

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek  
Departmental Paperwork Clearance Officer  
Office of the Chief Information Officer  
14th and Constitution Ave. NW.  
Room 6625  
Washington, DC 20230

06/27/2005

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a new information collection received on 04/13/2005.

TITLE: Southeast Region Tilefish Quota Monitoring

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0524

EXPIRATION DATE: 06/30/2008

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	0	0	0
New	56	19	0
Difference	56	19	0
Program Change		19	0
Adjustment		0	0

TERMS OF CLEARANCE: None

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OMB Authorizing Official	Title
Donald R. Arbuckle	Deputy Administrator, Office of Information and Regulatory Affairs

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# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT  
SOUTHEAST REGION TILEFISH QUOTA MONITORING  
OMB CONTROL NO. 0648-**

**INTRODUCTION**

This submission is intended to eventually be part of the Southeast Region Dealer and Interview family of forms (OMB number 0648-0013), but is being submitted separately at this time. It is our intent to merge these requirements into (0648-0013) when they have been approved by OMB.

In 2003, the Southeast Fisheries Science Center (SEFSC) submitted a request to include the quota monitoring for shallow-water and deep-water groupers in the Gulf of Mexico in the Dealer and Interview Family of Forms (0648-0013). In addition to the grouper fisheries, quotas for tilefish species are also included in the Gulf of Mexico Reef Fish Fishery Management Plan and the previous request did not include reporting by dealers for these species. Therefore, this request is for a new data collection activity to monitor the quotas for tilefish species in the Gulf of Mexico.

The quota for tilefish species is a new requirement in the Reef Fish Management Plan and consequently, provisions for monitoring the landings of these species, in order to project if and when the quotas may be reached, need to be implemented. The SEFSC has been given the task of implementing a data collection program that will provide the Regional Administrator with sufficient information that can be used to determine/project when the tilefish fishery should be closed. To meet this responsibility, the SEFSC plans to implement monthly dealer reporting for tilefish species for a select group of dealers. During 2003, there were 85 dealers in the Gulf of Mexico that reported purchasing tilefish. Based on the landings statistics for 2003, if only dealers that purchased more than 5,000 pounds are selected to report, then only 14 dealers would have been required to reported. Of those 14 dealers, 10 are already selected to report their purchases of shallow-water and deep-water groupers. Because the tilefish species will be included on the same form, only 4 additional dealers will be affected by this new data collection requirement.

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

Landings statistics that are collected by the mandatory quota monitoring program, are essential for the timely monitoring of the fishery quotas for the deep-water, shallow-water grouper and tilefish management units. The quotas for these management units have been established by the Gulf of Mexico Reef Fish Fishery Management Plan and are specified in 50 CFR 622.42 (a)(1)(iv). The authority to conduct this mandatory data collection program is provided in 50 CFR 622.5(c)(3)(ii).

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

Mandatory dealer reporting will be used to monitor the fishery quota for the species in the tilefish management unit. The SEFSC will require the selected dealers to report their landings of the species in this management unit every month and if necessary, every two weeks during the last two months of the season.

Summaries of the quota monitoring information will be disseminated to the public to inform them of the current status of the quota so fishermen and seafood dealers can make the appropriate business decisions regarding future fishing and marketing activities. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

Currently no electronic reporting is being utilized to report data to the SEFSC. However, the SEFSC is actively investigating methods that, if implemented, may improve the efficiency of data reporting. Currently, landings statistics are collected by each of the state fishery agencies in the Gulf of Mexico and some states have developed electronic methods that dealers can use to submit the data. For any dealer that submits landings statistics electronically, the SEFSC will accept any data in an electronic format that can be easily read and summarized to comply with the monthly/bi-weekly reporting requirements in lieu of a paper report.

