

## Federal Communications Commission

Karl A. Kensinger,

Chief, Allocations Branch, Policy and Rules  
Division, Mass Media Bureau.

[FR Doc. 89-18579 Filed 8-8-89; 8:45 am]

BILLING CODE 6712-01-M

## 47 CFR Part 73

[MM Docket No. 87-195; RM-5526 and RM-5587]

Radio Broadcasting Services;  
Bloomington and Nashville, INAGENCY: Federal Communications  
Commission.

ACTION: Final rule.

**SUMMARY:** The Commission grants the request of Bruce Quinn to allot Channel 236A to Nashville, Indiana to provide for its first local broadcast outlet. This channel can be allotted to Nashville in compliance with the Commission's minimum distance separation requirements using a site located at coordinates North Latitude 39-10-46 and West Longitude 86-15-47. The Commission rejected the request of Bloomington County Radio to allot Channel 236A to Bloomington, Indiana for non-commercial educational FM (NCE-FM) use, on a reserved or non-reserved basis. The Commission refused to reserve Channel 236A for NCE-FM use because Bloomington County Radio failed to show convincingly that harmful interference to reception of Indianapolis Channel 6 TV station could not be avoided when using one of the channels normally reserved for NCE-FM use. With this action, the proceeding is terminated.

**DATES:** Effective September 11, 1989; the window period for filing applications will open on September 12, 1989 and close on October 12, 1989.

**FOR FURTHER INFORMATION CONTACT:** J. Bertron Withers, Jr., Mass Media Bureau, (202) 632-7792.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 87-195, adopted June 27, 1989, and released July 28, 1989. The full text of this Commission decision is available for inspection and copying during normal business hours in FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

## List of Subjects in 47 CFR Part 73

Radio broadcasting.

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

## § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments is amended by adding Nashville, Indiana, Channel 236A.

Federal Communications Commission.

Karl A. Kensinger,

Chief, Allocations Branch, Policy & Rules  
Division, Mass Media Bureau.

[FR Doc. 89-18640 Filed 8-8-89; 8:45 am]

BILLING CODE 6712-01-M

## 47 CFR Part 73

[MM Docket No. 87-493; RM-5912]

Radio Broadcasting Services;  
Columbia and Fulton, MOAGENCY: Federal Communications  
Commission.

ACTION: Final rule.

**SUMMARY:** This document substitutes FM Channel 252C2 for Channel 252A at Columbia, Missouri, and modifies the license of Station KFMZ(FM). This action is taken in response to a petition filed by Contemporary Broadcasting, Inc. To accommodate the upgrade at Columbia, it is necessary to make a substitution at Fulton, Missouri. Thus, Channel 263A is substituted for Channel 249A at Fulton, and the license of Station KKCA is modified accordingly. With these actions, this proceeding is terminated.

**EFFECTIVE DATE:** September 18, 1989.

**FOR FURTHER INFORMATION CONTACT:** Douglas Minster, Mass Media Bureau, (202) 632-7792.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 87-493, adopted June 30, 1989, and released August 4, 1989. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW; Suite 140, Washington, DC 20037.

## List of Subjects in 47 CFR Part 73

Radio broadcasting.

## PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303

## § 73.202 [Amended]

2. 47 CFR 73.202(b), the Table of FM Allotments, is amended under Missouri by removing Channel 252A and adding Channel 252C2 at Columbia, and by removing Channel 249A and adding Channel 263A at Fulton.

Federal Communications Commission.

Karl Kensinger,

Chief, Allocations Branch, Policy and Rules  
Division, Mass Media Bureau.

[FR Doc. 89-18632 Filed 8-8-89; 8:45 am]

BILLING CODE 6712-01-M

## DEPARTMENT OF TRANSPORTATION

Research and Special Programs  
Administration

## 49 CFR Part 192

[Docket No. PS-103, Amdt. No. 192-61A]

Transportation of Gas by Pipeline;  
Marking of Materials

AGENCY: Office of Pipeline Safety, DOT

ACTION: Technical amendment.

**SUMMARY:** In Amendment No. 192-61, published in the Federal Register on Thursday, September 22, 1988 (53 FR 36793), § 192.63 was amended by removing paragraph (b) and redesignating paragraphs (c)-(e) as (b)-(d). However, in paragraph (a), the cross reference to the old paragraph (e) was inadvertently not changed to reference the redesignated paragraph (d). This document corrects paragraph (a) so that it references paragraph (d).

**DATE:** This amendment takes effect August 9, 1989.

**FOR FURTHER INFORMATION CONTACT:** L.M. Furrow, (202) 366-2392.

## SUPPLEMENTARY INFORMATION:

## List of Subjects in 49 CFR Part 192

Pipeline safety, Materials, Marking.

Therefore, Part 192 of Title 49 of the Code of Federal Regulations is amended as follows:

## PART 192—[AMENDED]

1. The authority citation for Part 192 continues to read as follows:

Authority: 49 App. U.S.C. 1672 and 1804; 49 CFR 1.53.

**§ 192.63 [Amended]**

2. The text of § 192.63(a) is amended by removing "paragraph (e)" and adding in its place "paragraph (d)."

Issued in Washington, DC, on August 3, 1989.

Richard L. Beam,

Director, Office of Pipeline Safety.

