

PART 723—[AMENDED]

1. The authority citation for part 723 continues to read as follows:

Authority: 15 U.S.C. 2604.

2. In § 723.50, revise the second sentence of paragraph (e)(1) and revise paragraph (n) to read as follows:

§ 723.50 Chemical substances manufactured in quantities of 10,000 kilograms or less per year, and chemical substances with low environmental releases and human exposures.

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(e) * * * (1) * * * The notice must be sent in writing to: TSCA Document Control Officer (7407), Office of Pollution Prevention and Toxics, U.S. Environmental Protection Agency, Room G-099, 401 M St., SW., Washington, DC 20460. * * *

* * * * *

(n) *Recordkeeping.* (1) A manufacturer of a new chemical substance under paragraph (c) of this section must maintain the records described in this paragraph at the manufacturing site or site of importation for a period of 5 years after their preparation.

(2) The records must include the following to demonstrate compliance with this section:

(i) Records of annual production volume and import volume.

(ii) Records documenting compliance with the applicable requirements and restrictions of paragraphs (c), (e), (f), (h), (i), (j), and (k) of this section.

(3) Any person who manufactures a new chemical substance under the terms of this section must, upon request of a duly designated representative of EPA, permit such person at all reasonable times to have access to and to copy records kept under paragraph (n)(2) of this section.

(4) The manufacturer must submit the records listed in paragraph (n)(2) of this section to EPA upon request. Manufacturers must provide these records within 15 working days of receipt of such request.

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[FR Doc. 99-15174 Filed 6-14-99; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF TRANSPORTATION**Coast Guard****46 CFR Part 16**

[USCG-1988-4469]

RIN 2115-AF67

Management Information System (MIS) Requirements

AGENCY: Coast Guard, DOT.

ACTION: Correction to final rule.

SUMMARY: This document contains a correction to the final rule (USCG-1988-4469) which was published April 27, 1999. The rule changed the Management Information System (MIS) annual reporting requirements for chemical drug testing.

EFFECTIVE DATE: This correction notice is effective June 15, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the Docket Management Facility, (USCG-1988-4469), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington DC 20590-0001. You may also access docket materials over the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: For questions on this rule, contact Lieutenant Jennifer Ledbetter, Coast Guard, telephone 202-267-0684. For questions on viewing, or submitting material to the docket, contact Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202-366-9329.

SUPPLEMENTARY INFORMATION:**Background**

The Office of Management and Budget (OMB) requested that the Coast Guard reduce the amount of information collected under the Management Information System (MIS) annual reporting requirements for chemical testing data. The required reports provide drug and alcohol testing information from marine employer chemical testing programs. The Coast Guard and OMB discussed how to reduce the annual reporting requirements for chemical drug testing information. The reductions discussed with OMB were set out in the final rule.

Need for Correction

As published, the final rule contains an inaccurate website address that may prove to be misleading and therefore needs to be corrected.

Correction of Publication

Accordingly, the publication on April 27, 1999 of the final rule (USCG-1988-4469), which is the subject of (FR Doc. 99-10553) is corrected as follows:

§ 16.500 [Corrected]

1. On page 22559, in the second column, line 10, the website address “<http://www.uscg.mil/hq/g-m.html>” is corrected to read “<http://www.uscg.mil/hq/g-m/nmc/genpub.htm>”.

Dated: June 4, 1999.

R.C. North,

Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 99-15042 Filed 6-14-99; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 23**

RIN 1018-AF58

Amendment by Mexico to Appendix III Listing of Bigleaf Mahogany Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule announces an amendment to the Appendix III listing of bigleaf mahogany (*Swietenia macrophylla*) under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES or Convention). The species in the Americas and its logs, sawn wood, and veneer sheets have been included in Appendix III since November 1995, based on an action by the Government of Costa Rica. The Government of Mexico has supplied information to the CITES Secretariat to independently include the species in Appendix III to support its national legislation for the species and the need for cooperation of other CITES countries in controlling the international trade. We will consider any comments received on whether to enter a reservation on Mexico's action for this species.

