

**List of Subjects in 40 CFR Part 300**

Environmental Protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: June 18, 1997.

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

**PART 300—[AMENDED]**

The authority citation for part 300 continues to read as follows: Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 191 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

**Appendix B—[Amended]**

Table 1 of Appendix B to part 300 is amended by removing the site "Sealand Limited, Mount Pleasant, Delaware."

**Stanley Laskowski,**

*Acting Regional Administrator, U.S. EPA Region 3.*

[FR Doc. 97-17182 Filed 6-30-97; 8:45 am]

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

[I.D. 062497A]

**Atlantic Tuna Fisheries; Closure Postponement**

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

**ACTION:** Inseason adjustment.

**SUMMARY:** NMFS postpones the closure of the Angling category fishery for large school and small medium Atlantic bluefin tuna (ABT) in the southern area (Delaware and states south). NMFS previously announced a closure date of June 27, 1997, for this category. However, based on dockside intercept data, NMFS has determined that catch rates have not been as high as projected. This closure postponement is necessary to provide fishery participants a reasonable opportunity the catch the

allocated quota. This action is being taken to extend scientific data collection on ABT and to further domestic management objectives for the Atlantic tuna fisheries.

**DATES:** Effective June 27, 1997, 11:30 p.m. until 11:30 p.m. local time, July 20, 1997.

**FOR FURTHER INFORMATION CONTACT:** Sarah McLaughlin, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

**SUPPLEMENTARY INFORMATION:** Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT 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.

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 ABT will equal the quota and publish a **Federal Register** announcement to close the applicable fishery.

On February 21, 1997, NMFS amended the regulations governing the Atlantic bluefin tuna (ABT) fisheries to provide authority for NMFS to close and/or reopen all or part of the Angling category in order to provide for further distribution of fishing opportunities throughout the species range (62 FR 8634, February 26, 1997). The regulatory amendments were necessary to increase the geographic and temporal scope of data collection from the scientific monitoring quota established for the United States. Additionally, the authority for interim closures facilitates a more equitable geographic and temporal distribution of fishing opportunities for all fishermen in the Angling category, thus furthering domestic management objectives for the Atlantic tuna fisheries.

On March 2, 1997, based on catch estimates obtained through angler interviews, NMFS closed the Angling category for school, large school, and small medium ABT in all areas (62 FR 9376, March 3, 1997).

Effective June 13, 1997, NMFS reopened the Angling category for all areas but limited to 2 weeks the opening period for large school and small medium ABT in the southern area

(waters off Delaware and states south (south of 38°47' N. lat.)). The 2 week opening was based on preliminary estimates of catch in that size category in North Carolina, the available quota, and expected catch rates of large school and small medium ABT. NMFS has since determined that catch rates in the southern area are lower than originally projected and that the closure date should be postponed until July 20, 1997. This action does not apply to the northern Angling category fishery for large school and small medium ABT, and the Angling category fishery for school ABT in all areas, which remain open until further notice.

**Catch Limit**

NMFS previously adjusted the daily catch limit for the Angling category fishery for ABT to one fish per vessel (61 FR 66618, December 18, 1996), which may be from the school, large school, or small medium size class (measuring 27-73"). Due to increased participation in the fishery and anticipated catch rates, this daily catch limit remains in effect. Additionally, the catch limit for trophy size class ABT (large medium and giant ABT, measuring 73" and greater) remains at one per vessel per year. Any changes to these catch limits will be published in the **Federal Register** and posted on the 24-hour Highly Migratory Species Information Lines (301-713-1279; 508-281-9305; 1-888-USA-TUNA). Anglers should consult the information lines prior to each fishing trip for updates on closures and catch limits.

This action is being taken to facilitate a wide distribution of fishing opportunities for all fishermen in the Angling category, thus furthering domestic management objectives for the Atlantic tuna fisheries. This action also facilitates data collection from the scientific monitoring quota established for the United States over the greatest geographic and temporal range.

**Classification**

This action is taken under 50 CFR 285.20(b)(1) and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 971 *et seq.*

Dated: June 25, 1997.

**Bruce Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 97-17086 Filed 6-25-97; 4:42 pm]

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