

(b) *Pot and trap gear restrictions.* Owners or operators of vessels subject to this part must fish with scup pots or traps that comply with the following:

(1) *Degradable hinges.* A scup pot or trap must have degradable hinges and fasteners made of one of the following degradable materials:

(i) Untreated hemp, jute, or cotton string of  $\frac{3}{16}$  inches (4.8 mm) diameter or smaller;

(ii) Magnesium alloy, timed float releases (pop-up devices) or similar magnesium alloy fasteners; or

(iii) Ungalvanized or uncoated iron wire of 0.094 inches (2.4 mm) diameter or smaller.

(2) *Escape vents.* (i) All scup pots or traps that have a circular escape vent with a minimum of 3.1 inches (7.9 cm) in diameter, or a square escape vent with a minimum of 2.25 inches (5.7 cm) for each side, or an equivalent rectangular escape vent.

(ii) The minimum escape vent size set forth in paragraph (b)(2)(i) of this section may be revised following the procedures in § 648.120.

#### § 648.124 Minimum fish sizes.

(a) The minimum size for scup is 9 inches (22.9 cm) TL for all vessels issued a moratorium permit under § 648.4(a)(6). If such a vessel is also issued a charter and party boat permit and is carrying passengers for hire, or carrying more than three crew members if a charter boat, or more than five crew members if a party boat, then the minimum size specified in paragraph (b) of this section applies.

(b) The minimum size for scup is 7 inches (17.8 cm) TL for all vessels that do not have a moratorium permit, or for party and charter vessels that are issued a moratorium permit but are fishing with passengers for hire, or carrying more than three crew members if a charter boat, or more than five crew members if a party boat.

(c) The minimum size applies to whole fish or any part of a fish found in possession, e.g., fillets. These minimum sizes may be adjusted pursuant to the procedures in § 648.120.

#### § 648.125 Possession limit.

(a) Pursuant to the procedures in § 648.120, the Regional Director may limit the number of scup that may be possessed in or harvested from the EEZ north of 35°15.3' N. lat. by persons aboard vessels that have not been issued a valid moratorium permit.

(b) If whole scup are processed into fillets, an authorized officer will convert the number of fillets to whole scup at the place of landing by dividing fillet number by 2. If scup are filleted into a

single (butterfly) fillet, such fillet shall be deemed to be from one whole scup.

(c) Scup harvested by vessels subject to the possession limit with more than one person aboard may be pooled in one or more containers. Compliance with the daily possession limit will be determined by dividing the number of scup on board by the number of persons aboard other than the captain and crew. If there is a violation of the possession limit on board a vessel carrying more than one person, the violation shall be deemed to have been committed by the owner and operator.

(d) Scup and scup parts harvested by a vessel with a moratorium or charter or party boat scup permit, or in or from the EEZ north of 35°15.3' N. lat., may not be landed with the skin removed.

#### § 648.126 Protection of threatened and endangered sea turtles.

This section supplements existing regulations issued to regulate incidental take of sea turtles under authority of the Endangered Species Act under 50 CFR parts 217 and 227. In addition to the measures required under those parts, NMFS will investigate the extent of take in flynet gear and if deemed appropriate, may develop and certify a Turtle Excluder Device for that gear.

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## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 101

[T.D. 96-63]

#### Extension of Port Limits of Puget Sound, Washington

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

**SUMMARY:** This document amends the Customs Regulations pertaining to the field organization of Customs by extending the geographical limits of the consolidated port of entry of Puget Sound, Washington. The current boundaries have been extended to include the portion of King County, Washington, which lies between the boundaries of the Port of Seattle and the Port of Tacoma. The boundaries have been changed because various commercial operations requiring the services of Customs personnel have been established in areas beyond the current limits of the consolidated port. **EFFECTIVE DATE:** September 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Patricia M. Duffy, Office of Field Operations, 202-927-0540.

#### SUPPLEMENTARY INFORMATION:

##### Background

As part of a continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public, Customs is extending the geographical limits of the consolidated port of entry of Puget Sound, Washington. The geographical limits of the consolidated Port of Puget Sound include Seattle, Anacortes, Bellingham, Everett, Friday Harbor, Neah Bay, Olympia, Port Angeles, Port Townsend and Tacoma. This document amends the port description of Puget Sound to include within the port description of Seattle the portion of King County, Washington, which before this document was between the boundaries of the Port of Seattle and the Port of Tacoma. The boundaries are being changed to help serve the various commercial operations located in the area which require the services of Customs personnel.

The decision to extend the port limits of Seattle, and accordingly, the port limits of the consolidated Port of Puget Sound, has been made after a Notice of Proposed Rulemaking concerning this matter was published in the Federal Register (60 FR 47504) on September 13, 1995, requesting comments from the public and no comments were received.

In accordance with the decision to extend the port limits, the list of Customs ports of entry in 19 CFR 101.3 (b)(1) is amended as described below.

