

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 110404C]

**Endangered Species; File No. 1510**

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

**ACTION:** Receipt of application.

**SUMMARY:** Notice is hereby given that the Liberty Science Center (Richard Weddle, Principal Investigator), 251 Phillip Street, Jersey City, New Jersey 07305, has applied in due form for a permit to take shortnose sturgeon (*Acipenser brevirostrum*) for purposes of enhancement through educational display.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before January 14, 2005.

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

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, 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.

Comments may also be submitted by facsimile at (301)713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1510.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Jefferies or Amy Sloan, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the

authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The Liberty Science Center proposes to receive and use five captive-bred, non-releasable shortnose sturgeon for the purpose of educational display. The proposed project of displaying endangered cultured shortnose sturgeon responds directly to a recommendation from the NMFS recovery outline for this species. In addition, the facility would create a public education program and exhibit to increase awareness of the shortnose sturgeon and its status. The proposed project would educate the public on shortnose sturgeon life history and the reasons for its declining numbers.

Dated: December 9, 2004.

**Jennifer Skidmore,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 04-27430 Filed 12-14-04; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 120604A]

**Marine Mammals; File No. 87-1593**

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

**ACTION:** Issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Daniel Costa, Ph.D., University of California, Santa Cruz, Long Marine Lab, 100 Shaffer Road, Santa Cruz, CA 95060, has been issued an amendment to Permit No. 87-1593 conduct scientific research on southern elephant seals (*Mirounga leonina*).

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

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

**FOR FURTHER INFORMATION CONTACT:** Amy Sloan or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On July 15, 2004, notice was published in the **Federal Register** (69 FR 42424) that a request for a permit amendment to take the species identified above had been submitted by the above-named individual. The requested amendment has been issued 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 permit holder is authorized to capture, sedate, tag (flipper and instrument), sample, and release up to 30 adult southern elephant seals; tag and weigh up to 50 immature elephant seals; conduct population censusing; and incidentally disturb up to 100 elephant seals during research. The purpose of this project is to examine the foraging behavior and habitat utilization of the southern elephant seal in the Western Antarctic Peninsula.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: December 8, 2004.

**Stephen L. Leathery,**

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

[FR Doc. 04-27431 Filed 12-14-04; 8:45 am]

**BILLING CODE 3510-22-S**

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

[Recommendation 2004-2]

**Active Confinement Systems**

**AGENCY:** Defense Nuclear Facilities Safety Board.

**ACTION:** Notice, recommendation.

**SUMMARY:** The Defense Nuclear Facilities Safety Board has unanimously approved Recommendation 2004-2, for DOE to consider. Recommendation 2004-2 deals with the confinement of hazardous materials at defense nuclear facilities in the Department of Energy complex.

**DATES:** Comments, data, views, or arguments concerning the recommendation are due on or before January 14, 2005.

**ADDRESSES:** Send comments, data, views, or arguments concerning this recommendation to: Defense Nuclear