**4. Describe efforts to identify duplication.**

Landings statistics are reported to each of the state fishery agencies in the Gulf of Mexico, which is essentially the same data that will be reported for this quota monitoring activity. However, it routinely takes the states from 3 to 4 months to process the landings data (and sometimes longer) and provide it to the SEFSC. Consequently, the SEFSC needs to implement a means to collect and make landings data available within two weeks of the end of each month.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

Because almost all dealers are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data to meet reporting objectives are required from the respondents. The data provided by the quota monitoring form are transcribed

from existing accounting information maintained by seafood dealers and processors in the normal course of their business operations. The public is not required, nor asked, to maintain any recordkeeping other than the weigh-out sheets or sales receipt that record the sales transactions between the dealer (purchaser) and the fishermen (seller). Thus, the reporting burden on dealers and processors is at a minimum.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

As noted above, the consequence of not implementing this quota monitoring program will be the significant risk that the quotas will be exceeded. The objective of fishery quotas is to eliminate or significantly reduce fishing mortality. If quotas are not monitored adequately and the fishery closed as quickly as possible, then this objective will not be achieved, with continued overfishing a likely result.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

As described above, the landings statistics collected under this collection activity must be collected in a timely manner, monthly for part of the year and then bi-weekly in order to assure that the fisheries are closed prior to the quota being reached. Consequently, it is necessary for this activity to deviate from the quarterly requirement established in the OMB Guidelines for Information Collections.

**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A copy of the Federal Register notice is attached. No comments were received in response to this notice.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payment or other remuneration are provided.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

All data collected via this family of forms are treated in accord with NOAA Administrative Order 216-100, Confidential Fisheries Statistics. Dealer reports are also considered confidential under the Trade Secrets Act.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No questions of a sensitive nature are asked.

**12. Provide an estimate in hours of the burden of the collection of information.**

It is anticipated that 4 dealers will be selected to submit the quota monitoring form once a month for 10 months and then every two weeks for the other two months, for a total of 56 responses, and that it will take a dealer on average 20 minutes to summarize the landings statistics per species and complete the form. The total burden on the public for this reporting activity is estimated to be 19 hours:  $56 \times 0.34 \text{ hours} = 19 \text{ hours}$ .

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

There are no anticipated costs beyond the labor cost of completing the form. The dealers are provided with addressed, postage-paid envelopes that they use to return the completed form or they fax the form.

**14. Provide estimates of annualized cost to the Federal government.**

It is not anticipated that additional costs to the Federal government will be required for the tilefish reporting beyond the costs already being expended by the SEFSC to process the quota monitoring data form for the deep-water and shallow-water grouper fisheries. Existing Federal personnel will be able to process the few additional forms that will be submitted by the 4 dealers that are not currently selected to report.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

This is a new collection.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

Results from the data collection using the forms in this family are not planned for publication.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

The OMB number and expiration number will be displayed on each of the forms.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**



There are no exceptions to Item 19 of the OMB 83-I.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.

**MONTHLY DEALER REPORTING FOR GROUPEL QUOTA MONITORING**

DEALER NAME: \_\_\_\_\_ FEDERAL PERMIT NO. DL- \_\_\_\_\_  
 BUSINESS \_\_\_\_\_ REPORTING \_\_\_\_\_  
 LOCATION COUNTY: \_\_\_\_\_ STATE: \_\_\_\_\_ MONTH: \_\_\_\_\_ / \_\_\_\_\_  
 Month Year

Write the amount (pounds) for each species purchased during the reporting month (do not include purchases from other dealer or imported fish). If no purchases were made, check the box at the bottom.

**SHALLOW WATER GROUPERS**

**DEEP WATER GROUPERS**

<u>SPECIES</u>	<u>ROUND WEIGHT</u>	<u>GUTTED WEIGHT</u>
Black Grouper	_____	_____
Gag Grouper	_____	_____
Red Grouper	_____	_____
Yellowfin Grouper	_____	_____
Scamp	_____	_____
Red Hind	_____	_____
Rock Hind	_____	_____
Yellowmouth Grouper	_____	_____

<u>SPECIES</u>	<u>ROUND WEIGHT</u>	<u>GUTTED WEIGHT</u>
Snowy Grouper	_____	_____
Misty Grouper	_____	_____
Yellowedge Grouper	_____	_____
Warsaw Grouper	_____	_____
Speckled Hind	_____	_____

**TILEFISHES**

- Tilefish
- Goldface tilefish
- Blackline Tilefish
- Blueline Tilefish
- Anchor Tilefish

NO PURCHASES FOR ANY OF THE ABOVE SPECIES WERE MADE DURING THIS MONTH.