DATES: This rule is effective on June 15, 1999. The change to the Appendix III listing for the Mexican population of the species as set forth in this rule entered into force on April 29, 1999, under the terms of the Convention.

ADDRESSES: Please send correspondence concerning the amendment announced in this rule to Chief, Office of Scientific

Authority, ARLSQ 750; U.S. Fish and Wildlife Service; Washington, DC 20240; fax number 703-358-2276. Express and messenger deliveries should be addressed to Chief, Office of Scientific Authority, Room 750; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive; Arlington, Virginia 22203.

You may obtain the text of the Appendix III Notification from the Convention's Secretariat on request, and related materials are available for public inspection by appointment from 8 a.m. to 4 p.m. Monday through Friday, at the above address in Arlington, Virginia.

Please send certificate/permit questions or any applications concerning this regulation to Chief, Office of Management Authority; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, Room 700; Arlington, Virginia 22203; fax number 703-358-2281. Express and messenger deliveries should be addressed to Chief, Office of Management Authority, at that Arlington address.

FOR FURTHER INFORMATION CONTACT: Dr. Susan Lieberman, Chief, Office of Scientific Authority, phone 703-358-1708, fax 703-358-2276, E-mail: r9osa@mail.fws.gov; or the Office of Management Authority, telephone 800-358-2104, E-mail: r9oma_cites@mail.fws.gov.

SUPPLEMENTARY INFORMATION:

Background

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249) regulates international trade in certain animal and plant species. The species for which trade in particular specimens is controlled are listed in one of three appendices. Appendix III is comprised of species that any Party country informs the CITES Secretariat are subject to regulation within its jurisdiction for purposes of restricting or preventing exploitation, and for which it needs the cooperation of other Parties to regulate international trade in specimens of the species. Resolution Conf. 9.25 (Rev.) provides guidance to assist Party countries in determining individually whether a species would qualify for inclusion in Appendix III.

Appendix I includes species threatened with extinction that are or may be affected by international trade. Appendix II includes species that, although not necessarily now threatened with extinction, may become so unless the trade in specimens is strictly controlled. Appendix II also can include species that must be subject to regulation in order that trade in other currently or potentially threatened

species may be brought under effective control (e.g., because of difficulty in distinguishing specimens of currently or potentially threatened species from those of other traded species). Resolution Conf. 9.24 provides criteria and guidance to assist the Parties in determining together (usually at a Conference of the Parties or COP) whether a species would qualify for inclusion in Appendix I or Appendix II. Under CITES, only those species included in Appendix I are banned from international trade for primarily commercial purposes in specimens from the wild.

This rule updates the list of CITES species that is reproduced in the U.S. Code of Federal Regulations (CFR) at 50 CFR 23.23(f). We published the current information regarding CITES-listed species following COP10 (see below) in the **Federal Register** of August 22, 1997 (62 FR 44627). As advanced by the Government of Mexico pursuant to Article XVI paragraph 1 of the Convention, this notice acknowledges that now Mexico, Brazil, Bolivia, and Costa Rica have added *Swietenia macrophylla* (bigleaf mahogany (also respectively called mogno, mara, or caoba)) to Appendix III in support of their domestic conservation measures and need for cooperation of other Parties.

Therefore, bigleaf mahogany populations in the Americas (i.e., South America, Central America, the Caribbean, and North America) continue to be included in CITES Appendix III, including only logs, sawn wood, and veneer sheets of the species as the parts or derivatives covered by the provisions of the Convention. Thus, products such as finished furniture are excluded. Moreover, export of specimens from plantations located outside the Americas is not regulated. (At COP10 in June 1997, the categories saw-logs, sawn wood, and veneers were revised slightly to the above for several such listings; 62 FR 44627.)

