whenever a Federal motor vehicle safety standard is in effect, a state may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard. Section 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

Request for Comments

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be submitted accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation, 49 CFR Part 512.

All comments received on or before the closing date indicated above for the proposal will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the final rule will be considered as suggestions for further rulemaking action. It is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the docket must enclose a self-addressed stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Part 594

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, it is proposed that 49 CFR part 594 be amended as follows:

1. The authority citation for part 594 would be revised to read as follows:

Authority: 49 U.S.C. 30141, 30166; delegation of authority at 49 CFR 1.50.

2. The title of part 594 would be changed to read as follows:

PART 594—SCHEDULE OF FEES AUTHORIZED BY 49 U.S.C. 30141

3. Section 594.1 would be revised to read as follows:

§ 594.1 Scope.

This part establishes the fees authorized by 49 U.S.C. 30141.

4. Section 594.4 would be amended by revising its introductory paragraph to read as follows:

§ 594.4 Definitions.

All terms used in this part that are defined in 49 U.S.C. 30102 are used as defined in that section.

* * * * *

5. Section 594.6 would be amended by;

(a) changing the year ''1993'' in paragraphs (d) and to read ''1996,'' and

(b) revising the introductory language in paragraph (a), (c) revising paragraph (b),

(c) revising the final sentence of paragraph (h); and

(d) revising paragraph (i)

to read as follows:

§ 594.6 Annual fee for administration of the registration program.

(a) Each person filing an application to be granted the status of a Registered Importer pursuant to part 592 of this chapter on or after October 1, 1996, shall pay an annual fee of $501, as calculated below, based upon the direct and indirect costs attributable to: * * *

* * * * *

(b) That portion of the initial annual fee attributable to the processing of the application for applications file on and after October 1, 1996, is $301. The sum of $301, representing this portion, shall not be refundable if the application is denied or withdrawn.

* * * * *

(h) * * * This cost is $7.07 per man-hour for the period beginning October 1, 1996.

(i) Based upon the elements, and indirect costs of paragraphs (f), (g), and (h) of this section, the component of the initial annual fee attributable to administration of the registration program, covering the period beginning October 1, 1996, is $200. When added to the costs of registration of $301, as set forth in paragraph (b) of this section, the costs per applicant to be recovered through the annual fee are $501. The annual renewal registration fee for the period beginning October 1, 1996, is $332.

6. Section 594.7 would be amended by revising the first two sentences of paragraph (e) to read as follows:

§ 594.7 Fee for filing petition for a determination whether a vehicle is eligible for importation.

* * * * *

(e) For petitions filed on and after October 1, 1996, the fee payable for a petition seeking a determination under paragraph (a)(1) of this section is $199. The fee payable for a petition seeking a determination under paragraph (a)(2) of this section is $721. * * *

* * * * *

7. Section 594.8 would be amended by revising the first sentence in paragraph (b) and in paragraph (c) to read as follows:

§ 594.8 Fee for importing a vehicle pursuant to a determination by the Administrator.

* * * * *

(b) If a determination has been made pursuant to a petition, the fee for each vehicle is $134. * * *

(c) If a determination has been made pursuant to the Administrator's initiative, the fee for each vehicle is $134. * * *

8. Section 594.9(c) would be revised to read as follows:

§ 594.9 Fee for reimbursement of bond processing costs.

* * * * *

(c) The bond processing fee for each vehicle imported on and after October 1, 1996, for which a certificate of conformity is furnished, is $5.15.

Issued on: June 14, 1996.

Michael B. Brownlee,

Associate Administrator for Safety Assurance.

[FR Doc. 96–15732 Filed 6–21–96; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AC22

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on Proposed Endangered Status for Barton Springs Salamander

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of reopening of comment period.

SUMMARY: The Fish and Wildlife Service provides notice that the comment period on the proposed endangered status for Barton Springs salamander (*Eurycea sosorum*) is reopened.

DATES: Comments from all interested parties must be received by July 24, 1996. Although every effort will be made to consider comments received up to July 24, 1996 the Fish and Wildlife Service may be required to close the comment period in advance of July 24, 1996 in order to comply with any orders of the court in *Save Our Springs Legal Defense Fund* v. *Babbitt*, Civil No. MO–95–CA–230 (W.D. Tex.), ongoing litigation involving this rulemaking.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Field Supervisor (see **ADDRESSES** section) (512/490–0057).

SUPPLEMENTARY INFORMATION: A proposed rule to list the Barton Springs salamander as endangered was published on February 17, 1994 (59 FR 7968). The primary threat to this species is contamination of waters in the portion of the Edwards Aquifer that feeds the springs, due to catastrophic events (such as hazardous materials spills) and chronic degradation resulting from urban activities. Also of concern are reduced groundwater supplies due to increased groundwater withdrawal and pool maintenance operations where the salamander occurs. This proposal, if made final, will implement Federal protection provided by the Act for the Barton Springs salamander.

