

### III. Comments Containing Confidential Business Information

Any person who submits comments claimed as CBI must mark the comments as "confidential," "trade secret," or other appropriate designation. Comments not claimed as confidential at the time of submission will be placed in the public file. Any comments marked as confidential must prepare and submit a public version of the comments that EPA can place in the public file.

### IV. Rulemaking record

A record has been established for this rulemaking under docket number OPPTS 50522A (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI is available for inspection from 12 noon to 4 p.m., Monday through Friday, except legal holidays. The public record is located in the TSCA Nonconfidential Information Center Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at: oppt-ncic@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

### V. Regulatory Assessment Requirements

EPA is revoking the requirements of this rule. Any costs or burdens associated with this rule will also be eliminated when the rule is revoked. Therefore, EPA finds that no costs or burdens must be assessed under Executive Order 12866, the Regulatory Flexibility Act (5 U.S.C. 605(b)), or the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous materials, Recordkeeping and reporting requirements.

Dated: January 27, 1997.

Charles M. Auer,  
*Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

Therefore, it is proposed that 40 CFR part 721 be amended as follows:

#### PART 721—[AMENDED]

1. The authority citation for part 721 would continue to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

#### § 721.2815 [Removed]

2. By removing § 721.2815.

[FR Doc. 97-2709 Filed 2-3-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 46 CFR Parts 10, 12, and 15

[CGD 95-062]

RIN 2115-AF26

#### Implementation of the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW)

AGENCY: Coast Guard, DOT.

ACTION: Notice of intent.

**SUMMARY:** The Coast Guard is hereby giving notice of its intent to issue an interim rule to amend the current domestic regulations on licensing and documentation of personnel serving on U.S. seagoing vessels. The interim rule will implement the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), as amended in 1995. Because the 1995 Amendments to STCW will come into force on February 1, 1997, the Coast Guard is using this notice to inform the public, and the affected industry, of the status of the interim rule, and to advise those who will be operating vessels on international voyages during the period between February 1, 1997, and the date the interim rule becomes effective.

**ADDRESSES:** The Executive Secretary maintains the public docket for this rulemaking. Comments previously received have become part of this docket and are available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, between 8:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

Copies of International Maritime Organization (IMO) circular (STCW.7/Circ.1) may be obtained by faxing your name and address to (202) 267-4570 or (202) 267-4816, by writing to the Commandant (MSO) at U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or by calling (202) 267-0229.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Christopher Young, Project Manager, Office of Operating and Environmental Standards (G-MSO), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, telephone (202) 267-0216.

#### SUPPLEMENTARY INFORMATION:

##### Background and Purpose

On July 7, 1995, a Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), meeting at the Headquarters of the International Maritime Organization in London, adopted the amendments to the STCW. The 1995 Amendments to STCW enter into force on February 1, 1997. In the NPRM published on March 26, 1996 (61 FR 13284), the Coast Guard proposed a number of changes it considered necessary to implement the revised requirements, to ensure that U.S. documents and licenses are issued in compliance with the 1995 Amendments to STCW.

The STCW sets qualifications for masters, officers, and watchkeeping personnel on seagoing merchant ships. It was originally adopted in 1978 by a conference at IMO Headquarters in London, and it entered into force in 1984. Currently, there are 119 State-Parties, representing almost 95 percent of the world's merchant-ship tons. The United States became a party in 1991. Over 90 percent of ships entering U.S. waters are foreign-flag, and most of them are or will be subject to STCW. Approximately 350 large U.S. merchant ships that routinely visit foreign ports, as well as thousands of smaller U.S. documented commercial vessels that operate on ocean or near-coastal voyages, are subject to STCW.

The Amendments adopted by the Conference in July 1995 are comprehensive and detailed. They concern port-state control, communication of information to IMO to allow for mutual oversight, and responsibility of all State-Parties to ensure that seafarers meet objective standards of competence. They also require candidates for certificates (licenses and document endorsements) to establish competence through both subject-area examinations and practical

demonstrations of skills. Training, assessment, and certification of competence are all to be managed within a quality-standards system to ensure that stated objectives are being achieved.

The Coast Guard held seven public meetings in the months leading up to the Conference held by IMO, to determine what positions U.S. delegations should advocate at preparatory meetings and to exchange views about Amendments to STCW under discussion.

The Coast Guard published a notice of proposed rulemaking (NPRM) in the Federal Register on March 26, 1996 (61 FR 13284). That notice described the 1995 Amendments to STCW, and proposed changes to implement those Amendments in U.S. licensing regulations (46 CFR part 10), documentation (46 CFR part 12), and manning (46 CFR part 15). The notice also invited comments on the proposed rule. Over 500 letters were submitted to the public docket. The Coast Guard also held three more public meetings to receive comments on the proposed rule.

