

economic zone, under provisions of the Magnuson Fishery Conservation and Management Act (Magnuson Act, 16 U.S.C. 1801 *et seq.*). This notice concerns the receipt of an application from the Government of Poland requesting authorization to conduct a joint venture (JV) in the Northwest Atlantic Ocean. The application requests 10,000 metric tons (mt) of Atlantic sea herring and 5,000 mt of Atlantic mackerel be made available for the JV. The freezer trawler MANTA is identified as the vessel that will receive sea herring and mackerel from U.S. vessels. Based on receipt of a foreign JV application for Atlantic sea herring, and in accordance with section 201(h) of the Magnuson Act, necessary regulatory actions are being effected and a Preliminary Fishery Management Plan (PMP) for Atlantic sea herring is being developed. Specifications for the Atlantic Mackerel, Squid and Butterfish Fishery Management Plan presently include 35,000 mt of Atlantic mackerel as available for JV processing. Approvability of the JV's, as proposed in the Polish application, will be contingent on development of a PMP for sea herring with specifications that include an amount of U.S.-harvested herring for such operations, and on other issues that bear on the approval of foreign fishing permits. Send comments on this application to:

NOAA—National Marine Fisheries Service, Office of Fisheries Conservation and Management, 1315 East-West Highway, Silver Spring, MD 20910 and/or, to one or both of the Regional Fishery Management Councils listed below:

Douglas G. Marshall, Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906; (617) 231-0422.

David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Federal Building, Room 2115, 300 South New Street, Dover, DE 19901-6790; (302) 674-2331.

For further information contact Robert A. Dickinson, Office of Fisheries Conservation and Management; (301) 713-2337.

Dated: May 23, 1995.

**Richard W. Surdi,**

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

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[I.D.052295A]

**Marine Mammals and Endangered Species**

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

**ACTION:** Receipt of application for a scientific research permit (P557E).

**SUMMARY:** Notice is hereby given that Scripps Institution of Oceanography, Institute for Geophysics and Planetary Physics, Acoustic Thermometry of Ocean Climate Program, 9500 Gilman Drive, La Jolla, CA 92093-0225, has applied in due form for a permit to take several species of marine mammals and sea turtles for purposes of scientific research. The subject application supersedes a previous application published at 58 FR 60426, then modified and re-published at 59 FR 7983, and a subsequent revision to that application which was never published, both of which have been withdrawn.

**DATES:** Written comments must be received on or before June 30, 1995.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289); and

Director, Southwest Region, NMFS, NOAA, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (301/980-4016).

Written data or views, or requests for a public hearing on this request, should be submitted to the Director, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Jeannie Drevenak, Permits Division, 301/713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR part 222).

The permit application requests authorization to harass marine mammals and sea turtles by a low

frequency sound source (peak frequency 75 Hz, 35 Hz bandwidth; 195 dB level (re 1 µPa at 1 m)) which would be located approximately 14 km north of Kauai, at a depth of 850 m. The proposed research would be conducted over a 2-year period.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: May 23, 1995.

**Ann D. Terbush,**

*Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.*

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[I.D. 052295B]

**Marine Mammals**

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

**ACTION:** Receipt of application to modify permit no. 927 (P79I).

**SUMMARY:** Notice is hereby given that Institute of Marine Science, University of California, Santa Cruz, CA 95064, has requested a modification to permit No. 927.

**ADDRESSES:** The modification request and related documents are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Director, Southwest Region, NMFS, 310 W. Ocean Blvd., Long Beach, CA 90802-4213 (310/980-4001); and

Director, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221).

Written data or views, or requests for a public hearing on this request should be submitted to the Director, Office of Protected Resources, NMFS, NOAA, U.S. Department of Commerce, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular modification request would be appropriate.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

**SUPPLEMENTARY INFORMATION:** The subject modification to permit No. 927, issued on June 17, 1994 (publ. June 23, 1994, 59 FR 32419) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*), and fur seal regulations at 50 CFR part 215.

Permit No. 927 authorizes the permit holder to capture, tag, and sample up to 220 fur seals (*Callorhinus ursinus*) and to incidentally harass up to 69,000 annually during research activities. The permit holder requests authorization to increase the sample size of adult females from 60 to 120 and pups from 160 to 560. The increase is requested for: comparison of St. Paul vs St. George Island with regard to foraging ecology and its possible influence in explaining differences in the rate of recovery of populations of fur seals; continuation of studies of milk intake, metabolism, growth, thermoregulation and condition at weaning; and determine if pups with greater mass prior to weaning have a different fatty acid composition from pups of lower mass.

Dated: May 23, 1995.

**Ann D. Terbush,**

*Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.*

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## COMMODITY FUTURES TRADING COMMISSION

### New York Mercantile Exchange: Proposed Amendments to the Gulf Coast Unleaded Regular Gasoline Futures Contract Relating to the Delivery Procedures and Delivery Period

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice of proposed contract market rule changes.