##### New Puget Sound Port Limits

The geographical area within the boundaries of the Consolidated Port of Puget Sound are as follows:

The ports of Seattle (Section 35, Township 27 North, Range 3 East, West Meridian, County of Snohomish, and the geographical area beginning at the intersection of NW. 205th Street and the waters of Puget Sound, proceeding in an easterly direction along the King County line to its intersection with 100th Avenue N.E., thence southerly along 100th Avenue N.E. and its continuation to the intersection of 100th Avenue S.E. and S.E. 240th Street, thence westerly along S.E. 240th Street, to its intersection with North Central Avenue, thence southerly along North Central Avenue, its continuation as South Central Avenue and 83rd Avenue South and its connection to Auburn Way North, thence southerly along Auburn Way North and its continuation as

Auburn Way South to its intersection with State Highway 18, thence westerly along Highway 18 to its intersection with A Street S.E., then southerly along A Street S.E. to its intersection with the King County Line, then westerly along the King County Line to its intersection with the waters of Puget Sound and then northerly along the shores of Puget Sound to its intersection with N.W. 205th Street, the point of beginning, all within the County of King, State of Washington), Anacortes, Bellingham, Everett, Friday Harbor, Neah Bay, Olympia, Port Angeles, Port Townsend, and the territory in Tacoma beginning at the intersection of the westernmost city limits of Tacoma and The Narrows and proceeding in an easterly, then southerly, then easterly direction along the city limits of Tacoma to its intersection with Pacific Highway (U.S. Route 99), then proceeding in a southerly direction along Pacific Highway to its intersection with Union Avenue Extended and continuing in a southerly direction along Union Avenue Extended to its intersection with the northwest corner of McChord Air Force Base, then proceeding along the northern, then western, then southern boundary of McChord Air Force Base to its intersection, just west of Lake Mondress, with the northern boundary of the Fort Lewis Military Reservation, then proceeding in an easterly direction along the northern boundary of the Fort Lewis Military Reservation to its intersection with Pacific Avenue, then proceeding in a southerly direction along Pacific Avenue to its intersection with National Park Highway, then proceeding in a southeasterly direction along National Park Highway to its intersection with 224th Street, East, then proceeding in an easterly direction along 244th Street, East, to its intersection with Meridian Street, South, then proceeding in a northerly direction along Meridian Street to the northern boundary of Pierce County, then proceeding in a westerly direction along the northern boundary of Pierce County to its intersection with Puget Sound, then proceeding in a generally southwesterly direction along the banks of the East Passage of Puget Sound, Commencement Bay, and The Narrows to the point of intersection with the westernmost city limits of Tacoma, including all points and places on the southern boundary of the Juan de Fuca Strait from the eastern port limits of Neah Bay to the western port limits of Port Townsend, all points and places on the western boundary of Puget Sound, including Hood Canal, from the port limits of Port Townsend to the northern

port limits of Olympia, all points and places on the southern boundary of Puget Sound from the port limits of Olympia to the western port limits of Tacoma, and all points and places on the eastern boundary of Puget Sound and contiguous waters from the port limits of Tacoma north to the southern port limits of Bellingham, all in the State of Washington.

#### Regulatory Flexibility Act and Executive Order 12866

Although Customs solicited public comments on this port extension, no notice of proposed rulemaking was required pursuant to 5 U.S.C. 553 because the port extension relates to agency management and organization. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Agency organization matters such as this port extension are exempt from consideration under Executive Order 12866.

Drafting Information: The principal author of this document was Janet L. Johnson, Regulations Branch. However, personnel from other offices participated in its development.

#### List of Subjects in 19 CFR Part 101

Customs duties and inspection, Exports, Imports, Organization and functions (Government agencies).

#### Amendments to the Regulations

Accordingly, Part 101 of the Customs Regulations is amended as set forth below:

### PART 101—GENERAL PROVISIONS

1. The general authority citation for Part 101 and the specific authority citation for § 101.3 continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1623, 1624.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

\* \* \* \* \*

#### § 101.3 [Amended]

2. Section 101.3(b)(1) is amended by removing the reference "T. D. 83-146" in the "Limits of port" column adjacent to the entry of Puget Sound in the "Ports of entry" column under the state of Washington and by adding the reference "T. D. 96-63" in its place.

Approved: July 29, 1996.

George J. Weise,

*Commissioner of Customs.*

Dennis M. O'Connell,

*Acting Deputy Assistant Secretary of the Treasury.*

[FR Doc. 96-21487 Filed 8-22-96; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

### 19 CFR Part 210

#### Procedures for Investigations and Related Proceedings Concerning Unfair Practices in Import Trade

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission hereby adopts certain interim rules as final rules of practice and procedure for investigations and related proceedings under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). The Commission also revises the interim rule concerning investigation target dates, and adopts that rule as a final rule. This change is made, in response to public comment, so that any decision that results in a target date beyond fifteen months will be by initial determination. The Commission further revises the final rule concerning modification or rescission of exclusion orders, cease and desist orders, and consent orders to eliminate the publication of Federal Register notices that are not required by law, to eliminate unnecessary publication costs.

**DATES:** The effective date of these final rules is September 23, 1996. These final rules will apply to all section 337 investigations and proceedings instituted after September 23, 1996, as well as to complaints requesting the institution of a section 337 investigation and petitions for modification or rescission of exclusion orders, cease and desist orders, and consent orders filed after September 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Sidney Harris or Paul J. Luckern, Office of Administrative Law Judges, U.S. International Trade Commission, telephone (202) 205-2692 or (202) 205-2694. Hearing impaired individuals can obtain information on the final rules by contacting the Commission's TDD terminal at (202) 205-1810.

#### SUPPLEMENTARY INFORMATION:

##### Rulemaking Analysis

The final rules proposed in this notice do not meet the criteria enumerated in