Submitted by: Name (please print)

Signature: \_\_\_\_\_

Date: \_\_\_ / \_\_\_ / 200

**Mail reports to: Michael Judge  
 National Marine Fisheries Service  
 75 Virginia Beach Drive  
 Miami, FL 33149**

**Fax Reports to: Michael Judge  
 305/361-4460**

Public reporting burden for this collection of information is estimated to average 20 minutes per response including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this burden to Robert Walker, National Marine Fisheries Service, 75 Virginia Beach Dr., Miami, Florida 33149. This reporting authorized under 50 CFR 622.5(c)(3)(ii). Information submitted will be treated as confidential in accordance with NOAA Administrative Orders. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection displays a currently valid OMB Control Number. The NMFS requires this information for the conservation and management of marine fishery resources. This data will be used to monitor the quotas for these fisheries.

TITLE 50--WILDLIFE AND FISHERIES

CHAPTER VI--FISHERY CONSERVATION AND MANAGEMENT, NATIONAL OCEANIC  
 AND ATMOSPHERIC ADMINISTRATION,  
 DEPARTMENT OF COMMERCE

PART 622--FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC--Table of Contents

Subpart A--General Provisions

Sec. 622.1 Purpose and scope.

(a) The purpose of this part is to implement the FMPs prepared under the Magnuson Act by the CFMC, GMFMC, and/or SAFMC listed in Table 1 of this section.

(b) This part governs conservation and management of species included in the FMPs in or from the Caribbean, Gulf, Mid-Atlantic, or South Atlantic EEZ, as indicated in Table 1 of this section. For the FMPs noted in the following table, conservation and management extends to adjoining state waters for the purposes of data collection and monitoring.

Table 1--FMPs Implemented Under Part 622

FMP title	Responsible fishery management council(s)	Geograp
Atlantic Coast Red Drum FMP	SAFMC	Mid-Atlantic a Atlantic.
FMP for Coastal Migratory Pelagic Resources.	GMFMC/SAFMC	Gulf,\1\ Mid-A South Atlanti Gulf.
FMP for Coral and Coral Reefs of the Gulf of Mexico.	GMFMC	South Atlantic
FMP for Coral, Coral Reefs, and Live/ Hard Bottom Habitats of the South Atlantic Region.	SAFMC	South Atlantic
FMP for Corals and Reef Associated Plants and Invertebrates of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.
FMP for the Golden Crab Fishery of the South Atlantic Region.	SAFMC	South Atlantic

[[Page 135]]

FMP for Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.
FMP for the Red Drum Fishery of the Gulf of Mexico.	GMFMC	Gulf.<SUP>1</S
FMP for the Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.
FMP for the Reef Fish Resources of the Gulf of Mexico.	GMFMC	Gulf.<SUP>1</S
FMP for the Shrimp Fishery of the Gulf of Mexico.	GMFMC	Gulf.<SUP>1</S

FMP for the Shrimp Fishery of the South Atlantic Region.	SAFMC	South Atlantic
FMP for the Snapper-Grouper Fishery of the South Atlantic Region.	SAFMC	South Atlantic
FMP for the Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands.	CFMC	Caribbean.

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- \1\ Regulated area includes adjoining state waters for purposes of data collection and quota mon
  - \2\ Only king and Spanish mackerel and cobia are managed under the FMP in the Mid-Atlantic.
  - \3\ Bluefish are not managed under the FMP in the South Atlantic.
  - \4\ Bank, rock, and black sea bass and scup are not managed by the FMP or regulated by this part 35[deg]15.19[min] N. lat., the latitude of Cape Hatteras Light, NC.

[61 FR 34934, July 3, 1996, as amended at 61 FR 43956, Aug. 27, 1996; 61 FR 65483, Dec. 13, 1996; 63 FR 10565, Mar. 4, 1998; 67 FR 22362, May 3, 2002]

TITLE 50--WILDLIFE AND FISHERIES

CHAPTER VI--FISHERY CONSERVATION AND MANAGEMENT, NATIONAL OCEANIC  
AND ATMOSPHERIC ADMINISTRATION,  
DEPARTMENT OF COMMERCE

PART 622--FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC--Table of Contents

Subpart A--General Provisions

Sec. 622.5 Recordkeeping and reporting.

Participants in fisheries governed in this part are required to keep records and report as follows.

