PART 171—SPECIAL RULES PERTAINING TO VESSELS CARRYING PASSENGERS

100. The authority citation for part 171 is revised to read as follows:

Authority: 46 U.S.C. 3306; E.O. 12234, 45 FR 58801, 3 CFR 1980 Comp., p. 277; 49 CFR 1.46.

101. In § 171.001, paragraph (b) is revised to read as follows:

§ 171.001 Applicability.

* * * * *

(b) Specific sections of this part also apply to nautical school ships, sailing school vessels and oceanographic vessels. The applicable sections are listed in subparts C and D of part 173 of this chapter.

PART 174—SPECIAL RULES PERTAINING TO SPECIFIC VESSEL TYPES

102. The authority citation for part 174 is revised to read as follows:

Authority: 42 U.S.C. 9118, 9119, 9153; 43 U.S.C. 1333; 46 U.S.C. 3306, 3703; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

103. Section 174.005 is revised to read as follows:

§ 174.005 Applicability.

Each of the following vessels must comply with the applicable provisions of this part:

(a) Deck Cargo Barge.

(b) Mobile offshore drilling unit (MODU) inspected under Subchapter IA of this chapter.

(c) Tugboat and towboat inspected under Subchapter I of this chapter.

(d) Self-propelled hopper dredge having an assigned working freeboard.

(e) Oceangoing ships of 500 gross tons or over, as calculated by the International Convention on Tonnage Measurement of Ships, 1969, designed primarily for the carriage of dry cargoes, including roll-on/roll-off ships.

Subpart D—[Removed and Reserved]

104. Subpart D of part 174 is removed and reserved.

Subpart F—[Removed and Reserved]

105. Subpart F of part 174 is removed and reserved.

PART 188—GENERAL PROVISIONS

106. The authority citation for part 188 is revised to read as follows:

Authority: 46 U.S.C. 2113, 3306; 49 U.S.C. 5103, 5106; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; 49 CFR 1.46.

§ 188.05–15 [Removed]

107. Section 188.05–15 is removed.

§ 188.10–47 [Removed]

108. Section 188.10–47 is removed.

PART 189—INSPECTION AND CERTIFICATION

109. The authority citation for part 189 is revised to read as follows:

Authority: 33 U.S.C. 1321(j); 46 U.S.C. 2113, 3306; E.O. 12234, 45 FR 58801, 3 CFR, 1890 Comp., p. 277; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; 49 CFR 1.46.

110. In § 189.01–10, paragraph (a) is revised to read as follows:

§ 189.01–10 Period of validity.

(a) Certificates of Inspection will be issued for periods of either 1 or 2 years. Application may be made by the master, owner, or agent for inspection and issuance of a new certificate of inspection at any time during the period of validity of the current certificate.

* * * * *

§ 189.20–15 [Amended]

111. Section 189.20–15 is amended by removing paragraph (c).

§ 189.25–10 [Amended]

112. Section 189.25–10 is amended by removing paragraph (b) and redesignating paragraph (c) as paragraph (b).

113. Section 189.60–1 is revised to read as follows:

§ 189.60–1 Application.

The provisions of this subpart shall apply to all oceanographic research vessels on an international voyage. (See § 188.05–10 of this subchapter.)

§ 189.60–30 [Removed]

114. Section 189.60–30 is removed.

§ 189.60–40 [Amended]

115. Section 189.60–40 is amended by removing paragraph (e) and redesignating paragraph (f) as paragraph (e).

Dated: September 5, 1995.

J.C. Card,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 95–22981 Filed 9–15–95; 8:45 am]

BILLING CODE 4910–14–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 091295D]

Atlantic Tuna Fisheries; Bluefin Tuna Closure and Quota Reallocation

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

ACTION: Closure and reallocation.

SUMMARY: NMFS has determined that the Atlantic bluefin tuna (ABT) General category quota and Angling category quota for 1995 have been reached. Therefore, the General category fishery will be closed effective at 11:59 p.m. on September 12, 1995, and the Angling category fishery will be closed effective at 11:59 p.m. on September 17, 1995. This action is being taken to prevent further overharvest of these categories. NMFS also announces a transfer of 15 mt of ABT from the longline-south Incidental subcategory to the longline-north Incidental subcategory. NMFS has determined that the fisheries landing ABT under the longline-south Incidental subcategory will not achieve the full 1995 allocation. NMFS also transfers from the Reserve category to account for overharvest in the General, Harpoon, and Angling categories. These actions are being taken to extend the season for the longline-north Incidental subcategory, ensure additional collection of biological assessment and monitoring data, and prevent waste of bluefin tuna that might otherwise be discarded dead.

EFFECTIVE DATE: The General category closure is effective 11:59 p.m. local time on September 12, 1995, through December 31, 1995. The Angling category closure is effective 11:59 p.m. local time on September 17, 1995, through December 31, 1995. The longline and reserve inseason transfers are effective September 12, 1995.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301–713–2347, or Kevin B. Foster, 508–281–9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of Atlantic bluefin tuna by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the

Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories.

