

from the Hazardous Materials Advisory Council (HMAC) seeking an extension of the comment period in order to have more time to evaluate the proposals contained in the NPRM. RSPA concurs with this request and is extending the comment period by 30 days.

DATES: Comments must be received by November 20, 1995.

ADDRESSES: Address comments to Dockets Unit (DHM-30), Hazardous Materials Safety, RSPA, U.S. Department of Transportation, Washington, DC 20590-0001. Comments should identify the docket and notice number and five copies should be submitted, when possible. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed, stamped postcard. The Dockets Unit is located in Room 8421 of the Nassif Building, 400 Seventh Street, SW, Washington, D.C. 20590-0001. Office hours are 8:30 am to 5:00 pm, Monday through Friday, except on public holidays when the office is closed.

FOR FURTHER INFORMATION CONTACT: John J. O'Connell, Jr., Director, Office of Hazardous Materials Enforcement, (202) 366-4700; or Edward H. Bonekemper, III, Office of the Chief Counsel, (202) 366-4400, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street SW, Washington DC 20590-0001.

SUPPLEMENTARY INFORMATION: On August 21, 1995, RSPA published a notice of proposed rulemaking (NPRM) in the Federal Register which invited public comment on a proposal to implement a pilot program for ticketing of certain hazardous materials transportation violations [Docket HM-207E, Notice 95-10, 60 FR 43430]. Under the program, RSPA would issue tickets for violations that do not have substantial impacts on safety. These violations may include, among others, operating under an expired exemption, failing to register, failing to maintain training records, and failing to file incident reports. Procedures under this pilot program would be less complicated than current procedures for civil penalty actions, and penalties would be substantially reduced for persons who elect to pay the amounts assessed in the tickets.

HMAC, in its request for extension of the comment period, cited the broad effect of this proposal upon industry and how it would directly impact the enforcement process if implemented. HMAC believed a 30-day extension of the comment period would provide industry a reasonable amount of time to more fully consider the implications of

the proposal. RSPA agrees additional time should be allowed and is granting an extension of 30 days for submitting comments.

Issued in Washington, DC on October 11, 1995, under authority delegated in 49 CFR part 106, appendix A.

Robert A. McGuire,
*Acting Associate Administrator for
Hazardous Materials Safety.*

[FR Doc. 95-25680 Filed 10-16-95; 8:45 am]

BILLING CODE 4910-60-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 638

[Docket No. 950929242-5242-01; I.D. 091295A]

RIN 0648-AH74

Coral and Coral Reefs Off the Southern Atlantic States; Amendment 3

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule to implement Amendment 3 to the Fishery Management Plan for Coral and Coral Reefs off the Southern Atlantic States (FMP). Amendment 3 would: Establish an aquacultured live rock permit system applicable to the exclusive economic zone (EEZ) off the southern Atlantic states; prohibit chipping of aquacultured live rock; prohibit octocoral harvest north of Cape Canaveral, FL; and prohibit anchoring of fishing vessels in the Oculina Bank habitat area of particular concern (HAPC). In addition, NMFS proposes changes to correct and clarify certain regulations, or conform them to current standards. The intended effect is to establish a management program for live rock aquaculture and to protect fishery habitat.

DATES: Written comments must be received on or before November 27, 1995.

ADDRESSES: Comments on the proposed rule must be sent to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of Amendment 3, which includes a regulatory impact review, a social impact assessment, and an environmental assessment, should be sent to the South Atlantic Fishery

Management Council, Southpark Building, Suite 306, 1 Southpark Circle, Charleston, SC 29407-4699, telephone: 803-571-4366, FAX: 803-769-4520.

FOR FURTHER INFORMATION CONTACT: Georgia Cranmore, 813-570-5305.

SUPPLEMENTARY INFORMATION: The FMP was prepared by the South Atlantic Fishery Management Council (Council) and is implemented through regulations at 50 CFR part 638 under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). Upon implementation of Amendment 3, if approved, the title of the FMP would be changed to the Fishery Management Plan for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region. This title change reflects the Council's intent to manage and protect essential live/hard bottom habitats as well as coral resources.

Aquacultured Live Rock Permits

Amendment 3 proposes to adopt in the EEZ off the southern Atlantic states (South Atlantic EEZ) the aquacultured live rock permit system implemented for the Gulf of Mexico (Gulf) EEZ under Amendment 2 to the Fishery Management Plan for Coral and Coral Reefs of the Gulf of Mexico and South Atlantic, with two special conditions: (1) Aquaculture substrates must be geologically distinguishable from the naturally occurring substrate, and (2) no chipping of aquacultured live rock is permitted.

Under Amendment 2, the Gulf of Mexico Fishery Management Council and the South Atlantic Council agreed to allow and facilitate live rock aquaculture to replace the wild harvest that is being phased out. Amendment 2 established an aquacultured live rock permit for the harvest and possession of live rock from aquaculture operations in the Gulf EEZ, under specific criteria designed to protect natural hard bottom areas, as specified in § 638.27. The aquaculture permit also authorizes an exception to the prohibition on taking and possession of prohibited corals; a permitted individual harvesting aquacultured live rock is exempt from the prohibition on taking prohibited coral with regards to the prohibited coral attached to the aquacultured live rock. Otherwise, an aquaculturalist would be prevented from harvesting the aquaculture product if small polyps of such species were detected on the aquaculture substrates.

Under the criteria for issuance of aquacultured live rock permits, established under Amendment 2 for the Gulf EEZ, materials deposited on the aquaculture site must be geologically or