procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

New Orleans, LA [Amended]

By adding to the end of the legal description: and within a 6-mile radius of the Waterford Heliport (latitude 29°59'07"N., longitude 90°28'02"W.).

Issued in Fort Worth, TX on May 21, 1990.

Larry L. Craig,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 90-13306 Filed 6-7-90; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 382

[Dockets 46811, 46812; Notice No. 90-21]

RINs 2105-AB60, 2105-AB61

Nondiscrimination on the Basis of Handicap in Air Travel

AGENCY: Office of the Secretary, Department of Transportation.

ACTION: Extension of comment periods.

SUMMARY: At the same time as it published its final rule to implement the Air Carrier Access Act of 1986, the Department published three notices seeking comment on related issues. In response to a request from the Regional Airline Association, the Department is extending the comment periods for two of these notices to July 20, 1990.

DATES: This extension is effective June 4, 1990. Comments should be received by July 20, 1990. Late-filed comments will be considered to the extent practicable.

ADDRESSES: Comments should be sent to Docket Clerk, Dockets No. 46811 or 46812 as applicable, Department of Transportation, 400 7th Street SW., room 4107, Washington, DC 20590. For the convenience of persons who will be reviewing the dockets, it is requested that commenters provide duplicate copies of their comments. Comments will be available for inspection at this address Monday through Friday from 9 a.m. through 5:30 p.m. Commenters who wish the receipt of their comments to be acknowledged should include a stamped, self-addressed postcard with their comments. The docket clerk will date-stamp the postcard and mail it to the commenter.

FOR FURTHER INFORMATION CONTACT: Robert C. Ashby, Deputy Assitant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street SW., room 10424, Washington, DC 20590. Telephone 202-366-9306 (voice); 202-755-7687 (TDD).

SUPPLEMENTARY INFORMATION: The Department of Transportation published its final rule to implement the Air Carrier Access Act of 1986 on March 6, 1990. At the same time, it published three notices seeking comment on related issues. These included a supplemental notice of proposed rulemaking (SNPRM), concerning terminal transportation systems, standards for boarding chairs, and substitute transportation service (55 FR 8076, Docket No. 46812); an advance notice of proposed rulemaking (ANPRM), concerning small aircraft boarding devices, accessible lavatories for narrowbody aircraft, and other issues (55 FR 8078, Docket No. 46811), and a notice of proposed rulemaking (NPRM), concerning accessibility requirements for airport operators (55 FR 8081; Docket No. 46813). The comment period for the first and third of these notices ended June 4; the comment period for the second is scheduled to end July 5.

On June 1, the Regional Airline Association (RAA), a trade association of regional and commuter air carriers, asked for a 45-day extension of the comment periods. It said that the personnel of its carriers who would have to work on the comments to these notices were essentially the same personnel who were working to meet the June 4 compliance date for a substantial part of the Air Carrier Access Act final rule. These personnel had not had time to prepare adequate comments on the notices, RAA said.

The Department believes that this concern has merit, at least with respect to the ANPRM and the SNPRM. Since the comments from smaller air carriers are needed with respect to many of the issues in the ANPRM and the SNPRM, the Department believes it would be useful to extend their comment periods to allow these comments to be received. The NPRM concerns the responsibilities of airport operators under section 504 of the Rehabilitation Act, rather than those of carriers under the Air Carrier Access Act. For this reason, an extension of the comment period for the NPRM does not seem necessary in order to respond to RAA's concerns.

Consequently, the new comment closing date for the ANPRM (Docket No. 46811) and the SNPRM (Docket No. 46812) will be July 20, 1990.

Issued this 4th day of June, 1990 at Washington, DC.

Phillip D. Brady,

General Counsel.

