

### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

To help the Coast Guard establish regular and meaningful consultation and collaboration with Indian and Alaskan Native tribes, we published a notice in the **Federal Register** (66 FR 36361, July 11, 2001) requesting comments on how to best carry out the Order. We invite your comments on how this rule might impact tribal governments, even if that impact may not constitute a "tribal implication" under the Order.

### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### Environment

We have considered the environmental impact of this rule and concluded that, under figure 2-1, paragraph (34)(c) of Commandant Instruction M16475.ID, this rule is categorically excluded from further environmental documentation. The changes in this rule concern the training, qualifying and licensing of maritime personnel. A "Categorical Exclusion Determination" is available in the docket where indicated under **ADDRESSES**.

### List of Subjects in 46 CFR Part 10

Penalties, Reporting and recordkeeping requirements, Schools, Seamen.

For the reasons discussed in the preamble, the Coast Guard amends 46 CFR part 10 as follows:

### PART 10—LICENSING OF MARITIME PERSONNEL

1. The authority citation for part 10 continues to read as follows:

**Authority:** 14 U.S.C. 633; 31 U.S.C. 9701; 46 U.S.C. 2101, 2103, and 2110; 46 U.S.C. Chapter 71; 46 U.S.C. 7502, 7505, and 7701; 49 CFR 1.45 and 1.46. Section 10.107 is also issued under the authority of 44 U.S.C. 3507.

#### § 10.407 [Amended]

2. In § 10.407, paragraph (a)(2)(iv), remove the word "except" and in its place add the words "including the ocean option program in", and in paragraph (b), after the word "Academy" add the words "with no ocean sea service".

Dated: October 7, 2002.

**Paul J. Pluta,**

*Rear Admiral, Coast Guard, Assistant Commandant for Marine Safety, Security and Environmental Protection.*

[FR Doc. 02-26463 Filed 10-17-02; 8:45 am]

**BILLING CODE 4910-15-P**

**ACTION:** Interim rule; announcement of effective date; correction.

**SUMMARY:** This document contains a correction to the interim rule; announcement of effective date published in the **Federal Register** on August 28, 2002, which announced the approval of a collection-of-information requirement for vessel owners or operators to send applications, hull exam reports, hull condition assessments, and preventative maintenance plans to the Coast Guard in order to participate in the Alternative Hull Exam and UWILD Programs.

**DATES:** This correction to the interim rule is effective on October 18, 2002.

**FOR FURTHER INFORMATION CONTACT:** Don Darcy, Office of Standards Evaluation and Development (G-MSR), Coast Guard, 202-267-1200.

#### SUPPLEMENTARY INFORMATION:

#### Need for the Correction

As published, the interim rule; announcement of effective date contains typographical errors and omissions that may prove to be misleading and therefore needs correction.

#### Correction

In rule FR Doc. 02-21983 published on August 28, 2002, (67 FR 55162) make the following corrections:

On page 55162, in the second column, in the **DATES** section, following "126.140(g)(3);", remove the first "176.615(c)," and, in its place, add, in numerical order, "167.15-33(b) and 167.15-33(c); 169.230(b) and 169.230(c); 176.615(b);".

Dated: October 3, 2002.

**Joseph J. Angelo,**

*Director of Standards, Marine Safety, Security & Environmental Protection.*

[FR Doc. 02-26461 Filed 10-17-02; 8:45 am]

**BILLING CODE 4910-15-P**

### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 46 CFR Parts 71, 115, 126, 167, 169 and 176

[USCG-2000-6858]

RIN 2115-AF95

**Alternate Hull Examination Program for Certain Passenger Vessels, and Underwater Surveys for Nautical School, Offshore Supply, Passenger and Sailing School Vessels; Correction**

**AGENCY:** Coast Guard, DOT.

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 011218304-1304-01; I.D. 121701A]

RIN 0648-AQ02

**Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Steller Sea Lion Protection Measures and Recordkeeping and Reporting Requirements; Correction**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects the Steller sea lion emergency interim rule, as amended, corrected, and extended, which contains regulations relating to Fisheries of the Exclusive Economic Zone off Alaska. This action also corrects the recordkeeping and reporting final rule and its correction. This action is necessary to re-instate appropriate applicability dates and correct other errors and omissions that occurred.

**DATES:** Section 679.32(a) is suspended from January 1, 2002, through December 31, 2002.

The amendments to §§ 679.2, 679.4, 679.5, 679.7, 679.20, 679.22, 679.23, 679.28, 679.31, and 679.50 are effective October 18, 2002 through December 31, 2002.

The amendment to § 679.43(a) and the revised Table 11 to Part 679 are effective October 18, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Patsy A. Bearden, 907-586-7008, or e-mail Patsy.Bearden@noaa.gov.

