

final rule which is located in the Rules Section of this **Federal Register**.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: April 1, 1998.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 98-10714 Filed 4-21-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180 and 186

[OPP-300602A; FRL-5784-2]

RIN 2070-AC18

Proposed Revocation of Tolerances for Canceled Food Uses; Reopening of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Reopening of comment period.

SUMMARY: EPA is reopening the comment period for the proposed rule entitled "Revocation of Tolerances for Canceled Food Uses" that was published in the **Federal Register** of February 5, 1998. One commenter, the European Union, requested additional time to make an analysis. In response, the Agency is reopening the comment period until May 5, 1998. The original comment period closed April 6, 1998.

DATES: Written comments must be received on or before May 5, 1998.

ADDRESSES: By mail, submit written comments, identified by docket control number "OPP-300602A" to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under Unit II. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record.

Information not marked confidential will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 119 at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Joseph Nevola, Special Review and Reregistration Division (7508W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Special Review Branch, Crystal Station #1, 3rd floor, 2800 Crystal Drive, Arlington, VA, (703), Telephone: 308-8037, e-mail: nevola.joseph@epamail.epa.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of February 5, 1998 (63 FR 5907) (FRL-5743-9), EPA issued a proposed rule to revoke tolerances for canceled food uses. The original due date for comments to the proposed rule was April 6, 1998. EPA is extending the comment period until May 5, 1998 because EPA received a request for an extension due to the need to collect specific information that may be responsive to the proposal.

II. Public Record and Electronic Submissions

The official record for the rulemaking, as well as the public version, has been established for the rulemaking under docket control number "OPP-300602A" (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The official rulemaking record is located at the Virginia address in "ADDRESSES" at the beginning of this document.

Electronic comments can be sent directly to EPA at: opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comment and data will also be accepted on disks in Wordperfect 5.1/6.1 or ASCII file format. All comments and data in electronic form must be identified by the docket control number "OPP-300602A." Electronic comments on this document may be filed online at many Federal Depository Libraries.

List of Subjects

40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

40 CFR Part 186

Environmental protection, Animal feeds, Pesticides and pests.

Dated: April 9, 1998.

Lois A. Rossi,

Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 98-10711 Filed 4-21-98; 8:45 am]

BILLING CODE 6560-50-F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 264 and 265

[FRL-6001-7]

Notice of Public Hearing on Proposed Rule XL Projects at OSi Specialties, Inc., Sistersville, WV

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public hearing.

SUMMARY: The EPA is announcing a public hearing that will take place on Tuesday, April 28, 1998, at 6:30 p.m. in Sistersville, West Virginia. On March 6, 1998, EPA published a proposed rule that would implement an XL project at the Sistersville, West Virginia facility of OSi Specialties Inc. (63 FR 11200-11202). Also, on March 6, 1998, EPA published a companion direct final rule at 63 FR 11124-11147. Since EPA has received an adverse comment on the direct final rule which included a request for a public hearing, EPA is today removing the direct final rule and scheduling this public hearing.

DATES: The public hearing will take place on Tuesday, April 28, 1998.

ADDRESSES: The public hearing will take place at the Wells Inn, 316 Charles Street, Sistersville, West Virginia 26174, (304) 652-1312.

Docket. A docket containing documents relevant to this action is available for public inspection and copying at the EPA's docket office located at Crystal Gateway, 1235 Jefferson Davis Highway, First Floor, Arlington, Virginia. The public is encouraged to phone in advance to review docket materials. Appointments can be scheduled by phoning the Docket Office at (703) 603-9230. Refer to RCRA docket number F-98-MCCP-FFFFF.

A duplicate copy of the docket is available for inspection and copying at U.S. EPA, Region 3, 841 Chestnut Street, Philadelphia, PA, 19107-4431, during normal business hours. Persons wishing to view the duplicate docket at the Philadelphia location are encouraged to contact Mr. Tad Radzinski in advance, by telephoning (215) 566-2394.

FOR FURTHER INFORMATION CONTACT: Mr. Tad Radzinski, U.S. Environmental Protection Agency, Region 3 (3WC11), Waste Chemical Management Division, 841 Chestnut Street, Philadelphia, PA, 19107-4431, (215) 566-2394.