[FR Doc. 90-13276 Filed 6-7-90; 8:45 am]

BILLING CODE 4910-62-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 333, 444, and 448

[Docket No. 76N-482B]

RIN 0905-AA06

Topical Antimicrobial Drug Products for Over-the-Counter Human Use; Proposed Amendment of Final Monograph For OTC First Aid Antibiotic Drug Products

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is issuing a notice of proposed rulemaking that would amend the final monograph for over-the-counter (OTC) first aid antibiotic drug products in 21 CFR part 333 that establishes conditions under which these drug products are generally recognized as safe and effective and not misbranded. The amendment would allow several antibiotic combinations of bacitracin zinc, polymyxin B sulfate, and neomycin sulfate to include a suitable local anesthetic as an active ingredient. FDA is concurrently amending the antibiotic regulations in 21 CFR parts 444 and 448 to be consistent with the

monograph for OTC first aid antibiotic drug products. This proposal is part of the ongoing review of OTC drug products conducted by FDA.

DATES: Written comments by August 7, 1990. Requests for an informal conference on proposed changes in 21 CFR 444.542l, 448.513a, and 448.513c by July 9, 1990.

ADDRESSES: Written comments or requests for conference on proposed changes in 21 CFR 444.542l, 448.513a, and 448.513c to the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: William E. Gilbertson, Center for Drug Evaluation and Research (HFD–210), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–295–8000.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of December 11, 1987 (52 FR 47312), FDA issued a final monograph for OTC first aid antibiotic drug products in subpart B of 21 CFR part 333. The monograph provides for combinations of bacitracin ointment or bacitracin-neomycin sulfate-polymyxin B sulfate ointment and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient (21 CFR 333.120(b) (1) and (2)). In the **Federal Register** of August 18, 1989 (54 FR 34188), FDA issued a proposed amendment, and in the **Federal Register** of March 15, 1990 (55 FR 9721), FDA issued a final amendment to the final monograph for OTC first aid antibiotic drug products to allow bacitracin-polymyxin B sulfate topical aerosol to include a suitable local anesthetic as an active ingredient (§ 333.120(b)(3)).

On October 30, 1989, FDA received three citizen petitions (Docket Nos. 76N–482B/CP0001, CP0002, and CP0003) requesting the amendment of 21 CFR part 333 to include a suitable local anesthetic in several antibiotic combinations containing bacitracin zinc, polymyxin B sulfate, and neomycin sulfate. Specifically, the petitions requested that the following paragraphs be added to § 333.120(b):

(3) Bacitracin zinc-neomycin sulfate-polymyxin B sulfate ointment containing, in each gram, in a suitable ointment base the following:

(i) 500 units of bacitracin zinc, 3.5 milligrams of neomycin, 5,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient; or

(ii) 400 units of bacitracin zinc, 3.5 milligrams of neomycin, 5,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient; or

(iii) 500 units of bacitracin zinc, 3.5 milligrams of neomycin, 10,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient;

Provided, that it meets the tests and methods of assay in section 448.513c(b).

(4) Bacitracin zinc-polymyxin B sulfate ointment containing, in each gram, 500 units of bacitracin zinc, 10,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient in a suitable ointment base: *Provided,* that it meets the tests and methods of assay in § 448.513a(b).

(5) Neomycin sulfate-polymyxin B sulfate cream containing, in each gram, 3.5 milligrams of neomycin, 10,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient in a suitable vehicle: *Provided,* that it meets the tests and methods of assay in § 444.542l(b).

The citizen petitions noted that each of the combinations of first aid antibiotic active ingredients and local anesthetic active ingredients listed under 21 CFR 333.120(b) contain the ingredient bacitracin. The petitions contended that formulations containing bacitracin and formulations containing bacitracin zinc may be interchanged freely with no adverse effects on safety or efficacy. The petitions noted that bacitracin zinc, as well as bacitracin, have been utilized in OTC drug products for many years, and argued that it is unnecessary to restrict the usage of the combination together with a topical anesthetic to the bacitracin base alone.

