INTERSTATE COMMERCE COMMISSION

49 CFR Part 1039
[Ex Parte No. 346 (Sub-No. 28)]

Rail General Exemption Authority: Export Corn and Export Soybeans

AGENCY: Interstate Commerce Commission.

ACTION: Proposed rule; extension of comment due date.

SUMMARY: By decision served July 15, 1992 (57 FR 31489, July 16, 1992), the Commission sought public comment by August 17, 1992, on whether to exempt from regulation the rail transportation of export corn and soybeans. The Commission has concluded, preliminarily, that regulation of rail transport of export corn and export soybeans is not necessary to carry out the rail transportation policy. The proposal is intended to eliminate burdensome regulatory oversight. As discussed more fully in the Supplementary Information section below, the comment due date is being extended to December 15, 1992.

DATES: Comments are due on December 15, 1992.

ADDRESSES: Send an original and 10 copies of comments referring to Ex Parte No. 346 (Sub-No. 28) to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder, (202) 927-5610, [TDD for the hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION: The comment due date has been extended a number of times in this proceeding. The Commission granted a 30-day extension request filed by the Association of American Railroads by decision served and published July 29, 1992 (57 FR 33478), extending the comment due date to September 16, 1992. By decision served August 31, 1992 (57 FR 39663, September 1, 1992) the comment due date was extended an additional 30 days to October 16, 1992, at the request of a number of parties, including the U.S. Department of Agriculture (USDA), which had sought a 90-day extension. An August 22, 1992 request filed by the National Grain and Feed Association to postpone the comment due date was denied by a decision served September 9, 1992. In a decision served September 29, 1992, the September 9 decision was upheld on appeal.

On September 22, 1992, USDA filed a petition requesting a further 60-day extension of the current comment due date. USDA indicates additional time is needed to collect and provide to the Commission additional data regarding the effect of the proposed exemption on the domestic farm economy. USDA maintains it is important to evaluate fully the proposal’s potential impact on specific export promotion programs and activities administered by USDA, including the export enhancement program, the GMS export credit programs and the market promotion program, which all may be affected by the proposed change in transport regulations. USDA also notes it maintains substantial information, both published and unpublished, on grain marketing and transportation that the Commission relied on extensively in drafting the subject proposal and that such information shall be made available for consideration in this proceeding.

As noted above, USDA was one of the parties previously seeking a 90-day extension, but only a 30-day extension was granted. USDA’s prior extension request was very general, however, and did not merit the full 90-day extension sought. By contrast, the instant extension request is specific and compelling and will, therefore, be granted.


By the Commission, Sidney L. Strickland, Jr., Secretary.

Sidney L. Strickland, Jr., Secretary.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 675

Groundfish Fishery of the Bering Sea and Aleutian Islands Area

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

ACTION: Notice of availability of amendment to fishery management plan; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) has submitted a revised Amendment 18 to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands (BSAI) Area for review by the Secretary of Commerce (Secretary). Comments are requested from the public. Copies of the revised amendment and the regulatory impact review/initial regulatory flexibility analysis (RIR/IRFA) may be obtained from the Council (see “ADDRESSES”).

DATES: Comments on the amendment should be submitted on or before October 29, 1992.

ADDRESSES: Comments should be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21068, Juneau, Alaska 99802 or delivered to the Federal Building Annex, suite 610, Mendenhall Mall Road, Juneau, Alaska. Copies of revised Amendment 18 to the FMP and the RIR/IRFA are available on request from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510 (telephone 907-271-2809).

FOR FURTHER INFORMATION CONTACT: Jay J.C. Ginter, Fishery Management Biologist, Alaska Region, NMFS at 907-586-7228.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act) (16 U.S.C. 1801 et seq.) requires that each regional Fishery Management Council submit any fishery management plan or plan amendment it prepares to the Secretary for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires the Secretary, on receiving the plan or amendment, to immediately publish a notice that the plan or amendment is available for public review and comment. The Secretary will consider the public comments received during the comment period in determining whether to approve revised Amendment 18.

If approved, revised Amendment 18 to the BSAI FMP would:

1) Allocate the pollock total allowable catch (TAC), after subtraction of the reserve, to inshore and offshore components of the fishery as follows: 35 percent for inshore and 65 percent for offshore in 1993; and 37.5 percent for inshore and 62.5 percent for offshore in 1994 and 1995.

2) Continue the catcher vessel operational area (CVOA) established within the BSAI area (57 FR 23321, June 3, 1992) for the pollock non-roe (or "B") season (June 1–December 31), within which access to pollock is limited to...
catcher vessels and motherships only. The CVOA is located in the Bering Sea subarea south of 56°00' N. latitude and between 163°00' and 168°00' W. longitudes. Catcher/processor vessels in the offshore component would not be allowed to conduct fishing operations for pollock in the CVOA during the "B" season.

If implemented, Amendment 18 would cease to have effect at midnight, Alaska local time, December 31, 1995.

Regulations proposed by the Council to implement these amendments are scheduled to be published within 10 days of this notice.

List of Subjects in 50 CFR Part 675

Fisheries, Reporting and recordkeeping requirements.

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


David S. Crestin,
Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-23941 Filed 9-29-92; 3:16 pm]

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