The Coast Guard is preparing the interim rule to amend our regulations to address the new requirements under the 1995 Amendments to STCW. Unfortunately, publication will not take place until after February 1, 1997, when the 1995 Amendments to STCW come into force worldwide. This may cause some confusion in the U.S. maritime industry. The Coast Guard takes this opportunity to advise the industry both of the status of the rulemaking, and of other important facts, in the hope that confusion and inconvenience will be reduced or eliminated.

The Coast Guard presents the following information in a question and answer format. This notice is as informative as possible, but readers should be aware that disclosure of details before issuance of the Interim Rule is not appropriate under Coast Guard and Department of Transportation policies, and is not in keeping with the Administrative Procedure Act (5 U.S.C. 553), which governs rulemaking, and ensures fair opportunity for public comment.

*What will be the next document to be published on the STCW rulemaking?*

The Coast Guard is preparing an interim rule for publication in the Federal Register in the near future. That rule will give the public another opportunity for comment on changes made as a result of comments submitted to the docket, in response to the NPRM published on March 26, 1996.

*Since the interim rule will not be published before February 1, 1997, what is the consequence for personnel serving on U.S. seagoing vessels?*

Personnel serving on U.S. seagoing vessels will not have to comply with the new requirements under the 1995 Amendments to the STCW Convention until the Interim Rule comes into effect. The Coast Guard made every effort to publish the rule prior to the enforcement date of February 1, 1997. However, as a matter of fairness and legality, the United States will not enforce the 1995 Amendments to the STCW Convention until the rule is in effect.

As a cautionary note, however, owners and operators of U.S.-flag seagoing vessels that plan to enter foreign ports should be aware that port-state control officers may inquire about steps being taken to meet company responsibilities under the 1995 Amendments to STCW. While not mandatory, as a matter of U.S. law, until the interim rule comes into effect, compliance with certain STCW requirements is highly recommended to facilitate entry into foreign ports. In particular, ship operators should—

(a) Post watch schedules that ensure that watchkeeping personnel have periods of rest that meet the STCW requirements;

(b) Provide written instructions to the master of each ship setting out policies and procedures for ensuring that new crewmembers receive a reasonable opportunity to familiarize themselves with ship-specific equipment, operating procedures, and other arrangements needed for performance of their duties; and

(c) Ensure that evidence is available to establish that each member of the crew has received familiarization instruction to ensure he or she takes appropriate action in an emergency; or, if the member is on the muster list, that he or she has participated in organized drills and other training exercises relating to fire-fighting, first aid, personal survival, and personal safety. No special evidence is required for those who hold 1978 STCW certificates or endorsements since basic safety was included in the 1978 requirements for certification.

Operators of vessels engaged in international voyages should contact local port agents or representatives to ascertain compliance expectations prior to arrival in a foreign port.

*Has IMO issued any relevant guidance on the transitional period between February 1, 1997, and February 1, 2002?*

IMO has issued guidance in the form of a circular (STCW.7/Circ.1), which is

based in part on the following two principles. First, if a requirement is mentioned in the 1995 Amendments to STCW but already exists in the 1978 STCW, then holders of 1978 STCW endorsements may continue to serve under those endorsements until February 1, 2002. However, holders of such endorsements will need to meet new requirements under the 1995 Amendments to STCW if they will be continuing their service on or after February 1, 2002. The Interim Rule will take this guidance into consideration and will identify any new requirements U.S. license holders must meet to acquire STCW endorsements valid beyond February 1, 2002.

Second, in determining the requirement for basic safety training or instruction for seafarers already employed before February 1, 1997, administrations may consider the merits of each case. This means that evidence of competence in the skills required for a particular seafarer to perform a safety or pollution prevention duty may be based on that seafarer's previous participation in shipboard drills and training exercises, until more formal training or instruction can be arranged. The Interim Rule will also take this guidance into consideration and will identify any new basic safety training or instruction requirements seafarers must meet to comply with this rule. A copy of the IMO circular (STCW.7/Circ.1) is available on request from Commandant (G-MSO) at the address given under ADDRESSES.

*What must owners and operators of small vessels on domestic voyages do to meet the requirements which are scheduled to come into force on February 1, 1997?*

Small vessels that operate beyond the boundary line but engage in domestic-only voyages will be dealt with in accordance with the special provisions of STCW Regulation II/3, paragraph 7, of the 1995 Amendments to STCW, which allows administrations to forgo application of requirements that would be unreasonable or impractical. The interim rule will explain how these small vessels can meet STCW requirements.

