

used, that was being manufactured in the United States at the time of order. Reasons: The instrument will be used to study biomaterials such as starches, lignin, and proteins, and compare them with styrenics and petroleum based materials. The behavior of these materials before, during, and after physical or chemical modification, in excess or limited water, without shear or at high shear, as well as their hydration, plasticization or blending with other oligomers will be investigated. Moreover, foams will be generated by the use of blending a suitable blowing agent and/or the carbonization of the materials to determine their density, foam structure and tensile and compression properties. The goal of this project will be to identify suitable technologies for producing moldable biomass based materials for applications presently occupied by conventional plastics. The core of this research will use rheology, spectroscopies and thermal techniques to follow macromolecular structures and functions on the biopolymers after applying the extruder. The unique features of this instrument are its recirculation loop and its ability to connect to a fiber spinner.

Docket Number: 12-051. Applicant: University of Central Florida, Orlando, FL 32816. Instrument: Near Ambient Pressure Scanning Probe Microscope. Manufacturer: SPECS Surface Nano Analysis, GmbH, Germany. Intended Use: See notice at 77 FR 70141-42. Comments: None received.

Decision: Approved. We know of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of order. Reasons: The instrument will be used to determine the relationships between nanoparticle size, shape and chemical state and their catalytic activity in various chemical reactions, by investigating solid catalytically-active materials such as transition metals and examining their chemical states and chemical reactivity before and after applying a specified pressure and temperature inside a vacuum chamber inside the instrument. The unique features of this instrument include its small volume (0.045 L) reaction cell in which the sample and STM scanner are placed, which can maintain a pressure of up to 100 mbar while the surrounding large volume (>100 L) Ultra-High Vacuum (UHV) chamber maintains a pressure lower than 10^{-6} mbar, allowing the sample to be held at a controlled pressure ranging from UHV up to 100 mbar while

measurements are recorded, and can be easily integrated into a system of other UHV measurement instruments to transfer the sample to other measurement chambers. In addition to pressure control, another unique feature of the instrument is its ability to control the temperature from room temperature to 300 degrees Celsius in a gaseous environment (up to 10 mbar).

Dated: December 20, 2012.

Gregory W. Campbell,

*Director, Subsidies Enforcement Office,
Import Administration.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC331

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands; Exempted Fishing Permit

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

ACTION: Notice of receipt of an application for an exempted fishing permit; request for comments.

SUMMARY: NMFS announces the receipt of an application for an exempted fishing permit (EFP) from Dr. David Olsen (St. Thomas Fisherman's Association). If granted, the EFP would authorize contracted commercial fishermen to temporarily possess undersized and berried Caribbean spiny lobster for non-lethal sampling (tagging) during the course of their normal fishing activities. This non-lethal sampling would include implanting a tag on each spiny lobster before releasing the lobster with minimal harm. Data will be collected and analyzed to determine spiny lobster growth and movement patterns, and an attempt will be made to estimate the spiny lobster population size in the U.S. Virgin Islands. Currently, data on U.S. Caribbean spiny lobster life history are limited, particularly growth rates and abundance patterns. Additional life history information would provide the Caribbean Fishery Management Council (Council) and NMFS valuable data that may be used for future management of spiny lobster. The EFP would also seek to temporarily retain a sample number of spiny lobsters at a designated facility

for a study to assess tag mortality and retention.

DATES: Comments must be received no later than 5 p.m., eastern time, on January 28, 2013.

ADDRESSES: You may submit comments on the application by any of the following methods:

- *Email:* Britni.Tokotch@noaa.gov.

Include in the subject line of the email comment the following document identifier: "Olsen EFP 2012".

- *Mail:* Britni Tokotch, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

The application and related documents are available for review upon written request to any of the above addresses.

FOR FURTHER INFORMATION CONTACT:

Britni Tokotch, 727-824-5305; email: Britni.Tokotch@noaa.gov.

SUPPLEMENTARY INFORMATION: The EFP is requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), and regulations at 50 CFR 600.745(b) concerning exempted fishing.

The described research is part of a life history study of Caribbean spiny lobster and intends to collect data on growth and movement patterns and to estimate the spiny lobster population abundance in the Federal waters of the Caribbean. The study also intends to conduct research on tag mortality and retention on spiny lobsters. Lobsters will be collected using commercial fishing vessels as part of the vessels normal fishing trips in the Federal waters of St. Croix and St. Thomas, U.S. Virgin Islands. Spiny lobsters would be collected within the 100-fathom (183-m) depth contour of these areas using commercial lobster trap gear. The study would take place from the date of effectiveness of the EFP through August 31, 2013, or until the requested number of lobsters have been tagged.

The proposed collection for scientific research involves activities that would otherwise be prohibited by regulations at 50 CFR part 622, as they pertain to Caribbean spiny lobster managed by the Council. The EFP would exempt this research activity from Federal regulations at § 622.32(b)(1)(iii) (Prohibited and limited harvest species) and § 622.37(b) (Size limits).