The comment period on this proposed rule originally closed April 18, 1994. It was reopened on May 26, 1994, and again on March 10, 1995. The last comment period closed May 17, 1995. On April 10, 1995, Public Law 104–06 imposed a moratorium preventing addition of any species to the Threatened and Endangered Species List. Through a series of moratoria, funding restrictions, and continuing resolutions that prohibition remained in effect until April 26, 1996. On that date, the Omnibus Appropriations Act, which provided $4,000,000 to the Service to fund listing activities for the remainder of fiscal year 1996, was enacted (Pub. L. No. 104–134, 110 Stat. 1321, (1996)). Because the Service expended $233,000 of this amount during the first six months of 1996 under the rates of operation provided by the various continuing resolutions, $3,767,000 remains for the balance of the fiscal year (61 FR 24722, 24723; May 16, 1996). The Omnibus Appropriations Act contained a moratorium on certain listing activities but provided that the President could waive the moratorium. On April 26, 1996, President Clinton suspended the provision limiting implementation of Section 4 of the Act (61 FR 24667; May 16, 1996).

On May 16, 1996, the Service published guidance which set priorities for the listing program in order to ensure that the scarce resources available through the end of the fiscal year would provide the greatest conservation benefit possible (61 FR 24722; Final Listing Priority Guidance. This guidance identified emergency listings as Tier 1 activities, in other words, the highest priority activity the Service will undertake during the remainder of the fiscal year. Completing final determinations for existing proposals, such as the Barton Springs salamander, are Tier 2 activities, which will be undertaken to the extent resources are available. Which final determinations will be completed depends on a number of factors including magnitude and imminence of threats to the species. *Id.* at 24727.

Region 2 of the Service, which includes the area inhabited by the Barton Springs salamander, conducted a prioritization review in accordance with the Notice of Final Listing Priority Guidance. This process considered all pending actions to determine whether affected species faced an emergency situation as defined by Section 4(b)(7) of the Act, and the Service's implementing regulations. The Barton Springs salamander has been recommended by Region 2 as its number one priority for final determination. In determining which species to focus its listing resources on, Region 2 evaluated the threats to all species that have been proposed for listing. Region 2 determined that while the Barton Springs salamander is its number one listing priority, the threats to the species are not severe enough to warrant emergency status. However, the Service continues to monitor the status of the Barton Springs salamander and other Edwards Aquifer species in case emergency listing becomes necessary. Having given the Barton Springs salamander top priority, Region 2 has begun, as funds are now again available, work on making a final decision on this proposed listing.

The Service's Final Listing Priority Guidance notes that the inaction forced upon the Service by the moratorium and funding limitations may result in a need to reopen comment periods due to unresolved questions or the potential for the existence of new information. (61 FR 24727). (See also 61 FR 9651, 9653) (March 11, 1996; interim guidance). Pursuant to this guidance, it is necessary to reopen the comment period to ensure the Service has the best scientific and commercial information currently available to make a final listing determination regarding the Barton Springs salamander.

The last comment period on the proposal to list the Barton Springs salamander closed on May 17, 1995, over one year ago. The Service is aware of new information relevant to listing this species dated after the close of the comment period. Specifically, proposed regulatory protection under State authorities including water quality protection zones, nonpoint source pollution programs, monitoring, and Edwards Aquifer-specific actions have been brought to the Service's attention. Since the close of the comment period, the Service has learned that the State of Texas has proposed and accepted comments on new regulations governing development in the Barton Springs watershed that would require the state to review and approve water quality plans submitted for new developments. The Service has also learned that the Texas Natural Resource Conservation Commission, the Texas Parks and Wildlife Department, and the Texas Department of Transportation have entered into a Memorandum of Understanding concerning water quality protections during highway construction. These efforts are aimed at protecting water quality threats, to which were identified as one of the primary factors threatening the existence of the Barton Springs salamander in the proposal. (59 FR 7968, 7972). Information on these regulatory initiatives does not currently exist in the administrative record. To evaluate effectively whether the existing regulatory structure may adequately protect the species, the Service must obtain further information on these developments. The Act requires the Service to base listing decisions on the ''best scientific and commercial information available,'' 16 U.S.C. 1533(b)(1)(A), and to consider the ''inadequacy of existing regulatory mechanisms'' as a factor upon which to base listing decisions, *id.* 1533(a)(1)(D). Given these facts, the Service believes it has an obligation to reopen the public

comment period on this proposal, while keeping careful watch on the species' status.

In a letter dated June 3, 1996, Valarie Bristol, Travis County Commissioner for the County encompassing the Barton Springs segment of the Edwards Aquifer and Barton Springs itself, requested that the comment period be reopened in order to accept information regarding the Balcones Canyonlands Preserve, the Loop 1/Highway 290 Task Force, and other information. This letter is printed in its entirety here for the information of potential commenters.

Valarie Bristol,
Travis County Commissioner—Precinct 3, Travis County Administration Building, 314 W. 11th Street, Room 500, P.O. Box 1748, Austin, Texas 78767, 473–9333
June 3, 1996.

