

submitted on August 7, 1995 and adopted on June 28, 1995.

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[FR Doc. 96-27842 Filed 10-31-96; 8:45 am]

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40 CFR Part 300

[FRL-5642-7]

National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Deletion of the Seldon Clark Property from the General Electric/Shepherd Farm Superfund Site, East Flat Rock, Henderson County, North Carolina from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region 4 announces the deletion of the Seldon Clark Property portion of the General Electric/Shepherd Farm Superfund Site from the National Priorities List (NPL), [Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP)]. EPA and the State of North Carolina Department of Environment, Health, and Natural Resources have determined that the Seldon Clark Property poses no significant threat to

public health or the environment and, therefore, under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remedial measures are not appropriate. This deletion does not preclude future action under Superfund. **EFFECTIVE DATE:** November 1, 1996.

FOR FURTHER INFORMATION CONTACT: Giezelle Bennett, Remedial Project Manager, U.S. Environmental Protection Agency, Region 4, North Site Management Branch, 100 Alabama Street, S.W., Atlanta, Georgia 30303-3014, (404) 562-8824.

SUPPLEMENTARY INFORMATION: The Site affected by this partial deletion from the NPL is: General Electric/Shepherd Farm Superfund Site in Henderson County, North Carolina.

A Notice of Intent to Delete for this Site was published on September 3, 1996 at 61 FR 46418 (FRL-5557-7). The closing date for comments on the Notice of Intent to Delete was October 3, 1996. EPA received no comments.

EPA identifies sites that appear to present a significant risk to the public health, welfare and the environment and it maintains the NPL as the list of those sites. Any site or portion thereof deleted from the NPL remains eligible for Fund-financed remedial actions in the future. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the

NPL. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

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

Dated: October 23, 1996.

A. Stanley Meiburg,

Deputy Regional Administrator, U.S. EPA Region 4.

For 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., 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 revising the entry for General Electric Co/Shepherd Farm Superfund Site, East Flat Rock, North Carolina to read as follows:

TABLE 1.—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes
NC	General Electric Co/Shepherd Farm	East Flat Rock/Henderson	P

P=Sites within partial deletion(s).

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 960129018-6018-01; I.D. 102596C]

Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Flatfish, Rex Sole and Arrowtooth Flounder in Statistical Area 620 of the Gulf of Alaska

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for deep-water flatfish, rex sole and arrowtooth flounder by vessels using trawl gear in Statistical Area 620 of the Gulf of Alaska (GOA). This action is necessary to prevent overfishing of Pacific ocean perch (POP).

EFFECTIVE DATE: 1200 hours, Alaska local time (A.l.t.), October 28, 1996, until 2400 hours, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas Pearson, 907-486-6919.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management

Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Magnuson Act requires that conservation and management measures prevent overfishing. The 1996 overfishing level for POP in the Central Regulatory Area of the GOA is established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4304, February 5, 1996) as 4,870 metric tons (mt) and the acceptable biological catch as 3,860 mt. As of October 12, 1996, 5,142 mt of POP has been caught.

NMFS closed directed fishing for POP on July 11, 1996 (61 FR 37225, July 17, 1996), prohibited retention of POP on

July 15, 1996, (61 FR 37700, July 19, 1996), and prohibited retention of all rockfish species by vessels using trawl gear on July 22, 1996 (61 FR 39100, July 26, 1996), in the Central Regulatory Area of the GOA. Substantial trawl fishing effort will be directed at remaining amounts of groundfish in the GOA during 1996. These fisheries can have significant bycatch of POP.

The Administrator, Alaska Region, NMFS, has determined, in accordance with § 679.25(a)(1)(i) and (a)(2)(i)(A), that prohibiting directed fishing for deep-water flatfish, rex sole and arrowtooth flounder by vessels using trawl gear is necessary to prevent overfishing of POP, and is the least restrictive measure to achieve that purpose. Without this prohibition of directed fishing, significant incidental catch of POP would occur by trawl vessels targeting these species and

species groups. Therefore, NMFS is prohibiting directed fishing for these species and species groups by vessels using trawl gear in Statistical Area 620 of the GOA.

Maximum retainable bycatch amounts bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e).

Classification

This action is taken under § 679.25 and is exempt from OMB review under E.O. 12866.

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

Dated: October 28, 1996.

Bruce Morehead,

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

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