If granted, the EFP would authorize the tagging of 5,000 spiny lobsters (3,000 from St. Thomas Federal waters and 2,000 from St. Croix Federal waters). Floy spaghetti tags would be attached to the lobster in the gap between the tail and carapace. Tagging would include both legal size lobsters as

well as undersized and egg-bearing lobsters. Data to be recorded during the tagging process will include carapace length, sex, reproductive state, and the vessel's position. Specimens to be tagged will be randomly selected from a designated vessel's lobster trap during normal fishing trips. A total of 15 commercial vessels will be allowed to participate in the study. The 15 vessels would be contracted through the St. Thomas Fisherman's Association, which obtained funding for this study through the Council. All vessels participating in the EFP have home ports in the U.S. Virgin Islands.

Following tagging, lobsters will be released where they were collected. When these tagged lobsters are recaptured, the same data would be collected that were recorded during initial tagging operations. Tagged lobsters may be recaptured by both commercial and recreational fishers from St. Thomas and St. Croix during their normal fishing practices. Posters have been distributed in local dive shops and marinas to alert fishers and the public to the tagging program and to encourage their participation in collecting and submitting data on recaptured tagged lobsters.

Tag and recapture data will be analyzed for growth and movement patterns, and an attempt will be made to estimate Caribbean spiny lobster population abundance. During recapture, local fishers would only be allowed to retain lobsters of legal size that were not egg-bearing. Undersized and egg-bearing lobsters would be returned to the water with a minimum of harm.

This EFP, if granted, would also authorize the collection of an additional 20 undersized lobsters to serve as a control study to the commercial vessels tagging efforts. The undersized lobsters, less than 3.5 inch (8.9 cm) carapace length, would be tagged and held in captivity at the Coral World facility on St. Thomas for up to 3 months. Undersized lobsters would be used for this study to increase the likelihood for tagged individuals to molt, thereby increasing the opportunity to assess the tag's performance. These lobsters would be temporarily retained at the facility to assess tag mortality and the retention of tags through the molting process. At the conclusion of the 3-month study, these lobsters would be released back into the water in the vicinity from which they were collected.

NMFS finds this application warrants further consideration. Possible conditions the agency may impose on this permit, if it is indeed granted, include but are not limited to, a

prohibition of conducting research within marine protected areas, marine sanctuaries, or special management zones, without additional authorization. A report on the research would be due at the end of the collection period, to be submitted to NMFS and reviewed by the councils.

A final decision on issuance of the EFP will depend on NMFS' review of public comments received on the application, consultations with appropriate fishery management agencies of the affected states, the Council, and the U.S. Coast Guard, as well as a determination that it is consistent with all applicable laws.

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

Dated: December 21, 2012.

Emily H. Menashes,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC370

Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific Groundfish and Halibut Observer Program Standard Ex-Vessel Prices

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

ACTION: Notification of standard ex-vessel prices.

SUMMARY: NMFS publishes standard ex-vessel prices for groundfish and halibut for the calculation of the observer fee under the North Pacific Groundfish and Halibut Observer Program (Observer Program). This notice is intended to provide information to vessel owners, processors, and registered buyers about the standard ex-vessel prices that will be used to calculate the observer fee liability for landings of groundfish and halibut made in 2013. NMFS will send invoices to processors and registered buyers subject to the fee by January 15, 2014. Fees are due to NMFS on or before February 15, 2014.

DATES: Effective December 28, 2012.

FOR FURTHER INFORMATION CONTACT: For general questions about the observer fee and standard ex-vessel prices, contact the Sustainable Fisheries Division at 907-586-7228. For questions about the fee billing process, contact Troie Zuniga, Fee Coordinator, 907-586-7105.

SUPPLEMENTARY INFORMATION:

Background

The Observer Program deploys NMFS-certified observers (observers) who obtain information necessary for the conservation and management of the Bering Sea and Aleutian Islands (BSAI) and Gulf of Alaska (GOA) groundfish and halibut fisheries. Fishery managers use information collected by observers to monitor quotas, manage groundfish and prohibited species catch, and document and reduce fishery interactions with protected resources. Scientists use observer-collected information for stock assessments and marine ecosystem research.

In 2012, NMFS restructured the Observer Program under Amendment 86 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area and Amendment 76 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (Amendments 86/76). The final rule implementing Amendments 86/76 added a new funding and deployment system for observer coverage in the groundfish and halibut fisheries off Alaska that allows NMFS to determine when and where to deploy observers according to management and conservation needs. The final rule was published in the **Federal Register** on November 21, 2012 (77 FR 70062). Regulations implementing the Observer Program are set forth at 50 CFR part 679, subpart E.

Restructuring divided the Observer Program into two observer coverage categories—partial and full. All groundfish and halibut vessels and processors are included in one of these two categories. The partial observer coverage category includes vessels and processors that are not required to have an observer at all times; the full observer coverage category includes vessels and processors required to have all of their operations observed. Vessels and processors in the full coverage category will arrange and pay for observer services from a permitted observer provider. Observer coverage for the partial coverage category will be funded through a system of fees based on the ex-vessel value of groundfish and halibut in fisheries covered by the new program. The proposed rule for Amendments 86/76 (77 FR 23326; April 18, 2012) provides a detailed explanation of the vessels and processors in the partial coverage category, the landings subject to the observer fee, and the process for calculating standard ex-vessel prices. This notice summarizes that information.