

(B) 25 Pa. Code Chapter 130, Subchapter C. Architectural and Industrial Maintenance Coatings, Subsections 130.601–130.611, inclusive, effective October 25, 2003.

(ii) Additional Material.—Remainder of the Commonwealth's submittals pertaining to the revisions listed in paragraph (c)(227)(i) of this section.

[FR Doc. 04–25815 Filed 11–22–04; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

46 CFR Parts 10, 12, 28, 30

[USCG–2004–18884]

RIN 1625–ZA03

Shipping and Transportation; Technical, Organizational and Conforming Amendments

AGENCY: Coast Guard, DHS.

ACTION: Final rule; corrections.

SUMMARY: This document contains corrections to the Shipping and Transportation; Technical, Organizational and Conforming Amendments final rule for Titles 46 and 49 of the Code of Federal Regulations (USCG–2004–18884) published on September 30, 2004, in the **Federal Register** (69 FR 58336).

DATES: These corrections are effective November 23, 2004.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the Docket Management Facility, USCG–2004–18884, U.S. Department of Transportation, room PL–401, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: If you have questions on these corrections, call Robert Spears, Project Manager, Standards Evaluation and Development Division (G–MSR–2), Coast Guard, at 202–267–1099. If you have questions on viewing, or submitting material to the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, Department of Transportation, telephone 202–366–0271.

SUPPLEMENTARY INFORMATION:

Background

Each year titles 46 and 49 of the Code of Federal Regulations are updated on

October 1. That rule, which became effective September 30, 2004, corrected organization names and addresses, revised authority citations for certain parts to reflect our move to the Department of Homeland Security (DHS) in March 2003, and made other technical and editorial corrections throughout titles 46 and 49. Neither that rule nor this rule makes any substantive change to the existing regulations.

Need for Correction

The final rule that was published on September 30, 2004, contains errors which may prove to be misleading and need to be clarified. This rule makes those clarifications.

List of Subjects

46 CFR Part 10

Reporting and recordkeeping requirements, Schools, Seamen.

46 CFR Part 12

Reporting and recordkeeping requirements, Seamen.

46 CFR Part 28

Fire prevention, Fishing vessels, Marine safety, Occupational safety and health, Reporting and recordkeeping requirements, Seamen.

46 CFR Part 30

Cargo vessels, Foreign relations, Hazardous materials transportation, Penalties, Reporting and recordkeeping requirements, Seamen.

■ For the reasons discussed in the preamble, the Coast Guard amends 46 CFR parts 10, 12, 28, and 30 as follows:

PART 10—LICENSING OF MARITIME PERSONNEL

■ 1. The authority citation for part 10 continues to read as follows:

Authority: 14 U.S.C. 633; 31 U.S.C. 9701; 46 U.S.C. 2101, 2103, and 2110; 46 U.S.C. Chapter 71; 46 U.S.C. 7502, 7505, 7701, 8906; Department of Homeland Security Delegation No. 0170.1. Sec. 10.107 is also issued under the authority of 44 U.S.C. 3507.

§ 10.805 [Amended]

■ 2. In § 10.805(f), remove the words “The expiration date of a certificate of registry issued without an expiration date shall be determined in accordance with § 10.811.”

PART 12—CERTIFICATION OF SEAMEN

■ 3. The authority citation for part 12 continues to read as follows:

Authority: 31 U.S.C. 9701; 46 U.S.C. 2101, 2103, 2110, 7301, 7302, 7503, 7505, 7701;

Department of Homeland Security Delegation No. 0170.1.

■ 4. Revise § 12.02–3(b)(3) to read as follows:

§ 12.02–3 Where documents are issued.

(a) * * *

(b) * * *

(3) The written examinations are forwarded to the Commanding Officer, National Maritime Center by Merchant Marine Details. Any Marine Inspection Office at which an applicant with a temporary permit appears may request and obtain the examination in the case from the Commanding Officer, National Maritime Center. Any Marine Inspection Office which doubts the propriety of issuing a permanent certificate in lieu of a temporary permit which has been issued by a foreign Merchant Marine Detail shall inform the Commanding Officer, National Maritime Center fully as to the circumstances.

