

need to be revised to clearly state compliance period (e.g., hourly, daily) and averaging method (arithmetic or weighted).

(ii) Capture systems are required as a method of control technology for the following surface coating regulations: Section II—Provisions for Specific Sources Part A.2.e., B.2.e., C.2.e., D.2.e., E.2.e., Part F.3.e., G.3.e., H.3.e.

(iii) Regulations which require capture efficiency systems must specify test methods.

6. Regulation 62.5, Standard No. 5, Section I, Part F, Recordkeeping, Reporting, Monitoring—The recordkeeping requirement provisions as stated in the May 25, 1988, OAQPS document entitled, "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations," should be included within this regulation.

7. Regulation 62.5, Standard No. 5, Section I, Part E, Volatile Organic Compound Compliance Testing—It is not clear in the VOC compliance testing requirement that the most recent test methods must be used. The regulation must be revised to state this.

The public is invited to submit written comments on this proposal; EPA will consider all comments received within 30 days of this date before taking final action on the disapproval of revisions submitted by South Carolina.

Under 5 U.S.C. 605(b), I certify that this disapproval will not have a significant economic impact on a substantial number of small entities because its purpose is to provide the State the basis for correcting its SIP.

The Office of Management and Budget has waived review of this regulation normally required under section 3 of Executive Order 12291.

List of Subjects in 50 CFR Part 52

Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone.

Authority: U.S.C. 7401-7642.

Dated: June 8, 1989.

Greer C. Tidwell,
Regional Administrator.

[FR Doc. 89-14385 Filed 6-15-89; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 205

Atlantic Bluefin Tuna Fishery; Public Hearings

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of public hearings and request for comments.

SUMMARY: NMFS will hold a series of public hearings and provide a comment period to solicit public input into the proposed changes to the regulations governing the Atlantic bluefin tuna fishery. The two proposed changes are intended (1) to provide for the maximum opportunity to utilize the resource and (2) to preserve the traditional methods of fishing. Individuals and organizations may comment in writing to NMFS if they are unable to attend the hearings.

DATES: See SUPPLEMENTARY INFORMATION for dates, times, and locations of the hearings.

ADDRESS: Comments should be addressed to Richard Roe, Regional Director, NMFS, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Atlantic Bluefin Tuna Regulations."

FOR FURTHER INFORMATION CONTACT: Kathi L. Rodriguez, 508-281-6324.

SUPPLEMENTARY INFORMATION: The current regulations which govern the Atlantic bluefin tuna fishery allow the Assistant Administrator, on or about September 1, to adjust the daily catch limit for the General category to a maximum of three giant Atlantic bluefin tuna (ABT) per day per vessel. This rule would remove the reference to the September 1 date in the regulation allowing the Assistant Administrator to adjust the daily catch limit upward or downward at any time during the season as circumstances warrant.

In 1988 NMFS received a petition from a number of harpoon fishermen to prohibit the use of spotter aircraft in all but the Purse Seine category. The petitioners believe that the proliferation of spotter aircraft, particularly in the Harpoon Boat category, is changing the traditional nature of the fishery. On March 31, 1988 (53 FR 10415), NMFS published a notice in the Federal Register soliciting comments on the petition. Many comments were received, the majority of which supported the prohibition.

After a review of all the information presented on this issue, NMFS believes that it is in the best interests of the fishery to prohibit the use of spotter aircraft to aid in the harvest of ABT, except in the Purse Seine category. NMFS believes that the growing use of these aircraft changes the traditional nature of both the Harpoon Boat and General categories. The use of these aircraft together with the large increase of vessels permitted in this category, has greatly accelerated the rate at which the

quota is caught. It is believed that a number of boats are attracted to this category because of the lack of a daily catch limit and the possibility of enhancing the catch through the use of an airplane.

NMFS is also concerned that the use of aircraft will concentrate the catch among fewer vessels. Information provided to the Agency indicates that roughly 80 percent of the Harpoon Boat category in 1988 was harvested by vessels assisted by aircraft. These specific issues will be discussed at the public hearings.

