

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/citation at 40 CFR 52.2565
Section 45–14–16 .....	Specific Exemptions .....	6/2/05	11/2/06 [Insert page number where the document begins].	Formerly Section 45–14–15.
Section 45–14–17 .....	Public Review Procedures .....	6/2/05	11/2/06 [Insert page number where the document begins].	Formerly Section 45–14–16.
Section 45–14–18 .....	Public Meetings .....	6/2/05	11/2/06 [Insert page number where the document begins].	Formerly Section 45–14–17.
Section 45–14–19 .....	Permit Transfer, Cancellation, and Responsibility.	6/2/05	11/2/06 [Insert page number where the document begins].	Formerly Section 45–14–18.
Section 45–14–20 .....	Disposition of Permits .....	6/2/05	11/2/06 [Insert page number where the document begins].	Formerly Section 45–14–19.
Section 45–14–21 .....	Conflict with Other Permitting Rules .....	6/2/05	11/2/06 [Insert page number where the document begins].	Formerly Section 45–14–20.
Section 45–14–25 .....	Actual PALs .....	6/2/05	11/2/06 [Insert page number where the document begins].	New Section.
Section 45–14–26 .....	Inconsistency Between Rules .....	6/2/05	11/2/06 [Insert page number where the document begins].	New Section.
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[FR Doc. E6–18276 Filed 11–1–06; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 571**

[Docket No. NHTSA–2006–15712]

**Federal Motor Vehicle Safety Standards; Glazing Materials; Correction**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Correcting amendment.

**SUMMARY:** In July 2003, the agency published a final rule updating our Federal motor vehicle safety standard on glazing materials. As part of that rulemaking, boundaries were established for shade bands on vehicle windshields in order to limit their potential encroachment on the driver’s field of view. As part of the new shade band requirements, the Society of Automotive Engineers (SAE) Recommended Practice J100 (rev. June 1995), “Class ‘A’ Vehicle Glazing Shade Bands,” was incorporated by reference into the standard. However, in a July

2005 final rule responding to petitions for reconsideration of that earlier rulemaking, the standard’s provisions related to shade bands requirements were amended, and as a result, a later but substantively identical version of SAE J100 (*i.e.*, the November 1999 revision) was inadvertently included in the standard. The July 2005 final rule should have referenced SAE J100 (rev. June 1995), the document properly incorporated by reference into the safety standard. This document corrects this inconsistency resulting from administrative error.

**DATES:** *Effective date:* This correcting amendment is effective December 4, 2006.

**FOR FURTHER INFORMATION CONTACT:** Mr. Eric Stas, Attorney-Advisor, Office of the Chief Counsel, NCC–112, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366–2992. Fax: (202) 366–3820.

**SUPPLEMENTARY INFORMATION:** On July 25, 2003, the agency published a final rule updating Federal Motor Vehicle Safety Standard (FMVSS) No. 205, *Glazing Materials* (68 FR 43964). As part of that rulemaking, boundaries were established for shade bands on vehicle windshields in order to limit their potential encroachment on the driver’s field of view. Prior to that rulemaking, the size of the shade band was not explicitly defined under the standard.

As part of the new shade band requirements (*see* S3.2(c)), the final rule incorporated by reference SAE Recommended Practice J100 (rev. June 1995), “Class ‘A’ Vehicle Glazing Shade Bands” into the standard (*see* 68 FR 43964, 43972 (July 25, 2003)).

However, in a July 12, 2005 final rule responding to petitions for reconsideration of that earlier rulemaking, the standard’s provisions related to shade bands requirements were amended, and as a result, a later version of SAE J100 (*i.e.*, the November 1999 revision) was inadvertently included in the standard under paragraph S5.3.1 (*see* 70 FR 39959, 39965). The latest version of SAE J100 (the November 1999 revision) is not substantively different from the prior June 1995 version of that standard; it merely reaffirmed that Recommended Practice as part of SAE’s cyclical review process. Furthermore, the final rule responding to petitions for reconsideration does not reflect any affirmative intention on the part of the agency to adopt the later version of SAE J100. Thus, the July 2005 final rule’s amendments to Standard No. 205 should have referenced SAE J100 (rev. June 1995), the document properly incorporated by reference into the safety standard. This document corrects this inconsistency resulting from administrative error.

This correction will not impose or relax any substantive requirements or burdens on manufacturers. Therefore, NHTSA finds for good cause that any notice and opportunity for comment on these correcting amendments are not necessary.

**List of Subjects in 49 CFR Part 571**

Imports, Incorporation by reference, Motor vehicle safety; Reporting and recordkeeping requirements, Tires.

