owners the necessary flexibility in those areas that are unable to meet the CFF purchase requirements cited in the CAA.

Administrative Requirements

A. Administrative Designation

Under Executive Order 12866, (58 FR 51735 (October 4, 1993)), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency;

(3) Materially alter the budget impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, EPA believes that this proposed action is not a significant regulatory action and therefore not subject to OMB review. Approvals of SIP submittals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. This proposed action simply revises regulations governing the requirements states' CFFP SIP submissions must meet. It serves to delay states' required implementation of CFFP purchase requirements. Therefore, it has been determined that this proposal does not constitute a ''major'' regulation.

B. Reporting and Recordkeeping Requirement

There are no information requirements in this proposed rule which require the approval of the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. 3501 et seq.

C. Regulatory Flexibility

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This proposed rule would not have a significant impact on a substantial number of small entities. This is based on the fact that this proposed action would not impose any new requirements, but simply would delay the applicable start date of the CFFP purchase requirements that must be included in certain state's SIPs, pursuant to the CAA. Thus, the impact created by the proposed action would not increase the preexisting burden of the existing rules which this proposal seeks to amend. Therefore, this proposed action would not have a significant economic impact on a substantial number of small entities.

D. Unfunded Mandates Act

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule where the estimated costs to State, local, or tribal governments, or to the private sector, will be $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objective of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly impacted by the rule. To the extent that the rules being proposed in this action would impose any mandate at all as defined in section 101 of the Unfunded Mandates Act upon the state, local, or tribal governments, or the private sector, as explained above, this proposal is not estimated to impose costs in excess of $100 million. EPA has determined that today's proposed action would simply delay the purchase requirements under state CFFPs and would not impose additional costs or regulatory burdens. In fact, the one-year delay of implementation of the purchase requirements is expected to reduce costs of compliance and ease regulatory burdens.

List of Subjects in 40 CFR Part 88

Environmental protection, Labeling, Motor vehicle pollution, Reporting and recordkeeping requirements.

Dated: April 3, 1998.

Carol M. Browner,

Administrator.

[FR Doc. 98–10152 Filed 4–22–98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 654

[I.D.041698G]

RIN 0648–AK48

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Stone Crab Fishery of the Gulf of Mexico; Amendment 6

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

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Gulf of Mexico Fishery Management Council (Council) has submitted Amendment 6 to the Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico (FMP) for review, approval, and implementation by NMFS. Amendment 6 would extend, for up to 4 years, the existing temporary moratorium on the Federal registration of stone crab vessels. Written comments are requested from the public.

DATES: Written comments must be received on or before June 22, 1998.

ADDRESSES: Comments must be mailed to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of Amendment 6, which includes a regulatory impact review and an environmental assessment, should be sent to the Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619–2266; Phone: 813–228–2815; Fax: 813-225–7015.

FOR FURTHER INFORMATION CONTACT: Michael E. Justen, 813–570–5305.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery

Conservation and Management Act (Magnuson-Stevens Act) requires each Regional Fishery Management Council to submit any fishery management plan or amendment to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an amendment, immediately publish a document in the **Federal Register** stating that the amendment is available for public review and comment.

Amendment 6 would continue, for up to 4 years, the FMP's temporary moratorium on the Federal registration of stone crab vessels by the Regional Administrator, Southeast Region, NMFS. This Federal moratorium would end no later than June 30, 2002.

Amendment 5, implemented on April 14, 1995 (60 FR 13918), placed a 3-year moratorium (April 15, 1995 - June 30, 1998) on the Federal registration of stone crab vessels. The Council recommended, and NMFS approved and implemented, the Federal moratorium because the Florida Legislature passed a moratorium on the issuance of state permits, effective July 1, 1995, while the Florida Marine Fisheries Commission (FMFC), in cooperation with the stone crab industry, considered development of a limited access system. Without the Federal moratorium, fishermen could have circumvented the state moratorium.

The Council recommended Amendment 6 to extend the Federal moratorium on vessel registration for up to 4 years (i.e., up to June 30, 2002) because it is concerned that legislative action by Florida to create a limited access system may be delayed beyond June 30, 1998.

If the Federal moratorium expires on June 30, 1998, anyone could apply to NMFS for vessel registration. Substantial entry into the stone crab fishery would adversely affect current participants in the fishery by reducing their respective shares of the harvest. The fishery is already overcapitalized both in gear deployed, with approximately 798,000 traps deployed in 1995–96, and in the number of permitted vessels. As of July 1, 1995, there were 6,501 commercial permits issued. Only 1,556 permit holders, however, had stone crab landings, and 70 percent of them, or 1,102 permittees, had annual landings of 500 lb (225 kg) or less. Landings have not increased significantly since 1982–83, when approximately 350,000 traps were deployed. Catch-per-unit-of-effort has declined significantly since then.

In cooperation with the stone crab industry, FMFC proposed to the Florida Legislature a limited access program that contains provisions for a license limitation system that would exclude permit holders with no record of landings during recent years. The Florida Legislature is expected to pass this limited access program in 1999 with the state law to become effective July 1, 1999. The Council will then submit a regulatory amendment to extend the license limitation program to Federal waters off Florida's Gulf coast, including Monroe County.

A proposed rule to implement Amendment 6 has been received from the Council. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to determine whether it is consistent with Amendment 6, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NMFS will publish it in the **Federal Register** for public review and comment.

Comments received by June 22, 1998, whether specifically directed to the amendment or the proposed rule, will be considered by NMFS in its decision to approve, disapprove, or partially approve Amendment 6. Comments received after that date will not be considered by NMFS in this decision. All comments received by NMFS on Amendment 6 or on the proposed rule during their respective comment periods will be addressed in the final rule.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 17, 1998.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 98–10871 Filed 4–22–98; 8:45 am]

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