§ 12.15–5 [Amended]

■ 5. In § 12.15–5(c), remove the word “therefore” and add, in its place, the word “therefor”.

PART 28—REQUIREMENTS FOR COMMERCIAL FISHING INDUSTRY VESSELS

■ 6. The authority citation for part 28 continues to read as follows:

Authority: 46 U.S.C. 3316, 4502, 4505, 4506, 6104, 10603; Department of Homeland Security Delegation No. 0170.1.

§ 28.30 [Amended]

■ 7. In § 28.30(a), after the words “subchapter S”, remove the words “of this chapter”; and before the words “subchapter S”, add the words “33 CFR”.

PART 30—GENERAL PROVISIONS

■ 8. The authority citation for part 30 continues to read as follows:

Authority: 46 U.S.C. 2103, 3306, 3703; Pub. L. 103–206, 107 Stat. 2439; 49 U.S.C. 5103, 5106; Department of Homeland Security Delegation No. 0170.1; Section 30.01–2 also issued under the authority of 44 U.S.C. 3507; Section 30.01–05 also issued under the authority of Sec. 4109, Pub. L. 101–380, 104 Stat. 515.

§ 30.15–1 [Amended]

■ 9. In § 30.15–1(a) remove the word “therefore” and add, in its place, the word “therefor”.

§ 30.30–11 [Amended]

■ 10. In § 30.30–11(b) remove the word “therefore” and add, in its place, the word “therefor”.

Dated: November 17, 2004.

Stefan G. Vencus,

Chief, Office of Regulations and
Administrative Law, United States Coast
Guard.

[FR Doc. 04-25967 Filed 11-22-04; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 030604143-4309-02; I.D.
030403C]

RIN 0648-AQ90

Atlantic Highly Migratory Species; Atlantic Swordfish Quotas

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

ACTION: Final rule.

SUMMARY: NMFS amends the regulations governing the North and South Atlantic swordfish fisheries to implement recommendations adopted at the 2002 meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT). Specifically, NMFS: increases the North Atlantic swordfish quota to 3,877 metric tons (mt) whole weight (ww) in 2003 and to 3,907 mt ww in 2004 and 2005; establishes a dead discard allowance of 80 mt ww for 2003; transfers 25 mt ww of North Atlantic swordfish quota to Canada in 2003, 2004, and 2005; allows up to 200 mt ww of North Atlantic swordfish quota to be caught between 5 degrees North latitude and 5 degrees South latitude; and establishes a South Atlantic swordfish quota of 100 mt ww in 2003, 2004, and 2005 and 120 mt ww in 2006. In addition, NMFS adjusts the 2003 and 2004 directed and reserve quotas based on underharvests from the 2002 and 2003 fishing years, respectively.

DATES: This final rule is effective
December 23, 2004.

ADDRESSES: Copies of the
Environmental Assessment/Regulatory
Impact Review (EA/RIR) may be
obtained from Christopher Rogers,
Chief, Highly Migratory Species
Management Division F/SF1, 1315 East-
West Highway, Silver Spring, MD
20910. These documents are also
available from the Highly Migratory
Species Management Division website
at www.nmfs.noaa.gov/sfa/hms/.

FOR FURTHER INFORMATION CONTACT:
Chris Rilling, by phone: 301-713-2347
or by fax: 301-713-1917.