The CITES Secretariat notified the Party countries on January 29, 1999 (in an unnumbered Notification), of this addition to Appendix III by Mexico of this species. In accordance with Article XVI paragraph 2, such an amendment becomes effective 90 days after notification, in this case on April 29, 1999. Appropriate documentation as required by CITES (usually an export permit) must accompany all the shipments of bigleaf mahogany originating from Mexico that are exported on or after that date. The importer must present the documentation upon import to the Party countries.

International trade in Appendix III species and their parts and derivatives that are specified as being included requires the issuance of either an export permit, a certificate of origin, a re-export certificate, or a pre-Convention certificate, by the exporting or the re-exporting Party. An export permit, which signifies that the specimens were not obtained in contravention of the laws of that country for conservation, is required if the shipment originates from the Party that added the species to Appendix III. In the case of bigleaf mahogany, the effective dates for countries including the species in Appendix III are: Mexico—April 29, 1999; Brazil—July 26, 1998 (see **Federal Register** October 30, 1998, 63 FR 58325-58327); Bolivia—March 19, 1998 (see **Federal Register** of May 14, 1998, 63 FR 26739-26741); and Costa Rica—November 16, 1995 (see **Federal Register** of February 22, 1996, 61 FR 6793-6795).

Export from the other countries in the Americas requires the issuance of either a certificate of origin that verifies the specimens originated in a non-listing country, or a pre-Convention certificate that verifies the specimens were acquired before the provisions of the Convention applied to them (i.e., November 16, 1995). Re-export—the export of specimens that originated in the Americas that were previously imported—requires the issuance of a re-export certificate by all countries. All the countries of South America, Central America, and North America and some countries in the Caribbean are Parties to the Convention and must issue CITES documents that contain standard information (Resolution Conf. 10.2). Countries not party to the treaty must issue comparable documentation as specified in Article X of CITES and Resolution Conf. 9.5.

The Convention's Secretariat and the U.S. Office of Management Authority in 1995 (and other times since) have inquired about certificates of origin or permits that exporting range countries issue for shipments of the specimens of this species (i.e., logs, sawn wood, and veneer sheets). We received responses from Guatemala, Belize, Honduras, Nicaragua, Venezuela, and Peru (cf. Secretariat's April 27, 1998, Notification No. 1998/15). Costa Rica, Bolivia, Brazil, and Mexico, as Parties listing the species in Appendix III, use their regular documents (e.g., permits). Importation or exportation of CITES-regulated plant specimens must be through particular designated U.S. Department of Agriculture ports (50 CFR 24.12), which includes additional ports designated for logs and lumber. For

information on the types of documents required for such mahogany importation into the United States, as well as requests for any documents needed for such re-export or export from the United States, you should contact the Office of Management Authority (address and phone number above).

Any Party country may at any time enter a reservation on a species (or pertinent population) added to Appendix III. A Party that has entered a reservation is treated as a country that is not party to the Convention with respect to the trade in the species concerned (until such time as that Party withdraws its reservation). We thoroughly discussed the limited effects of a reservation in alleviating importers and exporters from documentation requirements with the other CITES Parties in a **Federal Register** notice on November 17, 1987 (52 FR 43924). In a subsequent **Federal Register** notice of March 28, 1988 (53 FR 9945; see also 53 FR 12497, April 14, 1988), we made a procedural change in requesting comments about such reservations for species added to Appendix III. Because the effects of such a reservation are limited, and there is also no time limit for reserving on a species or a population added to Appendix III, a proposed rule is not published at the time the list in § 23.23 is amended. Regardless of any U.S. decision to enter a reservation, this particular amendment to Appendix III enters into force on April 29, 1999, under the terms of the Convention. We publish this document to inform the public of this international action, while still affording those interested the opportunity and time to assess the merits of entering a reservation. Therefore, this document is not a rule under 5 U.S.C. 553, and good cause exists to omit the proposed-rule notice and public-comment process since it is unnecessary and contrary to the public interest (5 U.S.C. 553(b)). Because bigleaf mahogany in the Americas was added to Appendix III of the Convention effective on November

16, 1995, and because of the April 29, 1999 effective date of Mexico's action and other reasons stated in this notice, the Service finds that good cause exists for making this rule effective upon its date of publication (5 U.S.C. 553(d)).

