

published at 71 FR 66686 on November 16, 2006.

FOR FURTHER INFORMATION CONTACT:

Chilton McLaughlin, Solid Waste/Pollution Prevention Branch, EPA Region 7, 901 North 5th Street, Kansas City, Kansas 66101, telephone (913) 551-7666, McLaughlin.chilton@epa.gov.

SUPPLEMENTARY INFORMATION: Because EPA received adverse comment, we are withdrawing the direct final rule for Adequacy of Nebraska Municipal Solid Waste Landfill Program published on November 16, 2006 (71 FR 66686). We stated in that direct final rule that if we received adverse comment by January 16, 2007, the direct final rule would not take effect and we would publish a timely withdrawal in the **Federal Register**. On December 8, 2006, the **Federal Register** published a correction notice (71 FR 71241) establishing December 18, 2006, as the date by which EPA would receive comment. We subsequently received an adverse comment on that direct final rule. We will address that comment in a subsequent final action. As stated in the direct final rule and the parallel proposed rule, we will not institute a second comment period in this action.

List of Subjects

40 CFR Part 239

Environmental protection, Administrative practice and procedure, Intergovernmental relations, Waste treatment and disposal.

40 CFR Part 258

Reporting and recordkeeping requirements, Waste treatment disposal, Water pollution control.

Authority: This action is issued under the authority of section 2002, 4005 and 4010(c) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912, 6945 and 6949(a).

Dated: January 9, 2007.

William Rice,

Acting Regional Administrator, Region 7.
[FR Doc. E7-414 Filed 1-12-07; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 060216044-6044-01; I.D. 010807A]

Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2007 A and B Season Allowances of Pollock in Statistical Area 620 in the Gulf of Alaska

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

ACTION: Temporary rule; inseason adjustment; request for comments.

SUMMARY: NMFS is adjusting the A and B season allowances of pollock in Statistical Area 620 of the Gulf of Alaska (GOA). This action is necessary because the current A and B season allowances of pollock in Statistical Area 620 of the GOA are incorrectly specified and to ensure the A and B season catch of pollock in Statistical Area 620 of the GOA does not exceed the appropriate amount, based on the best available scientific information for pollock in the GOA. This action is consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the Gulf of Alaska.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), January 16, 2007, through 2400 hrs, A.l.t., April 15, 2007, unless otherwise modified or superceded through publication of a notification in the **Federal Register**.

Comments must be received at the following address no later than 4:30 p.m., A.l.t., January 31, 2007.

ADDRESSES: Send comments to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Sebastian. Comments may be submitted by:

- Mail to: P.O. Box 21668, Juneau, AK 99802;
- Hand delivery to the Federal Building, 709 West 9th Street, Room 420A, Juneau, Alaska;
- FAX to 907-586-7557;
- E-mail to

620PLCKADJUSTMENT@noaa.gov and include the subject line of the e-mail comment the document identifier: 620PLCKADJUSTMENT (E-mail comments, with or without attachments, are limited to 5 megabytes); or

- Webform at the Federal eRulemaking Portal: <http://www.regulations.gov>.

Follow the instructions at that site for submitting comments.

FOR FURTHER INFORMATION CONTACT:

Jennifer Hogan, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone 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-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2007 total allowable catch of pollock in Statistical Area 620 of the GOA is 24,275 metric tons (mt) as established by the 2006 and 2007 harvest specification for groundfish in the GOA (71 FR 10870, March 3, 2006). The A season allowance is 8,910 mt and the B season allowance is 10,663 mt for pollock in Statistical area 620 of the GOA as established by the 2006 and 2007 harvest specification for groundfish in the GOA (71 FR 10870, March 3, 2006).

In December 2006, the Council recommended 2007 A and B season allowances of pollock in Statistical Area 620 of 7,357 mt and 8,924 mt, respectively. This amount is less than the A and B season allowances currently established by the 2006 and 2007 harvest specification for groundfish in the GOA (71 FR 10870, March 3, 2006). The A and B season allowances as recommended by the Council are based on the Stock Assessment and Fishery Evaluation report (SAFE), dated November 2006, which is the best available scientific information for this fishery.