■ Accordingly, 49 CFR part 571 is corrected by making the following correcting amendment:

**PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS**

■ 1. The authority citation for part 571 continues to read as follows:

**Authority:** 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

■ 2. Paragraph S5.3.1 of 571.205 is revised to read as follows:

**§ 571.205 Glazing materials.**

\* \* \* \* \*  
S5.3 *Shade Bands.* \* \* \*

S5.3.1 Shade bands for windshields shall comply with SAE J100 JUNE 1995.  
\* \* \* \* \*

Issued: October 26, 2006.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. E6-18390 Filed 11-1-06; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 665**

[Docket No. 060724200-6275-02; I.D. 071106G]

RIN 0648-AT94

**Fisheries in the Western Pacific; Western Pacific Bottomfish and Seamount Groundfish Fisheries; Guam Bottomfish Management Measures**

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement Amendment 9 to the Fishery Management Plan for Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region (FMP) that prohibits large vessels, i.e., those 50 ft

(15.2 m) or longer, from fishing for bottomfish in Federal waters within 50 nm (92.6 km) around Guam, and establishes Federal permitting and reporting requirements for these large bottomfish fishing vessels. This final rule is intended to maintain viable participation and bottomfish catch rates by small vessels in the fishery, to maintain traditional patterns of the bottomfish supply to local Guam markets, to provide for the collection of adequate fishery information for effective management, and to reduce the risk of local depletion of deepwater bottomfish stocks near Guam.

**DATES:** This final rule is effective December 4, 2006, except for the revisions to § 665.14 and § 665.61, which require approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA). When OMB approval is received, the effective date will be announced in the **Federal Register**.

**ADDRESSES:** Copies of the FMP amendment, including an Environmental Assessment (EA), regulatory impact review (RIR) and final regulatory flexibility analysis (FRFA) may be obtained from William L. Robinson, Administrator, NMFS Pacific Islands Region (PIR), 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700. Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to William L. Robinson (see **ADDRESSES**), or to David Rostker, OMB, by e-mail to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or by fax to 202-395-7285.

**FOR FURTHER INFORMATION CONTACT:** Robert Harman, NMFS PIR, 808-944-2271.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

This **Federal Register** document is also accessible via the Internet at the web site of the Office of the Federal Register: [www.gpoaccess.gov/fr/index.html](http://www.gpoaccess.gov/fr/index.html).

**Background**

The bottomfish fishery that operates in Federal waters around Guam is managed under the Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region (FMP). Aside from restrictions on the use of certain destructive fishing methods, such as bottom trawling, bottom set nets, poisons, and explosives, that apply to the bottomfish fisheries throughout the western Pacific, the fishery is mostly

unregulated at this time. Potential developments in the fishery, however, led the Western Pacific Fishery Management Council to recommend the management measures in this final rule.

The Guam-based bottomfish fishery is a mix of subsistence, recreational, and limited commercial fishing from primarily small boats on nearshore slopes. There is a potential component of the fishery, however, in which fishermen in relatively large vessels (i.e., greater than 50 ft or 15.2 m in length) target deep-slope fish species, particularly onaga (longtail red snapper, or flame snapper, *Etelis coruscans*). This fishery is currently inactive, but several vessels have operated in the past. The fish were caught on offshore banks in Federal waters, landed at Guam's commercial port and, rather than entering the local market, were exported by air to foreign markets. The activity occurred on some or all of Guam's southern banks, including Galvez, 11-Mile, Santa Rosa, White Tuna, and Baby Banks. Most of the vessels fishing on these southern banks targeted the shallow-water bottomfish complex, but some targeted the deep-water complex. The banks to the north of Guam, including Rota Bank, and far to the west of Guam, including Bank A, appear not to have been fished.

The potential for renewed large-vessel bottomfish fishing activity prompted concerns about fishery information being inadequate for effective management, about the potential for small-vessel catch rates declining to non-viable levels, about threats to sustained participation by smaller vessels in the fishery, about disruptions to traditional patterns of supply of bottomfish products to the local market, and about localized depletion of bottomfish stocks.

Based on the current FMP reporting and management requirements, existing data collection programs can provide adequate information about Guam's inshore bottomfish fisheries that are conducted by smaller vessels. Thus, this final rule does not establish additional data collection requirements on smaller vessels.

There is no evidence, to date, that the bottomfish stocks around Guam are currently subject to overfishing or are being overfished. Deepwater bottomfish species, however, have life history characteristics (slow growth, relatively low productivity and limited migration ranges) that make local fish stocks sensitive to fishing pressure, and severe local depletion can result in reduced productivity of the stock as a whole.

Closing areas to potential large vessel bottomfish fishing reduces the risk of