

#### D. Remedial Actions

In February, 1993 DTSC released a proposed plan and final RI/FS for the Site.

The major components of the proposed remedy included:

- A deed restriction prohibiting residential development;
- Grading, addition of soil, and seeding to control runoff patterns;
- Groundwater monitoring for a minimum of five years; and
- Removal of sediments and debris from two drainage channels leading to the adjacent marsh to mitigate possible past adverse impacts from Liquid Gold.

A public meeting was held on March 30, 1993 to describe the proposed remedy and receive comments. The Record of Decision for the Site was issued by EPA on June 21, 1993 and selected the proposed remedy without change. It was determined that the selected remedy would provide overall protection of human health and the environment, comply with Applicable or Relevant and Appropriate Requirements of federal and state environmental laws, and provide the best overall balance of alternatives under the nine selection criteria of Section 300.430(f) of the NCP.

A preliminary design meeting and Site inspection by regulatory agencies occurred on August 13, 1993. The Draft Design Report was submitted on October 12, 1993. Design approval was given by DTSC on January 11, 1994. Construction began on July 5, 1994. Grading, placement of clean fill, and excavation of marsh sediments were completed, followed by the planting of native grasses and shrubs on the new cap. An initial inspection was performed by regulatory agencies on February 2, 1995 and additional sampling and minor cap repair were required. The final Site inspection occurred on July 28, 1995. The State certified completion of the remedy by letter dated August 14, 1995.

#### E. Community Relations Activities

Four fact sheets have been released describing activities at the Site. In February, 1993, DTSC released a proposed plan and RI/FS for the Site. Site documents were made available at the lead agency offices and a local repository, and a public notice was published allowing 30 days for public comment on the RI/FS and Proposed Plan. A public meeting was held on March 30, 1993 to describe the proposed remedy and receive comments. Four members of the public asked questions at the public meeting, and two written

comments were received from the community. The comments were favorable. DTSC responded to all comments received during this period, which were primarily from other State agencies. A fact sheet describing the remediation was released approximately 30 days prior to the initiation of construction. Finally, a public notice of this proposed deletion is being published concurrently in a local newspaper.

#### F. Summary of Operation and Maintenance

The Operations and Maintenance Plan was finalized on July 24, 1995. The plan provides for routine monitoring, inspection and maintenance of the vegetated cap, fencing and groundwater wells, and submission of reports. The plan also provides for inspection of the marsh channels and biological testing.

The deed restriction for the Site, which prohibits residential use, was signed on July 25, 1995 and recorded on September 13, 1995. Southern Pacific provided financial assurance of its ability to perform long-term O&M at the Site to the State on September 19, 1995.

SPTCo. has been required to monitor and report the quality of groundwater in sixteen wells quarterly. Results to date consistently indicate that contaminants, including metals, are not moving offsite through groundwater.

#### G. Protectiveness

All the completion requirements for this Site have been met as specified in OSWER Directive 9320.2-09, "Close Out Procedures for National Priorities List Sites." Specifically, all cleanup actions specified in the ROD have been implemented. The human health risk assessment performed during the remedial investigation demonstrated that prior response measures performed at the Site had reduced the level of contamination to acceptable levels for all uses permitted under current zoning. A deed restriction prohibiting residential use is in place. Ongoing confirmatory groundwater and marsh biological sampling and capping with clean soil provide further assurance that the Site no longer poses a threat to human health or the environment. The only remaining activities to be performed are Operations and Maintenance which will be performed by the property owner under a written agreement with the State, pursuant to a State Order.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "responsible parties or other parties have implemented all appropriate response actions required."

EPA, with the concurrence of the California Department of Toxic Substances Control, believes that this criterion for deletion has been met. Consequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available in the Regional NPL Docket.

Dated: March 12, 1996.

Felicia Marcus,

*Regional Administrator.*

[FR Doc. 96-9165 Filed 4-11-96; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 630

[I.D.040896C]

#### Atlantic Swordfish Fisheries; Public Hearings

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

**ACTION:** Public hearings; request for comments.

**SUMMARY:** NMFS will hold four public hearings to receive comments from fishery participants and other members of the public regarding proposed amendments to regulations governing the Atlantic swordfish fisheries. The proposed rule would: Reduce the total allowable catch to 2,625 metric tons dressed weight via a split season (June 1 - May 31), decrease the minimum size to 73 cm (29 inches) cleithrum to caudal keel measure and eliminate the trip allowance for undersized fish, and make technical changes to ensure consistency of regulations.

To accommodate people unable to attend a hearing or wishing to provide additional comments, NMFS also solicits written comments on the proposed rule.

**DATES:** See **SUPPLEMENTARY INFORMATION** for dates and times of the public hearings. Written comments on the proposed rule must be received on or before May 2, 1996.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** for the public hearing locations. Written comments should be sent to William Hogarth, Acting Chief, Highly Migratory Species Management Division, Office of Fisheries Conservation and Management (F/CM), National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, MD 20910. Clearly mark the outside of the

envelope "Atlantic Swordfish Comments."