Honorable Bruce Babbitt,
Secretary of the Interior, 1849 C Street, NW, Mailstop 7229, Washington, D.C. 20240

Dear Secretary Babbitt: As a member of the Travis County Commissioners' Court, I represent the portion of the county which includes the Barton Springs segment of the Edwards Aquifer, the five creeks which overlay it, and the outflow at Barton Springs. This karst system of water flow is a very special treasure and needs thoughtful protection of its water quality.

The listing of the Barton Springs salamander under the Endangered Species Act as an endangered species is a serious decision that requires full analysis. I am asking that the comment period on the listing, which was closed in 1994, be re-opened for a period to allow all significant information which has occurred since then to become part of the decision.

One major event which has occurred has been the formation of the Balcones Canyonlands Preserve which sets aside over 30,000 acres in Travis County, of which 4,000 acres are in the Barton Creek watershed. The Balcones is an example of a public/private partnership that brought together the environmental and landowner communities in an unprecedented level of cooperation for mutual benefit to preserve eight endangered species.

The Loop 1/Highway 290 Task Force is another example of citizens and governments trying to balance growth issues (in this case a highway expansion) with water quality over the aquifer recharge zone. State Representative Sherri Greenberg and I serve as co-chairs of the Loop 1/Highway 290 Task Force and we have been gathering extensive information on the water quality issues surrounding all highway construction in the aquifer area.

Travis County has completed a road project which included an EPA funded vegetation experiment to test the best method for cleaning road area runoff.

These are only a few occurrences whose information may be of importance in the decision on the salamander. I hope that the comment period can be re-opened to gather all the relevant information.

I deeply believe that this community wants to do its part in understanding and protecting the clear, clean water of the Barton Springs segment of the Edwards Aquifer.

Sincerely,

Valarie Scott Bristol,
Travis County Commissioner, Precinct Three.

The Texas Natural Resource Conservation Commission has also requested that the comment period be reopened, citing its regulatory initiatives described above. This letter is also printed in its entirety here for the information of potential commenters.

Texas Natural Resource Conservation Commission
June 3, 1996.

The Honorable Bruce Babbitt,
Secretary of the Interior, 1849 C Street N.W., Main Interior Building, Room 6151, Washington, D.C. 20240

Re: Proposed Listing of Barton Springs Salamander

Dear Secretary Babbitt: The purpose of this letter is to request that you reopen the comment period concerning the proposed listing of the Barton Springs Salamander. If the comment period is reopened, the State of Texas will submit to the Fish and Wildlife Service additional information regarding state and local efforts to protect this species and its habitat. TNRCC staff believes there is a substantial amount of information which has not been considered, much of which was not even available during the original comment period.

There are numerous examples of state and local regulations designed to protect water quality. Some of these were in place at the time of the original listing proposal and some have been created or modified subsequent to the proposal and some even subsequent to closing of the comment period. For example, TNRCC has published proposed rules governing water quality protection zones and will soon be publishing proposed revisions to the 'Edwards Aquifer Rules'. Both of these rule packages are scheduled to be considered by the Commission early this fall. Other examples include highway construction techniques and water quality monitoring resulting from legislation enacted last year. We do not believe these have been properly or adequately taken into account as required by the Act, particularly in light of the magnitude of the decision on the proposed listing.

Thank you for your consideration of this request.

Very truly yours,

Barry R. McBee,
Chairman.

The Service is thus reopening the comment period to allow commenters to provide any additional information or comments they have on the proposed listing. Although every effort will be made to consider comments received up to July 24, 1996, the Fish and Wildlife Service may be required to close the comment period in advance of July 24, 1996 in order to comply with any orders of the court in *Save Our Springs Legal Defense Fund* v. *Babbitt*, Civil No. MO–95–CA–230 (W.D. Tex.), ongoing litigation involving this rulemaking. Comments submitted during previous comment periods will be considered and need not be resubmitted.

Author

The primary author of this notice is Steven Helfert (see **ADDRESSES** section).

Authority

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

Dated: June 17, 1996.

John G. Rogers,
Acting Director, Fish and Wildlife Service.

[FR Doc. 96–15899 Filed 6–21–96; 8:45 am]
BILLING CODE 4310–55–P

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50 CFR Part 32

RIN 1018–AD76

1996–97 Refuge-Specific Hunting and Fishing Regulations

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to amend certain regulations that pertain to migratory game bird hunting, upland game hunting, big game hunting and sport fishing on individual national wildlife refuges for the 1996–97 seasons. Refuge hunting and fishing programs are reviewed annually to determine whether the individual refuge regulations governing these programs should be modified, deleted or have additions made to them. Changing environmental conditions, State and Federal regulations, and other factors affecting wildlife populations and habitat may warrant modifications ensuring continued compatibility of hunting and fishing with the purposes for which individual refuges were established.

DATES: Comments on this proposed rule will be accepted on or before July 24, 1996.

ADDRESSES: Assistant Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1849 C Street, NW, MS 670 ARLSQ, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Stephen R. Vehrs, at the above address; Telephone (703) 358–2397.

SUPPLEMENTARY INFORMATION: 50 CFR part 32 contains provisions governing hunting and fishing on national wildlife