In accordance with § 679.25(a)(2)(i)(B), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined, based on the November 2006 SAFE report for this fishery, that the current A and B season allowances of pollock in Statistical Area 620 of the GOA are incorrectly specified. Consequently, the Regional Administrator is adjusting the 2007 A and B season allowances of pollock in Statistical Area 620 of the GOA to 7,357 mt and 8,924 mt, respectively.

Pursuant to § 679.20(a)(5)(iv), Tables 6, 13, and 16 of the 2006 and 2007 final harvest specifications for groundfish in the GOA (71 FR 10870, March 3, 2006) are revised for the 2007 A and B season allowances of pollock in Statistical Area 620 of the GOA consistent with this adjustment.

TABLE 6 - FINAL 2007 DISTRIBUTION OF POLLOCK IN THE CENTRAL AND WESTERN REGULATORY AREAS OF THE GULF OF ALASKA; SEASONAL BIOMASS DISTRIBUTION, AREA APPORTIONMENTS; AND SEASONAL ALLOWANCES OF ANNUAL TAC.

[Values are rounded to the nearest metric ton]

Area Apportionments Resulting From Seasonal Distribution of Biomass				
Season	Shumagin (Area 610)	Chirikof (Area 620)	Kodiak (Area 630)	Total
A	3,352 (21.63%)	7,357 (52.76%)	3,234 (20.87%)	13,943 (100%)
B	3,352 (21.63%)	8,924 (64.87%)	1,481 (9.56%)	13,757 (100%)
C	8,159 (52.65%)	2,351 (15.17%)	4,986 (32.18%)	15,496 (100%)
D	8,159 (52.65%)	2,351 (15.17%)	4,986 (32.18%)	15,496 (100%)
Annual Total	23,022	20,983	14,687	58,692

TABLE 13 - FINAL 2007 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUND FISH HARVEST SIDEBOARD LIMITATIONS.

[Values are in metric tons]

Species	Apportionments and allocations by area/ season/processor/gear	Ratio of 1995–1997 non-ex- empt AFA CV catch to 1995–1997 TAC	2007 TAC	2007 non-exempt AFA catch- er vessel sideboard
Pollock	A Season (W/C areas only) January 20 - February 25			
	Shumagin (610)	0.6112	3,352	2,049
	Chirikof (620)	0.1427	7,357	1,050
	Kodiak (630)	0.2438	3,234	788
	B Season (W/C areas only) March 10 - May 31			
	Shumagin (610)	0.6112	3,352	2,049
	Chirikof (620)	0.1427	8,924	1,274
	Kodiak (630)	0.2438	1,481	361
	C Season (W/C areas only) August 25 - September 15			
	Shumagin (610)	0.6112	8,159	4,987
Chirikof (620)	0.1427	2,351	335	
Kodiak (630)	0.2438	4,986	1,216	
D Season (W/C areas only) October 1 - November 1				
Shumagin (610)	0.6112	8,159	4,987	
Chirikof (620)	0.1427	2,351	335	
Kodiak (630)	0.2438	4,986	1,216	
Annual				
WYK (640)	0.3499	1,426	499	
SEO (650)	0.3499	6,157	2,154	
Pacific cod	A Season ¹ January 1 - June 10			
	W inshore	0.1423	7,813	1,112
	W offshore	0.1026	868	89
	C inshore	0.0722	11,019	796
	C offshore	0.0721	1,224	88
	B Season ² September 1 - December 31			
	W inshore	0.1423	5,209	741
	W offshore	0.1026	579	59
	C inshore	0.0722	7,346	530
	C offshore	0.0721	816	59
	Annual			
	E inshore	0.0079	2,404	19
E offshore	0.0078	267	2	
Flatfish deep-water	W	0.0000	421	
	C	0.0670	4,145	278
	E	0.0171	4,111	70

TABLE 13 - FINAL 2007 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUND FISH HARVEST SIDEBOARD LIMITATIONS.—Continued

[Values are in metric tons]