After reviewing the citizen petitions, the agency concludes that there is sufficient evidence to generally recognize the requested combinations as safe and effective and not misbranded for OTC first aid antibiotic-anesthetic use. In the final monograph for OTC first aid antibiotic drug products, FDA accepted the appropriateness of the combination of OTC topical products containing antibiotics and a local analgesic, and expressly permitted the combination of certain antibiotic active ingredients with any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient (52 FR 47312 at 47323). This acceptance was based, in part, on the facts that combination topical antibiotic products containing a local anesthetic have a marketing history that predates the OTC drug review and the antibiotic regulations in §§ 448.510a and 448.510e allow certain antibiotic-anesthetic combinations.

In the advance notice of proposed rulemaking for OTC external analgesic drug products (December 4, 1979; 44 FR 69768), the Advisory Review Panel on OTC Topical Analgesic, Antirheumatic, Otic, Burn, and Sunburn Prevention and Treatment Drug Products recommended as Category I combinations containing certain external analgesic active ingredients and Category I antimicrobial active ingredients provided the product was labeled for the concurrent symptoms involved (44 FR 69865). In the tentative final monograph for OTC external analgesic drug products, the agency proposed such combinations as Category I (February 8, 1983; 48 FR 5852 at 5868). That rulemaking has not been finalized to date. However, in the final monograph for OTC first aid antibiotic drug products, the agency stated that the combination of a first aid antibiotic and an external analgesic, anesthetic, or antipruritic is similar in action and intended use to the combination of a topical antimicrobial and an external analgesic, anesthetic, and antipruritic (52 FR 47312 at 47319).

In addition, the agency stated that combinations of first aid antibiotic and local anesthetic ingredients provide rational concurrent therapy for a significant proportion of the target population and that the combination is suitable for OTC use under adequate directions for use and warnings against unsafe use, as required under § 330.10(a)(4)(iv) (52 FR 47319).

In the final monograph for OTC first aid antibiotic drug products, the agency included only those topical antibiotic-anesthetic combinations that included Category I ingredients from both the external analgesic and first aid antibiotic rulemakings and that are the subject of a current antibiotic monograph in 21 CFR parts 444 and 448 (52 FR 47319). The several combinations of antibiotics with a local anesthetic requested by the petitions were not the subject of existing antibiotic regulations and, consequently, such combinations were not included in the final monograph. Nonetheless, the agency notes that similar antibiotic combinations (without provisions for use with local anesthetic) are currently included both in the final monograph for OTC first aid antibiotic drug products (i.e., § 333.120 (a)(2), (a)(5), (a)(6), and (a)(10)) and in the existing antibiotic regulations (i.e., §§ 448.513a, 448.513c, and 444.542l). The agency agrees with the citizen petitions that these combinations of antibiotics could be combined with any single generally recognized as safe and effective amine or "caine"-type local anesthetic without

any adverse effects on safety or efficacy. These products would be labeled in accordance with § 333.160.

Therefore, the agency is proposing to amend the existing antibiotic regulations in §§ 444.542l(a)(1), 448.513a(a)(1), and 448.513c(a)(1) to provide for such combinations and to include these combinations in § 333.120(b) of the final monograph for OTC first aid antibiotic drug products. Because a previous amendment to the final monograph added paragraph (3) under § 333.120(b) (55 FR 9721 at 9722), the agency will number the new sections being proposed for addition to § 333.120 as paragraphs (b)(4) through (b)(6) instead of paragraphs (b)(3) through (b)(5) as requested by the petitions.

