

Nuclear Fuel, High-Level and Transuranic Radioactive Wastes." These criteria were proposed at 60 FR 5766 and were published in Part II of the **Federal Register** on January 30, 1995. The Agency intends to issue final compliance criteria in February 1996, approximately one year after this proposal.

DATES: EPA will conduct public hearings on the Proposed Compliance Criteria Rule in Carlsbad, NM on March 21, 1995 from noon to 9:00 p.m. Public hearings will be held in Albuquerque, NM on March 22, from noon to 9:00 p.m. Public hearings will be held in Santa Fe, NM on Wednesday, March 23, from noon to 9:00 p.m. and on March 24 from 9:00 a.m. to 12:00 p.m. In all cases, there will be a dinner break from 5:00 p.m. to 6:30 p.m.

For speakers to receive scheduled times to testify, requests to testify must be received on or before March 14, 1995, in order to guarantee an opportunity to testify. Speakers not registered on or before March 14 may register at the door and will be scheduled to testify if time permits.

ADDRESSES: The Proposed Compliance Criteria Rule public hearings will be held March 21, 1995, at the Quality Inn (formerly the Park Inn International), 3706 National Parks Highway, Carlsbad, NM; March 22 at the Albuquerque Convention Center, 401 Second Street NW., Albuquerque, NM; and March 23 and 24 at the High Mesa Inn, 3347 Cerillos Road, Santa Fe, NM.

To register to testify telephone Kelly Rose or Ed Lyons of AST, Inc. at (301) 670-8344 or fax your request directly to AST at (301) 670-4099 to their attention. When registering by phone or fax, please provide the following information: Name, Address, Organizational Affiliation (only if testifying as spokesperson or official representative for the company), desired date, hearing location, times available to testify, and a daytime telephone number. Registrations must be made by March 14, 1995, in order to be guaranteed an opportunity to testify. Testifiers not registered on or before March 14 may register at the door and will be scheduled if time permits.

Individual speakers will be allocated 5 minutes and individuals testifying as the official representative or spokesperson on behalf of groups and organizations will be allocated 10 minutes for an oral presentation exclusive of any time consumed by

questions from the government panel and answers to these questions.

Information on EPA's proposed compliance criteria rule (40 CFR Part 194) is listed under Docket No. A-92-56 and is available for review at the following three EPA WIPP docket locations in New Mexico: in Carlsbad at the Municipal Library, Hours: Mon-Thu, 10-9, Fri-Sat, 10-6, and Sun 1-5; in Albuquerque at the Government Publications Department, Zimmerman Library, University of New Mexico, Hours: Mon-Thu, 8-9, Fri, 8-5, Sat-Sun, 1-5; and in Santa Fe at the Fogelson Library, College of Santa Fe, Hours: Mon-Thu, 8-12 Midnight, Fri, 8-5, Sat, 9-5, and Sun, 1-9. For purposes of judicial review, EPA's official docket for the compliance criteria rulemaking, Docket No. A-92-56, is located in Washington, DC in the Air Docket, Room M1500, Mailcode 6102, U.S. EPA, 401 M Street SW., Washington, DC 20460.

EPA also established separate official dockets for other rulemaking activities under the Waste Isolation Pilot Plant Land Withdrawal Act at the Washington, DC (WDC) location. The following is a list of EPA's radioactive waste dockets: Radioactive Waste (40 CFR Part 191)—Docket No. R-89-01; Compliance Criteria (40 CFR Part 194)—Docket No. A-92-56; Test and Retrieval Plans Review—Docket No. A-92-57; Compliance Determination—Docket No. A-93-02. **[Note:** The dockets in New Mexico only contain major items from the official docket (WDC) plus all those documents added to the official docket since October 1992 when the WIPP Land Withdrawal Act was enacted.]

As provided in 40 CFR part 2, a reasonable fee may be charged for photocopying docket materials.

FOR FURTHER INFORMATION CONTACT: Rafaela Ferguson, Office of Radiation and Indoor Air, (202) 233-9362 or call EPA's 24-hour toll-free WIPP Information Line, 1-800-331-WIPP.

