

barriers in the Export Markets, such as packaging requirements, and providing specialized packing operations and other quality control procedures to be followed by ASP and its Member(s) in the export of Products into the Export Markets;

8. Advise and cooperate with agencies of the U.S. Government in establishing procedures regulating the export of Member(s)' Products, Services and/or Technology Rights into the Export Markets;

9. Negotiate and enter into purchase agreements with buyers in the Export Markets regarding the export prices, quantities, type and quality of Products, time periods, and the terms and conditions of sale;

10. Broker or take title to the Products;

11. Purchase Products from non-Members whenever necessary to fulfill specific sales obligations;

12. Solicit non-Members to become Members;

13. Communicate and process export orders;

14. Assist each Member in maintaining the quality standards necessary to be successful in the Export Markets;

15. Provide Export Trade Facilitation Services with respect to Products, Services and Technology Rights;

16. Provide, procure, negotiate, contract and administer transportation services for Products in the course of export, including overseas freight transportation, inland freight transportation from the packing house to the U.S. port of embarkment, leasing of transportation equipment and facilities, storage and warehousing, stevedoring, wharfage and handling, insurance, forwarder services, trade documentation and services, customs clearance, financial instruments and foreign exchange;

17. Negotiate freight rate contracts with individual carriers and carrier conferences either directly or indirectly through shippers associations and/or freight forwarders;

18. Arrange financing through bank holding companies, governmental financial assistance programs and other arrangements;

19. Bill and collect from foreign buyers and provide accounting, tax, legal and consulting assistance and services;

20. Enter into exclusive agreements with Non-Members to provide Export Trade Services and Trade Facilitation Services;

21. Open and operate overseas sales and distribution offices and companies

to facilitate the sales and distribution of the Products in the Export Markets;

22. Apply for and utilize applicable export assistance and incentive programs which are available within the governmental and private sectors, such as the USDA Market Access and Supplier Credit programs;

23. Negotiate and enter into agreements with governments and foreign persons to develop countertrade arrangements;

24. Refuse to deal with or provide quotations to other Export Intermediaries for sales of ASP and Member(s)' Products into the Export Markets; and

25. Exchange information with and among ASP and Member(s) as necessary to carry out the Export Trade Facilitation Services and Export Trade Activities and Methods of Operation, including:

a. Information about sales and marketing efforts and strategies in the Export Markets, including pricing; projected demand in the Export Markets for Products; customary terms of sale, prices and availability of Products independently committed by Member(s) for sales in the Export Markets; prices and sales of Products in the Export Markets; and specifications by buyers and consumers in the Export Markets;

b. Information about the price, quality, quantity, source and delivery dates of Products available from the Member(s) for export;

c. Information about terms and conditions of contracts for sales in the Export Markets to be considered and/or bid on by ASP;

d. Information about joint bidding, selling arrangements for the Export Markets and the allocations of export sales resulting from such arrangements among ASP and Member(s), including information regarding the allocation methods used and ASP and each Member's percentage of the total committed volume of ASP and all Member(s);

e. Information about expenses specific to exporting to and within the Export Markets, including transportation, transshipments, intermodal shipments, insurance, inland freight to port, port storage, commissions, export sales, documentation, financing and customs duties or taxes;

f. Information about U.S. and foreign legislation and regulations, including Federal marketing order programs that may affect sales to the Export Markets; and

g. Information about ASP's or its Member(s)' export operations, including sales and distribution networks established by ASP and Member(s) in

the Export Markets, and prior export sales by ASP and Member(s), including export price information.

Definitions

1. *Export Intermediary* means a person who acts as distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions, including providing, or arranging for the provision of, Export Trade Facilitation Services.

2. *Member* means a person who has membership in the ASP Export Trade Certificate and who has been certified as a "Member" within the meaning of Section 325.2(1) of the Regulations. Carter Thomas, LLC is currently the only member.

Dated: May 29, 1998.

Morton Schnabel,

Director, Office of Export Trading Company Affairs.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051298A]

Magnuson-Stevens Act Provisions; Atlantic Shark Fisheries; Exempted Fishing Permits (EFPs)

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

ACTION: Applications for EFPs; request for comments.

SUMMARY: NMFS announces the receipt of five applications for EFPs. If granted, these EFPs would authorize, over a period of 1 year, collections for public display of a limited number of sharks from the large coastal and prohibited species groups from Federal waters in the Atlantic Ocean.

DATES: Written comments on the applications must be received on or before June 19, 1998.

ADDRESSES: Send comments to Rebecca Lent, Chief, Highly Migratory Species Management Division (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910. The applications and related documents and copies of the regulations under which exempted fishing permits are subject may also be requested from this address.

FOR FURTHER INFORMATION CONTACT: Margo Schulze, 301-713-2347; fax: 301-713-1917.

SUPPLEMENTARY INFORMATION: These EFPs are requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and regulations at 50 CFR 600.745 concerning scientific research activity, exempted fishing, and exempted educational activity.