**SUPPLEMENTARY INFORMATION:** Since January 2002, several rules were published in the **Federal Register** by NMFS, Alaska Region, that require further correction by this action. These are the emergency interim rule published January 8, 2002 (67 FR 956), which implemented Steller sea lion protection measures (SSL rule), subsequently amended and corrected May 1, 2002 (67 FR 21600 (SSL correction)), and extended May 16, 2002 (67 FR 34860) (SSL extension); and the final rule published January 28, 2002 (67 FR 4100), which amended regulations implementing recordkeeping and reporting requirements (R&R rule), corrected May 2, 2002 (67 FR 22008) (R&R correction).

The SSL rule, SSL correction, the R&R rule and R&R correction often address the same regulatory text. Despite NMFS' effort to ascertain errors common or shared by these rules, errors still exist in the regulatory text and are corrected by this action.

**Need for Corrections**

This rule re-establishes appropriate applicability dates for the regulations associated with the SSL rule and its subsequent amendment, correction, and extension. The SSL rule intended to specify that the provisions contained in it were to be suspended or effective from January 1, 2002, through July 8, 2002, with some exceptions. The SSL extension published May 16, 2002, extended the effective date of the rule,

as amended and corrected by the May 1, 2002, SSL correction, through December 31, 2002. However, the SSL extension did not specify that the exception language contained in the **DATES** section of the preamble to the SSL correction was similarly extended and did not revise the codified text to identify SSL protection measures as applicable through December 31, 2002.

A separate rule published April 15, 2002 (67 FR 18129), implemented measures regarding the License Limitation Program (LLP) for the Bering Sea and Aleutian Islands Area and addressed §§ 679.7 and 679.20 for the Community Development Quota Program under Amendment 67 (LLP rule). The LLP-rule revision of paragraph § 679.7(d)(16) supersedes the suspension of this paragraph published in the SSL rule. No changes were made to the language in paragraph (d)(16); the LLP rule merely replaced the suspended paragraph (d)(16) with an effective paragraph (d)(16).

The LLP rule removed paragraph § 679.7(d)(26). This paragraph was added by the SSL rule to replace the suspended paragraph (d)(16). However, with the revision of paragraph § 679.7(d)(16) in the LLP rule, paragraph (d)(26) is no longer necessary.

The LLP rule revised paragraph § 679.20(f)(2), which supersedes the suspension of this paragraph published in the SSL rule. No changes were made to the language in paragraph (f)(2). The LLP rule merely replaced the suspended paragraph (f)(2) with an effective paragraph (f)(2).

The LLP rule revised the language in paragraph § 679.7(f)(8), which supersedes the suspension of this paragraph published in the SSL rule.

The R&R correction redesignated paragraphs § 679.4(b)(5)(v), (vi), and (vii) for consistency between the SSL rule and the R&R rule. The renumbering of these paragraphs affected cross references in several paragraphs, which are corrected by this action.

Table 11 to part 679 was printed incorrectly in the R&R correction. Formatting errors prior to submission to the Office of the Federal Register resulted in the last four columns being omitted. This error is corrected by republishing Table 11.

Paragraph § 679.43(a) in the CFR describes the applicability of the Office of Administrative Appeals. This paragraph was revised in the R&R rule by adding sections regulating the appeals process. However, a separate rule published on December 14, 2000 (65 FR 78110), had revised paragraph § 679.43(a) to include all sections of 50 CFR part 679 in the appeals process and

the revision to this paragraph should not have been included in the R&R rule. Thus, the language in this paragraph is returned to its original text.

**Classification**

The Assistant Administrator for Fisheries, NOAA, finds good cause to waive the requirement to provide prior notice and opportunity for public comment under the authority set forth at 5 U.S.C. 553(b)(B). Prior notice and comment are unnecessary because the terms this action changes will have no substantive effect on the regulated public. The changes are minor technical amendments correcting typographical errors and requiring no agency discretion. NMFS is not changing the regulations to the extent the corrections would affect participants or participation in the fisheries.

NMFS determines that there is no public interest affected by waiving prior notice and opportunity to comment. NMFS also determines that the public interest would be prejudiced more by prior notice and comment because it would prolong the inaccurate language that currently exists in the regulations. Therefore, the Assistant Administrator for Fisheries, NOAA, waives the 30-day delay in the effective date under 5 U.S.C. 553(d).

**List of Subjects in 50 CFR Part 679**

Alaska, Fisheries, Recordkeeping and reporting requirements.

Dated: September 18, 2002.

