

the consistency of the weight) of the belt on a belt-conveyor scale.

Item 321-5: Modify (reduce) the tolerance for the temperature effect on the zero-load indication to be consistent with the latest version of International Organization of Legal Metrology Recommendation 50 for belt-conveyor scales.

Item 321-6: Modify a requirement for the users of belt-conveyor scales that the weighing section of a belt-conveyor scale, and any guards associated with the scale, have adequate clearances to prevent accidental interference with the weighing operation.

Item 321-7: Add a requirement for the users of belt-conveyor scales stating that any material that has been weighed shall not be returned to the weighing area and weighed again to prevent the re-circulation of previously weighed material.

#### *Automatic Weighing Systems Code—Tentative Code*

Item 324-1: The Automatic Weighing Systems Code has been a tentative code since 1996. The code applies to scales that are weigh-labelers (both static and dynamic weighing) and automatic checkweighers. The proposal is to change the status of the Automatic Weighing Systems Code to a permanent code.

#### *Liquid-Measuring Devices Code*

Item 330-1: To facilitate the reinspection of a meter that has been adjusted, add a requirement for devices that have multiple measuring elements, typically for those measuring elements in retail motor fuel dispensers, to have a way to clearly indicate which of the measuring elements was adjusted. One of several acceptable methods may be used.

Item 330-2: Modify and clarify the acceptable locations for placing the required identification information on retail motor-fuel devices.

Item 330-5: Modify the definition of a retail device to clarify which devices are classified as retail devices rather than as wholesale devices, since some requirements are different for retail and wholesale devices.

#### *Vehicle-Tank Meters Code*

Item 331-1: A number of states or local weights and measures jurisdictions permit the use of temperature compensation on vehicle-tank meters used to deliver refined petroleum products (e.g., gasoline, fuel oil, and diesel fuel). Currently, the Vehicle-Tank Meter (VTM) Code does not have any requirements for these metering systems. The proposal is to add a series

of requirements to apply to these systems when meters are equipped with temperature compensation capability. The requirements include specifications for the metering system, instructions for testing these systems, tolerances for the systems, and requirements for the users of these systems. These proposed changes would apply to temperature compensating systems when they are present on VTMs and are consistent with the requirements for temperature compensation in other device codes in Handbook 44. The requirements do not mandate the use of temperature compensation on VTMs.

#### *LPG and Anhydrous Ammonia Liquid-Measuring Devices Code*

Item 332-1: Modify the requirement for users of liquefied petroleum meters to clearly indicate that a vapor-return line may be used on trucks and metering systems for wholesale terminal deliveries of liquefied petroleum.

#### *Multiple Dimension Measuring Devices Code—Tentative Code*

Item 358-1: These systems are used to determine the weight, dimensions, or volumes of objects for the purpose of calculating freight, storage, or postal charges. To clarify the requirements that must be met by the manufacturers and the users of these devices, the current single table is being divided into two tables. One table contains the requirements applicable to manufacturers and the second contains the requirements applicable to users of the devices.

Item 358-2: Modify how the dimensions are expressed for dimensions above the maximum dimensions that can be measured by the devices.

Item 358-3: Clarify the type of device considered to have two or more measuring elements and define the measurement field for these devices.

Item 358-4: Add guidance regarding the types of objects that may be used to test multiple dimension measuring devices. The accuracy required for the test objects is also specified.

Item 358-5: Clarify the language for how the tolerance for the devices is stated.

Item 358-6: Clarify the parameters for alternating and direct current power supplies over which the devices are required to perform correctly and within tolerance.

Item 358-7: The Multiple Dimension Measuring Devices Code has been a tentative code since 1996. The proposal is to change the status of the Code to a permanent code.

#### *NCWM Laws and Regulations Committee*

Item 236-1: Amend the Uniform National Type Evaluation Regulation to recognize the current practice to perform type evaluation of main elements of commercial weighing and measuring devices separately and allow these evaluated main elements to be connected (“mixed and matched”) with other main elements that have been evaluated and found to meet the applicable requirements.

Item 237-2: Amend the uniform “Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation” to include automatic transmission fluid, gear oil, and lubricating oil, and add relevant labeling requirements to this uniform (model) regulation.

Item 237-3: Amend the uniform “Engine Fuels, Petroleum Products, and Automotive Lubricants Regulation” to include requirements for biodiesel products entering the marketplace.

Dated: June 18, 2004.

**Hratch G. Semerjian,**

*Acting Director.*

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**BILLING CODE 3510-03-P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

[I.D. 061804D]

#### **Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:** Notice of availability and request for comment.

**SUMMARY:** NMFS has received an application from the Bonneville Power Administration (BPA) for a direct take permit pursuant to the Endangered Species Act of 1973, as amended (ESA). The permit would authorize take of ESA-listed anadromous fish species associated with monitoring of salmon and steelhead in Nason Creek, a tributary of the Wenatchee River in Washington. The duration of the proposed Permit is 5 years. This notice serves to notify the public of the receipt of the application and to give the public an opportunity to review and comment on the document. All comments received will become part of the public record and will be available for review pursuant to the ESA.

**DATES:** Written comments from interested parties on the Permit application must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 pm Pacific daylight time on July 28, 2004.