SUPPLEMENTARY INFORMATION: The
United States Atlantic swordfish and
tuna fisheries are managed under the
Fishery Management Plan for Atlantic
Tunas, Swordfish, and Sharks (HMS
FMP). Implementing regulations at 50
CFR part 635 are issued under the
authority of the Magnuson-Stevens
Fishery Conservation and Management
Act (Magnuson-Stevens Act), 16 U.S.C.
1801 *et seq.* and the Atlantic Tunas
Convention Act (ATCA), 16 U.S.C. 971
et seq. Regulations issued under the
authority of ATCA carry out the
recommendations of ICCAT. The June
20, 2003, proposed rule (68 FR 36967)
contains the background information for
the management measures in this final
rule; the background information is not
repeated in this final rule.

Comments and Responses

NMFS held three public hearings in
July and August 2003 in Gloucester,
MA; Madeira Beach, FL; and Silver
Spring, MD. Comments were received
from fishery participants and other
members of the public regarding the
proposed regulations. In addition,
written comments were submitted to
NMFS during the 45-day comment
period. Written and oral comments are
summarized below with NMFS'
responses.

North Atlantic Swordfish Quota

Comment 1: One commenter supports
opportunities for U.S. fishermen to land
more swordfish as long as it is done in
a manner that does not compromise the
full rebuilding of the population and
long-term sustainability of the resource.

Response: NMFS agrees that ensuring
sustainability and rebuilding the
population are important aspects of
providing long term opportunities for
fishermen to harvest the resource. The
selected alternatives are consistent with
the objectives of the ICCAT rebuilding
program, Magnuson-Stevens Act, ATCA,
and the HMS FMP and will ensure the
sustainability of the stock.

Comment 2: To facilitate harvest of
the United States allocated quota, the
United States should make a limited
number of new handgear permits
available for distribution.

Response: Making a limited number
of new handgear permits available is
one option for addressing the
underharvest occurring in recent years.
Since this would require a plan
amendment, NMFS solicited comments
regarding this and other options during
the scoping process for Amendment 2 to
the HMS FMP and may consider those

options in Amendment 2 or other future
rulemaking.

Comment 3: If the United States is
unable to catch its quota, there will be
efforts by other ICCAT countries to
permanently reduce the U.S. quota
share and allocate that quota to other
fishing nations. This will have
conservation ramifications given that
U.S. fisheries are better managed than
fisheries in other ICCAT nations.

Response: This rule implements
recommendations agreed to at the 2002
meeting of ICCAT. The North Atlantic
swordfish quota levels are established
through 2005. ICCAT will reevaluate the
current quotas and recommend new
ones at that time. NMFS will continue
to evaluate the need for all current
regulations with regard to the effect on
harvest rates and will work with
fishermen to preserve the U.S. quota
share while ensuring consistency with
the Magnuson-Stevens Act, the
Endangered Species Act (ESA), and
other domestic laws.

Comment 4: U.S. underharvests are
primarily a result of the premature
closures of the directed fishery in 1997
and 1998 and the overly restrictive
time/area closures currently in place.
Scientific data shows swordfish
recovering before implementation of the
time/area closures. Because of current
management, this once thriving
domestic fishery has exhibited reduced
effort and profitability.

Response: NMFS implemented the
current time and area closures and other
restrictions to reduce bycatch in the
pelagic longline fishery. This bycatch
included juvenile swordfish, billfish,
sharks, and sea turtles. NMFS will
evaluate the impact and effectiveness of
the closures in Amendment 2 to the
HMS FMP or other future rulemaking
and will modify them if necessary to
meet management objectives and
legislative requirements.

Comment 5: One commenter opposed
an increase in the North Atlantic
swordfish quota. Even though the stock
assessment indicates improvement, the
stock is still overfished. Any increase in
quota will slow down or reverse the
improvement and lead to an increase in
dead discards of juvenile swordfish,
marlin, and sharks. Increasing the quota
goes against NMFS' stated goal of risk-
averse management. The increase is
hard to understand given the United
States has not landed the quota since
1995.

Response: At its 2002 meeting, ICCAT
conducted a North Atlantic swordfish
stock assessment and determined that
the population had nearly recovered to
a level that will support maximum
sustainable yield and that an increase