

DEPARTMENT OF DEFENSE**48 CFR Part 237****Defense Federal Acquisition Regulation Supplement; Miscellaneous Amendments***CFR Correction*

In title 48 of the Code of Federal Regulations, chapter 2, parts 201 to 299, revised as of October 1, 1997, on pages 306 and 307, sections 237.270, 237.270-1, 237.270-2, 237.270-3, and 237.270-4 should be removed from the text and on page 301 these section entries should also be removed from the table of contents.

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DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****49 CFR Part 213**

[Docket No. RST-90-1, Notice No. 10]

RIN 2130-AA75

Technical Amendments to the Track Safety Standards

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Final rule; corrections.

SUMMARY: The Federal Railroad Administration published in the **Federal Register** of June 22, 1998 (63 FR 33992), a final rule to revise the Track Safety Standards contained in 49 CFR part 213. On August 28, 1998, FRA published a notice of corrections to correct several inadvertent errors which appeared in the final rule (63 FR 45959). This correction notice corrects additional errors since found in the final rule.

DATES: Effective on October 8, 1998.

FOR FURTHER INFORMATION CONTACT: Allison H. MacDowell, Office of Safety Assurance and Compliance, Federal Railroad Administration, 400 Seventh Street, SW., Mail Stop 25, Washington, DC 20590 (telephone: 202-493-6236), or Nancy Lummen Lewis, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW., Mail Stop 10, Washington, DC 20590 (telephone: 202-493-6047).

SUPPLEMENTARY INFORMATION: FRA published a final rule in the **Federal Register** of June 22, 1998, (63 FR 33992), which, effective September 21, 1998, replaces the Track Safety Standards in 49 CFR part 213. The final rule, however, contained several inadvertent

errors which were corrected in a notice published in the **Federal Register** August 28, 1998 (63 FR 45959). The purpose of this notice is to correct two additional errors discovered in the final rule after publication of the August 28 notice.

§ 213.57 [Corrected]

In the final rule, make the following corrections:

On page 34033, remove the first sentence of § 213.57(g)(4), and replace with the following sentence: "The track owner or railroad operates an instrumented car having dynamic response characteristics that are representative of other equipment assigned to service or a portable device that monitors on-board instrumentation on trains over the curves in the identified track segment at the revenue speed profile at a frequency of at least once every 90-day period with not less than 30 days interval between inspections."

§ 213.345 [Corrected]

On page 34051, in § 213.345(d), remove "§ 213.333(k)" and replace with "§ 213.333(l)"

Dated: October 5, 1998.

S. Mark Lindsey,

Chief Counsel.

[FR Doc. 98-27024 Filed 10-7-98; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 285**

[I.D. 092398B]

Atlantic Tuna Fisheries; Atlantic Bluefin Tuna; Closure

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

ACTION: General category closure.

SUMMARY: NMFS has determined that the 1998 Atlantic bluefin tuna (BFT) General category subquota for the October-December period will be attained by October 5, 1998. Therefore, General category fishery for October-December will be closed effective 11:30 p.m. on October 5, 1998. This action is being taken to prevent overharvest of the adjusted subquota of 116 metric tons (mt) for the October-December period. **DATES:** Effective 11:30 p.m. local time on October 5, 1998, through December 31, 1998.

FOR FURTHER INFORMATION CONTACT: Sarah McLaughlin, 301-713-2347, or Pat Scida, 978-281-9260.

SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories.

General Category Closure

NMFS is required, under § 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of BFT will equal the quota and publish a **Federal Register** announcement to close the applicable fishery.

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a subquota of 65 mt of large medium and giant BFT to be harvested from the regulatory area by vessels permitted in the General category during the period beginning October 1 and ending December 31. Due to a total underharvest of 1 mt in the June-August and September period subquotas and to the transfer of 50 mt from other categories (10 mt from the Reserve and 40 mt from the Incidental Longline South quota), the October-December period subquota was adjusted to 116 mt (63 FR 51855, September 29, 1998). Based on reported catch and effort, NMFS projects that this revised subquota will be reached by October 5, 1998. Therefore, fishing for, retaining, possessing, or landing large medium or giant BFT by vessels in the General category must cease at 11:30 p.m. local time October 5, 1998. If, after tallying the landings following the closure, NMFS determines that a substantial amount of quota remains, NMFS may reopen the General category fishery as necessary to allow full harvest of the adjusted October-December subquota.

General category permit holders may tag and release BFT while the General category is closed, subject to the requirements of the tag and release program at 50 CFR 285.27.

The intent of this closure is to prevent overharvest of the October-December period subquota established for the General category. NMFS will announce the opening date of the New York Bight fishery through a separate **Federal Register** notice.