concerning revisions to the rule for requiring reasonably available control technology (RACT) for sources emitting oxides of nitrogen (NO_x) dated March 24, 1995, submitted by the New Jersey Department of Environmental Protection.

(i) Incorporation by reference:

(A) Title 7, Chapter 27, Subchapter 19, of the New Jersey Administrative Code entitled ''Control and Prohibition of Air Pollution from Oxides of Nitrogen,'' effective April 17, 1995.

(ii) Additional information:

(A) June 21, 1996 letter from Robert C. Shinn, Jr., NJDEP, to Jeanne M. Fox, EPA, requesting EPA approval of revisions to Subchapter 19.

3. In § 52.1605 the table is amended by revising the entry for Subchapter 19 under the heading ''Title 7, Chapter 27'' to read as follows:

§ 52.1605 EPA-approved New Jersey regulations

State regulation	State effective date	EPA approved date	Comments
* * *	*	*	* * *
Title 7, Chapter 27			
* * *	*	*	* * *
Subchapter 19, ''Control and Prohibition of Air Pollution from Oxides of Nitrogen''.	Apr.17, 1995	Mar. 29, 1999 and FR page citation.	
* * *	*	*	* * *

[FR Doc. 99–7427 Filed 3–26–99; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part O

[CC Docket No. 97–213, DA 99–412]

Communications Assistance for Law Enforcement Act

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document the Chief, Office of Engineering and Technology granted five requests for confidential treatment to withhold data from routine public inspection filed by telecommunications equipment manufacturers: Alcatel Network Systems (''Alcatel''); Lucent Technologies Inc. (''Lucent''); Motorola, Inc. (''Motorola''); Northern Telecom Inc. (''Nortel Networks''); and Siemens Information and Communication Networks (''Siemens''). The material for which confidential treatment is sought contains detailed proprietary pricing estimates that constitute ''trade secrets and commercial or financial information and privileged or confidential categories of materials not routinely available for public inspection.

DATES: Effective March 29, 1999.

ADDRESSES: Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Rodney Small, Office of Engineering and Technology, (202) 418–2452.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order*, CC Docket 97–213, DA 99–412, adopted February 26, 1999, and released March 2, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room TW–A306), 445 12th Street, S.W., Washington, D.C., and also may be purchased from the Commission's duplication contractor, International Transcription Service, (202) 857–3800, 1231 20th Street, N.W., Washington, D.C. 20036.

Summary of the Order

1. On December 14, 1998, requests for confidential treatment of data pursuant to section 0.459 of the Commission's Rules, *see generally Treatment of Confidential Information Submitted to the Commission, GC Docket No. 96–55, Report and Order,* 63 FR 44161, August 8, 1998, was filed in this proceeding by five telecommunications equipment manufacturers: Alcatel Network Systems (''Alcatel''); Lucent Technologies Inc. (''Lucent''); Motorola, Inc. (''Motorola''); Northern Telecom Inc. (''Nortel Networks''); and Siemens Information and Communication Networks (''Siemens''). Additionally, on January 29, 1999, Alcatel filed a second request for confidential treatment of data filed in this proceeding. We grant these requests and withhold the associated data from routine public inspection for the reasons stated below.

2. In the *Further Notice of Proposed Rulemaking* (Further NPRM), 63 FR 63639, November 16, 1998, in this proceeding, the Commission reached tentative conclusions regarding the technical requirements of the Communications Assistance for Law Enforcement Act (''CALEA'') in relation to wireline, cellular, and broadband PCS telecommunications carriage, and sought comment on a range of related issues. The *Further NPRM* was initiated in response to industry adoption of an interim standard, known as J–STD–025, and petitions for rulemaking that were filed challenging J–STD–025's inclusion or exclusion of certain technical requirements. In the *Further NPRM,* the Commission stated that it did not intend to reexamine any of the uncontested technical requirements of the J–STD–025 standard but instead would make determinations only regarding whether each of the contested requirements meet the assistance capability requirements of section 103 of CALEA. These contested requirements are the location information and packet-mode provisions currently included within J–STD–025, and the nine ''punch list'' items that are currently not included but are sought by the law enforcement community.

3. Also in the *Further NPRM,* the Commission stated that, in its efforts to determine what features and capabilities fall within the parameters of CALEA, it must consider five specific factors, pursuant to section 107(b) of CALEA. These specific factors are that the features and capabilities: meet the assistance capability requirements of section 103 by cost-effective methods; protect the privacy and security of communications not authorized to be intercepted; minimize the cost of such compliance on residential ratepayers; serve the policy of the United States to encourage the provision of new technologies and services to the public; and provide a reasonable time and conditions for compliance with and the transition to any new standard, including defining the obligations of telecommunications carriers under

section 103 during any transition period. The Commission strongly encouraged commenters to provide it with information as detailed and specific as possible, including in particular:

detailed comment regarding the costs of adding a feature to a telecommunications carrier's network and on what, if any, impact of such costs will have on residential ratepayers. Commenters should consider the costs to manufacturers in developing the equipment or software needed to implement the technical requirement, as well as the cost to carriers to install and deploy such equipment. Commenters should be specific as to which entities would incur the cost of adding particular features; *e.g.*, manufacturers, local exchange carriers (LECs), interexchange carriers (IXCs), or commercial mobile radio service (CMRS) providers, etc. Commenters should also be specific as to what costs would be incurred for hardware, as opposed to software upgrades to carriers' networks, and whether some of these upgrades would have other uses in the networks. If costs are likely to be passed on to residential ratepayers, those costs should be identified, as well as specific mechanisms that could be used to minimize such costs.