(a) Commercial vessel owners and operators--(1) Requirements by species--(i) Coastal migratory pelagic fish. The owner or operator of a vessel that fishes for or lands coastal migratory pelagic fish for sale in or from the Gulf, Mid-Atlantic,

[[Page 155]]

or South Atlantic EEZ or adjoining state waters, or whose vessel is issued a commercial permit for king or Spanish mackerel, as required under Sec. 622.4(a)(2)(iii) or (iv), who is selected to report by the SRD, must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(2) of this section.

(ii) Gulf reef fish. The owner or operator of a vessel for which a commercial permit for Gulf reef fish has been issued, as required under Sec. 622.4(a)(2)(v), or whose vessel fishes for or lands reef fish in or from state waters adjoining the Gulf EEZ, who is selected to report by the SRD must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(2) of this section.

(A) Fish traps. In addition to the other reporting requirements in paragraph (a)(1)(ii) of this section, the owner or operator of a vessel for which a fish trap endorsement has been issued, as required under Sec. 622.4(a)(2)(i), must comply with the following requirements.

(1) Inspection. The RA will establish a 1-month period for mandatory inspection of all fish trap gear, permits, and vessels. The RA will provide written notification of the inspection period to each owner of a vessel for which a fish trap endorsement has been issued as required under Sec. 622.4(a)(2)(i). Each such owner or operator must contact the Special Agent-in-Charge, NMFS, Office of Enforcement, Southeast Region, St. Petersburg, FL (SAC) or his designee by telephone (727-570-5344) to schedule an inspection during the 1-month period. Requests for inspection must be made between 8:00 a.m. and 4:30 p.m. Monday through Friday and must be made at least 72 hours in advance of the desired inspection date. Inspections will be conducted Monday through Friday between 8:00 a.m. and 4:30 p.m. only. On the inspection date, the owner or operator must make all fish trap gear with attached trap tags and buoys and all applicable permits available for inspection on land. Vessels must also be made available for inspection as directed by the SAC or his designee. Upon completion of the inspection and a determination that all fish trap gear, permits, and vessels are in compliance, an owner or operator may resume fishing with the lawful gear. However, an owner or operator who fails to comply with the inspection requirements during the 1-month inspection period or during

any other random inspection may not use or possess a fish trap in the Gulf EEZ until the required inspection or reinspection, as directed by the SAC, has been completed and all fish trap gear, permits, and vessels are determined to be in compliance with all applicable regulations.

(2) Trip reports. For each fishing trip on which a fish trap will be used or possessed, an owner or operator of a vessel for which a fish trap endorsement has been issued, as required under Sec. 622.4(a)(2)(i), must submit a trip initiation report and a trip termination report to the SAC or his designee, by telephone, using the following 24-hour toll-free number--800-305-0697.

(i) Trip initiation report. The trip initiation report must be submitted before beginning the trip and must include: vessel name; official number; number of traps to be deployed; sequence of trap tag numbers; date, time, and point of departure; and intended time and date of trip termination.

(ii) Trip termination report. The trip termination report must be submitted immediately upon returning to port and prior to any offloading of catch or fish traps. The trip termination report must include: vessel name; official number; name and address of dealer where catch will be offloaded and sold; the time offloading will begin; notification of any lost traps; and notification of any traps left deployed for any reason.

(B) [Reserved]

(iii) Gulf shrimp. The owner or operator of a vessel that fishes for shrimp in the Gulf EEZ or in adjoining state waters, or that lands shrimp in an adjoining state, must provide information for any fishing trip, as requested by the SRD, including, but not limited to, vessel identification, gear, effort, amount of shrimp caught by species, shrimp condition (heads on/heads off), fishing areas and depths, and person to whom sold.

[[Page 156]]

(iv) South Atlantic snapper-grouper. (A) The owner or operator of a vessel for which a commercial permit for South Atlantic snapper-grouper has been issued, as required under Sec. 622.4(a)(2)(vi), or whose vessel fishes for or lands South Atlantic snapper-grouper in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(2) of this section.

(B) The wreckfish shareholder under Sec. 622.15, or operator of a vessel for which a commercial permit for wreckfish has been issued, as required under Sec. 622.4(a)(2)(vii), must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(2) of this section.