NMFS issued an EFP to Dynasty Marine Associates, Inc., in Marathon, FL, effective March 3, 1998, for the collection of a maximum of 3 sandbar sharks, 19 nurse sharks, 22 lemon sharks, 14 sand tiger sharks, and 10 bull sharks for the purposes of public display. Dynasty Marine Associates, Inc., now intends to collect an additional 17 sandbar sharks, 10 tiger sharks, and 20 scalloped hammerhead sharks for public display by using a single hook and line as well as a short longline not consisting of more than 50 hooks. Fishing will occur in the Florida Bay and in the Atlantic Ocean off the middle Florida Keys area, off New Jersey, and off Maryland. Issuance of an EFP is necessary, according to the applicant, because the commercial season for large coastal sharks is closed for long periods of time. The applicant also requested that the EFP authorize collection of Atlantic sharpnose sharks, managed under the small coastal management unit; however, as the commercial season for small coastal sharks has not closed to date, this species may be possessed legally by obtaining a Federal commercial shark permit, and an EFP is not required.

Shore Lab, Inc., in Brandon, FL, intends to collect 12 sand tiger sharks for public display and education by using 10 bucket rigs, each of which includes a single hook and crab line that allows a shark to swim in a horizontal arc around the swivel line. Fishing will occur in the Atlantic Ocean off New Jersey. Issuance of an EFP is necessary, according to the applicant, because possession of sand tiger sharks is prohibited.

The New Jersey State Aquarium, in Camden, NJ, intends to collect a maximum of four tiger sharks, five sandbar sharks, four dusky sharks, and five sand tiger sharks for public display and research by rod and reel as well as by a short longline consisting of no more than 50 hooks. Fishing will occur in the Atlantic Ocean from Massachusetts to Florida. Issuance of an EFP is necessary, according to the applicant, because the commercial season for large coastal sharks is closed for long periods of time and because possession of sand tiger sharks is prohibited. The applicant also requested that the EFP authorize collection of Atlantic thresher and mako sharks,

managed under the pelagics management unit; however, as the commercial season for pelagic sharks has not closed to date, these species may be possessed legally by obtaining a Federal commercial shark permit, and an EFP is not required.

The National Aquarium in Baltimore, Inc., in Baltimore, MD, intends to collect a maximum of five sandbar sharks, one dusky shark, and one sand tiger shark for public display and research by two bottom set longlines, each approximately 400 meters in length and consisting of no more than 40 hooks. Fishing will occur in the Atlantic Ocean off New Jersey. Issuance of an EFP is necessary, according to the applicant, because the commercial season for large coastal sharks is closed for long periods of time and because possession of sand tiger sharks is prohibited. The applicant also intends to tag and release captured sharks, collect blood samples for hematological analyses, and return to the Delaware Bay five captive sandbar sharks and possibly one sand tiger shark.

Eric Pederson and Grady Sullivan, in Marathon, FL, intend to collect a maximum total of 40 sharks for public display by rod and reel, cast net, and single hook block lines. Shark species collected may include bull sharks, sand tiger sharks, lemon sharks, sandbar sharks, blacktip sharks, tiger sharks, and nurse sharks. Fishing will occur in Federal waters off New York, Virginia, North Carolina, South Carolina, Georgia, and Florida, as well as in the Chesapeake Bay. Issuance of an EFP is necessary, according to the applicant, because the commercial season for large coastal sharks is closed for long periods of time and because possession of sand tiger sharks is prohibited. The applicant also requested an EFP to collect sawfish; however, as NMFS does not regulate sawfish at this time, no EFP is necessary to collect this species in Federal waters.

The proposed collections for public display involve activities otherwise prohibited by regulations implementing the Fishery Management Plan for Sharks of the Atlantic Ocean. The applicants require authorization to fish for and to possess large coastal sharks outside the Federal commercial seasons and to fish for and to possess prohibited species.

Based on a preliminary review, NMFS finds that these applications warrant further consideration. A final decision on issuance of EFPs will depend on the submission of all required information, NMFS' review of public comments received on the applications, conclusions of any environmental analyses conducted pursuant to the National Environmental Policy Act, and

on any consultations with any appropriate Regional Fishery Management Councils, states, or Federal agencies.

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

Dated: May 29, 1998.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 050198C]

Small Takes of Marine Mammals Incidental to Specified Activities; Tatoosh Island, WA Storage Tank Removal Project

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

ACTION: Notice of proposed authorization for a small take exemption; request for comments.

SUMMARY: NMFS has received a request from the U.S. Coast Guard's Civil Engineering Unit, Oakland, CA (U.S. Coast Guard) for authorization to take small numbers of California sea lions, Pacific harbor seals, and Steller sea lions by harassment incidental to removing three underground storage tanks (USTs) and one or two above-ground storage tanks (ASTs) at the Cape Flattery Light Station on Tatoosh Island, Callam County, WA. Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to authorize the U.S. Coast Guard to incidentally take, by Level B harassment, small numbers of seals and sea lions in the above-mentioned area after September 1, 1998.

DATES: Comments and information must be received on or before July 6, 1998.

ADDRESSES: Comments on the application should be addressed to Chief, Marine Mammal Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. A copy of the application, and/or a list of references used in this document may be obtained by writing to this address or by telephoning one of the contacts listed here.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead, Office of Protected Resources at 301-713-2055,