SUPPLEMENTARY INFORMATION: The U.S. Department of Energy is developing the Waste Isolation Pilot Plant (WIPP) near Carlsbad in southeastern New Mexico as a deep geologic repository for disposal of transuranic (TRU) radioactive waste. TRU wastes are materials containing elements having atomic numbers greater than 92 in concentrations greater than 100 nanocuries of alpha-emitting TRU isotopes, with half-lives greater than twenty years, per gram of waste. Most TRU wastes are items that have become associated with the production of

nuclear weapons; e.g., rags, equipment, tools, and contaminated organic and inorganic sludges.

On October 30, 1992, the Waste Isolation Pilot Plant Land Withdrawal Act (Pub. L. 102-579) was enacted. Among other things, the law specifies the terms and conditions for the DOE's activities at the WIPP and the regulatory requirements which apply throughout various stages of the repository's development including the requirement that before beginning disposal of radioactive wastes at the WIPP, DOE must demonstrate that the WIPP will comply with the Environmental Protection Agency's (EPA) radioactive wastes disposal standards, e.g., "Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes" (40 CFR part 191).

Under the Act, EPA is required to develop criteria for the Administrator's certification of compliance with the 40 CFR part 191 disposal standards. On February 11, 1993, EPA published an Advance Notice of Proposed Rulemaking, 58 FR 8029, in the **Federal Register** requesting information and comments pertinent to the development of the compliance criteria.

On January 11, 1995, EPA Administrator Carol Browner signed the proposed compliance criteria rule. The 90-day public comment period began on January 30, the date the proposed compliance criteria rule notice appeared at 60 FR 5766 in Part II of the **Federal Register**, and ends on May 1, 1995. EPA intends to issue final compliance criteria one year after proposal in the **Federal Register**. The WIPP Land Withdrawal Act requires the DOE to demonstrate compliance with EPA's disposal standards and to submit an application for certification of WIPP's compliance to the EPA Administrator. In submitting such an application, the DOE must meet the requirements of the EPA compliance criteria because EPA will use these criteria in certifying whether or not the WIPP complies with the disposal standards.

Dated: February 23, 1995.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

[FR Doc. 95-5026 Filed 2-28-95; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 663

[Docket No. 950209046-5051-02; I.D. 011295D]

RIN 0648-AG82

Pacific Coast Groundfish Fishery; Modification of Nontrawl Sablefish Season

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS is publishing proposed regulations that would establish a new season structure for the nontrawl sablefish component of the Pacific Coast Groundfish limited entry fishery. The new regular season for the limited entry fishery would begin at noon August 6, each year, and both the limited entry and open-access fisheries would be required to remove all nontrawl gear from the water 72 hours prior to the start of the regular season. This rule is intended to promote the goals and objectives of the Pacific Coast Groundfish Fishery Management Plan (FMP) by providing an equitable opportunity for different types of nontrawl gear to harvest the limited entry nontrawl allocation for sablefish, to enhance vessel safety by avoiding a winter opening, to keep the fishery within the annual management target, and to minimize gear conflicts.

DATES: Comments must be submitted in writing by April 17, 1995.

ADDRESSES: Comments may be mailed to William Stelle, Jr., Director, Northwest Region, NMFS, 7600 Sand Point Way NE., BIN C15700, Seattle, WA 98115-0070; or Hilda Diaz-Soltero, Director, Southwest Region, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Information relevant to this proposed rule is available for public review during business hours at the Office of the Director, Northwest Region, NMFS, and at the Office of the Director, Southwest Region, NMFS. Copies of the Environmental Assessment/Regulatory Impact Review (EA/RIR) can be obtained from the Pacific Fishery Management Council (Council), 2000 SW First Avenue, Suite 420, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT: William L. Robinson at 206-526-6140, or Rodney R. McInnis at 310-980-4030.

SUPPLEMENTARY INFORMATION: NMFS is proposing this rule based on a recommendation of the Council, under the authority of the FMP and the Magnuson Fishery Conservation and Management Act (Magnuson Act). At its October 1994 meeting in San Francisco, CA, the Council recommended changes to the management of this fishery that are implemented by this rule. The background and rationale for the Council's recommendations are summarized below. More detail appears in the EA/RIR prepared by the Council for this action.

