

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is the Frit Industries Site, Walnut Ridge, Arkansas. A Notice of Intent to Delete for this site was published in the **Federal Register** on July 25, 1997 (62 FR 40029). The closing date for public comment was August 25, 1997. The EPA received no comments during the comment period. The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as a list of the most serious of those sites. Sites on the NPL may be the subject of remedial response actions financed using the Hazardous Substance Response Trust Fund (Fund). Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP, provides that in the event of a significant release from a site deleted from the NPL, the site shall be restored to the NPL without application of the Hazard Ranking System. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response actions.

List of Subjects in 40 CFR Part 300

Environmental protection, Hazardous waste, Intergovernmental relations, Superfund.

Dated: September 30, 1997.

Jerry Clifford,

Acting Regional Administrator, Region 6.

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

PART 300—[AMENDED]

1. 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, 1991 Comp., 351; E.O. 12580; 52 FR 2923, 3 CFR, 1987 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Appendix B—[Amended]

2. Table 1 of Appendix B to part 300 is amended by removing the site for "Frit Industries, Walnut Ridge, Arkansas".

[FR Doc. 97-27022 Filed 10-10-97; 8:45 am]

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

[I.D. 100697B]

Atlantic Tuna Fisheries; Recreational Fishery Adjustments

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

ACTION: Quota adjustment; fishery reopening; catch limit adjustment.

SUMMARY: NMFS adjusts the Angling category subquota for large school/small medium Atlantic bluefin tuna (ABT) fishery by transferring 10 mt from the Angling category subquota for school ABT, for a revised Angling category subquota of 161 mt for the large school/small medium size classes. NMFS reopens the Angling category fishery for large school and small medium ABT in the northern area (New Jersey and states north). The daily catch limit for the reopening is two large school ABT and one small medium ABT per vessel. This action is being taken to ensure reasonable fishing opportunities in the northern area without risking overharvest of this category.

DATES: The quota and catch limit adjustments, and fishery reopening are effective October 10, 1997, until 11:30 pm, October 19, 1997, or any prior date of closure or adjustment as necessary, to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Chris Rogers, 301-713-2347, or Mark Murray-Brown, 978-281-9260.

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.

Under the implementing regulations at 50 CFR 285.22(f), the Assistant Administrator for Fisheries, NOAA (AA), has the authority to make adjustments to quotas involving transfers between categories after considering certain factors. The AA is authorized to make adjustments to quotas involving transfers between categories if, during a single year quota period, it is determined, based on

landing statistics, present year catch rates, effort, and other available information, that any category, is not likely to take its entire quota as previously allocated for that year.

Given that determination, the AA may transfer inseason any portion of the quota of any fishing category to any other fishing category or to the reserve after considering the following factors:

(1) The usefulness of information obtained from catches of the particular category of the fishery for biological sampling and monitoring the status of the stock, (2) the catches of the particular gear segment to date and the likelihood of closure of that segment of the fishery if no allocation is made, (3) the projected ability of the particular gear segment to harvest the additional amount of Atlantic bluefin tuna before the anticipated end of the fishing season, and (4) the estimated amounts by which quotas established for other gear segments of the fishery might be exceeded.

Angling Category Quota Adjustment

Implementing regulations for the Atlantic tuna fisheries at § 285.22 provide for a quota of 108 mt of school ABT and 151 mt of large school/small medium ABT to be harvested from the regulatory area by vessels fishing under the Angling category quota during calendar year 1997 (62 FR 35107, June 30, 1997). The school ABT quota is further subdivided into 51 mt for the waters off Delaware and states south and 57 mt for the waters off New Jersey and states north. The large school/small medium ABT quota is further subdivided into 71 mt for the waters off Delaware and states south and 80 mt for the waters off New Jersey and states north.

Based on preliminary catch estimates, NMFS closed the large school/small medium ABT fishery for the southern area on July 20, 1997 (62 FR 35447, July 1, 1997) and for the northern area on October 1, 1997 (62 FR 50887, September 29, 1997). Information collected by NMFS from dockside and telephone surveys through September 28, 1997, indicates that about 11 mt of school ABT and 8 mt of large school/small medium ABT remain of the northern area subquotas. In order to provide for a reasonable opportunity to harvest the Angling category quota and collect scientific information needed to monitor the ABT stock, NMFS has determined that a reopening is warranted.

After considering the previously cited factors for making transfers between categories, the risk of overharvest of school bluefin which are subject to an

ICCAT-recommended limit, the current availability of fish in each size class, and the regional distribution of catch to date, the AA has determined that 10 mt of the remaining northern area school ABT quota should be transferred to the northern area large school/small medium Angling category fishery. Thus, the Angling category subquota for large school/small medium ABT is adjusted to 161 mt and the northern area Angling category subquota for large school/small medium ABT is adjusted to 90 mt.

Fishery Reopening

Given the revised quota, availability of fish, and recent information on catch and effort in the northern area Angling category fishery (waters off New Jersey and states north), NMFS projects that the remaining quota for large school and small medium ABT could be landed in less than 2 weeks. Therefore, NMFS reopens the Angling category for large school and small medium ABT in the northern area from October 10 until October 19, 1997. Fishing for, retaining, possessing, or landing any large school or small medium ABT, measuring 47 inches to less than 73 inches (69 cm to less than 185 cm), must cease at 11:30 p.m. local time on October 19, 1997. The northern area fishery for school ABT was previously closed for the 1997 season (62 FR 50887, September 29, 1997) and remains closed.

Catch Limit Adjustment

Implementing regulations for the Atlantic tuna fisheries at § 285.24 allow for adjustments to the daily catch limits in order to provide for improved scientific monitoring of the catch spread over the longest possible period of time. The Assistant Administrator for Fisheries, NOAA, may increase or reduce the per angler catch limit for any size class bluefin tuna or may change the per angler limit to a per boat limit or a per boat limit to a per angler limit.

For the duration of the reopening, the daily catch limit is adjusted to two large school ABT (measuring 47 inches to less than 59 inches; 120 cm to less than 150 cm) and one small medium ABT (measuring 150 cm to less than 185 cm) per Angling category vessel. Anglers aboard Charter/Headboat and General category vessels, when authorized to engage in recreational fishing for large school and small medium ABT, are subject to the same rules as anglers aboard Angling category vessels.

Further Adjustments

Depending on the level of fishing effort and catch rates of ABT, NMFS may determine that a subsequent catch limit adjustment or revised closure date is necessary during this period. A revised closure date or adjustment to the daily catch limit, if any, shall be announced through publication in the **Federal Register**. In addition, anglers

may call the Highly Migratory Species Information Line at 301-713-1279 or 508-281-9305 for updates on quota monitoring, closures, and catch limit adjustments.

Fishermen are reminded that all ABT taken under the Angling category quota must be reported within 24 hours of landing using the Catch Reporting System (1-888-USA-TUNA). Note that the fishery for school, large school, and small medium ABT in the southern area closed effective August 11, 1997 (62 FR 44423, August 21, 1997), and is therefore not affected by this reopening and catch limit adjustment. In addition, landing cards submitted to NMFS indicate that the full quota has not yet been attained in the Angling category fishery for trophy class ABT (73 inches (205 cm) and greater), and that fishery remains open in both the northern and southern areas until further notice.

Classification

This action is taken under 50 CFR 285.20, 285.22, and 285.24 and is exempt from review under E.O. 12866.

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

Dated: October 7, 1997.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 97-27071 Filed 10-8-97; 10:49 am]

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