * * *

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- 4. Amend § 1150.42 as follows:
 - A. In paragraph (b), remove the words “30 days” and add, in their place, the words “16 days”.
 - B. In paragraph (b), remove the words “7 days” and add, in their place, the words “30 days”.
 - C. In paragraph (c), add a new sentence to the end of the paragraph to read as follows:

§ 1150.42 Procedures and relevant dates for small line acquisitions.

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(c) * * * Stay petitions must be filed at least 7 days before the exemption becomes effective.

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- 5. Amend § 1150.45 as follows:
 - A. In paragraph (e), remove the words “21 days” and add, in their place, the words “45 days”.
 - B. In paragraph (e), remove the words “30 days” and add, in their place, the words “16 days”.
 - C. In paragraph (f), revise the third sentence to read as follows:

§ 1150.45 Procedures and relevant dates—transactions under section 10902 that involve creation of Class I or Class II rail carriers.

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(f) * * * Stay petitions must be filed at least 14 days before the exemption becomes effective. * * *

PART 1180—RAILROAD ACQUISITION, CONTROL, MERGER, CONSOLIDATION PROJECT, TRACKAGE RIGHTS, AND LEASE PROCEDURES.

- 6. The authority citation for part 1180 continues to read as follows:

Authority: 5 U.S.C. 553 and 559; 11 U.S.C. 1172; 49 U.S.C. 721, 10502, 11323–11325.

- 7. Amend § 1180.4 as follows:
 - A. In paragraph (g)(1) introductory text, remove the words “one week” and add, in their place, the words “30 days”.
 - B. In paragraph (g)(1)(ii), remove the words “30 days” and add, in their place, the words “16 days”.
 - C. Redesignate paragraph (g)(1)(iii) as paragraph (g)(1)(iv) and add a new paragraph (g)(1)(iii).
 - D. Remove paragraph (g)(2)(ii).
 - E. Redesignate paragraph (g)(2)(iii) as paragraph (g)(2)(ii).
 - F. Remove paragraph (g)(2)(iv).

§ 1180.4 Procedures.

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(g) * * *

(1) * * *

(iii) The filing of a petition to revoke under 49 U.S.C. 10502(d) does not stay the effectiveness of an exemption. Stay petitions must be filed at least 7 days before the exemption becomes effective.

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[FR Doc. E6-17759 Filed 10-23-06; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 051130316–6047–02; I.D. 101706A]

Fisheries of the Northeastern United States; Atlantic Herring Fishery; Total Allowable Catch Harvested for Management Area 1A

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

ACTION: Closure of Atlantic herring fishery for Management Area 1A.

SUMMARY: NMFS announces that 95 percent of the Atlantic herring total allowable catch (TAC) allocated to Management Area 1A (Area 1A) for 2006 is projected to be harvested by October 21, 2006. Therefore, effective 0001 hours, October 21, 2006, federally permitted vessels may not fish for, catch, possess, transfer or land more than 2,000 lb (907.2 kg) of Atlantic herring in or from Area 1A per trip or calendar day until January 1, 2007, when the 2007 TAC becomes available, except for transiting purposes as described in this notice. Regulations governing the Atlantic herring fishery

require publication of this notification to advise vessel and dealer permit holders that no TAC is available for the directed fishery for Atlantic herring harvested from Area 1A.

DATES: Effective 0001 hrs local time, October 21, 2006, through 2400 hrs local time, December 31, 2006.

FOR FURTHER INFORMATION CONTACT: Don Frei, Fishery Management Specialist, at (978) 281–9221.

SUPPLEMENTARY INFORMATION:

Regulations governing the Atlantic herring fishery are found at 50 CFR part 648. The regulations require annual specification of optimum yield, domestic and foreign fishing, domestic and joint venture processing, and management area TACs. The 2006 TAC allocated to Area 1A (71 FR 10867, March 3, 2006) is 60,000 mt (132,277,621 lb).

The regulations at 50 CFR 648.202 require the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor the Atlantic herring fishery in each of the four management areas designated in the Fishery Management Plan for the Atlantic Herring Fishery and, based upon dealer reports, state data, and other available information, to determine when the harvest of Atlantic herring is projected to reach 95 percent of the TAC allocated. When such a determination is made, NMFS is required to publish notification in the **Federal Register** of this determination. Effective upon a specific date, NMFS must notify vessel and dealer permit holders that vessels are prohibited from fishing for, catching, possessing, transferring or landing more than 2,000 lb (907.2 kg) of herring per trip or calendar day in or from the specified management area for the remainder of the closure period. Transiting of Area 1A with more than 2,000 lb (907.2 kg) of herring on board is allowed under the conditions specified below.

The Regional Administrator has determined, based upon dealer reports and other available information, that 95 percent of the total Atlantic herring TAC allocated to Area 1A for the 2006 fishing year is projected to be harvested by October 21, 2006. Therefore, effective 0001 hrs local time, October 21, 2006, federally permitted vessels may not fish for, catch, possess, transfer or land more than 2,000 lb (907.2 kg) of Atlantic herring in or from Area 1A per trip or calendar day through December 31, 2006; except a vessel may transit Area 1A with more than 2,000 lb (907.2 kg) of herring on board, or land more than 2,000 lb (907.2 kg) provided such herring were not caught in Area 1A, and provided all fishing gear is stowed and

not available for immediate use as required by § 648.23(b). Effective October 21, 2006, federally permitted dealers are also advised that they may not purchase Atlantic herring from federally permitted Atlantic herring vessels that harvest more than 2,000 lb

(907.2 kg) of Atlantic herring from Area 1A through December 31, 2006, 2400 hrs local time.

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: October 18, 2006.

James P. Burgess

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

[FR Doc. 06-8830 Filed 10-18-06; 3:18 pm]

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