Closure

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a total annual quota of 438 mt of large medium and giant Atlantic bluefin tuna to be harvested from the regulatory area by vessels permitted in the General category. To date, over 527 mt have been harvested. Regulations also provide for an annual quota of 324 mt for the Angling category. Best available estimates indicate that the Angling category quota has been harvested for 1995.

NMFS is required, under 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of ABT will equal the quota applicable to any period and publish a **Federal Register** announcement stating that fishing for, retaining, possessing or landing ABT must cease on a date and at a specified hour, and not recommence until the opening of the subsequent quota period.

Fishing for, retention, possessing, or landing large medium or giant ABT by vessels in the General category must cease at 11:59 p.m. local time September 12, 1995. Fishing for, retention, possessing, or landing schools, large schools, small medium, large medium, or giant ABT by vessels in the Angling category must cease at 11:59 p.m. local time September 17, 1995. The intent of this action is to prevent further overharvest of the quota established for these categories.

The Harpoon category was previously closed on August 11, 1995 (60 FR 42469, August 16, 1995). The Incidental and Purse Seine categories will remain open until quotas for these categories are reached.

Inseason Transfers

Under the implementing regulations at 50 CFR 285.22(f), the Assistant Administrator for Fisheries, NOAA (AA), has the authority to make adjustments to quotas involving transfers between vessel categories or, as appropriate, subcategories if, during a single year quota period or the second year of a biannual quota period as defined by ICCAT, the AA determines, based on landing statistics, present year catch rates, effort, and other available information, that any category, or as appropriate, subcategory, is not likely to take its entire quota as previously allocated for that year. Given that determination, the AA may transfer inseason any portion of the quota of any fishing category to any other fishing category or to the reserve after considering the following factors: (1) The usefulness of information obtained from catches of the particular category of the fishery for biological sampling and monitoring the status of the stock; (2) the catches of the particular gear segment to date and the likelihood of closure of that segment of the fishery if no allocation is made; (3) the projected ability of the particular gear segment to harvest the additional amount of Atlantic bluefin tuna before the anticipated end of the fishing season; (4) the estimated amounts by which quotas established for other gear segments of the fishery might be exceeded.

The bluefin have migrated to their summer feeding grounds in New England waters and incidental catch by longline vessels operating south of 34° N. lat. is no longer expected to occur. A total of 60 mt currently remain of the amount allocated to this southern subcategory. The Incidental category longline-north has exceeded its allocation of 23 mt for vessels fishing north of 34° N. lat. Once the quota is reached for this northern subcategory, any bluefin tuna incidentally taken by longline vessels must be discarded at sea. In order to prevent waste of bluefin tuna that might otherwise be discarded dead, it is reasonable to transfer quota from the southern to the northern subcategory.

Reallocating 15 mt from the Incidental longline-south category responds to the criteria listed above as follows: Incidental category landings are a major contributor to the collection of biological data on this fishery; incidental catches by longline vessels in 1995 have been high, and it would be necessary to close this subcategory of the fishery unless additional quota allocation were made.

NMFS also transfers from the Reserve to the General, Harpoon, and Angling categories. The purpose of these transfers is to cover overharvest in these categories.

Classification

This action is taken under 50 CFR 285.20(b) and 50 CFR 285.22 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: September 12, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

[FR Doc. 95–23028 Filed 9–12–95; 4:59 pm]

BILLING CODE 3510–22–P

50 CFR Part 672

[Docket No. 950206041–5041–01; I.D. 090895A]

Groundfish of the Gulf of Alaska; Prohibit Retention of Sablefish in the West Yakutat District

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting retention of sablefish by vessels using trawl gear in the West Yakutat district of the Gulf of Alaska (GOA). NMFS is requiring that catches of sablefish by vessels using trawl gear in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the share of the sablefish total allowable catch (TAC) assigned to trawl gear in the West Yakutat district of the GOA has been reached.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), October 1, 1995, until 12 midnight, A.l.t., December 31, 1995.

FOR FURTHER INFORMATION CONTACT: Thomas Pearson, 907–486-6919.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

In accordance with § 672.24(c)(2), the share of the sablefish TAC assigned to trawl gear in the West Yakutat district of the GOA was established by the Final 1995 Harvest Specifications of Groundfish (60 FR 8470, February 14, 1995), as 205 metric tons.

The Director, Alaska Region, NMFS, has determined, in accordance with § 672.24(c)(3)(ii), that the share of the sablefish TAC assigned to trawl gear in the West Yakutat district of the GOA has been reached. Therefore, NMFS is requiring that further catches of sablefish by vessels using trawl gear in the West Yakutat district of the GOA be treated as prohibited species in accordance with § 672.20(e).

Classification

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.