Background

Sablefish is one of the most valuable species in the groundfish fishery off Washington, Oregon, and California (WOC). Since 1987, the annual sablefish harvest guideline has been allocated between the trawl-gear and nontrawl-gear fisheries. Historically, the trawl fishery has been managed with trip limits, which means the amount of fish that may be harvested during a fishing trip or set time period. Trip limits are imposed primarily in order to extend the fishery throughout most of the year. The nontrawl fishery, in contrast, has taken most of its allocation in an intense, open competition called the "regular season," during which it operates without trip limits, except for limits on small sablefish (in 1995, trip limits are applicable to sablefish less than 22 inches (56 cm) total length). For 72 hours before and after the regular season, it is illegal to take and retain, possess or land groundfish caught with nontrawl gear. In recent years, the nontrawl fleet has operated under very restrictive trip limits (250-500 lb (113-227 kg) per day) outside of the "regular season." The limited entry nontrawl fishery for sablefish involves two main gear types, pot (or trap) and longline, that compete for the nontrawl allocation. Although the pot and longline fisheries are operationally different, they do not have separate allocations.

The first problem addressed by the Council was the increasing competition in the fishery. The sablefish resource is believed to be stable and close to the level that produces maximum sustainable yield (MSY), however, fishing effort, and thus competition, are increasing. The season length off WOC has declined from almost 5 months in 1990 to about 3 weeks in 1993 and 1994, and the industry is concerned about an even shorter season in 1995. Implementation of the limited entry program for groundfish off WOC in 1994 has not diminished the problem of increasing effort, because more vessels

currently have limited entry permits than operated in the fishery in 1994. Also, in recent years fishermen have had to choose between concurrent fisheries off Alaska or off WOC. However, with the implementation of an Individual Fishing Quota (IFQ) system off Alaska in 1995, fishermen will be able to fish over a longer period in Alaska, and thus those with a limited entry permit for WOC will be able to operate in both the Alaska and WOC fisheries. Fishermen that operate more slowly than others, generally those with smaller vessels, or that do not also fish in Alaska, fear that they are losing opportunity during such short, intense seasons off WOC. In addition, in 1994, the nontrawl fishery exceeded its limited entry allocation by 28 percent, because of the difficulty of monitoring such an intense fishery during the season. If fishing effort increases as expected, it will be increasingly difficult to project landings accurately and keep them from exceeding the nontrawl allocation.

A second problem is the starting date of the regular season. Under the current regulations (50 CFR 663.23(b)(2)(i)) (temporarily suspended, through September 1, 1995), the opening of the WOC season is linked to the first nontrawl sablefish season opening in the Gulf of Alaska under 50 CFR part 672, which occurs in May. Under the new IFQ program, governed by 50 CFR part 676, the Alaska season could start as early as March 1, 1995, which would cause the WOC fishery to open on February 26, 1995, preceded by a 72-hour closure on February 23. (50 CFR part 672 is expected to be revised to clarify that the nontrawl sablefish opening date in the Gulf of Alaska is governed by part 676.) This early season is unacceptable to the industry for a number of reasons, particularly safety, but also because of price, quality of the fish, and alternative fishing opportunities. By separate rule, NMFS has temporarily amended 50 CFR 663.23(b)(2) to prevent the opening of the regular season in February, pending completion of this rulemaking to establish a new season structure.

A third problem results from competition within the nontrawl fishery, between fishermen using pot and longline gear. Approximately 21 pot vessels and 88 longline vessels operated in the limited entry sablefish fishery in 1994. The proportion of pot landings in the nontrawl sablefish fishery has varied widely in the last 12 years, from over 80 percent in 1983 to only 21 percent in 1992, and back up to about 40 percent in 1994. Increased production by the small pot fleet in recent years has been

caused at least in part by the way the current 72-hour closure before the regular season operates. The preseason closure affects the competing pot and longline operations in the following ways:

1. *Grounds preemption.* The current regulation at 50 CFR 663.23(b)(2)(ii) (temporarily suspended) prohibits taking and retaining, possessing, or landing sablefish during the 72-hour period before the start of the regular season, but does not prohibit leaving gear in the water. Most pot vessels cannot carry all their gear on board at one time without increasing safety risks. Consequently, pots often are stored unbaited in the water for long periods of time to avoid the cost and lost fishing time from making multiple trips to the fishing grounds to deploy gear. When the 72-hour closure was first recommended, the Council felt it was unreasonable to require pot fishermen to pull all their gear out of the water. However, this gave pot fishermen a distinct advantage, because longline gear cannot be set and left for several days without risking extreme tangling. This allowed pot fishermen to preempt the best grounds before longline gear could be deployed.