The agency notes that one of the petitions requested three ointment combinations containing various potencies of bacitracin zinc-neomycin sulfate-polymyxin B sulfate. Two of the potencies correspond to the potencies currently listed in § 333.120(a)(5)(ii) and (a)(5)(iii) for bacitracin zinc-neomycin sulfate-polymyxin B sulfate ointment. The agency notes, however, that the petition did not request a local anesthetic be allowed with the monograph combination in § 333.120(a)(5)(i) and requested another combination not currently included in the monograph. That combination contains 500 units of bacitracin zinc, 3.5 milligrams of neomycin, and 5,000 units of polymyxin B. The agency considers this additional potency to be sufficiently similar to those currently included in the monograph and is proposing to add it to the monograph as new § 333.120(a)(5)(iii). The current § 330.120(a)(5)(iii) is being redesignated as paragraph (a)(5)(iv). The agency is also adding bacitracin zinc-neomycin sulfate-polymyxin B sulfate-local anesthetic combinations in § 333.120(b)(1) that correspond to the bacitracin zinc-neomycin sulfate-polymyxin B sulfate combinations without a local anesthetic in § 333.120(a)(5). The potency of bacitracin zinc in these new sections will be listed as 500 units of bacitracin, not 500 units of bacitracin zinc as requested by the petitions, for consistency with other portions of the monograph. The agency is also amending § 448.513c(a)(1) to list all of the potencies of these various combinations. Finally, the agency is amending §§ 444.542l(a)(1), 448.513a(a)(1), and 448.513c(a)(1) to provide for the inclusion of a local anesthetic in these products.

The agency advises that any final rule from this proposed rule will be effective 12 months after its date of publication in the **Federal Register**. On or after that date, any OTC drug product that is not in compliance may not be initially introduced or initially delivered for introduction into interstate commerce unless it is the subject of an approved application. Further, any OTC drug product subject to the rule that is repackaged or relabeled after the effective date of the rule must be in compliance with the rule regardless of the date the product was initially introduced into interstate commerce. Manufacturers are encouraged to comply voluntarily with the rule at the earliest possible date.

The agency has examined the economic consequences of this proposed rulemaking in conjunction with other rules resulting from the OTC drug review. In a notice published in the **Federal Register** of February 8, 1983 (48 FR 5806), the agency announced the availability of an assessment of these economic impacts. The assessment determined that the combined impacts of all the rules resulting from the OTC drug review do not constitute a major rule according to the criteria established by Executive Order 12291. The agency therefore concludes that no one of these rules, including this proposed rule for OTC first aid antibiotic drug products, is a major rule.

The economic assessment also concluded that the overall OTC drug review was not likely to have a significant economic impact on a substantial number of small entities as defined in the Regulatory Flexibility Act (Pub. L. 96-354). That assessment included a discretionary regulatory flexibility analysis in the event that an individual rule might impose an unusual or disproportionate impact on small entities. However, this particular rulemaking for OTC first aid antibiotic drug products is not expected to pose such an effect on small businesses. Therefore, the agency certifies that this proposed rule, if implemented, will not have a significant economic impact on a substantial number of small entities.

The agency invites public comment regarding any substantial or significant economic impact that this rulemaking would have on OTC first aid antibiotic drug products. Comments regarding the impact of this rulemaking on OTC first aid antibiotic drug products should be accompanied by appropriate documentation.

The agency has determined under 21 CFR 25.24(c)(6) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Interested persons may, on or before August 7, 1990, submit to the Dockets Management Branch (address above) written comments regarding this proposal. Three copies of all comments are to be submitted except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document and may be accompanied by a supporting memorandum or brief. Comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Interested persons may, on or before July 9, 1990, submit to the Dockets Management Branch a request for an informal conference on the proposed changes in §§ 444.542l(a)(1), 448.513a(a)(1), and 448.513c(a)(1). The participants in an informal conference, if one is held, will have until August 7, 1990, or 30 days after the date of the conference, whichever is later, to submit their comments.

List of Subjects

21 CFR Part 333

First aid antibiotic drug products, Labeling, Over-the-counter drugs.

21 CFR Part 444

Antibiotics.

21 CFR Part 448

Antibiotics.

Therefore, under the Federal Food, Drug, and Cosmetic Act and the Administrative Procedure Act, it is proposed that subchapter D of chapter I of title 21 of the Code of Federal Regulations be amended in parts 333, 444, and 448 as follows:

PART 333—TOPICAL ANTIMICROBIAL DRUG PRODUCTS FOR OVER-THE-COUNTER HUMAN USE

1. The authority citation for 21 CFR part 333 continues to read as follows:

Authority: Secs. 201, 501, 502, 503, 505, 510, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 351, 352, 353, 355, 360, 371).

