

provided that any dredge on board the vessel does not exceed 8 ft (2.44 m) measured at the widest point in the bail of the dredge, and the vessel does not fish for, harvest, possess, or land any species of fish other than mussels and sea urchins. The area coordinates of the Nantucket Shoals Mussel and Sea Urchin Dredge Exemption Area are the same coordinates as those of the Nantucket Shoals Dogfish Fishery Exemption Area specified under paragraph (a)(9) of this section.

* * * * *

(b) * * *

(2) * * *

(iii) *Other restrictions and exemptions.* Vessels are prohibited from fishing in the SNE Regulated Mesh Area except if fishing with exempted gear (as defined under this part) or under the exemptions specified in paragraphs (b)(3), (b)(5) through (8), (c), (e), (h), and (i) of this section, if fishing under a NE multispecies DAS, if fishing under the small vessel exemption specified in § 648.82(b)(3), if fishing under the scallop state waters exemption specified in § 648.54, or if fishing pursuant to a NE multispecies open access Charter/Party or Handgear permit. Any gear on a vessel, or used by a vessel, in this area must be authorized under one of these exemptions or must be stowed as specified in § 648.81(e).

* * * * *

(8) *SNE Mussel and Sea Urchin Dredge Exemption.* A vessel may fish with a dredge in the SNE Regulated Mesh Area, provided that any dredge on board the vessel does not exceed 8 ft (2.44 m) measured at the widest point in the bail of the dredge, and the vessel does not fish for, harvest, possess, or land any species of fish other than mussels and sea urchins.

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5. In § 648.82, paragraphs (g), (h), (k)(1)(ii), and (k)(1)(iv)(A) are revised to read as follows:

§ 648.82 Effort-control program for limited access vessels.

* * * * *

(g) *Spawning season restrictions.* A vessel issued a valid Small Vessel permit under paragraph (b)(3) of this section may not fish for, possess, or land regulated species from March 1 through March 20 of each year. Any other vessel issued a limited access multispecies permit must declare out and be out of the NE multispecies DAS program, as described in paragraph (b) of this section, for a 20-day period between March 1 and May 31 of each calendar year using the notification requirements specified in § 648.10. A vessel fishing

under a Day gillnet category designation is prohibited from fishing with gillnet gear capable of catching multispecies during its declared 20-day spawning block, unless the vessel is fishing in an exempted fishery as described in § 648.80. If a vessel owner has not declared and been out for a 20-day period between March 1 and May 31 of each calendar year on or before May 12 of each year, the vessel is prohibited from fishing for, possessing or landing any regulated species or non-exempt species during the period May 12 through May 31, inclusive. If a vessel has taken a spawning season 20-day block out of the NE multispecies DAS program during May 1996, it is not required to take a 20-day block out of the NE multispecies DAS program in 1997. Beginning January 1, 1998, any such vessel must comply with the spawning season restriction specified in this part.

(h) *Declaring DAS and blocks of time out.* A vessel's owner or authorized representative shall notify the Regional Administrator of a vessel's participation in the DAS program, declaration of its 120 days out of the non-exempt gillnet fishery if designated as a Day gillnet category vessel, and declaration of its 20-day period out of the NE multispecies DAS program, using the notification requirements specified in § 648.10.

* * * * *

(k) * * *

(1) * * *

(ii) *Tagging requirements.* Beginning June 1, 1997, when under a NE multispecies DAS, all groundfish gillnets fished, hauled, possessed, or deployed must have two tags per net, with one tag secured to each bridle of every net within a string of nets and all flatfish gillnets fished, hauled, possessed, or deployed must have one tag per net, with one tag secured to every other bridle of every net within a string of nets. Tags must be obtained as described in § 648.4(c)(2)(iii) and vessels must have on board written confirmation issued by the Regional Administrator, indicating that the vessel is a Day gillnet vessel. The vessel operator must produce all net tags upon request by an authorized officer.

* * * * *

(iv) * * *

(A) During each fishing year, vessels must declare, and take, a total of 120 days out of the non-exempt gillnet fishery. Each period of time declared and taken must be a minimum of 7 consecutive days. At least 21 days of this time must be taken between June 1 and September 30 of each fishing year.

The spawning season time out period required by § 648.82(g) will be credited toward the 120 days time out of the non-exempt gillnet fishery. If a vessel owner has not declared and taken, any or all of the remaining periods of time required by the last possible date to meet these requirements, the vessel is prohibited from fishing for, possessing, or landing regulated multispecies or non-exempt species harvested with gillnet gear, and from having gillnet gear on board the vessel that is not stowed in accordance with § 648.81(e)(4), while fishing under a multispecies DAS, from that date through the end of the period between June 1 and September 30, or through the end of the fishing year, as applicable.

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 7, 10, 148 and 178

[T.D. 97-75]

RIN 1515-AB14

Duty-Free Treatment of Articles Imported From U.S. Insular Possessions

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule; correction.

SUMMARY: This document makes a correction to the document published in the **Federal Register** which set forth final amendments to the Customs Regulations to clarify and update the legal requirements and procedures that apply for purposes of obtaining duty-free treatment on articles imported from insular possessions of the United States other than Puerto Rico. The correction involves the control number assigned by the Office of Management and Budget in connection with the approval of the collection of information provided for in the final regulations.

EFFECTIVE DATE: This correction is effective October 3, 1997.

FOR FURTHER INFORMATION CONTACT: Monika Rice, Office of Regulations and Rulings (202-482-7049).