All public hearings will begin at 7:00 p.m. The dates and locations of the hearings are scheduled as follows:

June 30, 1989—Treadway Inn, Newport, Rhode Island

July 3, 1989—NOAA Fisheries, One Blackburn Drive, Gloucester, Massachusetts

July 5, 1989—Holiday Inn, Riverhead, New York

July 6, 1989—Holiday Inn, Portland, Maine

July 7, 1989—Quality Inn (formerly Sheraton), Falmouth, Massachusetts

Dated: June 13, 1989

Richard H. Schaefer,
Director, Office of Fisheries, Conservation and Management, National Marine Fisheries Service.

[FR Doc. 89-14386 Filed 6-15-89; 8:45 am]

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50 CFR Part 642

[Docket No. 86639-9129]

RIN 0648-AC55

Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Proposed rule.

SUMMARY: NOAA issues this proposed rule to implement Amendment 4 to the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP). This proposed rule would reallocate Atlantic migratory group Spanish mackerel. The intended effect of this proposed rule is to more equitably allocate Atlantic migratory group Spanish mackerel between recreational and commercial users.

DATE: Written comments must be received on or before July 31, 1989.

ADDRESSES: Comments may be sent to, and copies of the draft Environmental

Assessment/Regulatory Impact Review may be obtained from: Mark F.

Godcharles, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702.

FOR FURTHER INFORMATION CONTACT: Mark F. Godcharles, 813-893-3722.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, bluefish) is managed under the FMP, prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils), and its implementing regulations at 50 CFR Part 642, under authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act).

Amendment 4 addresses the allocation of total allowable catch (TAC) for Atlantic migratory group Spanish mackerel (76 percent commercial and 24 percent recreational) which has contributed to early recreational closures and adverse socioeconomic impacts. For Atlantic migratory group Spanish mackerel, Amendment 4 addresses this problem by establishing a procedure to change the allocation to 50 percent recreational and 50 percent commercial as the TAC increases.

Draft Amendment 4 was prepared and distributed to interested parties in September and October, 1988. Public hearings were held on the draft amendment in 10 cities from Key West, FL to Manteo, NC in October 1988. After consideration of the comments received at the public hearings and Council meetings, written public comments, and comments from their Scientific and Statistical Committees and Advisory Panels, the Councils made their final selection of preferred options at the April 1989 joint Council meeting. The issues, their impacts, and the rationale for the Councils' preferred options are summarized below. A more complete analysis appears in Amendment 4, the availability of which was published in the Federal Register (54 FR-23238, May 31, 1989).

Background

The current allocation of TAC of 76 percent to commercial fishermen and 24 percent to recreational fishermen in the Atlantic migratory group Spanish mackerel fishery does not reflect the allocation that existed during the early to mid 1970's when the fishery was not overfished. The current allocation was based on recreational catch data from 1979-85, a period during which the resource was overfished and when

recreational catches and participation were low due to the status of the resource. This allocation has contributed to the early implementation of zero bag limits for the recreational fishery which results in negative socioeconomic impacts to recreational fishermen.

Issue 1. Atlantic Migratory Group Spanish Mackerel Commercial and Recreational Allocations

Current regulations establish an allocation of TAC of 76 percent commercial and 24 percent recreational based on catch data from 1979-85. The Councils concluded that this is inappropriate because the resource was overfished and the recreational share depressed during this time period. New allocations are proposed to more equitably allocate Atlantic migratory group Spanish mackerel between recreational and commercial users.

The Councils considered three options: Option 1 (status quo)—continue the 76 percent commercial and 24 percent recreational allocation; Option 2—reallocate based on estimated average ratios of catches in the period from 1967-74; and Option 3—reallocate 50 percent commercial and 50 percent recreational.