List of Subjects in 40 CFR Parts 264 and 265

Environmental protection, Air pollution control, Control device, Hazardous waste, Monitoring, Reporting and recordkeeping requirements, Surface impoundment, Treatment storage and disposal facility, Waste determination.

Dated: April 16, 1998.

Carol M. Browner,
Administrator.

[FR Doc. 98-10862 Filed 4-21-98; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 980406085-8086-00; I.D. 031198C]

RIN 0648-AJ27

Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Management Measures for Nontrawl Sablefish

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule to implement management measures recommended by the Pacific Fishery Management Council (Council) for the limited entry, fixed gear sablefish fishery north of 36° N. lat. These measures would provide a three-tiered management regime with three different cumulative landings limits for permit holders participating in the regular, limited entry, fixed gear sablefish fishery. The cumulative landings limit available to a permit holder would depend on the tier to which the permit

is assigned, and tier assignment would be based on historical participation in the fixed gear sablefish fishery. Both the limited entry and open access fixed gear sablefish fisheries would be closed for 48 hours immediately before and for 30 hours immediately after the regular fishery. The preamble to this proposed rule discusses how these recommendations fit within long-term changes to management of this fishery that were made in 1997. Provisional 1997 regulatory language also would be updated by this proposed rule. These actions are intended to recognize the historical and more recent participation and investment in the fixed gear sablefish fishery while eliminating the traditional "derby" style management system.

DATES: Comments must be received on or before May 22, 1998.

ADDRESSES: Comments may be mailed to William Stelle, Jr., Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Seattle, WA 98115-0070; or to William Hogarth, Administrator, Southwest Region, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Copies of the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) may be obtained from the Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201. Send comments regarding the burden estimate or any other aspect of the collection-of-information requirement, including suggestions for reducing the burden, to one of the NMFS addresses above and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, D.C. 20503 (ATTN: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT:

William L. Robinson at 206-526-6140, or Svein Fougner at 562-980-4000.

SUPPLEMENTARY INFORMATION: NMFS is proposing this rule based on recommendations of the Council, under the authority of the Pacific Coast Groundfish Fishery Management Plan (FMP) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). 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 (*Anoplopoma fimbria*), also known as "black cod," is one of the

most valuable species in the groundfish fishery off Washington, Oregon, and California. Because sablefish is an important species in the Pacific Coast groundfish complex, there have been numerous allocation conflicts over sablefish between different sectors of the West Coast groundfish fleet. The Council has made several major decisions on dividing the available harvest, to resolve allocation issues that are inextricably linked to resource conservation.

Since 1987, the annual sablefish non-tribal harvest guideline has been allocated between trawl gear and nontrawl gear fisheries. In the nontrawl sector there have been two operationally distinct gear types, pot (or trap) and longline, that have been the primary gears competing for the nontrawl sablefish harvest allocation, and which now make up the fixed gear portion of the limited entry fleet. Historically, the trawl fishery has been managed with trip or cumulative trip limits, which means the amount of fish that may be harvested during a fishing trip or during a set time period. Trip or cumulative trip limits are mainly imposed to extend the fishery throughout most of the year by slowing the rate of harvest. Trip limits provide more stable employment in the fishery, but over time, have the effect of allocating the available resource from larger to smaller producers.

The advantage of trip limit management is that participants know exactly how much of a particular species is available to them during a set period, so there is no incentive for high-powered participants to upgrade their vessel or gear beyond what is required to catch the limit for that species. Conversely, there is an incentive for persons who initially participate in the fishery at low levels of effort to upgrade their gear and equipment until they are able to catch the available limits. As more fishery participants improve their harvesting ability over time, or if the available harvest declines, trip limits must be lowered to keep the total harvest within the annual harvest guideline, and participants find themselves with boats and gear that are far too powerful for the available trip limits.

For the health of the fish stocks, the major disadvantage of trip limits is that when fishers are able to easily attain their trip limits, they may overshoot a trip limit, and then must discard any fish that exceed that limit. These "regulatory discards" are particularly prevalent where fishers target on a mixed group of fish species, because trip limits must be set for each species