SUPPLEMENTARY INFORMATION:

Background

On September 3, 1997, Customs published in the **Federal Register** (62 FR 46433) as T.D. 97-75 a final rule document setting forth amendments to

the Customs Regulations to clarify and update the legal requirements and procedures that apply for purposes of obtaining duty-free treatment on articles imported from insular possessions of the United States other than Puerto Rico. That final rule document provided for an October 3, 1997, effective date for the regulatory amendments contained therein.

The amendments in T.D. 97-75 included an update of the list of information collection approvals under the Paperwork Reduction Act contained in § 178.2 of the Customs Regulations (19 CFR 178.2). Although the discussion of the Paperwork Reduction Act in the **SUPPLEMENTARY INFORMATION** portion of T.D. 97-75 correctly set forth the control number assigned by the Office of Management and Budget (OMB) as 1515-0200, the amendment to § 178.2 incorrectly listed the OMB control number as 1515-0055. This document corrects this error.

Correction to the Final Regulations

On page 46443, in the table under § 178.2, in the column headed "OMB control number", the entry "1515-0055" is corrected to read "1515-0200".

Dated: September 11, 1997.

Harold M. Singer,

Chief, Regulations Branch.

[FR Doc. 97-24953 Filed 9-18-97; 8:45 am]

BILLING CODE 4820-02-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[VA-056-5023; FRL-5895-6]

Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Interim Final Determination for the Enhanced Motor Vehicle Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule.

SUMMARY: Elsewhere in today's **Federal Register**, EPA has published a proposed rule to amend the Inspection/Maintenance (I/M) Program Requirements (the I/M rule). That document proposes, in part, revisions to the Motor Vehicle I/M requirements by replacing the I/M rule requirement that the tailpipe portion of the mandatory program evaluation be performed using only an IM240 or equivalent mass-emission transient test with a requirement that states use a sound

evaluation methodology capable of providing accurate information about the overall effectiveness of an I/M program. In addition, the proposal would amend the conditions relating to the program evaluation testing requirements that were part of the conditional interim approval actions taken on the I/M State Implementation Plans (SIPs) for the Commonwealths of Pennsylvania and Virginia and the State of Delaware, consistent with the proposed rule change. Based on the proposed rule and for the reasons discussed below, EPA is making an interim final determination by this action that the commitment dates concerning the major deficiencies in Virginia's I/M SIP should be extended out to June 16, 1998. The June 16, 1998 date is one year from the effective date of the final conditional interim approval of the I/M program, the outside date allowed under the Clean Air Act (CAA) for conditional approvals. Although this action is effective upon publication, EPA will take comment on whether this interim final determination should remain in place. In addition, this action will amend the commitment dates pertaining to the major deficiencies cited in the rulemaking section of the final conditional interim approval for the Commonwealth of Virginia's I/M program.

DATES: Effective Date: September 19, 1997. Comment Date: October 20, 1997.

ADDRESSES: Comments may be mailed to David L. Arnold, Chief, Ozone/CO & Mobile Sources Section, Mailcode 3AT21, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107.

FOR FURTHER INFORMATION CONTACT: Jeffrey M. Boylan, (215) 566-2094, at the EPA Region III office or via e-mail at boylan.jeffrey@epamail.epa.gov. While information may be requested via e-mail, comments must be submitted in writing to the above Region III address.

SUPPLEMENTARY INFORMATION:

I. Background

On November 6, 1996, (61 FR 57343) EPA proposed conditional interim approval of the Northern Virginia Enhanced Inspection and Maintenance program. In response to that proposal, the DEQ submitted a letter dated December 4, 1996, to EPA with a

commitment to correct all of the major deficiencies cited in the proposal by September 15, 1997. After receiving this commitment letter, EPA proceeded with final rulemaking on the Virginia I/M program and published an interim final rule on May 15, 1997 (62 FR 2674). The three major deficiencies conditioned in the final rulemaking tasked Virginia to accomplish the following by September 15, 1997: (a) Perform and submit the new modeling demonstration illustrating how its program will meet the enhanced performance standard; (b) submit as a SIP amendment a final Virginia I/M regulation which requires a yearly mass-emission transient test based evaluation on 0.1% of the subject fleet; and (c) adopt and submit a final Virginia I/M regulation which requires and specifies detailed approvable test procedures and equipment specifications for all the evaporative and exhaust tests used in the enhanced I/M program.

EPA is proposing elsewhere in today's **Federal Register**, to further revise the rule related to state air quality implementation plans for Motor Vehicle Inspection and Maintenance (I/M) programs (40 CFR part 51, subpart S) (hereafter referred to as the I/M rule; see 57 FR 52950) to provide greater flexibility to states in conducting program evaluation. That proposed rulemaking proposes to: (1) Amend the I/M program evaluation requirements at 40 CFR 51.353(c) to remove the current requirement that the tailpipe portion of the program evaluation can be performed only by conducting mass emission transient testing (METT), (2) create a new evaluation requirement at 40 CFR 51.353(c) that will instead require states to conduct program evaluation testing using a sound evaluation methodology capable of providing accurate information about I/M program effectiveness, such evaluation to begin no later than November 30, 1998, (3) amend the requirement that the program evaluation tests be conducted "at the time initial test is due" to clarify that states are not barred from using alternative sample gathering methods like roadside pullovers by defining "the time of initial test" as any time prior to repairs during the inspection cycle under consideration, (4) delete the current conditions on Pennsylvania's and Virginia's conditional interim I/M approvals and Delaware's conditional approval (40 CFR part 52, subpart NN, § 52.2026(a)(2), 40 CFR part 52, subpart V, § 52.2450(b)(2), and 40 CFR part 52, subpart I, § 52.424(b), respectively) that require submission of program