(C) The wreckfish shareholder under Sec. 622.15, or operator of a vessel for which a commercial permit for wreckfish has been issued, as required under Sec. 622.4(a)(2)(vii), must make available to an authorized officer upon request all records of offloadings, purchases, or sales of wreckfish.

(v) South Atlantic golden crab. The owner or operator of a vessel for which a commercial permit for golden crab has been issued, as required under Sec. 622.4(a)(2)(x), who is selected to report by the SRD must maintain a fishing record on a form available from the SRD.

(2) Reporting deadlines. (i) Completed fishing records required by paragraphs (a)(1)(i), (ii), and (iv) of this section must be submitted to the SRD postmarked not later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

(ii) Reporting forms required in paragraph (a)(1)(v) of this section must be submitted to the SRD postmarked not later than 30 days after sale of the golden crab offloaded from a trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month.

Information to be reported is indicated on the form and its accompanying instructions.

(b) Charter vessel/headboat owners and operators-- Coastal migratory pelagic fish, reef fish, and snapper-grouper. The owner or operator of a vessel for which a charter vessel/headboat permit for Gulf coastal migratory pelagic fish, South Atlantic coastal migratory pelagic fish, Gulf reef fish, or South Atlantic snapper-grouper has been issued, as required under Sec. 622.4(a)(1), or whose vessel fishes for or lands such coastal migratory pelagic fish, reef fish, or snapper-grouper in or from state waters adjoining the Gulf or South Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD and must submit such record as specified in paragraph (b)(2) of this section.

(2) Reporting deadlines--(i) Charter vessels. Completed fishing records required by paragraph (b)(1) of this section for charter vessels must be submitted to the SRD weekly, postmarked not later than 7 days after the end of each week (Sunday). Information to be reported is indicated on the form and its accompanying instructions.

(ii) Headboats. Completed fishing records required by paragraph (b)(1) of this section for headboats must be submitted to the SRD monthly and must either be made available to an authorized statistical reporting agent or be postmarked not later than 7 days after the end of each month. Information to be reported is indicated on the form and its accompanying instructions.

(c) Dealers--(1) Coastal migratory pelagic fish. (i) A person who purchases coastal migratory pelagic fish from a fishing vessel, or person, that fishes for or lands such fish in or from the EEZ or adjoining state waters who is selected to report by the SRD must submit information on forms provided by the SRD. This information must be submitted to the SRD at monthly intervals, postmarked not later than 5

[[Page 157]]

days after the end of each month. Reporting frequency and reporting deadlines may be modified upon notification by the SRD. If no coastal migratory pelagic fish were received during a calendar month, a report so stating must be submitted on one of the forms, in accordance with the instructions on the form, and must be postmarked not later than 5 days after the end of the month. The information to be reported is as follows:

- (A) Dealer's or processor's name and address.
- (B) County where fish were landed.
- (C) Total poundage of each species received during that month, or other requested interval.
- (D) Average monthly price paid for each species.
- (E) Proportion of total poundage landed by each gear type.

(ii) Alternate SRD. For the purposes of paragraph (c)(1)(i) of this section, in the states from New York through Virginia, or in the waters off those states, ``SRD'' means the Science and Research Director, Northeast Fisheries Science Center, NMFS (see Table 1 of Sec. 600.502 of this chapter), or a designee.

(2) Gulf red drum. A dealers or processor who purchases red drum harvested from the Gulf who is selected to report by the SRD must report to the SRD such information as the SRD may request and in the form and manner as the SRD may require. The information required to be submitted must include, but is not limited to, the following:

- (i) Dealer's or processor's name and address.
- (ii) State and county where red drum were landed.
- (iii) Total poundage of red drum received during the reporting period, by each type of gear used for harvest.

(3) Gulf reef fish. A person who purchases Gulf reef fish from a fishing vessel, or person, that fishes for or lands such fish in or from the EEZ or adjoining state waters must maintain records and submit information as follows:

- (i) A dealer must maintain at his/her principal place of business a

record of Gulf reef fish that he/she receives. The record must contain the name of each fishing vessel from which reef fish were received and the date, species, and quantity of each receipt. A dealer must retain such record for at least 1 year after receipt date and must provide such record for inspection upon the request of an authorized officer or the SRD.

