

b. In paragraph (c)(4)(ii), at the end of the sentence the period is removed and the wording “; or” is added in its place.

c. A new paragraph (c)(4)(iii) is added to read as follows:

§ 178.815 Stacking test.

* * * * *

(c) * * *

(4) * * *

(iii) The packaging may be tested using a dynamic compression testing machine. The test must be conducted at room temperature on an empty, unsealed packaging. The test sample must be centered on the bottom platen of the testing machine. The top platen must be lowered until it comes in contact with the test sample. Compression must be applied end to end. The speed of the compression tester must be one-half inch plus or minus one-fourth inch per minute. An initial preload of 50 pounds must be applied to ensure a definite contact between the test sample and the platens. The distance between the platens at this time must be recorded as zero deformation. The force “A” to then be applied must be calculated using the applicable formula:

Liquids: $A = (n - 1) [w + (s \times v \times 8.3 \times .98)] \times 1.5;$

or

Solids: $A = (n - 1) [w + (s \times v \times 8.3 \times .95)] \times 1.5$

Where:

A = applied load in pounds.

n = minimum number of containers that, when stacked, reach a height of 3 m.

s = specific gravity of lading.

w = maximum weight of one empty container in pounds.

v = actual capacity of container (rated capacity + outage) in gallons.

And:

8.3 corresponds to the weight in pounds of 1.0 gallon of water.

1.5 is a compensation factor that converts the static load of the stacking test into a load suitable for dynamic compression testing.

* * * * *

PART 179—SPECIFICATIONS FOR TANK CARS

56. The authority citation for part 179 continues to read as follows:

Authority: 49 U.S.C. 5101–5127; 49 CFR 1.53.

§ 179.100–20 [Amended]

57. In § 179.100–20, in the table in paragraph (a), the entry for “Water capacity” is removed.

PART 180—CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS

58. The authority citation for part 180 continues to read as follows:

Authority: 49 U.S.C. 5101–5127; 49 CFR 1.53.

59. In § 180.417, paragraph (a)(2) is revised to read as follows:

§ 180.417 Reporting and record retention requirements.

(a) * * *

(2) Each motor carrier who uses a specification cargo tank motor vehicle must obtain a copy of the manufacturer's certificate and related papers or the alternative report authorized by paragraph (a)(3)(i) or (ii) of this section and retain the documents as specified in this paragraph (a)(2). A motor carrier who is not the owner of a cargo tank motor vehicle must also retain a copy of the vehicle certification report for as long as the cargo tank motor vehicle is used by that carrier and for one year thereafter. The information required by this section must be maintained at the company's principal place of business or at the location where the vehicle is housed or maintained. The provisions of this section do not apply to a motor carrier who leases a cargo tank for less than 30 days.

* * * * *

Issued in Washington, D.C. on August 4, 2000, under authority delegated in 49 CFR part 1.

John P. Murray,

Acting Deputy Administrator, Research and Special Programs Administration.

[FR Doc. 00–20448 Filed 8–17–00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 000119014–0137–02; I.D. 080700C]

Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Adjustments to the 2000 Summer Flounder, Scup and Black Sea Bass Commercial Quotas

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

ACTION: Commercial quota adjustment for 2000.

SUMMARY: NMFS issues a listing of additional adjustments to the 2000 commercial summer flounder, scup, and black sea bass quotas. This action complies with the regulations that implement the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP), which specifies that summer flounder landings in excess of a given state's individual commercial quota be deducted from that state's quota for the following year. Similarly, for scup and black sea bass, the FMP specifies that landings in excess of a quota for a given quota period (scup) or quarter (black sea bass) be deducted from the same quota period or quarter in the following year. The intent of this action is to continue the rate of rebuilding of summer flounder, scup and black sea bass in 2000 as described in the FMP's objectives, while also taking into account 1999 overages of state, period or quarterly quotas.

DATES: Effective August 18, 2000, through December 31, 2000.

