

**§ 195.307 Pressure testing aboveground breakout tanks.**

\* \* \* \* \*

(c) For aboveground breakout tanks built to API Std 650 (incorporated by reference, *see* § 195.3) and first placed in service after October 2, 2000, testing must be in accordance with sections 7.3.5 and 7.3.6 of API Standard 650 (incorporated by reference, *see* § 195.3).

(d) For aboveground atmospheric pressure breakout tanks constructed of carbon and low alloy steel, welded or riveted, and non-refrigerated tanks built to API Std 650 or its predecessor Standard 12 C that are returned to service after October 2, 2000, the necessity for the hydrostatic testing of repair, alteration, and reconstruction is covered in section 12.3 of API Standard 653 (incorporated by reference, *see* § 195.3).

\* \* \* \* \*

■ 39. In § 195.428, paragraph (c) is revised to read as follows:

**§ 195.428 Overpressure safety devices and overfill protection systems.**

\* \* \* \* \*

(c) Aboveground breakout tanks that are constructed or significantly altered according to API Std 2510 (incorporated by reference, *see* § 195.3) after October 2, 2000, must have an overfill protection system installed according to API Std 2510, section 7.1.2. Other aboveground breakout tanks with 600 gallons (2271 liters) or more of storage capacity that are constructed or significantly altered after October 2, 2000, must have an overfill protection system installed according to API RP 2350 (incorporated by reference, *see* § 195.3). However, an operator need not comply with any part of API RP 2350 for a particular breakout tank if the operator describes in the manual required by § 195.402 why compliance with that part is not necessary for safety of the tank.

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■ 40. In § 195.452, paragraph (h)(4)(i) introductory text and paragraph (m) are revised to read as follows:

**§ 195.452 Pipeline integrity management in high consequence areas.**

\* \* \* \* \*

- (h) \* \* \*  
(4) \* \* \*

(i) *Immediate repair conditions.* An operator's evaluation and remediation schedule must provide for immediate repair conditions. To maintain safety, an operator must temporarily reduce the operating pressure or shut down the pipeline until the operator completes the repair of these conditions. An operator must calculate the temporary reduction in operating pressure using

the formulas referenced in paragraph (h)(4)(i)(B) of this section. If no suitable remaining strength calculation method can be identified, an operator must implement a minimum 20 percent or greater operating pressure reduction, based on actual operating pressure for two months prior to the date of inspection, until the anomaly is repaired. An operator must treat the following conditions as immediate repair conditions:

\* \* \* \* \*

(m) How does an operator notify PHMSA? An operator must provide any notification required by this section by:

(1) Sending the notification by electronic mail to *InformationResourcesManager@dot.gov*; or

(2) Sending the notification by mail to ATTN: Information Resources Manager, DOT/PHMSA/OPS, East Building, 2nd Floor, E22-321, 1200 New Jersey Ave SE., Washington, DC 20590.

■ 41. In § 195.505 paragraph (i) is revised to read as follows:

**§ 195.505 Qualification program.**

\* \* \* \* \*

(i) After December 16, 2004, notify the Administrator or a state agency participating under 49 U.S.C. Chapter 601 if the operator significantly modifies the program after the administrator or state agency has verified that it complies with this section. Notifications to PHMSA may be submitted by electronic mail to *InformationResourcesManager@dot.gov*, or by mail to ATTN: Information Resources Manager DOT/PHMSA/OPS, East Building, 2nd Floor, E22-321, New Jersey Avenue SE., Washington, DC 20590.

■ 42. Section 195.571 is revised to read as follows:

**§ 195.571 What criteria must I use to determine the adequacy of cathodic protection?**

Cathodic protection required by this subpart must comply with one or more of the applicable criteria and other considerations for cathodic protection contained paragraphs 6.2.2, 6.2.3, 6.2.4, 6.2.5 and 6.3 in NACE SP 0169 (incorporated by reference, *see* § 195.3).

Issued in Washington, DC, on February 26, 2015, under authority delegated in 49 CFR 1.97.

**Timothy P. Butters,**  
*Acting Administrator.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 141021887-5172-02]

RIN 0648-XD813

**Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands**

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

**ACTION:** Temporary rule.

**SUMMARY:** NMFS is reallocating the projected unused amounts of the Community Development Quota pollock directed fishing allowances from the Aleutian Islands subarea to the Bering Sea subarea. This action is necessary to provide opportunity for harvest of the 2015 total allowable catch of pollock, consistent with the goals and objectives of the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), March 11, 2015 through 2400 hrs, A.l.t., December 31, 2015.

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council (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.

In the Aleutian Islands subarea, the portion of the 2015 pollock total allowable catch (TAC) allocated to the Community Development Quota (CDQ) directed fishing allowance (DFA) is 1,900 metric tons (mt) as established by the final 2015 and 2016 harvest specifications for groundfish in the BSAI (80 FR 11919, March 5, 2015).

As of March 5, 2015, the Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that 1,900 mt of pollock CDQ DFA in the Aleutian Islands subarea will not be harvested. Therefore, in accordance with § 679.20(a)(5)(iii)(B)(4), NMFS

reallocates 1,900 mt of pollock CDQ DFA from the Aleutian Islands subarea to the 2015 Bering Sea subarea allocations. The 1,900 mt of pollock CDQ DFA is added to the 2015 Bering Sea CDQ DFA. As a result, the 2015 harvest specifications for pollock in the

Aleutian Islands subarea included in the final 2015 and 2016 harvest specifications for groundfish in the BSAI (80 FR 11919, March 5, 2015) are revised as follows: 0 mt to CDQ DFA. Furthermore, pursuant to § 679.20(a)(5), Table 4 of the final 2015 and 2016

harvest specifications for groundfish in the BSAI (80 FR 11919, March 5, 2015), is revised to make 2015 pollock allocations consistent with this reallocation. This reallocation results in adjustments to the 2015 CDQ pollock allocations established at § 679.20(a)(5).