(ii) When requested by the SRD, a dealer must provide information from his/her record of Gulf reef fish received the total poundage of each species received during the month, average monthly price paid for each species by market size, and proportion of total poundage landed by each gear type. This information must be provided on forms available from the SRD and must be submitted to the SRD at monthly intervals, postmarked not later than 5 days after the end of the month. Reporting frequency and reporting deadlines may be modified upon notification by the SRD. If no reef fish were received during a calendar month, a report so stating must be submitted on one of the forms, postmarked not later than 5 days after the end of the month.

(iii) The operator of a car or truck that is used to pick up from a fishing vessel reef fish harvested from the Gulf must maintain a record containing the name of each fishing vessel from which reef fish on the car or truck have been received. The vehicle operator must provide such record for inspection upon the request of an authorized officer.

(4) Gulf shrimp. A person who purchases shrimp from a vessel, or person, that fishes for shrimp in the Gulf EEZ or in adjoining state waters, or that lands shrimp in an adjoining state, must provide the following information when requested by the SRD:

(i) Name and official number of the vessel from which shrimp were received or the name of the person from whom shrimp were received, if received from other than a vessel.

(ii) Amount of shrimp received by species and size category for each receipt.

(iii) Exvessel value, by species and size category, for each receipt.

(5) South Atlantic snapper-grouper. (i) A person who purchases South Atlantic snapper-grouper that were harvested from the EEZ or from adjoining state waters and who is selected to report by the SRD and a dealer who has been issued a dealer permit for wreckfish, as

[[Page 158]]

required under Sec. 622.4(a)(4), must provide information on receipts of South Atlantic snapper-grouper and prices paid, by species, on forms available from the SRD. The required information must be submitted to the SRD at monthly intervals, postmarked not later than 5 days after the end of the month. Reporting frequency and reporting deadlines may be modified upon notification by the SRD. If no South Atlantic snapper-grouper were received during a calendar month, a report so stating must be submitted on one of the forms, postmarked not later than 5 days after the end of the month. However, during complete months encompassed by the wreckfish spawning-season closure (that is, February and March), a wreckfish dealer is not required to submit a report stating that no wreckfish were received.

(ii) A dealer reporting South Atlantic snapper-grouper other than wreckfish may submit the information required in paragraph (c)(5)(i) of this section via facsimile (fax).

(iii) A dealer who has been issued a dealer permit for wreckfish, as required under Sec. 622.4(a)(4), must make available to an authorized officer upon request all records of offloadings, purchases, or sales of wreckfish.

(6) South Atlantic golden crab. A dealer who receives from a fishing vessel golden crab harvested from the South Atlantic EEZ and who is selected by the SRD must provide information on receipts of, and prices paid for, South Atlantic golden crab to the SRD at monthly intervals, postmarked not later than 5 days after the end of each month. Reporting frequency and reporting deadlines may be modified upon notification by the SRD.



(7) South Atlantic rock shrimp. (i) A dealer who has been issued a permit for rock shrimp, as required under Sec. 622.4(a)(4), and who is selected by the SRD must provide information on receipts of rock shrimp and prices paid on forms available from the SRD. The required information must be submitted to the SRD at monthly intervals postmarked not later than 5 days after the end of each month. Reporting frequencies and reporting deadlines may be modified upon notification by the SRD.

(ii) On demand, a dealer who has been issued a dealer permit for rock shrimp, as required under Sec. 622.4(a)(4), must make available to an authorized officer all records of offloadings, purchases, or sales of rock shrimp.

(d) Individuals with coral or live rock permits. (1) An individual with a Federal allowable octocoral permit must submit a report of harvest to the SRD. Specific reporting requirements will be provided with the permit.

(2) A person with a Federal aquacultured live rock permit must report to the RA each deposition of material on a site. Such reports must be postmarked not later than 7 days after deposition and must contain the following information:

(i) Permit number of site and date of deposit.

(ii) Geological origin of material deposited.

(iii) Amount of material deposited.

(iv) Source of material deposited, that is, where obtained, if removed from another habitat, or from whom purchased.

(3) A person who takes aquacultured live rock must submit a report of harvest to the RA. Specific reporting requirements will be provided with the permit. This reporting requirement is waived for aquacultured live rock that is landed in Florida.