2. Section 333.120 is amended by redesignating paragraph (a)(5)(iii) as paragraph (a)(5)(iv) and by adding new paragraphs (a)(5)(iii), (b)(4), (b)(5), and (b)(6) to read as follows:

§ 333.120 Permitted combinations of active ingredients.

* * * * *

(a) * * *

(5) * * *

(iii) 500 units of bacitracin, 3.5 milligrams of neomycin, and 5,000 units f polymyxin B; or

* * * *

(b) * * *

(4) Bacitracin zinc-neomycin sulfate-polymyxin B sulfate ointment containing, in each gram, in a suitable ointment base the following:

(i) 400 units of bacitracin, 3 milligrams of neomycin, 8,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient; or

(ii) 400 units of bacitracin, 3.5 milligrams of neomycin, 5,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient; or

(iii) 500 units of bacitracin, 3.5 milligrams of neomycin, 5,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient; or

(iv) 500 units of bacitracin, 3.5 milligrams of neomycin, 10,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient; *Provided,* That it meets the sts and methods of assay in 448.513c(b) of this chapter.

(5) Bacitracin zinc-polymyxin B sulfate ointment containing, in each gram, 500 units of bacitracin, 10,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient in a suitable ointment base; *Provided,* That it meets the tests and methods of assay in § 448.513a(b) of this chapter.

(6) Neomycin sulfate-polymyxin B sulfate cream containing, in each gram, 3.5 milligrams of neomycin, 10,000 units of polymyxin B, and any single generally recognized as safe and effective amine or "caine"-type local anesthetic active ingredient in a suitable vehicle; *Provided,* That it meets the tests and methods of assay in § 444.542l(b) of this chapter.

PART 444—OLIGOSACCHARIDE ANTIBIOTIC DRUGS

3. The authority citation for 21 CFR Part 444 continues to read as follows:

Authority: Sec. 507 of the Federal Food, ug, and Cosmetic Act (21 U.S.C. 357).

4. Section 444.542l is amended by revising paragraph (a)(1) to read as follows:

§ 444.542l Neomycin sulfate-polymyxin B sulfate cream.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Neomycin sulfatepolymyxin B sulfate cream is a cream containing, in each gram, neomycin sulfate equivalent to 3.5 milligrams of neomycin and polymyxin B sulfate equivalent to 10,000 units of polymyxin 8 in a suitable and harmless vehicle. It may contain a suitable local anesthetic. Its neomycin sulfate content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of milligrams of neomycin that it is represented to contain. Its polymyxin B sulfate content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of units of polymyxin B that it is represented to contain. The neomycin sulfate used conforms to the standards prescribed by § 444.42(a)(1). The polymyxin B sulfate used conforms to the standards prescribed by § 448.30(a)(1) of this chapter.

* * * * *

PART 448—PEPTIDE ANTIBIOTIC DRUGS

5. The authority citation for 21 CFR part 448 continues to read as follows:

Authority: Sec. 507 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357).

6. Section 448.513a is amended by revising paragraph (a)(1) to read as follows:

§ 448.513a Bacitracin zinc-polymyxin B sulfate ointment.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Bacitracin zinc-polymyxin B sulfate ointment contains bacitracin zinc and polymyxin B sulfate in a suitable and harmless ointment base. It may contain a suitable local anesthetic. Each gram contains 500 units of bacitracin and 10,000 units of polymyxin B. Its bacitracin content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of units of bacitracin that it is represented to contain. Its polymyxin B content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of units of polymyxin B that it is represented to contain. Its moisture content is not more than 0.5 percent. The bacitracin zinc used conforms to the standards prescribed by § 448.13(a)(1). The polymyxin B sulfate used conforms to the standards prescribed by § 448.30(a)(1).