The Department of the Interior has determined that changes to the Convention Appendices, which result from actions of the Parties to the treaty, do not require preparation of Environmental Assessments as defined under authority of the National Environmental Policy Act (42 U.S.C. 4321-4347). This notice recognizes Mexico's decision to include one of their native species in CITES Appendix III and serves as public notice of their decision to potential importers and exporters, as well as other persons who may have a need to know of this Appendix III amendment. Because this amendment to 50 CFR § 23.23 is simply a notification to the public on an action that has been taken by Mexico under the terms of CITES, this notice does not constitute a "rule" for purposes of the Administrative Procedure Act (5 U.S.C. 551). Accordingly, the provisions of Executive Order 12866, the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), and the Small Business Regulatory Enforcement Fairness Act of 1996 do not apply to this notice.

No information collection requirements requiring Office of Management and Budget approval is contained in this action. For any permits or certificates required for re-export from the United States of this or any other CITES-listed species (see 50 CFR 23), the Office of Management and Budget has approved the collection of information under 44 U.S.C. 3501 et seq. and assigned clearance numbers 1018-0093 and 1018-0012.

At the tenth meeting of the Conference of the Parties to the Convention (COP10) in June 1997, the United States was among 67 of 112 Parties that voted to include this species in Appendix II; this 60 percent of the Parties in favor, however, fell short of the two-thirds majority needed for

adoption of the proposal (see the **Federal Register** notice of August 22, 1997 (62 FR 44627)). After the vote, Mexico in Plenary stated its intention to include the species in Appendix III. We do not recommend entering a reservation on this enhanced status in Appendix III for the Mexican population of the species. We could consider doing so only if valid and compelling reasons are shown that implementation of this listing would be contrary to the interests or laws of the United States. We now solicit comments on whether to enter a reservation, and we are seeking any new information that becomes available.

This document was prepared by Ms. Julie Lyke, Office of Scientific Authority, under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.).

List of Subjects in 50 CFR Part 23

Endangered and threatened species, Exports, Imports, Treaties.

Regulation Promulgation

Accordingly, for the reasons set out above in this document, the Service amends part 23 of title 50 (chapter I, subchapter B) of the Code of Federal Regulations as set forth below:

PART 23—ENDANGERED SPECIES CONVENTION

1. The authority citation for part 23 continues to read as follows:

Authority: Convention on International Trade in Endangered Species of Wild Fauna and Flora, 27 U.S.T. 1087; and Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq.

2. Section 23.23(f) is amended by revising the entry for *Swietenia macrophylla* under the plant family Meliaceae to read as follows:

§ 23.23 Species listed in Appendices I, II, and III.

* * * * *

(f) * * *

Species	Common name	Appendix	First listing date (month/day/year)
* * *	* * *	* * *	* * *
PLANT KINGDOM:	PLANTS:		
* * *	* * *	* * *	* * *
Family Meliaceae:	Mahogany family:		

Species	Common name	Appendix	First listing date (month/day/year)
* <i>Swietenia macrophylla</i> populations in the Americas (including logs, sawn wood, and veneer sheets, but no other parts or derivatives, e.g., products).	* Bigleaf mahogany	* III (Bolivia, Brazil, Costa Rica, Mexico) ...	* 11/16/95
*	*	*	*

Dated: June 3, 1999.

Donald J. Barry,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 99-14928 Filed 6-14-99; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 285 and 635

[I.D. 060399A]

Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna

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

ACTION: Retention limit adjustment.

