

Constitution Avenue, NW, Washington, DC 20230, telephone (202) 482-1374.

SUPPLEMENTARY INFORMATION: Under section 751(a)(3)(A) of the Act, the Department may extend the deadline for completion of an administrative review if it determines that it is not practicable to complete the review within the statutory time limit of 365 days. In the instant case, the Department has determined that it is not practicable to complete the review within the statutory time limit. See Memorandum from Richard O. Weible to Robert S. LaRussa (August 11, 1999).

Because it is not practicable to complete this review within the time limits mandated by the Act (245 days from the last day of the anniversary month for preliminary results, 120 additional days for final results), in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time limit for the final results until September 10, 1999.

Dated: August 11, 1999.

Richard O. Weible,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 99-21460 Filed 8-17-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 080599C]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Rocket Launches

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

ACTION: Notice of proposed modification to a letter of authorization; request for comments.

SUMMARY: On August 3, 1999, the 30th Space Wing, U.S. Air Force, requested a modification to the Letter of Authorization (LOA) issued to it on April 2, 1999. The letter requests that a new rocket, the Minotaur, be added to the list of rockets authorized to take harbor seals and California sea lions incidental to rocket launches from Vandenberg Air Force Base (Vandenberg) in California. Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to amend the LOA issued to the 30th Space Wing to authorize this new rocket type. The U.S. Air Force has not requested, and NMFS

does not propose, to increase the number of annual launches from Vandenberg that are authorized to take marine mammals under the LOA.

DATES: Comments and information must be received no later than September 2, 1999.

ADDRESSES: Comments on the application should be addressed to Donna Wieting, Chief, Marine Mammal Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3225. A copy of the request for modification, the LOA and the supporting documentation are available for review during regular business hours in the following offices: Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, and the Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Hollingshead, Office of Protected Resources, NMFS, (301) 713-2055, or Christina Fahy, NMFS, (562) 980-4023.

SUPPLEMENTARY INFORMATION: Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of seals and sea lions incidental to missile and rocket launches, aircraft flight test operations, and helicopter operations at Vandenberg were published on March 1, 1999 (64 FR

9925), and remain in effect until December 31, 2003.

In accordance with the MMPA, as amended, and implementing regulations, a 1-year LOA to take small numbers of seals and sea lions was issued on April 2, 1999, to the 30th Space Wing (64 FR 17145, April 8, 1999). On August 3, 1999, the 30th Space Wing requested NMFS to amend the LOA to include a new rocket, the Minotaur, to the list of rockets authorized to take harbor seals and California sea lions incidental to activities at Vandenberg.

Discussion and Analysis

Spaceport Systems International (SSI) wants to begin launching the OSP Space Launch Vehicle, the Minotaur rocket, from the California Commercial Spaceport (CCS) on Vandenberg. The Minotaur contains 2 segments of Minuteman II solid-fuel motors and 2 Orion upperstage motors. According to SSI, the sound emitted during the launch should be no more than what a Minuteman II would emit.

Because this is a new launch vehicle, it was not included in the LOA issued to Vandenberg on April 2, 1999. Therefore, in order for NMFS to authorize the takings by harassment incidental to this new rocket, NMFS must be assured that the takings will not exceed the level of incidental harassment considered when it made its negligible impact finding on March 1, 1999 (64 FR 9925). First, Vandenberg is authorized to harass pinnipeds incidental to 10 missile launches from North Vandenberg and 20 rocket launches annually from South Vandenberg. This authorized level of launches for incidental takes of marine mammals will not be modified by NMFS to add this additional rocket to the LOA. Second, as mentioned previously, the Minotaur rocket consists of the first two segments of Minuteman II solid-fuel motors and two Orion upperstage motors. For incidental takes of pinnipeds on the Vandenberg coastline, only the first one or two motors are important for assessing impacts along the California coast. The Minotaur, like the Minuteman II missiles launched from North Vandenberg, use Thiokol first-stage rocket motor with 202,600 pounds (lbs) of thrust and a second-stage motor made by Aerojet with 60,000 lbs of thrust. As a result, launch noises would be similar to those expected at North Vandenberg during a Minuteman II launch.