4. In response to the *Further NPRM*, on December 14, 1998, Alcatel, Lucent, Motorola, Nortel Networks, and Siemens filed specific cost data with a request that the data be treated as confidential material pursuant to section 0.459 of the Rules. Additionally, in response to a request of January 26, 1999, from the Commission's staff, on January 29, 1999. Alcatel filed additional cost data with a request that the data be treated as confidential material pursuant to section 0.459 of the Rules. Based on our review, we find that the requestors have complied with the provisions of section 0.459(a) that a copy of the request shall be attached to and cover all of the materials to which it applies and all copies of those materials, and with the provisions of section 0.459(b) that each request shall contain a statement of the reasons for withholding the materials from inspection and of the facts upon which those records are based. We further find that the material for which confidential treatment is sought contains detailed proprietary pricing estimates that, pursuant to section 0.457(d) of the Commission's Rules, constitute ''trade secrets and commercial or financial information . . . and privileged or confidential categories of materials not routinely available for public inspection, 5 U.S.C. 552(b)(4) and 18 U.S.C. 1905.'' Therefore, we grant the requests to the extent they seek confidential treatment pursuant to the Commission's rules.

5. Finally, we recognize that while the Commission generally has not afforded confidential treatment to material submitted in rulemakings, granting confidential treatment under these unique circumstances will not deprive other interested parties of a meaningful opportunity to review and comment on the material. Specifically, we intend to aggregate the data, if possible, in a manner that does not reveal the confidential information so that we may release the aggregated data for public inspection and comment. In this respect, on January 26, 1999, the staff requested that each manufacturer supply clarifying information that will better enable us to aggregate the data supplied by them. The responses to the staff's request will also be accorded confidential treatment. In rendering our final decision, we intend to consider only the aggregated data and not the individual data provided by the manufacturers.

6. Accordingly, pursuant to section 0.459(d)(2) of the Commission's Rules, 47 CFR 0.459(d)(2) (1998), *it is ordered* that the requests for confidential treatment filed in this proceeding on December 14, 1998 by Alcatel Network Systems; Lucent Technologies Inc.; Motorola, Inc.; Northern Telecom Inc.; and Siemens Information and Communication Networks; and the request for confidential treatment filed in this proceeding on January 29, 1999 by Alcatel Network Systems *are granted* to the extent indicated.

7. A copy of the *Order* will be placed in the public file in lieu of the materials withheld from public inspection. Another copy will be forwarded to the General Counsel of the Commission.

List of Subjects in 47 CFR Part O

Classified information, Reporting and recordkeeping requirements.

Federal Communications Commission.

Bruce A. Franca,

Deputy, Office of Engineering and Technology.

[FR Doc. 99–7631 Filed 3–26–99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 981202293–9075–02; I.D. 110998F]

RIN 0648–AJ33

Fisheries of the Northeastern United States; Amendment 7 to the Atlantic Sea Scallop Fishery Management Plan

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

ACTION: Final rule.

SUMMARY: NMFS issues final regulations to implement Amendment 7 to the Fishery Management Plan (FMP) for the Atlantic Sea Scallop Fishery. Amendment 7 and these final regulations reduce the fishing mortality rate in the Atlantic sea scallop fishery to eliminate overfishing and to rebuild the biomass in accordance with the requirements of the Sustainable Fisheries Act. Amendment 7 and these final regulations will reduce substantially the level of fishing for Atlantic sea scallops in the exclusive economic zone (EEZ) through fishing year 2008 by revising the current fishing effort reduction schedule. The allowable days-at-sea (DAS) for Atlantic sea scallop vessels will be reduced significantly starting with fishing year 2000. A less severe reduction is proposed for fishing year 1999. In addition, Amendment 7 and these final regulations further modify the annual monitoring process, increase the types of management measures that would be put into effect through framework adjustments, and continue two Mid-Atlantic closed areas until March 1, 2001. The intent of Amendment 7 and these final regulations is to eliminate overfishing and to rebuild the stocks.

DATES: Effective April 28, 1999, except that amendments to § 648.14(a)(110) and (a)(111) and § 648.57 are effective March 27, 1999, through March 1, 2001.

ADDRESSES: Copies of Amendment 7, its regulatory impact review (RIR), final regulatory flexibility analysis (FRFA), the final supplemental environmental impact statement (FSEIS), and the supporting documents for Amendment 7 are available from Paul J. Howard, Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906–1036.