SUMMARY: NMFS adjusts the daily retention limit for the Angling category fishery for Atlantic bluefin tuna (BFT) in all areas to two school BFT (measuring 27 to less than 47 inches curved fork length) and one large school or small medium BFT (measuring 47 to less than 73 inches curved fork length) per vessel. This daily retention limit adjustment is effective June 25 through July 25, 1999, after which it will revert to one large school or small medium BFT per vessel. This action is being taken to provide increased fishing opportunities in all areas without risking overharvest of this category.

DATES: The daily retention limit adjustment is effective 1 a.m., local time, June 25, 1999, until 11:30 p.m., local time, July 25, 1999.

FOR FURTHER INFORMATION CONTACT: Pat Scida or Sarah McLaughlin, 978-281-9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*), governing the harvest of Atlantic highly migratory species by persons and vessels subject to U.S. jurisdiction are

found at 50 CFR part 285 and are to be replaced by consolidated regulations at 50 CFR part 635 effective July 1, 1999 (64 FR 29090, May 28, 1999).

Implementing regulations for the Atlantic tuna fisheries at § 285.24 (consolidated at 50 CFR 635.23 effective July 1, 1999) allow for adjustments to the daily retention limits in order to provide for maximum utilization of the quota spread over the longest possible period of time. NMFS may increase or reduce the per angler retention limit for any size class BFT or may change the per angler limit to a per boat limit or the per boat limit to a per angler limit.

NMFS is responsible for implementing a recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT) to limit the catch of school BFT to no more than 8 percent by weight of the total domestic quota over each 4-consecutive-year period. NMFS is implementing this ICCAT recommendation through annual and inseason adjustments to the school BFT landings and school BFT reserve categories, as necessary, and through the establishment of a school BFT reserve (64 FR 29090, May 28, 1999; 64 FR 29806, June 3, 1999). The recent ICCAT recommendation allows NMFS more flexibility to make interannual adjustments for overharvests and underharvests, provided that the 8-percent landings limit is not exceeded over the applicable 4-consecutive-year-period. This approach provides NMFS with the flexibility to enhance fishing opportunities and the collection of information on a broad range of BFT size classes and responds to requests from the recreational fishing community for more advance notice of retention limit adjustments and greater certainty in planning for the fishing season.

This daily retention limit adjustment is effective June 25 through July 25, 1999, after which it will revert to one large school or small medium BFT per vessel. NMFS will consider adjusting the daily retention limit once again during late summer and early fall season if BFT have moved farther north to the

waters off Rhode Island, New York, and northern New Jersey, provided that BFT Angling category quota remains available.

The daily retention limit and the duration of daily retention limit adjustment have been selected based on an examination of past catch and effort rates. NMFS will continue to monitor the Angling category fishery closely through the Automated Catch Reporting System, the state harvest tagging programs in North Carolina and Maryland, and the Large Pelagic Survey. Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that an interim closure or an additional retention limit adjustment is necessary to enhance scientific data collection from, and fishing opportunities in, all geographic areas. Additionally, NMFS may determine that an allocation from the school BFT reserve is warranted to further fishery management objectives.

Closures or subsequent adjustments to the daily retention limit, if any, shall be announced through publication in the **Federal Register**. In addition, anglers may call the Atlantic Tunas Information Line at 888-USA-TUNA (888-872-8862) or 978-281-9305 for updates on quota monitoring and retention limit adjustments. Anglers aboard Charter/Headboat category vessels, when engaged in recreational fishing for school, large school, and small medium BFT, are subject to the same rules as anglers aboard Angling category vessels. All BFT landed under the Angling category quota must be reported within 24 hours of landing to the NMFS Automated Catch Reporting System by calling 888-USA-TUNA (888-872-8862) or, if landed in the states of North Carolina or Maryland, to a reporting station prior to offloading. Information about these state harvest tagging programs, including reporting station locations, can be obtained in North Carolina by calling (800) 338-7804, and in Maryland by calling (410) 213-1531.