

as well as the implementation of the recommendations of the Five-Year Review. Therefore, no further response actions under CERCLA are appropriate at this time. Consequently, U.S. EPA proposes to delete the site from the NPL.

Dated: March 18, 1996.

David A. Ullrich,

*Acting Regional Administrator, U.S. EPA, Region 5.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 651

[I.D. 032196D]

#### Northeast Multispecies Fishery; Amendment 7; Resubmission of Disapproved Measure

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** NMFS announces that the New England Fishery Management Council (Council) has revised a management measure concerning additional days-at-sea (DAS) for vessels enrolled in the Large Mesh Individual DAS category in Amendment 7 to the Fishery Management Plan for the Northeast Multispecies Fishery (FMP). The original measure was disapproved. A revised version of that measure has been submitted and accepted for Secretarial review. The intended effect of this measure is to promote

conservation by providing an equitably applied incentive to use nets constructed of mesh that are larger than the minimum size.

**DATES:** Comments on the revised portion of Amendment 7 must be received on or before April 19, 1996.

**ADDRESSES:** Send comments to Dr. Andrew A. Rosenberg, Regional Director, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930-3799. Mark the outside of the envelope "Comments on large-mesh individual DAS vessels."

Copies of the original Amendment 7 and related documents are available from the New England Fishery Management Council, 5 Broadway (U.S. Rte. 1), Saugus, MA, 01906-1097.

**FOR FURTHER INFORMATION CONTACT:** Susan A. Murphy, Fishery Policy Analyst, 508-281-9252.

**SUPPLEMENTARY INFORMATION:**

Amendment 7 was prepared by the Council and submitted to the Secretary of Commerce (Secretary) for review under section 304(b) of the Magnuson Fishery Conservation and Management Act (Magnuson Act). The Magnuson Act requires the Secretary to approve, disapprove, or partially disapprove FMPs or amendments, based upon a determination of consistency with national standards and other applicable laws. On February 14, 1996, the Secretary announced disapproval of three measures contained in Amendment 7: The additional allowance of DAS for trawl vessels enrolled in the Individual DAS category that use exclusively 8-inch (20.32 cm) mesh; the 300-lb (136.1-kg) possession allowance of regulated species for vessels that use 8-inch (20.32 cm) mesh in an exempted fishery; and the establishment of a limited access category for vessels that fished in the

Possession Limit open access category under Amendment 5. The remainder of Amendment 7 was published as a proposed rule on March 5, 1996 (61 FR 8492).

Pursuant to section 304(b)(3)(A) of the Magnuson Act, the Council has resubmitted two of the three measures originally disapproved. One of the resubmitted measures would give additional groundfish DAS to all groundfish vessels fishing exclusively with large mesh and that elect to fish under the Large Mesh Individual DAS category under Amendment 7 to the FMP. The Council remedied the defect that led to preliminary disapproval by clarifying that the proposed measure to increase fishing time in the individual category would apply to all vessels using large mesh, whether they are trawl vessels or gillnet vessels.

NMFS, on behalf of the Secretary, disapproved a second resubmitted measure that would have allowed a 300-lb (136.1-kg) regulated species possession limit for vessels fishing with 8-inch (20.32-cm) mesh in an exempted fishery. This measure was disapproved before publishing this notice of availability as authorized under section 304(a)(1)(A)(ii) of the Magnuson Act.

Regulations proposed by the Council to implement the resubmitted measure for Amendment 7 to the FMP are scheduled to be published within 15 days.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 27, 1996.

Richard W. Surdi,

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

[FR Doc. 96-7887 Filed 3-27-96; 4:28 pm]

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