[FR Doc. 89-18561 Filed 8-8-89; 8:45 am]

BILLING CODE 4910-60-M

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Parts 611 and 675**

[Docket No. 90407-9170]

RIN 0648-AC74

**Foreign Fishing; Groundfish of the Bering Sea and Aleutian Islands**

**AGENCY:** National Marine Fisheries Service (NMFS), NOAA, Commerce.

**ACTION:** Final rule.

**SUMMARY:** NOAA issues a final rule to implement Amendment 12a to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP). As approved by the Secretary of Commerce (Secretary), this rule will control the incidental harvest of certain species of crabs and Pacific halibut in commercial fisheries for groundfish in the U.S. exclusive economic zone (EEZ) of the Bering Sea and Aleutian Islands (BSAI) area. These regulations are necessary for the conservation and management of marine fishery resources in the EEZ of BSAI area and for the orderly conduct of groundfish fisheries.

**EFFECTIVE DATE:** September 3, 1989, through December 31, 1990.

**ADDRESSES:** Individual copies of Amendment 12a and the environmental assessment, regulatory impact review, and final regulatory flexibility analysis (EA/RIR/FRFA) may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510 (telephone 907-271-2809).

**FOR FURTHER INFORMATION CONTACT:** Jay J. C. Ginter (Fishery Management Biologist, NMFS), 907-586-7229.

**SUPPLEMENTARY INFORMATION:** Domestic and foreign groundfish fisheries in the EEZ of the BSAI area are managed in accordance with the FMP. The FMP was prepared by the North Pacific Fishery Management Council (Council) under authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). The FMP is

implemented by regulations appearing at 50 CFR 611.93 and part 675.

The Council approved Amendment 12a to the FMP at its January 16-19, 1989 meeting for submission to the Secretary for review, approval and implementation under sections 304(a) and 305(c) of the Magnuson Act. The Secretary received Amendment 12a on April 4, 1989 and immediately began a review to determine its consistency with the Magnuson Act and other applicable law. The Director, Alaska Region, NMFS (Regional Director) determined that the amendment was consistent with the Magnuson Act and other applicable law. A notice of availability of Amendment 12A was published in the *Federal Register* on April 10, 1989 (54 FR 14256, correction at 54 FR 15302, April 17, 1989). Proposed implementing regulations were published on May 4, 1989 (54 FR 19199, correction at 54 FR 21343, May 17, 1989). The corrected notice of availability invited public review and comment until June 5, 1989 and the corrected notice of proposed rulemaking invited comments until June 12, 1989. Thirteen letters commenting on the amendment and its proposed implementing regulations were received and considered in developing this final rule. Several minor changes were made between the proposed and final rules for clarification purposes and are described later. A summary of, and response to, all comments received is given below.

**Description**

The purpose of Amendment 12A is to limit incidental catches of *Chionoecetes bairdi* Tanner crab, red king crab (*Paralithodes camtschatica*), and Pacific halibut (*Hippoglossus stenolepis*) by the groundfish fisheries in the BSAI area and thus minimize the impact of domestic groundfish fisheries on these species. Such incidental catches are referred to as bycatches in fisheries targeting other species. The FMP and its implementing regulations define these species of crabs and halibut as prohibited species which, if caught while fishing for groundfish, must be returned to the sea with a minimum of injury (§ 675.20(c)). Amendment 12a reflects an effort to balance potentially excessive bycatches of prohibited species in the groundfish fishery against added operating costs resulting from bycatch control regulations. As such, the Council has determined that the bycatch controls imposed by this amendment will provide the domestic groundfish fishery sufficient opportunity to harvest the total allowable catch of groundfish while keeping the wasteful discard of incidentally harvested prohibited species to a reasonable minimum.

To achieve this purpose, the Council proposed specification of prohibited species catch (PSC) limits for *C. bairdi* Tanner crab, red king crab and halibut and apportionment of these PSC limits among four specified groundfish fisheries. When a specified fishery reaches its apportionment of the PSC limit, it will be prohibited from fishing in certain areas or bycatch limitation zones for the remainder of the fishing year. A full description of Amendment 12A is given in the preamble to the proposed rule. The following is a summary of what it will accomplish.

**Bycatch Limitation Zones**

Three bycatch limitation zones are established (see Figure 2). Zones 1 and 2 would be identical to those under Amendment 10 to the FMP. A new halibut protection zone, Zone 2H, is established in that part of Zone 2 that is south of 56°30' N. latitude and between 165° and 170° W. longitude. These zones describe areas in which crab and halibut stocks are especially abundant. Approximately 88 percent of the total red king crab population of the Bering Sea and Aleutian Islands is estimated to be within Zone 1. About 98 percent of the *C. bairdi* Tanner crab population of the Bering Sea and Aleutian Islands is estimated to be within Zones 1 and 2 combined and about 60 percent in only Zone 2. Pacific halibut are more broadly distributed in the Bering Sea than are crab species. However, Zones 1 and 2H combined encompass an area known for high abundance of juvenile halibut and for seasonal migration of halibut between deep and shallower continental shelf waters. Sequential closing of these zones to groundfish fisheries which have attained their share of the PSC limits provides for a reduction in bycatch rates without prohibiting the fisheries access to all Bering Sea groundfish resources.

An area within Zone 1, south of 58° N. latitude and between 160° and 162° W. longitude, is closed to all fishing with trawl gear. The western boundary of this closed area will be extended to 163° W. longitude during the period March 15 through June 15. This closed area will protect a significant portion of the red king crab and *C. bairdi* Tanner crab stock from trawl gear. An exception to the closed area and its seasonal extension is provided in that part of the area south of a line approximating the 25 fathom isobath. This exception applies only to directed fishing for Pacific cod, provided that a PSC limit of 12,000 red king crabs is not exceeded. The purpose of this exception is to allow fishing for Pacific cod in that part of the closed area in which crab