**Rebecca Lent,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

Accordingly, 50 CFR part 679 is amended by making correcting amendments to the following publications of January 8, 2002, January 28, 2002, May 1, 2002, May 2, 2002, and May 16, 2002:

**PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA**

1. The authority citation for part 679 continues to read as follows:

**Authority:** Authority: 16 U.S.C. 773 *et seq.*, 1801 *et seq.*; 3631 *et seq.*; Title II of Division C, Pub. L. 105-277; Sec 3027, Pub. L. 106-31; 113 Stat. 57; 16 U.S.C. 1540(f); and Sec. 209, Pub. L. 106-554.

**§ 679.2 [Corrected]**

2. In § 679.2, make the following amendments:

a. Remove the definitions for "Inshore component in the GOA" and "Offshore component in the GOA" whose

applicability date reads: “(applicable through December 31, 2001)”;

b. In the definitions for “Harvest limit area for platoon managed Atka mackerel directed fishing”, “Inshore component in the GOA”, and “Offshore component in the GOA” remove the parenthetical date of applicability “(applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(applicable through December 31, 2002)”;

c. In the definition for “Harvest limit area for platoon managed Atka mackerel directed fishing”, the paragraph designation “§ 679.4(b)(5)(iv),” is revised to read “§ 679.4(b)(5)(vii),”.

#### **§ 679.4 [Corrected]**

3. In § 679.4(b)(5)(vi) and (b)(5)(vii), remove the parenthetical date of applicability “(Applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(Applicable through December 31, 2002)”.

#### **§ 679.5 [Corrected]**

4. In § 679.5(n)(2)(iii)(B)(4), remove the parenthetical date of applicability “(Applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(Applicable through December 31, 2002)”.

#### **§ 679.7 [Corrected]**

5. In § 679.7, make the following amendments:

a. In paragraphs (a)(7)(iii), (a)(7)(iv), (a)(7)(v), and (a)(7)(vii), (a)(17), (a)(19), (f)(16), (j), and (k), remove the parenthetical date of applicability “(applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(applicable through December 31, 2002)”;

b. In paragraph (a)(18), remove “(applicable 1200 hours, A.l.t., June 10, 2002, through July 8, 2002).” and add in its place “(applicable 1200 hours, A.l.t., June 10, 2002, through December 31, 2002).”; and

c. In paragraph (a)(18), revise the reference “§ 679.4(b)(5)(v)” to read “§ 679.4(b)(5)(vi)”.

#### **§ 679.20 [Corrected]**

6. In § 679.20, in paragraphs (a)(5)(i)(B), (a)(5)(i)(F), (a)(5)(ii)(C), (a)(6)(ii), (a)(6)(iii), (a)(7)(i)(C)(4), (a)(7)(i)(C)(5), (a)(7)(ii)(D) and (a)(7)(ii)(E), (a)(7)(iii)(D), (a)(8)(ii)(C), (a)(8)(iii), (a)(11), (b)(2)(i), (b)(2)(ii), and (d)(4), remove the parenthetical date of applicability “(applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(applicable through December 31, 2002)”.

#### **§ 679.22 [Corrected]**

7. In § 679.22, in paragraphs (a)(5)(iv), (a)(11), (a)(12), (b)(3), and (b)(6), remove the parenthetical date of applicability “(applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(applicable through December 31, 2002)”.

#### **§ 679.23 [Corrected]**

8. In § 679.23, in paragraphs (d)(3), (d)(4), (e)(4)(iv), (e)(4)(v), (e)(5), (e)(6), (e)(7), and (i) remove the parenthetical date of applicability “(applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(applicable through December 31, 2002)”.

#### **§ 679.28 [Corrected]**

9. In § 679.28(f)(3), make the following amendments:

a. In paragraph (f)(3)(viii), revise the parenthetical date of applicability “(Applicable 1200 hours A.l.t. June 10, 2002, through July 8, 2002)” to read “(Applicable 1200 hours A.l.t. June 10, 2002, through December 31, 2002)”;

b. In paragraph (f)(3)(ix), revise the parenthetical date of effectiveness “(Effective May 1, 2002, through July 8, 2002)” to read “(Applicable May 1, 2002, through December 31, 2002)”;

c. In paragraphs (f)(3)(viii), introductory text, and (f)(3)(viii)(B),

revise the reference “§ 679.4(b)(5)(v)” to read “§ 679.4(b)(5)(vi)”.

#### **§ 679.31 [Corrected]**

10. In § 679.31, in paragraph (g), remove the parenthetical date of applicability “(applicable through July 8, 2002)” and add in its place the parenthetical date of applicability “(applicable through December 31, 2002)”.

#### **§ 679.32 [Corrected]**

11. In § 679.32, suspend paragraph (a) from January 1, 2002, through December 31, 2002.

#### **§ 679.43 [Corrected]**

12. In § 679.43, amend paragraph (a), the last part of the sentence, which reads “under this subpart D as well as portions of subpart C of this part” to read “under this part 679”.