Species	Apportionments and allocations by area/ season/processor/gear	Ratio of 1995–1997 non-ex- empt AFA CV catch to 1995–1997 TAC	2007 TAC	2007 non-exempt AFA catch- er vessel sideboard
Rex sole	W	0.0010	1,096	1
	C	0.0402	5,207	209
	E	0.0153	2,397	37
Flathead sole	W	0.0036	2,000	7
	C	0.0261	5,000	131
	E	0.0048	2,153	10
Flatfish shal- low-water	W	0.0156	4,500	70
	C	0.0598	13,000	777
	E	0.0126	2,472	31
Arrowtooth flounder	W	0.0021	8,000	17
	C	0.0309	25,000	773
	E	0.0020	5,000	10
Sablefish	W trawl gear	0.0000	472	0
	C trawl gear	0.0720	1,126	81
	E trawl gear	0.0488	257	13
Pacific ocean perch	W	0.0623	4,290	267
	C	0.0866	7,660	663
	E	0.0466	2,776	129
Shortraker rockfish	W	0.0000	153	0
	C	0.0237	353	8
	E	0.0124	337	4
Rougheye rockfish	W	0.0000	133	0
	C	0.0237	596	14
	E	0.0124	235	3
Other rockfish	W	0.0034	577	2
	C	0.2065	386	80
	E	0.0000	517	0
Northern rock- fish	W	0.0003	1,483	0
	C	0.0336	3,608	121
Pelagic shelf rockfish	W	0.0001	1,463	0
	C	0.0000	3,318	0
	E	0.0067	749	5
Thornyhead rockfish	W	0.0308	513	16
	C	0.0308	989	30
	E	0.0308	707	22
Big skates	W	0.0090	695	6
	C	0.0090	2,250	20
	E	0.0090	599	5
Longnose skates	W	0.0090	65	1
	C	0.0090	1,969	18
	E	0.0090	861	8
Other skates	GW	0.0090	1,617	15
Demersal shelf rockfish	SEO	0.0020	410	1

TABLE 13 - FINAL 2007 GOA NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL (CV) GROUND FISH HARVEST SIDEBOARD LIMITATIONS.—Continued

[Values are in metric tons]

Species	Apportionments and allocations by area/ season/processor/gear	Ratio of 1995–1997 non-ex- empt AFA CV catch to 1995–1997 TAC	2007 TAC	2007 non-exempt AFA catch- er vessel sideboard
Atka mackerel	Gulfwide	0.0309	1,500	46
Other species	Gulfwide	0.0090	12,229	110

¹The Pacific cod A season for trawl gear does not open until January 20.²The Pacific cod B season for trawl gear closes November 1.

TABLE 16 - FINAL 2007 GOA NON AMERICAN FISHERIES ACT CRAB VESSEL (CV) GROUND FISH HARVEST SIDEBOARD LIMITATIONS.

[Values are rounded to nearest metric ton]

Species	Apportionments and allocations by area/ season/processor/gear	Ratio of 1996–2000 non- AFA CV catch to 1996–2000 total harvest	2007 TAC	2007 non-AFA crab vessel sideboard	
Pollock	A Season (W/C areas only) January 20 - March 10 Shumagin (610) Chirikof (620) Kodiak (630)	0.0098	3,352	33	
		0.0031	7,357	23	
		0.0002	3,234	1	
	B Season (W/C areas only) March 10 - May 31 Shumagin (610) Chirikof (620) Kodiak (630)	0.0098	3,352	33	
		0.0031	8,924	28	
		0.0002	1,481	0	
	C Season (W/C areas only) August 25 - October 1 Shumagin (610) Chirikof (620) Kodiak (630)	0.0098	8,159	80	
		0.0031	2,351	7	
		0.0002	4,986	1	
	D Season (W/C areas only) October 1 - November 1 Shumagin (610) Chirikof (620) Kodiak (630)	0.0098	8,159	80	
		0.0031	2,351	7	
		0.0002	4,986	1	
Annual WYK (640) SEO (650)	0.0000	1,426	0		
	0.0000	6,157	0		
Pacific cod	A Season ¹ January 1 - June 10 W inshore W offshore C inshore C offshore	0.0902	7,813	705	
		0.2046	868	178	
		0.0383	11,019	422	
		0.2074	1,224	254	
	B Season ² September 1 - December 31 W inshore W offshore C inshore C offshore	0.0902	5,209	470	
		0.2046	579	118	
		0.0383	7,346	281	
		0.2074	816	169	
	Annual E inshore E offshore	0.0110	2,404	26	
		0.0000	267	0	
	Flatfish deep- water	W	0.0035	421	1
		C	0.0000	4,145	0
E		0.0000	4,111	0	
Rex sole	W	0.0000	1,096	0	
	C	0.0000	5,207	0	