FOR FURTHER INFORMATION CONTACT: Richard A. Pearson, Fisheries Policy Analyst, (978) 281–9279.

SUPPLEMENTARY INFORMATION:

Background

NMFS published a document in the **Federal Register** on May 24, 2000 (65 FR 33486), announcing final specifications and preliminary adjustments to the 2000 summer flounder, scup and black sea bass commercial quotas. Additional adjustment is necessary through this notification due to the receipt of late 1999 landings data. The adjustment in this notification may not be final. Additional data including late landings reported from either federally permitted dealers or state statistical agencies reporting landings by non-federally permitted dealers could be received from the states that would further alter the quotas.

Summer Flounder

The 1999 quota, preliminary 1999 landings, and the resulting 1999 overages for all states for summer flounder are given in table 1. The following states recorded landings of summer flounder different from those reported in the May 24, 2000, **Federal Register**: MA—+219 lb (99 kg), CT—+13,172 lb (5,975 kg), NY—+10,616 lb (4,815 kg), NJ—+19,780 lb (8,972 kg), DE—59 lb (27 kg), MD—+35,492 lb (16,099 kg), and VA—+65,279 lb (29,610 kg).

The resulting adjusted 2000 commercial quota for each state is given in Table 2, taking into account both the 1999 quota overages published in the May 24, 2000, **Federal Register** and the revised 1999 landings noted here.

TABLE 1. SUMMER FLOUNDER PRELIMINARY 1999 LANDINGS AND OVERAGES BY STATE

State	1999 Quota		Preliminary 1999 Landings		1999 Overage	
	Lb	Kg	Lb	Kg	Lb	Kg ¹
ME	4,450	2,018	5,778	2,621	1,328	602
NH	51	23	0	0	0	0
MA	757,842	343,751	805,183	365,224	47,341	21,474
RI	1,742,583	790,422	1,636,528	742,317	0	0
CT	238,516	108,189	245,219	111,229	6,703	3,040
NY	860,006	390,099	803,903	364,644	0	0
NJ	1,853,926	840,927	1,917,732	869,868	63,806	28,942
DE	(25,739) ²	(11,675) ²	7,917	3,591	(33,656) ²	(15,266) ²
MD	202,354	91,786	234,358	106,303	32,004	14,517
VA	2,120,696	961,932	2,195,832	996,012	75,136	34,081
NC	2,974,589	1,349,274	2,800,749	1,270,398	0	0
Total ³	10,755,013	4,866,746	10,653,199	4,832,209		

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

² Parentheses indicate a negative number.

³ Total quota is the sum of all states having allocation. A state with a negative number has an allocation of zero (0). Total quota and total landings do not equal overage because they reflect positive quota balances in several states.

TABLE 2. SUMMER FLOUNDER PRELIMINARY ADJUSTED 2000 QUOTAS BY STATE

State	2000 Initial Quota		2000 Adjusted Quota	
	Lb	Kg ¹	Lb	Kg ¹
ME	5,284	2,397	3,956	1,794
NH	51	23	51	23
MA	757,834	343,748	710,493	322,274
RI	1,742,566	790,041	1,742,566	790,415
CT	250,788	113,756	244,085	110,715
NY	849,672	385,405	849,672	385,404
NJ	1,858,346	842,931	1,794,540	813,990
DE	1,977	897	(31,679) ²	(14,369) ²
MD	226,568	102,770	194,564	88,253
VA	2,368,546	1,074,354	2,293,410	1,040,273
NC	3,049,560	1,383,257	3,049,560	1,383,257
Total	11,109,214	5,039,055	10,882,897	4,936,398

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

² Parentheses indicate a negative number.

³ Total quota is the sum of all states having allocation. A state with a negative number has an allocation of zero (0).