#### **§ 679.50 [Corrected]**

13. In § 679.50, amend as follows:

a. In paragraph (c)(1)(x), revise the parenthetical date of applicability “(Applicable through July 8, 2002)” to read “(Applicable through December 31, 2002)”;

b. In paragraph (c)(4)(vi), introductory text, remove the parenthetical date of applicability “(applicable January 15, 2002, through July 8, 2002).”;

c. At the beginning of paragraph (c)(4)(vi)(A), add the text “(Applicable January 15, 2002, through December 31, 2002)”;

d. In paragraph (c)(6), revise the parenthetical date of applicability “(applicable January 15, 2002, through July 8, 2002).” to read “(applicable January 15, 2002, through December 31, 2002).”; and

e. In paragraph (c)(4)(vi)(C), revise the parenthetical date of effectiveness “(Effective May 1, 2002, through July 8, 2002)” to read “(Effective May 1, 2002, through December 31, 2002)”.

14. Revise Table 11 to part 679 to read as follows:

BILLING CODE 3510-22-S

Table 11 to Part 679 – BSAI Retainable Percentages

BASIS SPECIES		INCIDENTAL CATCH SPECIES <sup>5</sup>														Other species <sup>4</sup>	
		Pollock	Pacific cod	Atka mackerel	Alaska plaice	Arrow-tooth	Yellow fin sole	Other flatfish <sup>2</sup>	Rock sole	Flathead sole	Green-land turbot	Sablefish <sup>1</sup>	Short-raker/rougheye	Aggregated rockfish <sup>6</sup>	Squid		Aggregated forage fish <sup>7</sup>
110	Pacific cod	20	na <sup>5</sup>	20	20	35	20	20	20	20	1	1	2	5	20	2	20
121	Arrowtooth	0	0	0	0	na <sup>5</sup>	0	0	0	0	0	0	0	0	0	2	0
122	Flathead sole	20	20	20	35	35	35	35	na <sup>5</sup>	35	35	15	7	15	20	2	20
123	Rock sole	20	20	20	35	35	35	35	na <sup>5</sup>	35	1	1	2	15	20	2	20
127	Yellowfin sole	20	20	20	35	35	na <sup>5</sup>	35	35	35	1	1	2	5	20	2	20
133	Alaska Plaice	20	20	20	na <sup>5</sup>	35	35	35	35	35	1	1	2	5	20	2	20
134	Greenland turbot	20	20	20	20	35	20	20	20	na <sup>5</sup>	15	7		15	20	2	20
136	Northern	20	20	20	20	35	20	20	20	35	15	7		15	20	2	20
141	Pacific Ocean perch	20	20	20	20	35	20	20	20	35	15	7		15	20	2	20
152/151	Shortraker/Rougheye	20	20	20	20	35	20	20	20	35	15	7		15	20	2	20
193	Atka mackerel	20	20	na <sup>5</sup>	20	35	20	20	20	35	15	na <sup>5</sup>		5	20	2	20
270	Pollock	na <sup>5</sup>	20	20	20	35	20	20	20	20	1	2		5	20	2	20
710	Sablefish <sup>1</sup>	20	20	20	20	35	20	20	20	35	na <sup>5</sup>	7		15	20	2	20
875	Squid	20	20	20	20	35	20	20	20	1	1	2		5	na <sup>5</sup>	2	20
Other flatfish <sup>2</sup>		20	20	20	35	35	35	na <sup>5</sup>	35	35	1	2		5	20	2	20
Other rockfish <sup>3</sup>		20	20	20	20	35	20	20	20	35	15	7		15	20	2	20
Other species <sup>4</sup>		20	20	20	20	35	20	20	20	1	1	2		5	20	2	na <sup>5</sup>
Aggregated amount non-groundfish species		20	20	20	20	35	20	20	20	1	1	2		5	20	2	20

NOTES to Table 11	
1	Sablefish: for fixed gear restrictions, see 50 CFR 679.7(f)(3)(ii) and 679.7(f)(11).
2	Other flatfish includes all flatfish species, except for Pacific halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Alaska plaice, and arrowtooth flounder.
3	Other rockfish includes all <i>Sebastes</i> and <i>Sebastolobus</i> species except for Pacific ocean perch; and northern, shortraker, and rougheye rockfish. The CDQ reserves for shortraker, rougheye, and northern rockfish will continue to be managed as the "other red rockfish" complex for the BS.
4	Other species includes sculpins, sharks, skates and octopus. Forage fish, as defined at Table 2 to this part are not included in the "other species" category.
5	na = not applicable
6	Aggregated rockfish includes all of the genera <i>Sebastes</i> and <i>Sebastolobus</i> , except shortraker and rougheye rockfish.
7	Forage fish are defined at Table 2 to this part.