**ADDRESSES:** Written comments on the application should be sent to Kristine Petersen, Salmon Recovery Division, F/NWR1, 525 NE Oregon Street, Suite 510, Portland, OR 97232 or faxed to (503) 872-2737. Comments on this draft EA may be submitted by e-mail. The mailbox address for providing e-mail comments is [Nason.nwr@noaa.gov](mailto:Nason.nwr@noaa.gov). Include in the subject line the following document identifier: "Nason Creek application". Federal e-rulemaking portal: <http://www.regulations.gov>. The documents are also available on the Internet at [www.nwr.noaa.gov/1sustfsh/10permits/](http://www.nwr.noaa.gov/1sustfsh/10permits/). Requests for copies of the permit application should be directed to the Salmon Recovery Division, F/NWR1, 525 NE Oregon Street, Suite 510, Portland, OR 97232. Comments received will also be available for public inspection, by appointment, during normal business hours by calling (503) 230-5409.

**FOR FURTHER INFORMATION CONTACT:** Kristine Petersen, Portland, OR (ph: (503)230-5409, fax: (503)872-2737, e-mail: [kristine.petersen@noaa.gov](mailto:kristine.petersen@noaa.gov)).

**SUPPLEMENTARY INFORMATION:** This notice is relevant to the following species and evolutionarily significant units (ESUs):

Steelhead (*Oncorhynchus mykiss*): endangered, naturally produced and artificially propagated Upper Columbia River (UCR).

Chinook salmon (*O. tshawytscha*): endangered, naturally produced and artificially propagated, UCR spring-run.

### Background

Section 9 of the ESA and Federal regulations prohibit the "taking" of a species listed as endangered or threatened. The term "take" is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. NMFS may issue permits, under limited circumstances, to take listed species for scientific purposes or to enhance the propagation or survival of the species under section 10(a)(1)(A) of the ESA. NMFS regulations governing permits for threatened and endangered species are promulgated at 50 CFR 222.307.

### Application Received

On May 20, 2004, the BPA submitted an application to NMFS for an ESA section 10(a)(1)(A) permit for the take of

ESA-listed anadromous fish species associated with monitoring of salmon and steelhead in Nason Creek, a tributary of the Wenatchee River in Washington. The monitoring will enable collection of data to estimate natural and hatchery-origin production and productivity and other life history parameters, as well as to help evaluate the effects of supplementation programs in the Wenatchee River Basin.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of section 10(a)(1)(A) of the ESA. If it is determined that the requirements are met, a permit will be issued to the BPA for the monitoring actions in Nason Creek. NMFS will publish a record of its final action in the **Federal Register**.

Dated: June 22, 2004.

**Phil Williams,**

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 062104B]

### Gulf of Mexico Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council will convene public meetings.

**DATES:** The meetings will be held on July 12-15, 2004.

**ADDRESSES:** These meetings will be held at the Omni Houston Hotel, 4 Riverway, Houston, TX; telephone: 713-871-8181.

*Council address:* Gulf of Mexico Fishery Management Council, 3018 North U.S. Highway 301, Suite 1000, Tampa, FL 33619.

**FOR FURTHER INFORMATION CONTACT:** Wayne E. Swingle, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 228-2815.

### SUPPLEMENTARY INFORMATION:

### Council

July 14, 2004

9 a.m.—Convene.

9:15 a.m. – 11:30 a.m.—Receive public testimony on the Reef Fish Amendment 23 (Vermilion Snapper Rebuilding Plan) and Applications for Exempted Fishing Permits (if any).

1 p.m. – 2:15 p.m.—Receive a presentation on the National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) Amendment 2.

2:15 p.m. – 2:45 p.m.—Receive the Shrimp Management Committee report.

2:45 p.m. – 3:30 p.m.—Receive the Joint Reef Fish/Mackerel Management Committee report.

3:30 p.m. – 4:15 p.m.—Receive the Mackerel Management Committee Report.

4:15 p.m. – 5:30 p.m.—(Closed Session) - Receive the report of the Joint Personnel/Administrative Policy Committee.

July 15, 2004

8:30 a.m. – 10:30 a.m.—Receive the Reef Fish Management Committee Report.

10:30 a.m. – 11 a.m.—Receive the report of the Joint Personnel/Administrative Policy Committee.

11 a.m. – 11:15 a.m.—Receive the South Atlantic Fishery Management Council (SAFMC) Liaison report.

11:15 a.m. – 11:30 a.m.—Receive Enforcement Reports.

11:30 a.m. – 11:45 a.m.—Receive the NMFS Regional Administrator's Report.

11:45 a.m. – 12:15 p.m.—Receive Director's Reports.

12:15 p.m. – 12:30 p.m.—Other Business

### Committees

July 12, 2004

1 p.m. – 3:30 p.m.—Convene the Shrimp Management Committee to review the public hearing draft of Shrimp Amendment 13 that includes alternatives for setting maximum sustainable yield (MSY), optimum yield (OY), overfishing, overfished definitions for shrimp, and also includes alternatives for evaluating shrimp trawl bycatch. The committee will also receive presentations by NOAA Enforcement on a case study of illegal shrimp trawling in the Gulf and by NMFS on the status of Gulf shrimp stocks.

3:30 p.m. – 5:30 p.m.—Convene the Joint Reef fish/Mackerel Management Committee to review both the public hearing draft of Reef Fish Amendment 24 and Mackerel Amendment 15 that proposes creating a limited access system for both of these fisheries. The joint committee will also review public comments on a Scoping Document for an Amendment for the Extension of the