Scup

The 1999 quotas (by period), preliminary 1999 landings (by period), and resulting overages for scup for all quota periods are given in Table 3. Changes in 1999 landings from those reported in the May 24, 2000, **Federal Register** are as follows: Winter I—167 lb (76 kg), Summer—+47,750 lb (21,659

kg), Winter II—+36,627 lb (16,614 kg). Note that the 1999 overage and 2000 quota for the scup Winter I period was incorrectly calculated in the May 24, 2000, **Federal Register**. The 1999 overage should have been 106,074 lb (48,069 kg) rather than 106,174 lb (48,114 kg), and the resulting 2000 adjusted quota should have been

1,037,086 lb (470,422 kg) rather than 1,037,986 lb (470,369 kg). Therefore, the 2000 adjusted quota for scup for Winter I period should now be 1,037,086 lb (470,422 kg) plus 167 lb (76 kg) = 1,037,253 lb (470,490 kg).

The resulting adjusted 2000 commercial quota for each quota period is given in Table 4.

TABLE 3. SCUP PRELIMINARY 1999 LANDINGS AND OVERAGES BY PERIOD

Period	1999 Quota		Preliminary 1999 Landings		1999 Overage	
	Lb	Kg ¹	Lb	Kg ¹	Lb	Kg ¹
Winter I	1,143,160	518,529	1,249,067	566,567	105,907	48,039
Summer	987,055	447,721	1,336,232	606,105	349,177	158,384
Winter II	403,945	183,226	737,534	334,539	333,589	151,313
Total	2,534,160	1,149,476	3,322,833	1,507,211		

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

TABLE 4. SCUP PRELIMINARY ADJUSTED 2000 QUOTAS BY PERIOD

Period	2000 Initial Quota		2000 Adjusted Quota	
	Lb	Kg ¹	Lb	Kg ¹
Winter I	1,143,160	518,529	1,037,253	470,490
Summer	987,055	447,721	637,878	289,337
Winter II	403,945	183,226	70,356	31,913
Total	2,534,160	1,149,476	1,745,487	791,740

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

Black Sea Bass

The 1999 quotas (by quarter), preliminary 1999 landings (by quarter), and resulting overages for black sea bass

for all quarters are given in Table 5. Changes in landings from those reported in the May 24, 2000, **Federal Register** are as follows: Quarter 1—+7,753 lb

(3,571 kg), Quarter 2—+30,837 lb (13,988 kg), Quarter 3—+52,464 lb (23,798 kg), and Quarter 4—+89,509 lb (40,601 kg).

TABLE 5. BLACK SEA BASS PRELIMINARY 1999 LANDINGS AND OVERAGES BY QUARTER

Quarter	1999 Quota ¹		Preliminary 1999 Landings		1999 Overage	
	Lb	Kg ²	Lb	Kg ²	Lb	Kg ²
1. (Jan–Mar)	1,168,860	530,186	715,988	324,767		
2. (Apr–Jun)	885,115	401,481	1,062,155	481,785	177,040	80,304
3. (Jul–Sep)	372,983	169,182	525,243	238,246	152,260	69,064
4. (Oct–Dec)	598,043	271,268	745,373	338,095	147,330	66,828
Total	3,025,000	1,372,117	3,048,759	1,382,893		

¹ Reflects quotas as published on August 26, 1999 (64 FR 46596).

² Kilograms are as converted from pounds, and may not necessarily add due to rounding.

TABLE 6. BLACK SEA BASS PRELIMINARY ADJUSTED 2000 QUOTAS BY QUARTER

Quarter	2000 Initial Quota		2000 Adjusted Quota	
	Lb	Kg ¹	Lb	Kg ¹
1. (Jan–Mar)	1,168,760	530,141	1,168,760	530,141
2. (Apr–Jun)	885,040	401,447	708,000	321,143
3. (Jul–Sep)	372,951	169,168	220,691	100,104
4. (Oct–Dec)	597,991	271,244	450,661	204,416
Total	3,024,742	1,372,000	2,548,112	1,155,804

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: August 15, 2000.

Bruce C. Morehead,

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

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