**SUMMARY:** The New York Mercantile Exchange (NYMEX or Exchange) has submitted proposed amendments to its Gulf Coast unleaded regular gasoline futures contract that, among other things, would: (1) Require that all futures deliveries regardless of size be made on the Colonial Pipeline system at an injection point from Pasadena, Texas to Moundville, Alabama; (2) eliminate the public terminal delivery alternative; (3) require the buyer receiving less than 25 contracts to reimburse the seller for

any Colonial Pipeline shipping charges incurred for making such deliveries; and (4) for a particular delivery month restrict all futures deliveries to the third cycle of the Colonial Pipeline for that month, provided that deliveries of less than 25 contracts would be further restricted to the back-half of such third Colonial Pipeline cycle.

In accordance with Section 5a(12) of the Commodity Exchange Act and acting pursuant to the authority delegated by Commission Regulation 140.96, the Acting Director of the Division of Economic Analysis (Division) of the Commodity Futures Trading Commission (Commission) has determined, on behalf of the Commission, that the proposed amendments are of major economic significance. On behalf of the Commission, the Division is requesting comment on these proposals.

**DATES:** Comments must be received on or before June 30, 1995.

**ADDRESSES:** Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, D.C. 20581. Reference should be made to the proposed amendments to the New York Mercantile Exchange Gulf Coast unleaded regular gasoline futures contract.

**FOR FURTHER INFORMATION CONTACT:** John Forkkio, Jr., Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street NW., Washington, D.C. 20581, telephone (202) 254-7303.

**SUPPLEMENTARY INFORMATION:** Under current provisions of the Gulf Coast unleaded regular gasoline (gasoline) futures contract, for all positions involving 25 contracts or more, delivery must be F.O.B. at a Colonial Pipeline injection station selected by the seller in the delivery area. The delivery area for pipeline deliveries encompasses the area along the Colonial Pipeline from Pasadena, Texas upstream to Moundville, Alabama. For all positions involving deliveries of less than 25 contracts, deliveries must be f.o.b. at one of the three public terminal facilities located in the region around Pasadena, Texas—GATX Terminals Corporation, OilTanking Houston Inc., or Amerada Hess Corporation. Such deliveries can be made by intra-facility or inter-facility transfer of product or by barge shipment. All public terminal deliveries are assessed a surcharge of 1.75¢ per gallon, payable by any party receiving or delivering less than 25 contracts.

Under existing provisions, for a particular delivery month, pipeline deliveries must be made during either the second or third Colonial Pipeline delivery cycle for that month. This essentially provides a delivery period of about 21 days.<sup>1</sup>

Under the proposed amendments, all deliveries on the gasoline futures contract, regardless of position size, must be by pipeline delivery into the Colonial Pipeline system in the existing delivery area as noted above.<sup>2</sup> Additionally, under the proposed amendments, all deliveries in a particular delivery month would be restricted to the third cycle of the Colonial Pipeline for that month; provided that deliveries with respect to positions involving less than 25 contracts would be further restricted to the back-half of such third cycle. Proposed amendments also would require the seller making delivery on a position involving less than 25 contracts to make all the required arrangements for shipment of the product on the Colonial Pipeline, and the buyer to reimburse the seller for any Colonial Pipeline shipping charges incurred by the seller in making such deliveries.

The Exchange proposes to apply the proposed amendments to newly listed contract months only following its receipt of notice of Commission approval.

According to the Exchange, the proposed amendments were proposed to conform the futures delivery rules with cash market practices in the Gulf and to provide more certainty in the timing of deliveries on the futures contract. Specifically, the NYMEX stated:

The Contract will remain unchanged for "round" deliveries where delivery is made directly into the Colonial Pipeline \* \* \* \* \* Deliveries of less than 25,000 barrels are not directly deliverable into the Pipeline, and hence, the existing Gulf Coast Contract has specified delivery of odd-lots into public terminals. The proposed amendments are based on the fact that Colonial allows for a shipper to designate beneficial owners of product through what is known as a "consignee" relationship \* \* \*. The "consignee" relationship allows shippers to consign smaller portions of gasoline shipments to one or more beneficial owners, so that odd-lot batches of less than 25,000 barrels can be accommodated on the

<sup>1</sup> To efficiently transport product through its pipeline system, Colonial divides the year into 36 cycles. Each month has three cycles; each with a duration of about ten days. Additionally, each cycle is subdivided into a front half and a back half, each of five days duration.

<sup>2</sup> As a result of this proposal, public terminal deliveries on the contract will no longer be permitted. As a consequence, intra and inter-facility transfers and barge shipments will not be permissible methods of delivery on the contract.