

Issued in Washington, D.C., on January 18, 1996.

Jolene M. Molitoris,
Federal Railroad Administrator.

[FR Doc. 96-954 Filed 1-23-96; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 16

Review of Information Concerning Brush-Tailed Possums of the Genus *Trichosurus*

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Notice.

SUMMARY: The Fish and Wildlife Service (Service) is reviewing available economic and biologic information on brush-tailed possums of the genus *Trichosurus* for possible addition to the list of injurious wildlife under the Lacey Act. Their importation and introduction into the natural ecosystem of the United States may pose a threat to agriculture, the health and welfare of human beings, and the welfare and survival of native wildlife species. Listing *Trichosurus spp.* as injurious would prohibit their importation into, or transportation between, the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States with limited exceptions. This notice seeks comments from the public to aid in determining if a proposed rule is warranted.

DATES: Comments must be submitted on or before March 25, 1996.

ADDRESSES: Comments may be mailed or sent by fax to the Chief, Division of Fish and Wildlife Management Assistance, U.S. Fish and Wildlife Service, 1849 C Street, NW., Mail Stop 840 ARLSQ, Washington, DC 20240, or FAX (703) 358-2044.

FOR FURTHER INFORMATION CONTACT: Susan Mangin, Division of Fish and Wildlife Management Assistance at (703) 358-1718.

SUPPLEMENTARY INFORMATION: In a July 11, 1995, letter to the Department of the Interior, the Texas Animal Health Commission expressed concern that *T. vulpecula* posed a threat to agriculture, human health, and wildlife resources. They requested that the Service take the necessary steps to prohibit importation of *T. vulpecula* into the United States.

T. vulpecula is a fur-bearing marsupial native to Australia. In the 1800s, they were introduced into New

Zealand to support the fur industry. They are claimed to be so well established in both countries that they are considered pests and have considerable impact on agriculture, humans, and wildlife habitat.

They reportedly carry bovine tuberculosis, which has infected New Zealand's domestic livestock population. Their diet consists of vegetation and insects, and they also kill young birds. They have damaged gardens, orchards, crops, pastures, plantations, and native forests.

T. vulpecula is extremely common and adaptable. Generally, they can be found in forested areas, however, they have been located in areas without trees such as borrows, caves, and buildings. They have been able to dwell and expand successfully next to humans.

They mainly breed in the spring and autumn and usually produce one offspring at a time. The young are weaned in about 6 months. Their life span is estimated at approximately 12 years.

The Lacey Act (18 U.S.C. 42) and implementing regulations in 50 CFR Part 16 restrict importation into or the transportation of live wildlife or eggs thereof between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States of any nonindigenous species of wildlife determined to be injurious or potentially injurious to certain interests including those of agriculture, horticulture, forestry, the health and welfare of human beings and the welfare and survival of wildlife or wildlife resources of the United States. However, injurious wildlife may be imported by permit for zoological, educational, medical, or scientific purposes, or without permit by Federal agencies solely for their use. If the process initiated by this Notice results in the addition of genus *Trichosurus* to the list of injurious wildlife contained in 50 CFR Part 16, their importation into the United States would be prohibited except under the conditions, and for the purposes, described above.

Although the original request was to prohibit importation of *T. vulpecula*, other members of genus *Trichosurus* may pose the same potential threat. This Notice solicits economic, biologic, or other information concerning genus *Trichosurus*. The information will be used to determine if they are a threat, or potential threat, to those interests of the United States Delineated above, and thus warrant addition to the listing of injurious wildlife. The information also will assist in preparing impact analyses and examining alternative protective

measures under the Regulatory Flexibility Act (5 U.S.C. 601).

Lists of Subjects in 50 CFR Part 16

Fish, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

This Notice is issued under the authority of Lecey Act (18 U.S.A. 42).

Dated: December 14, 1995.

John Rogers,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 96-946 Filed 1-25-96; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 625

[Docket No. 950421111-5111-01; I.D. 120695A]

RIN 0648-AH95

Summer Flounder Fishery; Dealer Reporting Requirements

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

ACTION: Withdrawal of proposed rule.

SUMMARY: NMFS is withdrawing the proposed rule that would have amended the regulations implementing the Fishery Management Plan for the Summer Flounder Fishery (FMP) to make it easier for federally permitted dealers to comply with existing reporting requirements and to improve monitoring of the commercial summer flounder quota.

DATES: This proposed rule is withdrawn January 23, 1996.

FOR FURTHER INFORMATION CONTACT: Regina Spallone, 508-281-9221.

SUPPLEMENTARY INFORMATION: The FMP was developed jointly by the Atlantic States Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council in consultation with the New England and South Atlantic Fishery Management Councils. The management unit for the FMP is summer flounder (*Paralichthys dentatus*) in U.S. waters of the Atlantic Ocean from the southern border of North Carolina northward to the United States-Canadian border. Implementing regulations for the fishery are found at 50 CFR part 625.

The summer flounder fishery is managed under a quota system. The

quota is divided among the coastal states based upon set percentages. Landings must be monitored weekly in order to determine when a state's quota has been reached.

Since 1993, federally permitted summer flounder dealers have been required to report weekly all fish purchases. While several species of fish purchased by these dealers are under quota management systems (summer flounder, squid, mackerel, and butterfish), only the summer flounder quota requires weekly monitoring at this time. The quotas for the remaining species purchased by these dealers can be adequately monitored through monthly reports.

Consequently, NMFS developed a proposed rule published in the Federal Register on May 2, 1995 (60 FR 21491), to revise the weekly reporting requirement to make it pertain to summer flounder purchases only. NMFS believed that reporting purchases of all species on a weekly basis was unnecessary and burdensome. The comprehensive reporting of all fish purchases would have been required

monthly rather than weekly. This proposed change would have reduced the burden associated with the reporting requirement and as a secondary benefit, would have allowed more accurate price information to be collected, since such information was often unavailable to dealers on a weekly basis. NMFS further proposed to require that the weekly summer flounder purchase report be made via an Interactive Voice Response (IVR) system, rather than by a written report. An IVR system would have made it easier for federally permitted dealers to comply with existing reporting requirements and would have improved the monitoring of the commercial summer flounder quota.

NMFS has decided to withdraw this proposed rule. Initially, NMFS opted for the IVR system for weekly quota (real-time) monitoring on the premise that only the summer flounder quota would require weekly monitoring. However, that premise is no longer valid. The New England and Mid-Atlantic Fishery Management Councils are considering real-time monitoring in additional fisheries in the near future, and,

consequently, it is not likely that the IVR system is a viable option for real-time monitoring of multiple species. It is apparent that a more comprehensive real-time monitoring system may be required, and modification of the summer flounder reporting requirements would be done as part of that system.

The proposed rule also contained three technical changes that would have modified the summer flounder regulations pertaining to federally permitted dealers. These proposed measures are also being withdrawn at this time and will be addressed in a future action.

Consequently, the proposed rule to amend the summer flounder regulations, published May 2, 1995, is being withdrawn.

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

Dated: January 18, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

[FR Doc. 96-948 Filed 1-23-96; 8:45 am]

BILLING CODE 3510-22-F