2. *"Fair Start."* A second issue is the different ability of the two gear types to start fishing before the beginning of the regular season. Baited pots can catch and hold live sablefish until the 72-hour closure has passed. This is legal under the current regulation as long as the pot has not been pulled and the fish retained. Hook-and-line gear, however, cannot be set much in advance of the regular season because sablefish caught with this gear are quickly attacked and destroyed by marine scavengers such as sand fleas. There is no simple solution without one gear type gaining an advantage over the other. According to the EA/RIR, pot vessels are slower in carrying and setting their gear, but thereafter have the potential to harvest more rapidly than most longline operations off WOC. If pot gear can be set and baited before the start of the regular season, however, the best grounds may be preempted and actual fishing started before longline gear can be deployed. If pot gear cannot be set before the start of the regular season, it may be preempted by longline gear that can be set more quickly.

3. *Enforceability.* In the past, the Council felt there was no point in prohibiting baiting gear during the 72-hour closure because there was inadequate at-sea presence to enforce such a restriction. Enforcement of the closure was further complicated by implementation of the limited entry

program in 1994, which exempted open-access nontrawl gear from the 72-hour closures. Limited entry vessels could circumvent the intent of the regulation by operating with nontrawl gear for which they had no limited entry endorsement (50 CFR 663.33(a)). Furthermore, enforcement agents could not easily discern by aerial surveillance which vessels and gear were open-access and which were limited entry.

The above-described problems prompted the Council to rethink its approach to nontrawl sablefish management. The Council's recommendations to resolve these problems, and rationale to the solutions are summarized below.

Delaying the Regular Season to August 6

The August 6 date was selected for reasons of safety, price of fish, and alternative fishing opportunities. It was selected primarily for the best weather along the coast (see the EA/RIR). Rough weather in late February makes fishing unsafe along much of the coast. The best time of year varies by location. According to the EA/RIR, late summer is the least windy period coastwide, and perhaps provides the safest fishing conditions. Initially the Council recommended August 15, and then shifted it 1 week earlier to avoid the August 1995 Council meeting. The Council did not select the first of the month in order to avoid gear conflicts with the deepwater trawl fishery (for sablefish, Dover sole, and thornyheads), because trawl effort may be greater at the beginning of that fishery's cumulative monthly period. This delay in the regular season would not reduce effort by vessels able to operate in both the Alaska and WOC fisheries. In fact, an August date may increase effort, because vessels previously discouraged by bad winter weather may be able to operate in the summer. Also, in August larger sablefish would be available to the fishery; larger sablefish generally yield a higher price and therefore are more desirable to the fleet. Neither a late February opening of the regular season during the winter spawning period, nor an opening at any other time of year, would have more than a negligible impact on recruitment of sablefish.

August is also the preferred month from the standpoint of maximizing various fishing opportunities off WOC. Sablefish pot vessels may also participate in the Dungeness crab fishery, which usually occurs from December into March, and the shrimp fishery, which generally begins in April off WOC, and continues at a high level through June or July. Hook-and-line

vessels also may participate in salmon fisheries. Salmon fisheries traditionally start in May and peak in June and July; the status of these fisheries in 1995 is not yet known. Albacore fishing, also conducted by hook-and-line vessels, peaks in summer as well, and may coincide with the August regular season. The Pacific halibut fishery, also conducted by hook-and-line vessels, occurs in June/July.

New Season Structure with a "Mop-up" Fishery

Because projecting landings accurately during the regular season will be extremely difficult, particularly if effort increases substantially as expected, the Council recommended that the regular season end when approximately 70 percent of the nontrawl gear allocation has been harvested. The remaining 30 percent would be set aside as a buffer to keep landings from exceeding the nontrawl allocation and the sablefish harvest guideline.