TABLE 16 - FINAL 2007 GOA NON AMERICAN FISHERIES ACT CRAB VESSEL (CV) GROUND FISH HARVEST SIDEBOARD LIMITATIONS.—Continued

[Values are rounded to nearest metric ton]

Species	Apportionments and allocations by area/ season/processor/gear	Ratio of 1996–2000 non- AFA CV catch to 1996–2000 total harvest	2007 TAC	2007 non-AFA crab vessel sideboard
	E	0.0000	2,397	0
Flathead sole	W	0.0002	2,000	0
	C	0.0004	5,000	2
	E	0.0000	2,153	0
Flatfish shal- low-water	W	0.0059	4,500	27
	C	0.0001	13,000	1
	E	0.0000	2,472	0
Arrowtooth flounder	W	0.0004	8,000	3
	C	0.0001	25,000	3
	E	0.0000	5,000	0
Sablefish	W trawl gear	0.0000	472	0
	C trawl gear	0.0000	1,126	0
	E trawl gear	0.0000	257	0
Pacific ocean perch	W	0.0000	4,290	0
	C	0.0000	7,660	0
	E	0.0000	2,776	0
Shortraker rockfish	W	0.0013	153	0
	C	0.0012	353	0
	E	0.0009	337	0
Rougheye rockfish	W	0.0067	133	1
	C	0.0047	596	3
	E	0.0008	235	0
Other rockfish	W	0.0035	577	2
	C	0.0033	386	1
	E	0.0000	517	0
Northern rock- fish	W	0.0005	1,483	1
	C	0.0000	3,608	0
Pelagic shelf rockfish	W	0.0017	1,463	2
	C	0.0000	3,318	0
	E	0.0000	749	0
Thornyhead rockfish	W	0.0047	513	2
	C	0.0066	989	7
	E	0.0045	707	3
Big skates	W	0.0392	695	27
	C	0.0159	2,250	36
	E	0.0000	599	0
Longnose skate	W	0.0392	65	3
	C	0.0159	1,969	36
	E	0.0000	861	0
Other skates	GW	0.0176	1,617	28
Demersal shelf rockfish	SEO	0.0000	410	0
Atka mackerel	Gulfwide	0.0000	1,500	0

TABLE 16 - FINAL 2007 GOA NON AMERICAN FISHERIES ACT CRAB VESSEL (CV) GROUND FISH HARVEST SIDEBOARD LIMITATIONS.—Continued

[Values are rounded to nearest metric ton]

Species	Apportionments and allocations by area/ season/processor/gear	Ratio of 1996–2000 non- AFA CV catch to 1996–2000 total harvest	2007 TAC	2007 non-AFA crab vessel sideboard
Other species	Gulfwide	0.0176	12,229	215

¹The Pacific cod A season for trawl gear does not open until January 20.²The Pacific cod B season for trawl gear closes November 1.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) and 679.25(c)(2) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a

timely fashion and would allow for harvests that exceed the appropriate A and B season allowances of pollock in Statistical Area 620 of the GOA based on the best scientific information available. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of December 19, 2006, and additional time for prior public comment would result in conservation concerns.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of

prior notice and opportunity for public comment.

Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until January 31, 2007.

This action is required by § 679.22 and is exempt from review under Executive Order 12866.

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

Dated: January 8, 2007.

James P. Burgess,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 07–120 Filed 1–10–07; 12:43 pm]

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