*When do 1978 STCW certificates and endorsements need to be replaced?*

The 1978 STCW certificates and endorsements are issued for 5-year periods that coincide with the period of validity of the licenses or documents to which they pertain. After February 1, 1997, the Coast Guard will continue to issue 1978 STCW certificates and endorsements; but they will expire on a

date not later than January 31, 2002. The Coast Guard will issue STCW certificates and endorsements for service beyond January 31, 2002, only to those who meet certain new requirements under the 1995 Amendments to STCW. The interim rule will be published in the near future and will identify those requirements, which must be met to attain a certificate or endorsement for service beyond February 1, 2002.

Dated: January 30, 1997.

R.D. Herr,  
Vice Admiral, U.S. Coast Guard, Acting  
Commandant.

[FR Doc. 97-2796 Filed 1-31-97; 10:53 am]

BILLING CODE 4910-14-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018-AC99

#### Endangered and Threatened Wildlife and Plants; Notice of 30-Day Extension and Reopening of Public Comment Period on the Proposed Rule To List 10 Plants From the Foothills of the Sierra Nevada Mountains as Threatened or Endangered

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of extension and reopening of comment period on proposed rule.

**SUMMARY:** The Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), provides notice of reopening of the comment period on the proposed endangered status for *Brodiaea pallida* (Chinese Camp brodiaea), *Calyptridium puchellum* (Mariposa pussypaws), *Lupinus citrinus* var. *deflexus* (Mariposa lupine) and *Mimulus shevockii* (Kelso Creek monkeyflower) and proposed threatened status for *Allium tuolumnense* (Rawhide Hill onion), *Carpenteria californica* (carpenteria), *Clarkia springvillensis* (Springville clarkia), *Fritillaria striata* (striped adobe lily), *Navarretia setiloba* (Piute Mountains navarretia), and *Verbena californica* (California vervain). The comment period is reopened to acquire

new and updated information from interested parties on these 10 plants.

**DATES:** The public comment period closes March 6, 1997. Any comments received by the closing date will be considered in the final decision on this proposal.

**ADDRESSES:** Written comments and materials concerning this proposal should be sent to the Field Supervisor, Sacramento Field Office, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340. Comments and materials received will be available for inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ken Fuller of the Sacramento Field Office (see **ADDRESSES** section) at (916) 979-2120.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 4, 1994, the Service published a rule proposing endangered status for *Brodiaea pallida*, *Calyptridium puchellum*, *Lupinus citrinus* var. *deflexus* and *Mimulus shevockii* and proposed threatened status for *Allium tuolumnense*, *Carpenteria californica*, *Clarkia springvillensis*, *Fritillaria striata*, *Navarretia setiloba*, and *Verbena californica*. The original comment period closed on December 5, 1994. On December 29, 1994, the comment period was reopened and extended until February 13, 1995 (59 FR 67268) to accommodate the public hearing that was requested. Due to requests for additional time, the comment period was extended until June 4, 1995 (60 FR 8342).

These 10 plants and their habitats are known from annual grasslands, chaparral, Joshua tree, pinyon-juniper, blue oak, and digger pine woodland communities in the foothills of the Sierra Nevada Mountains in central California. These plants are threatened by one or more of the following: agricultural land conversion, urbanization, logging, highway construction and road maintenance activities, inappropriate grazing, off-highway vehicle use, mining, insect predation, inadequate regulatory mechanisms, stochastic extinction from random natural events, and incompatible fire management activities.

The Service was unable to make a final listing determination on these species because a moratorium on listing actions (Public Law 104-6), which took effect on April 10, 1995, stipulated that no funds could be used to make final listing determinations or critical habitat determinations. With the lifting, on April 26, 1996, of the moratorium on final listing actions and the restoration of significant funding for listing through passage of the omnibus budget reconciliation law on, the Service is proceeding with a final determination for these species. Due to the length of time that has elapsed since the close of the last comment period, the comment period is being reopened. Changes in procedural and biological circumstances, and the need to consider the best scientific information available in this rulemaking process necessitate this action. The Service believes that updated threat information may be available that may significantly affect final listing determinations. For these reasons, the Service seeks information made available in the last 2 years concerning:

(1) Biological, commercial, or other relevant data on any threats (or lack thereof) to any of these 10 species, but particularly for *Calyptridium puchellum*, *Fritillaria striata*, *Lupinus citrinus* var. *deflexus*, and *Navarretia setiloba*;

(2) Additional information on the size, number or distribution of populations; and

(3) Specific information concerning the known or potential effects of fire suppression and general fire management practices on *Carpenteria californica*.

Written comments may be submitted through March 6, 1997 to the Service office in the **ADDRESSES** section.

#### Author

The primary author of this notice is Ken Fuller (see **ADDRESSES** section).

#### Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: January 28, 1997.

Thomas J. Dwyer,  
Acting Regional Director.

[FR Doc. 97-2679 Filed 2-3-97; 8:45 am]

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