* * * * *

7. Section 448.513c is amended by revising paragraph (a)(1) to read as follows:

§ 448.513c Bacitracin zinc-neomycin sulfate-polymyxin B sulfate ointment; bacitracin zinc-neomycin sulfatepolymyxin B sulfate hydrocortisone ointment.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* This drug, in a suitable and harmless ointment base, contains in each gram the following:

(i) 400 units of bacitracin, 3 milligrams of neomycin, and 8,000 units of polymyxin B; or

(ii) 400 units of bacitracin, 3.5 milligrams of neomycin, and 5,000 units of polymyxin B, with or without 10 milligrams of hydrocortisone; or

(iii) 500 units of bacitracin, 3.5 milligrams of neomycin, and 5,000 units of polymyxin 8; or

(iv) 500 units of bacitracin, 3.5 milligrams of neomycin, and 10,000 units of polymyxin B.

It may contain a suitable local anesthetic except for combinations in paragraph (a)(1)(ii) of this section that contain hydrocortisone. Its bacitracin content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of units of bacitracin that it is represented to contain. Its neomycin content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of milligrams of neomycin that it is represented to contain. Its polymyxin B content is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of units of polymyxin B that it is represented to contain. Its moisture content is not more than 0.5 percent. The bacitracin zinc used conforms to the standards prescribed by § 448.13(a)(1). The neomycin sulfate used conforms to the standards prescribed by § 444.42(a)(1) of this chapter. The polymyxin B sulfate used conforms to the standards prescribed by § 448.30(a)(1).

* * * * *

Dated: May 15, 1990.

James S. Benson,

Acting Commissioner of Food and Drugs.

[FR Doc. 90-13316 Filed 6-7-90; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 674

RIN 0648-AC57

High Seas Salmon Fishery off Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

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

SUMMARY: NOAA issues this notice that the North Pacific Fishery Management Council has submitted Amendment 3 to the Fishery Management Plan for the Salmon Fisheries in the Exclusive Economic Zone off the Coast of Alaska (FMP) and is requesting comments from the public. Copies of Amendment 3, the environmental assessment, and the regulatory impact review may be obtained from the address given below.

DATES: Comments will be accepted until July 2, 1990.

ADDRESSES: Send comments to the Regional Director, National Marine Fisheries Service, P.O. Box 21668, Juneau, Alaska 99802-1168.

FOR FURTHER INFORMATION CONTACT: Aven M. Andersen (NOAA, National Marine Fisheries Service, Alaska Region) 907-586-7228.

SUPPLEMENTARY INFORMATION: Amendment 3 to the FMP was prepared under the provisions of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*). Amendment 3 (1) updates the FMP with the best available scientific information, (2) corrects minor errors, (3) generally defers regulation of the salmon fisheries in the EEZ off the coast of Alaska to the State of Alaska, (4) provides for consistency with the Pacific Salmon Commission, (5) considers fish habitat, and (6) addresses fishing vessel safety issues.

The "receipt date" for Amendment 3 is June 3, 1990; Amendment 3 and associated environmental and regulatory assessments are available for public review and comment until July 2, 1990. Proposed regulations for Amendment 3 will be filed with the Office of the **Federal Register** within 15 days of the receipt date. Copies of Amendment 3 and the environmental and regulatory assessments can be obtained from the above address.

The Magnuson Act requires the Secretary of Commerce (Secretary) to review and approve, disapprove, or partially disapprove any fishery management plan or plan amendment submitted by a Regional Fishery Management Council. The Act also requires that the Secretary, upon receiving a plan or amendment, immediately publish a notice that the plan or amendment is available for public review and comment. The Secretary will consider the public comments in determining whether to approve, disapprove, or partially disapprove this amendment.

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

Dated: June 5, 1990.

Richard H. Schaefer,

Director of Office of Fisheries, Conservation and Management, National Marine Fisheries Service.

[FR Doc. 90-11332 Filed 6-5-90; 1:36 pm]

BILLING CODE 3510-22-M