

proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

#### *Paperwork Reduction Act*

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

#### *Regulatory Flexibility Act*

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

#### *Unfunded Mandates*

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or the private sector.

#### **List of Subjects in 30 CFR Part 946**

Intergovernmental relations, Surface mining, Underground mining.

Dated: October 2, 1997.

**Allen D. Klein,**

*Regional Director, Appalachian Regional Coordinating Center.*

[FR Doc. 97-27066 Filed 10-10-97; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

[VA 5026b; FRL-5904-6]

#### **Approval and Promulgation of Air Quality Implementation Plans; Virginia: Approval of VOC RACT Determinations for Individual Sources**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve six State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia for the purpose of establishing volatile organic compound (VOC) reasonably available control technology (RACT) for six major sources of VOCs located in Virginia. In the Final Rules section of this Federal Register, EPA is approving the Commonwealth's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the accompanying technical support document. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If adverse comments are received that do not pertain to all documents subject to this rulemaking action, those documents not affected by the adverse comments will be finalized in the manner described here. Only those documents that receive adverse comments will be withdrawn.

**DATES:** Comments must be received in writing by October 29, 1997.

**ADDRESSES:** Written comments on this action should be addressed to David L. Arnold, Chief, Ozone/CO and 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; and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, 23219.

**FOR FURTHER INFORMATION CONTACT:** Kristeen Gaffney, (215) 566-2092, at the EPA Region III office or via e-mail at gaffney.kristeen@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:** Refer to the information pertaining to this

action, VOC RACT determinations for individual sources located in Virginia, provided in the Direct Final action of the same title located in the Rules and Regulations Section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: September 27, 1997.

**William T. Wisniewski,**

*Acting Regional Administrator, Region III.*

[FR Doc. 97-27128 Filed 10-10-97; 8:45 am]

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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

[VA 5029b; FRL-5904-4]

#### **Approval and Promulgation of Air Quality Implementation Plans; Virginia: VOC RACT for Phillip Morris, Hercules, Virginia Power Station and the Hopewell Regional Wastewater Treatment Plant**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve six State Implementation Plan (SIP) revisions submitted by the Commonwealth of Virginia for the purpose of establishing volatile organic compound (VOC) reasonably available control technology (RACT) for six major sources located in Virginia. In the Final Rules section of this **Federal Register**, EPA is approving the Commonwealth's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule and the accompanying technical support document. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If adverse comments are received that do not pertain to all documents subject to this rulemaking action, those documents not affected by the adverse comments will be finalized in the manner described here. Only those documents that receive adverse comments will be withdrawn.

**DATES:** Comments must be received in writing by October 29, 1997.

**ADDRESSES:** Written comments on this action should be addressed to David L. Arnold, Chief, Ozone/CO and 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; and the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, 23219.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Peck, (215) 566-2165, at the EPA Region III office.

**SUPPLEMENTARY INFORMATION:** Refer to the information pertaining to this action, VOC RACT determinations for individual sources located in Virginia, provided in the Direct Final action of the same title located in the Rules and Regulations Section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: September 27, 1997.

**William T. Wisniewski,**

*Acting Regional Administrator, Region III.*

[FR Doc. 97-27127 Filed 10-10-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 970930235-7235-01; I.D. 090397A]

RIN 0648-AJ12

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Catch Specifications

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

**ACTION:** Proposed rule, request for comments.

**SUMMARY:** In accordance with the framework procedure for adjusting management measures of the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP),

NMFS proposes to increase the total allowable catch (TAC) for Atlantic group Spanish mackerel and for Gulf group king mackerel, revise the commercial trip limits off the Florida east and south coasts for the Gulf and Atlantic groups of king mackerel, and allow the operator and crew on for-hire vessels to take the bag limit of Gulf group king mackerel. The intended effects of this proposed rule would be to protect king and Spanish mackerel from overfishing and maintain healthy stocks while still allowing catches by important commercial and recreational fisheries.

**DATES:** Written comments must be received on or before October 29, 1997.

**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 the environmental assessment and regulatory impact review supporting aspects of this action relating to Atlantic migratory groups of king and Spanish mackerel should be sent to the South Atlantic Fishery Management Council, Southpark Building, One Southpark Circle, Suite 306, Charleston, SC 29407-4699, Phone: 803-571-4366, Fax: 803-769-4520.

Requests for copies of the environmental assessment, regulatory impact review, and initial regulatory flexibility analysis supporting aspects of this action relating to Gulf group king and Spanish mackerel should be sent to the Gulf of Mexico Fishery Management Council, 3018 U.S. Highway North, Suite 1000, Tampa, FL, 33619, Phone: 813-228-2815, Fax: 813-225-7015.

Requests for copies of NMFS' supplementary analysis of economic impacts on small entities for purposes of the Regulatory Flexibility Act (RFA) should be sent to Mark Godcharles, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

**FOR FURTHER INFORMATION CONTACT:** Mark Godcharles, 813-570-5305.

**SUPPLEMENTARY INFORMATION:** The fisheries for coastal migratory pelagic resources are regulated under the FMP. The FMP was prepared jointly by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and is implemented by regulations at 50 CFR part 622.

In accordance with the framework procedures of the FMP, the Councils made recommendations to the Regional Administrator, Southeast Region, NMFS (RA), for changes in TACs, trip limits, and bag limits in separate regulatory

amendments. For Atlantic migratory groups, the Councils recommended increasing the commercial quota and recreational allocation for Spanish mackerel and modifying the commercial trip limits off Florida for king mackerel. For Gulf migratory group king mackerel, the Councils recommended increasing the commercial quota and recreational allocation, revising the commercial trip limit off the Florida east coast, and restoring the bag limit applicable to operator and crew of for-hire vessels. The recommended changes are within the scope of the management measures that may be adjusted under the framework procedure, as specified in 50 CFR 622.48.

#### TACs, Allocations, and Quotas

The South Atlantic Fishery Management Council (SA Council) recommended increasing the annual TAC for the Atlantic migratory group of Spanish mackerel from 7.0 million lb (3.18 million kg) to 8.0 million lb (3.63 million kg), to be effective commencing with the fishing year that began April 1, 1997. The Gulf of Mexico Fishery Management Council (Gulf Council) recommended increasing the annual TAC for the Gulf migratory group of king mackerel from 7.8 million lb (3.54 million kg) to 10.6 million lb (4.81 million kg), to be effective commencing with the fishing year that began July 1, 1997.

Consistent with the FMP's framework procedure, the recommended TACs are within the range of the acceptable biological catch (ABC) established by the Councils and calculated by the Mackerel Stock Assessment Panel (MSAP). The TACs represent a biologically conservative approach supported by the Councils' Scientific and Statistical Committees and Mackerel Advisory Panels. The respective commercial quotas and recreational allocations would be increased under these proposed increased TACs. Because the increased quotas and allocations would be higher than recent harvest levels, no early or unexpected fishery closures or quota/allocation overruns are likely.

The Councils' recommended TACs are within ABCs that were calculated to increase or maintain stocks at a 30-percent spawning potential ratio (SPR) level. That SPR level represents the threshold under which stocks are considered overfished by terms of the FMP, the level selected by the MSAP at which stocks produce maximum sustainable yield, and the optimum yield (OY) target level approved for Gulf mackerel groups under Amendment 8. A 40-percent OY target level was