**FOR FURTHER INFORMATION CONTACT:** William Hogarth at 301-713-2339; Kevin Foster at 508-281-9260.

**SUPPLEMENTARY INFORMATION:** The proposed regulatory amendments that are the subject of the hearings are necessary to improve management and monitoring of the U.S. Atlantic swordfish fisheries, to implement recommendations of the International Commission for the Conservation of Atlantic Tunas, and to enhance collection of data to improve assessment of the environmental, economic, and social impacts of the fisheries.

A complete description of the measures, and the purpose and need for the proposed action, is contained in the proposed rule published April 5, 1996 (61 FR 15212) and is not repeated here. Copies of the proposed rule may be obtained by writing (see **ADDRESSES**) or calling one of the contact persons (see **FOR FURTHER INFORMATION CONTACT**).

The public hearings are scheduled as follows:

*Friday, April 19, 1996, Barnegat Light, NJ, 7-10 p.m.*

Barnegat Light Firehouse  
West 10th Street  
Barnegat Light, NJ 08006

*Monday, April 22, 1996, Silver Spring, MD, 2-5:00 p.m.*

NOAA Building 4, Room 1W611  
(Lobby Conference Room)  
1305 East-West Highway  
Silver Spring, MD 20910

*Tuesday, April 23, 1996, Fairhaven, MA, 7-10 p.m.*

Seaport Inn (Nantucket Room)  
110 Middle Street  
Fairhaven, MA 02719

*Thursday, April 25, 1996, New Orleans, LA, 7-10 p.m.*

Quality Inn Midtown (Napoleon Room)  
3900 Tulane Avenue  
New Orleans, LA 70119

The purpose of this notice is to alert the interested public of hearings and provide for public participation. These hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to William Hogarth by April 15, 1996 (see **ADDRESSES**).

Dated: April 8, 1996.  
Richard H. Schaefer,  
*Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*  
[FR Doc. 96-9115 Filed 4-9-96; 10:10 am]  
**BILLING CODE 3510-22-F**

## **50 CFR Parts 650 and 651**

[I.D. 040396A]

### **New England Fishery Management Council; Meeting**

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

**ACTION:** Public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) will hold a 2-day public meeting to consider actions affecting New England fisheries in the exclusive economic zone.

**DATES:** The meeting will convene on Wednesday, April 17, 1996, at 10 a.m. and on Thursday, April 18, 1996, at 8:30 a.m.

**ADDRESSES:** The meeting will be held at the Providence Biltmore Hotel, Kennedy Plaza, Providence, RI 02903; telephone: (401) 421-0700. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097; telephone: (617) 231-0422.

**FOR FURTHER INFORMATION CONTACT:** Douglas G. Marshall, Executive Director, New England Fishery Management Council, (617) 231-0422.

#### **SUPPLEMENTARY INFORMATION:**

April 17, 1996

The April 17, 1996, session will begin with reports from the Council Chairman, Council Executive Director, NMFS Regional Director, Northeast Fisheries Science Center liaison, Mid-Atlantic Fishery Management Council liaison, and representatives from the Coast Guard, and the Atlantic States Marine Fisheries Commission. A report on the most recent meeting of the Council's Monkfish Committee will follow. Discussion will include a review of the development of management options for public hearing purposes.

The afternoon agenda will include a discussion on the gear conflict emergency regulations and the Council will explore alternatives for extending these emergency regulations, which are due to expire on June 25, 1996. Following that will be a report from the Council's Sea Scallop Committee. The Council may initiate action on a

framework adjustment to the Atlantic Sea Scallop Fishery Management Plan (Sea Scallop FMP) that would allow some vessels fishing with dredges to also use nets to harvest scallops, if they meet certain criteria. Sea scallop regulations currently prohibit dredge vessels from using nets to harvest scallops. The Herring Committee will report on its deliberations concerning internal waters processing and joint venture allocations for 1996-97.

April 18, 1996

On April 18, 1996, the Large Pelagics Committee will report to the Council on the current situation in the fisheries for pelagic sharks, swordfish, bluefin and other tunas, and on management issues and activities for those fisheries. The Marine Mammal Committee will then brief the Council on its recommendations concerning action to further reduce the bycatch of the Gulf of Maine harbor porpoise and its discussion on the status of the northern right whale. The Groundfish Committee will discuss its recommendation to initiate action on a framework adjustment to the Northeast Multispecies Fishery Management Plan (Northeast Multispecies FMP). The adjustment would modify days-at-sea (DAS) allocated to sea scallop net vessels. A second framework adjustment may be initiated for the purpose of implementing gillnet effort restrictions to replace those measures currently proposed in Amendment 7 to the Northeast Multispecies FMP. The Council meeting will conclude with a discussion of the Enforcement Committee's recommendations on measures contained in the Amendment 7 proposed rule and other broader enforcement issues. Any other outstanding business will be addressed at the end of the day.

#### **Abbreviated Rulemaking Action—Atlantic Sea Scallops**

At the recommendation of its Scallop Committee, the Council will consider initial action on Framework Adjustment 8 to the Sea Scallop FMP under the framework for abbreviated rulemaking procedure contained in 50 CFR 650.40. The Council proposes to allow vessels that have used a scallop dredge 5 times or less from 1998 through 1994 to continue to use a net to catch scallops. Other options for determining whether it is impractical for vessels to use dredges include a change of owners, total refitting of the vessel, and horsepower limits.