The Council also recommended that about 3 weeks after the end of the regular season, when the amount of the landed catch has been confirmed, the remainder of the nontrawl allocation be released for harvest in a "mop-up" fishery of 1 month or less, with all limited entry vessels subject to the same cumulative trip limit. By applying a cumulative limit, each vessel would have the opportunity to take the same amount and the mop-up fishery would occur at a more orderly and manageable pace. This would make it more likely that the nontrawl allocation would not be exceeded. It also would accommodate those fishermen who prefer to operate at a slower pace without the rush of the "first come, first serve" competition that defines the regular season. Establishing a mop-up fishery is particularly supported by those fishermen who prefer receiving a guaranteed equal share rather than the open competition of the regular season. The reserve could be less than 30 percent of the nontrawl allocation, or the mop-up fishery may not occur at all, if landings during the regular season are higher than expected. Sablefish landings before and after both the regular season and mop-up fishery would be expected to be negligible under the small trip limits recommended by the Council (300 lb or 136 kg per day north of 36°00' N. lat. and 350 lb or 159 kg per day south of 36°00' N. lat.) in 1995 (60 FR 2331, January 9, 1995).

The actual level of the cumulative trip limit during the mop-up fishery would be determined in-season by NMFS, in consultation with the Council's

Groundfish Management Team, primarily by dividing the remainder of the nontrawl allocation by the number of vessels expected to participate. The trip limit and season dates would be announced in the **Federal Register**.

Closed Periods Before and After the Regular Season

The Council and its subcommittees considered a wide range of options (described in the EA/RIR) before recommending the following changes to the closed period before the regular season. In recognition of pot gear's ability to hold live sablefish for the 72-hour period, and the difficulty of enforcing a closure if the open-access fishery deploys its gear during this period, the Council recommended that all groundfish nontrawl gear, limited entry and open-access, be out of the water 72 hours before the start of the regular season. Acknowledging the difficulty and cost of transporting and setting pot gear, the Council also recommended that pot gear could legally be deployed, and baited, 24 hours before the regular season. However, as in past years, no sablefish could be retained, possessed, or landed during the 72-hour closure.

The 1995 annual groundfish management measures establish trip limits for groundfish that are incidentally caught in the open-access fishery by vessels using trawl or pot gear to fish for pink shrimp, or spot and ridgeback prawns. These limits are 1,500 pounds (680 kg) of groundfish per day while fishing for pink shrimp (multiplied by the total number of days in the fishing trip), and 1,000 pounds (454 kg) of groundfish per trip while fishing for spot and ridgeback prawns. The proposed rule would prohibit setting nontrawl gear (sablefish pot gear) that is used to take and retain groundfish during a closed period preceding the beginning of the regular sablefish season. As applied to the pink shrimp and spot and ridgeback prawn fisheries, it would permit pot vessels to set their gear provided that no groundfish is retained or landed during the 72-hour period.

Under the new structure the States of Oregon and Washington are expected to continue the practice of inspecting vessel holds prior to the start of the regular season to prevent stockpiling of fish. The State of California would rely on shore inspections and at-sea boardings to accomplish the same, but would not require a hold inspection of all vessels before the regular season in 1995.

The Council also decided that a closed period is no longer needed at the

end of the regular season. Initially, it was thought that a 72-hour closure at the end of the season would be needed to tally catch data and to facilitate enforcement. However, experience has shown that catch data cannot be verified in only 72 hours, and the closure has not helped enforcement. Therefore, the end of the regular season would be marked by reimposition of small trip limits. The Council confirmed that, as in other groundfish fisheries, a vessel would have to initiate offloading its catch before the effective time of any closure or reduced trip limit.

The Council also recommended that the regular season end at noon rather than midnight, so that enforcement agents can more easily observe vessel activity and so that processing plants need not be open through the night. The Council was silent as to the starting times of the regular and mop-up fisheries, and the ending time of the mop-up fishery. NMFS has decided to propose noon as the effective time for all these events as well, for the same reasons.

Closed periods are probably not needed before the mop-up fishery, because there would be no particular disadvantage to the fleet if a vessel deployed gear before the fishery began. No vessel could land more than the small daily trip limit until the mop-up fishery started, and the amount that could be taken by each vessel during the mop-up fishery would be controlled by the cumulative trip limit. Grounds preemption by pot gear in the mop-up fishery would not be expected to any great extent, because much less gear would be deployed by high-capacity vessels under a cumulative trip limit. In addition, the grounds would become available as vessels complete their limit. The rush to the grounds should be less intense, because each vessel would have about a month to take its equal share.