(e) Additional data and inspection. Additional data will be collected by authorized statistical reporting agents and by authorized officers. A person who fishes for or possesses species in or from the EEZ governed in this part is required to make the applicable fish or parts thereof available for inspection by the SRD or an authorized officer upon request.

(f) Commercial vessel, charter vessel, and headboat inventory. The owner or operator of a commercial vessel, charter vessel, or headboat operating in a fishery governed in this part who is not selected to report by the SRD under paragraph (a) or (b) of this section must provide the following information when interviewed by the SRD:

(1) Name and official number of vessel and permit number, if applicable.

(2) Length and tonnage.

(3) Current home port.

(4) Fishing areas.

[[Page 159]]

(5) Ports where fish were offloaded during the last year.

(6) Type and quantity of gear.

(7) Number of full- and part-time fishermen or crew members.

[61 FR 34940, July 3, 1996, as amended at 61 FR 43956, Aug. 27, 1996; 61 FR 47448, Sept. 9, 1996; 63 FR 10567, Mar. 4, 1998; 63 FR 57590, Oct. 28, 1998; 64 FR 59126, Nov. 2, 1999; 64 FR 68935, Dec. 9, 1999; 67 FR 43565, June 28, 2002]

**Antidumping Duty Order**

On July 29, 2004, in accordance with section 735(d) of the Act, the International Trade Commission (“the Commission”) notified the Department of its final determination pursuant to section 735(b)(1)(A)(i) of the Act that an industry in the United States is materially injured by reason of less-than-fair-value imports of subject merchandise from the PRC. Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (“CBP”) to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price of the merchandise for all relevant entries of THFA from the PRC. These antidumping duties will be assessed on all unliquidated entries of THFA from the PRC entered, or withdrawn from the warehouse, for consumption on or after January 27, 2004, the date on which the Department published its *Notice of Preliminary Determination of Sales at Less Than Fair Value: Tetrahydrofurfuryl Alcohol From The People’s Republic of China*, 69 FR 3887 (January 27, 2004).

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months. At the request of exporters that account for a significant proportion of THFA, we extended the four-month period to no more than six months. See *Notice of Postponement of Final Determination of Antidumping Duty Investigation: Tetrahydrofurfuryl Alcohol From The People’s Republic of China*, 69 FR 12127 (March 15, 2004). In this investigation, the six-month period beginning on the date of the publication of the preliminary determination ends on July 27, 2004. Furthermore, section 737 of the Act states that definitive duties are to begin on the date of publication of the ITC’s final injury determination. Therefore, in accordance with section 733(d) of the Act and our practice, we will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of THFA from the PRC entered, or withdrawn from warehouse, for consumption on or after July 27, 2004, and before the date of publication of the ITC’s final injury determination in the

**Federal Register.** Suspension of liquidation will continue on or after this date.

On or after the date of publication of the Commission’s notice of final determination in the **Federal Register**, CBP will require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins as listed below. The “PRC-wide” rate applies to all exporters of subject merchandise not specifically listed. The weighted-average dumping margins are as follows:

Manufacturer/exporter	Weighted-average margin (percent)
Qingdao Wenkem (F.T.Z.) Trading Co., Ltd .....	136.86
PRC-Wide .....	136.86

This notice constitutes the antidumping duty order with respect to THFA from the PRC pursuant to section 735(a) of the Act. Interested parties may contact the Department’s Central Records Unit, Room B-099 of the main Commerce building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211.

Dated: August 2, 2004.  
**Joseph A. Spetrini**,  
*Acting Assistant Secretary for Import Administration.*  
 [FR Doc. 04-18041 Filed 8-5-04; 8:45 am]  
**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Environmental Technologies Trade Advisory Committee (ETTAC)**

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of open meeting.

*Date:* September 10, 2004.  
*Time:* 9 a.m. to 3 p.m.  
*Place:* U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Room 3407, Washington, DC 20230.  
**SUMMARY:** The Environmental Technologies Trade Advisory Committee (ETTAC) will hold a plenary meeting on September 10, 2004, at the U.S. Department of Commerce, 14th Street and Constitution Avenue, NW.,

Room 3407, Washington, DC 20230. The ETTAC will discuss environmental technologies trade policies and programs. Time will be permitted for public comment. The meeting is open to the public.

