

RSPA believes that there is a limited number of shippers of liquid hazardous materials in non-specification open-head fiber drums (probably less than 100), and assumes that most of them are small entities. Alternative packagings that meet the HM-181 performance standards include (together with their relative cost as compared to non-specification open-head fiber drums, according to data used by NAS):

- Open-head steel drums (more expensive)
- Closed-head steel drums (less expensive)
- Closed-head plastic drums (about the same)
- Closed-head fiber drums (more expensive).

RSPA assumes that both cost and non-cost factors will influence shippers' choice of alternative packagings.

Based on the above, I certify that this rule will not have a significant economic impact on a substantial number of small entities.

#### *D. Paperwork Reduction Act*

There are no new information requirements in this rule.

#### *E. Regulations Identifier Number (RIN)*

A regulation identifier number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

#### **List of Subjects in 49 CFR Part 171**

Exports, Hazardous materials transportation, Imports, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR part 171 is amended as follows:

#### **PART 171—GENERAL INFORMATION, REGULATIONS, AND DEFINITIONS**

1. The authority citation for part 171 continues to read as follows:

**Authority:** 49 U.S.C. 5101–5127, 49 CFR 1.53.

2. In § 171.14, the text of paragraph (c) following the paragraph heading is redesignated as paragraph (c)(1), and a new paragraph (c)(2) is added to read as follows:

**§ 171.14 Transitional provisions for implementing requirements based on the UN recommendations.**

\* \* \* \* \*

(c) *Non-specification fiber drums.* (1)  
\* \* \*

(2) A non-specification fiber drum with a removable head authorized by paragraph (c)(1) of this section may be offered for transportation and transported domestically prior to October 1, 1999, if it—

- (i) Was filled with an authorized hazardous material prior to the expiration of the authority in paragraph (c)(1) of this section; and
- (ii) Is not emptied and refilled after the expiration of the authority in paragraph (c)(1) of this section.

\* \* \* \* \*

Issued in Washington, DC on May 27, 1997, under authority delegated in 49 CFR Part 1.

**Kelley S. Coyner,**

*Deputy Administrator.*

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#### **DEPARTMENT OF COMMERCE**

##### **National Oceanic and Atmospheric Administration**

##### **50 CFR Part 660**

[Docket No. 970403076-7114-02; I.D. 052797A]

##### **Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Whiting Temporary Closure**

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

**ACTION:** Fishing restrictions; request for comments.

**SUMMARY:** NMFS announces a temporary closure of the unrestricted primary season for Pacific whiting (whiting) south of 42° N. lat. at noon May 27, 1997, and reimposition of a 10,000-lb (4,536 kg) trip limit until 0001 hours June 15, 1997, at which time the primary season south of 42° N. lat. will resume. This action is authorized by regulations implementing the Pacific Coast Groundfish Fishery Management Plan (FMP), which governs the groundfish fishery off Washington, Oregon, and California. This action is intended to keep the harvest of whiting at levels announced by the Secretary at 62 FR 27519 (May 20, 1997).

**DATES:** Effective from 12 noon (local time) May 27, 1997, until 2400 hours June 14, 1997. Comments will be accepted through June 17, 1997.

**ADDRESSES:** Submit comments to William Stelle, Jr., Administrator, Northwest Region (Regional

Administrator), National Marine Fisheries Service, 7600 Sand Point Way NE., Seattle, WA 98115-0070; or William Hogarth, Acting Administrator, Southwest Region, National Marine Fisheries Service, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

#### **FOR FURTHER INFORMATION CONTACT:**

William L. Robinson at 206-526-6140 or Rodney McInnis at 562-980-4040.

**SUPPLEMENTARY INFORMATION:** The regulations at 50 CFR 660.323(a) (3) and (4) (62 FR 27519, May 20, 1997)

established separate allocations for the catcher/processor, mothership, and shore-based sectors of the whiting fishery, and announced starting dates for each sector's primary season. The primary season for the shore-based sector is the period(s) when the virtually unrestricted, large-scale target fishery is conducted, and thus when routine trip limits are not in effect. The regulations further divide the shore-based allocation so that no more than 5 percent of the shore-based allocation for whiting may be taken and retained south of 42° N. lat. before the primary season begins north of 42° N. lat. The primary season for the shore-based sector south of 42° N. lat. began in late April, earlier than the northern season which begins on June 15, 1997, because whiting migrate from south to north during the fishing year. (The first large whiting landing south of 42° N. lat. occurred on April 27, 1997, although the fishery could have started on March 1, 1997.) The 5-percent cap is intended to discourage effort shifts to the south area early in the year. The shore-based whiting allocation is 86,900 mt in 1997, and the 5-percent cap on early fishing south of 42° N. lat. is 4,345 mt. When the 5-percent cap is reached, the 10,000-lb (4,536 kg) trip limit that was in place before the start of the southern primary season is reimposed and remains in effect until the start of the northern primary season on June 15, 1997.

The best available information on May 23, 1997, indicates that 4,023 mt of whiting have been taken by the shore-based fishery south of 42° N. lat. through May 21, 1997, and that 4,345 mt are projected to be taken by noon May 27, 1997. Therefore, the 10,000-lb (4,536 kg) trip limit announced in the 1997 annual management measures is resumed until the primary season begins north of 42° N. lat.

#### **NMFS Action**

For the reasons stated above, and in accordance with the regulations at 50 CFR 660.323(a)(4) (i)(B) and (iii)(D), NMFS amends paragraph F. of Section

IV. of the 1997 annual management measures (62 FR 700, January 6, 1997), by adding paragraph (c), to read as follows:

F. Whiting.

(1) \* \* \*

(c) Effective 12 noon May 27, 1997, to 2400 hours (12 midnight) June 14, 1997 (local times), no more than 10,000 lb (4,536 kg) of whiting may be taken and retained, possessed or landed south of 42° N. lat. This trip limit includes any whiting caught shoreward of 100 fm (183 m) in the Eureka subarea. Effective

0001 hours June 15, 1997, the primary season south of 42° N. lat. will resume, concurrent with the start of the primary season north of 42° N. lat.

\* \* \* \* \*

**Classification**

This action is authorized by the regulations implementing the FMP. The determination to take these actions is based on the most recent data available. The aggregate data upon which the determinations are based are available

for public inspection at the office of the Regional Administrator (see **ADDRESSES**) during business hours. This action is taken under the authority of at 50 CFR 660.323(a)(4) (i)(B) and (iii)(D), and is exempt from review under E.O. 12866.

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

Dated: May 27, 1997.

**Bruce Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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