Biological Impacts

Biological impacts would be expected to be negligible. The sablefish acceptable biological catch (ABC) and harvest guideline would not be affected by this action, except to the extent that catch overages are avoided. Also, a delay of the fishery until August would result in fewer fish being taken to attain the quota, and therefore an increased biomass over time.

Socio-Economic Impacts

The distribution of catch would be expected to shift somewhat from pot to longline landings, because the pot fishermen would get less of a head start on the fishery. Although most of the pot fishery originates in Oregon, Oregon

would not necessarily be hurt by this rule because longline fishermen along the coast, including Oregon, would be expected to benefit from the fair start. NMFS has considered costs to the limited entry and open-access fleets and believes that, while the cost is expected to be greatest for pot vessels, overall costs to the longline and pot fleets would be minimal.

Classification

The Assistant Administrator for Fisheries, NOAA, (AA) has initially determined that this action is consistent with the FMP and the national standards and other provisions of the Magnuson Act.

This proposed rule has been determined to be not significant for the purposes of E.O. 12866.

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The socio-economic impacts are discussed above and contained in the EA/RIR. In summary, NMFS has considered costs to the limited entry and open-access fleets and believes that, while the costs are expected to be somewhat greater for pot vessels, overall costs to the longline and pot fleets would be minimal. As a result, a regulatory flexibility analysis was not prepared.

List of Subjects in 50 CFR Part 663

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: February 23, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 663 is proposed to be amended as follows:

PART 663—PACIFIC COAST GROUND FISH FISHERY

1. The authority citation for part 663 continues to read as follows:

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

2. In § 663.23 paragraph (b)(2) is revised to read as follows:

§ 663.23 Catch restrictions.

* * * * *

(b) * * *

(2) *Nontrawl sablefish.* This paragraph (b)(2) applies to vessels using nontrawl gear in the limited entry fishery, except for paragraphs (b)(2)(i) and (v), which

also apply to vessels in the open-access fishery. All times are local times.

(i) *Pre-season closure—Open-access and limited entry fisheries.*

(A) Sablefish taken with nontrawl gear in the limited entry or open access fishery in the EEZ may not be retained or landed from noon August 3 through noon August 6.

(B) All nontrawl gear used to take and retain groundfish must be out of EEZ waters from noon August 3 through noon August 6, except that pot gear used to take and retain groundfish may be deployed and baited in the EEZ after noon on August 5.

(ii) *Regular season—Limited entry fishery.* The regular season for the limited entry nontrawl sablefish fishery begins at 1201 hours on August 6. During the regular season, the limited entry nontrawl sablefish fishery may be subject to trip limits to protect juvenile sablefish. The regular season will end when 70 percent of the limited entry

nontrawl allocation has been or is projected to be taken. The end of the regular season may be announced in the **Federal Register** either before or during the regular season.

(iii) *Mop-up season—Limited entry fishery.* A mop-up season to take the remainder of the limited entry nontrawl allocation will begin about 3 weeks after the end of the regular season, or as soon as practicable thereafter. During the mop-up fishery, cumulative trip limits will be imposed. The length of the mop-up season and amount of the cumulative trip limit, including the time period to which it applies, will be determined by the Regional Director in consultation with the Council or its Groundfish Management Team, and will be based primarily on the amount of fish remaining in the allocation and the number of participants anticipated. The Regional Director may determine that too little of the nontrawl allocation

remains to conduct an orderly or manageable fishery, in which case there will not be a mop-up season.

(iv) The dates that the regular season ends (and trip limits on sablefish of all sizes are resumed) and the mop-up season begins and ends, and the size of the trip limit for the mop-up fishery, will be announced in the **Federal Register**, and may be modified.

(v) Trip and/or frequency limits may be imposed in the limited entry fishery before and after the regular season, and after the mop-up season, under paragraph (c) of this section. Trip and/or size limits to protect juvenile sablefish in the limited entry or open-access fisheries also may be imposed at any time under paragraph (c) of this section. Trip limits may be imposed in the open-access fishery at any time under paragraph (c) of this section.

[FR Doc. 95-5034 Filed 2-28-95; 8:45 am]

BILLING CODE 3510-22-F