Written comments concerning ETTAC affairs are welcome anytime before or after the meeting. Minutes will be available within 30 days of this meeting.

The ETTAC is mandated by Public Law 103-392. It was created to advise the U.S. government on environmental trade policies and programs, and to help it to focus its resources on increasing the exports of the U.S. environmental industry. ETTAC operates as an advisory committee to the Secretary of Commerce and the Trade Promotion Coordinating Committee (TPCC). ETTAC was originally chartered in May of 1994. It was most recently rechartered until May 30, 2006.

For further information contact Mr. Corey Wright, Office of Environmental Technologies Industries (ETI), International Trade Administration, U.S. Department of Commerce at (202) 482-5225. This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to ETI at (202) 482-5225.

Dated: July 29, 2004.  
**Carlos F. Montouliou**,  
*Director, Office of Environmental Technologies Industries.*  
 [FR Doc. 04-17951 Filed 8-5-04; 8:45 am]  
**BILLING CODE 3510-DR-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 072204D]

**Proposed Information Collection; Comment Request; Tilefish Reporting in the Gulf of Mexico**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).  
**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before October 5, 2004.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to John Poffenberger, Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, FL 33149, (phone 305-361-4263).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

Fishery quotas are established for species in the tilefish management unit within the Gulf of Mexico Reef Fish Fishery Management Plan (FMP) (see 50 CFR 622.42(a)(1)(iv)).

The existing methods of monitoring the tilefish quota established by the FMP are likely to be ineffective. The Southeast Fisheries Science Center intends to use the authority under section 50 CFR 622.5(c)(3)(ii) to require dealers to report purchases (landings) of species in the tilefish fishery on a monthly basis. This reporting methodology is the same as the procedures that have been established to monitor the deep-water and shallow-water grouper quotas also established under the Reef Fish FMP.

**II. Method of Collection**

The Southeast Fisheries Science Center will provide a reporting form to each dealer selected to report. The dealer must complete the reporting form by providing the name and permit number of the company and the amount purchased (landed) for the previous month for the individual species in tilefish management unit. This form must be faxed or sent as an e-mail attachment to the Southeast Fisheries Science Center, Miami, FL, within five business days of the end of each month until the quota is reached and the fishery is closed. For dealers that do not have a rapidfax machine or access to e-mail, pre-addressed, pre-paid envelopes will be provided.

**III. Data**

*OMB Number:* None.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Business and other for-profit organizations (seafood dealers and fishermen).

*Estimated Number of Respondents:* 85.

*Estimated Time Per Response:* 2 minutes.

*Estimated Total Annual Burden Hours:* 3 hours.

*Estimated Total Annual Cost to Public:* \$0.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: July 20, 2004.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 04-18054 Filed 8-5-04; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 072804B]

**Taking and Importing of Marine Mammals**

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

**ACTION:** Notice of affirmative finding renewal.

**SUMMARY:** The Assistant Administrator for Fisheries, NMFS, (Assistant Administrator) renewed the affirmative finding for the Government of Mexico under the Marine Mammal Protection Act (MMPA). This affirmative finding renewal will allow yellowfin tuna harvested in the Eastern Tropical Pacific Ocean (ETP) in compliance with the International Dolphin Conservation Program (IDCP) by Mexican-flag purse seine vessels or purse seine vessels operating under Mexican jurisdiction to continue to be imported into the United

States. The affirmative finding renewal was based on review of documentary evidence submitted by the Government of Mexico and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the Department of State.

**DATES:** Effective April 1, 2004, through March 31, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, California, 90802-4213; Phone 562-980-4000; Fax 562-980-4018.

**SUPPLEMENTARY INFORMATION:** The MMPA, 16 U.S.C. 1361 *et seq.*, as amended by the International Dolphin Conservation Program Act (IDCPA) (Public Law 105-42), allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State. The finding will be reviewed annually to ensure that the nation continues to meet the requirements for an affirmative finding. The requirements must be met in order for the finding to remain valid for the following 12-month period (April 1 through March 31) or for such other period as the Assistant Administrator may determine.

The affirmative finding process requires that the harvesting nation meet several conditions related to compliance with the IDCP. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. A nation may provide information regarding compliance with the IDCP directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS in years when NMFS will review and consider whether to issue an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the IDCP. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the