Third, Vandenberg has requested a small take of harbor seals (and possibly a few California sea lions) by incidental harassment for this rocket launched

from the CCS, an area close to Space Launch Complex (SLC)-6. While the CCS was identified in the 30th Space Wing's July 11, 1997, application for a small take authorization and in the U.S. Air Force's Programmatic Operations Environmental Assessment for small takes of marine mammals, because the CCS was under construction at the time, no rocket types were identified for launching at that time of the application to NMFS. As a result, an incidental take assessment could not be made for this location by either NMFS or the 30th Space Wing during the rulemaking. However, impacts to pinnipeds from launches at nearby SLC-6 by Lockheed Martin's family of Athena rockets was analyzed on July 21, 1998 (63 FR 39055) and previously (see 60 FR 24840, May 10, 1995).

Finally, because the Minotaur rocket's first stage solid-fuel booster is half the size of the first-stage booster of the Athena 1 launched from SLC-6, it can be expected to impact the nearby harbor seal haulouts to a lesser, but unknown, level than the Athena. NMFS estimated that the Athena rocket would, under typical conditions, result in a sound pressure level (SPL) of 127 dB (107 dBA) re 20 µPa at the harbor seal haulouts at Rocky Point, which are about 1.5 mi (2.4 km) to the south and southwest of SLC-6. This level is sufficient to cause harbor seals to leave the beach at Point Arguello, Rocky Point, and Boathouse Flats. However, because the CCS is only 1 mile (1.6 km) from the closest haulout at Rocky Point whereas SLC-6 is approximately 2.5 mi (4.0 km) away from the nearest haulout, NMFS expects that SPLs from the launch of the Minotaur will be similar to levels expected from the Athena rocket at the Rocky Point haulout.

Because the addition of the Minotaur rocket to the launch list at Vandenberg will not result in an increase in the number of launches authorized to take pinnipeds under the LOA, NMFS does not expect additional cumulative impacts to occur and therefore, NMFS has preliminarily determined that the takes will remain small and not have more than a negligible impact on seals and sea lions at Vandenberg.

Monitoring and Reporting

Under an amended LOA, if issued, the 30th Space Wing would be required to

monitor the impacts of the Minotaur launches at CCS. Because this is a new launch vehicle, the 30th Space Wing would be required under the LOA to measure the noise profiles from the rocket at the time of its first launch and to monitor impacts on marine mammals at nearby active, pinniped haulouts.

Information Solicited

NMFS requests interested persons to submit comments, and information, concerning this request (see ADDRESSES). Issuance of a modified LOA will be based on a finding that the total takings will have no more than a negligible impact on the seal and sea lion populations off the Vandenberg coast and on the Northern Channel Islands.

Dated: August 12, 1999.

Art Jeffers,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 99-21469 Filed 8-17-99; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Title, Associated Form, and OMB Number: Facilities Available for the Construction or Repair of Ships; SF Form 17; OMB Number 0703-0006.

Type of Request: Reinstatement.

Number of Respondents: 151.

Responses Per Respondent: 1.

Annual Response: 151.

Average Burden Per Response: 4.5 hours.

Annual Burden Hours: 680.

Needs and Uses: This collection of information provides the Naval Sea Systems Command (NAVSEASYS COM) and the maritime Administration with a list of facilities available for construction or repair of ships, and information utilized in a data base for assessing the production capacity of the

individual shipyards. Respondents are businesses involved in shipbuilding and/or repair.

Affected Public: Business or Other For-Profit.

Frequency: Annually.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Mr. Edward C.

Springer. Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

DOD Clearance Officer: Mr. Robert Cushing. Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Dated: August 12, 1999.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 99-26]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of P.L. 104-164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. J. Hurd, DSCA/COMPT/RM, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 99-26 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: August 12, 1999.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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