The Councils concluded that the current allocation (76 percent commercial and 24 percent recreational) is inappropriate and selected Option 3 because:

1. The Atlantic migratory group Spanish mackerel resource was overfished and the resulting recreational catches depressed during the years 1979-85 which were used to establish the current allocation.

2. Commercial catches increased during the mid 1970's and the distribution of the resource between recreational and commercial users changed with more being taken commercially. This is also the time when the abundance of the resource began to decline and become more geographically compressed. Recreational catches in Georgia, South Carolina and North Carolina were affected and in these States recreational harvest had previously accounted for the majority of the harvest.

3. The Councils believe, based on the expert knowledge of State fishery directors and other Council members directly associated with the fishery, that recreational catches were higher in the 1970's but quantitative information to support this conclusion is limited. The limited quantitative data from the early 1970's indicates that the Atlantic migratory group Spanish mackerel resource was distributed equally (i.e., 50/50) between the recreational and

commercial user groups. Qualitative information such as input from fishermen and the recent reemergence of catches north of North Carolina, indicate that Spanish mackerel are now repopulating this area, as they have in the past, thereby lending support to the Councils' conclusion of higher recreational catches during the 1970's.

4. Now that the Atlantic migratory group Spanish mackerel resource is reduced and harvest capacity and demand of both user groups has expanded to the point that either group could harvest all or most of the available resource, the Councils believe it is more equitable to allocate the resource equally between users.

5. Based on the above, the Councils concluded that a 50/50 allocation would result in benefits greater than costs and maximize the net socioeconomic benefits available from the Atlantic migratory group Spanish mackerel resource.

Issue 2. Method of Implementing Revised Allocations of Atlantic Migratory Group Spanish Mackerel

The Councils considered five options: Option 1—implement the 50/50 reallocation with an effective date when TAC is relatively low and relatively late in the fishing year; Option 2—implement the revised ratios to be effective with the seasonal adjustment for the next fishing year; Option 3—implement the reallocation only as the TAC is increased by providing the increase to the gaining group until the new 50/50 ratio is established. No reduction in any group's allocation would occur unless TAC was subsequently reduced, in which case the existing ratio would apply to the reduced TAC; Option 4—same as Option 3 except that, in the event of a reduction in TAC, the existing ratio would be applied to the amount of the reduction; and Option 5—implement the reallocation only for the TAC increase above the level which results in a 3.04-million pound commercial allocation, by providing 90 percent of any increase to the recreational allocation and 10 percent to the commercial allocation until the new ratio is established. No reduction in any group's allocation would occur unless the TAC was subsequently reduced, in which case the ratio in place at that time would apply. However, the 50/50 ratio would be implemented no later than the 1994/95 fishing year. The Councils selected Option 5 because this mechanism best moderates any negative socioeconomic impacts the reallocation may have on the commercial sector and provides a gradual redistribution (as long as the TAC changes gradually)

approved coastal zone management programs. This determination has been submitted for review by the responsible State agencies under section 307 of the Coastal Zone Management Act.

The Councils prepared an environmental assessment (EA) that discusses the impact on the environment as a result of this rule. A copy of the EA may be obtained at the address listed above and comments on it are requested.

This proposed rule does not contain a collection-of-information requirement for purposes of the Paperwork Reduction Act.

This proposed rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12612.

List of Subjects in 50 CFR Part 642

Fisheries, Fishing.

Dated: June 12, 1989.

James E. Douglas, Jr.,

*Deputy Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

As is explained in the preamble, 50 CFR Part 642 is proposed to be amended as follows:

PART 642—COASTAL MIGRATORY PELAGIC RESOURCES OF THE GULF OF MEXICO AND SOUTH ATLANTIC

1. The authority citation for Part 642 continues to read as follows:

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

§ 642.21 [Amended]

2. In § 642.21, in paragraph (c)(2) the number "3.04" is revised to read "3.24" and in paragraph (d)(2) the number "0.96" is revised to read "2.76".

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