TABLE 4—FINAL 2015 ALLOCATIONS OF POLLOCK TACS TO THE DIRECTED POLLOCK FISHERIES AND TO THE CDQ DIRECTED FISHING ALLOWANCES (DFA)<sup>1</sup>

[Amounts are in metric tons]

| Area and sector                           | 2015 Allocations | 2015 A season <sup>1</sup> |                                | 2015 B season <sup>1</sup> |
|-------------------------------------------|------------------|----------------------------|--------------------------------|----------------------------|
|                                           |                  | A season DFA               | SCA harvest limit <sup>2</sup> | B season DFA               |
| Bering Sea subarea TAC <sup>1</sup>       | 1,311,900        | n/a                        | n/a                            | n/a                        |
| CDQ DFA                                   | 132,900          | 53,160                     | 37,212                         | 79,740                     |
| ICA <sup>1</sup>                          | 47,160           | n/a                        | n/a                            | n/a                        |
| AFA Inshore                               | 565,920          | 226,368                    | 158,458                        | 339,552                    |
| AFA Catcher/Processors <sup>3</sup>       | 452,736          | 181,094                    | 126,766                        | 271,642                    |
| Catch by C/Ps                             | 414,253          | 165,701                    | n/a                            | 248,552                    |
| Catch by CVs <sup>3</sup>                 | 38,483           | 15,393                     | n/a                            | 23,090                     |
| Unlisted C/P limit <sup>4</sup>           | 2,264            | 905                        | n/a                            | 1,358                      |
| AFA Motherships                           | 113,184          | 45,274                     | 31,692                         | 67,910                     |
| Excessive harvesting limit <sup>5</sup>   | 198,072          | n/a                        | n/a                            | n/a                        |
| Excessive processing limit <sup>6</sup>   | 339,552          | n/a                        | n/a                            | n/a                        |
| Total Bering Sea DFA                      | 1,131,840        | 452,736                    | 316,915                        | 679,104                    |
| Aleutian Islands subarea ABC              | 29,659           | n/a                        | n/a                            | n/a                        |
| Aleutian Islands subarea TAC <sup>1</sup> | 17,100           | n/a                        | n/a                            | n/a                        |
| CDQ DFA                                   | 0                | 0                          | n/a                            | 0                          |
| ICA                                       | 2,400            | 1,200                      | n/a                            | 1,200                      |
| Aleut Corporation                         | 14,700           | 9,904                      | n/a                            | 4,796                      |
| Area harvest limit:                       |                  |                            |                                |                            |
| 541                                       | 8,898            | n/a                        | n/a                            | n/a                        |
| 542                                       | 4,449            | n/a                        | n/a                            | n/a                        |
| 543                                       | 1,483            | n/a                        | n/a                            | n/a                        |
| Bogoslof District ICA <sup>7</sup>        | 100              | n/a                        | n/a                            | n/a                        |

<sup>1</sup> Pursuant to § 679.20(a)(5)(i)(A), the BS subarea pollock, after subtracting the CDQ DFA (10 percent) and the ICA (4.0 percent), is allocated as a DFA as follows: Inshore sector—50 percent, catcher/processor sector (C/P)—40 percent, and mothership sector—10 percent. In the BS subarea, 40 percent of the DFA is allocated to the A season (January 20–June 10) and 60 percent of the DFA is allocated to the B season (June 10–November 1). Pursuant to § 679.20(a)(5)(iii)(B)(2)(i) and (ii), the annual AI pollock TAC, after subtracting first for the CDQ directed fishing allowance (10 percent) and second the ICA (2,400 mt), is allocated to the Aleut Corporation for a pollock directed fishery. In the AI subarea, the A season is allocated 40 percent of the ABC and the B season is allocated the remainder of the pollock directed fishery.

<sup>2</sup> In the BS subarea, no more than 28 percent of each sector's annual DFA may be taken from the SCA before April 1.

<sup>3</sup> Pursuant to § 679.20(a)(5)(i)(A)(4), not less than 8.5 percent of the DFA allocated to listed catcher/processors shall be available for harvest only by eligible catcher vessels delivering to listed catcher/processors.

<sup>4</sup> Pursuant to § 679.20(a)(5)(i)(A)(4)(iii), the AFA unlisted catcher/processors are limited to harvesting not more than 0.5 percent of the catcher/processors sector's allocation of pollock.

<sup>5</sup> Pursuant to § 679.20(a)(5)(i)(A)(6), NMFS establishes an excessive harvesting share limit equal to 17.5 percent of the sum of the non-CDQ pollock DFAs.

<sup>6</sup> Pursuant to § 679.20(a)(5)(i)(A)(7), NMFS establishes an excessive processing share limit equal to 30.0 percent of the sum of the non-CDQ pollock DFAs.

<sup>7</sup> Pursuant to § 679.20(a)(5)(iii)(B)(6), NMFS establishes harvest limits for pollock in the A season in Area 541 no more than 30 percent, in Area 542 no more than 15 percent, and in Area 543 no more than 5 percent of the Aleutian Islands pollock ABC.

<sup>8</sup> The Bogoslof District is closed by the final harvest specifications to directed fishing for pollock. The amounts specified are for ICA only and are not apportioned by season or sector.

**Note:** Seasonal or sector apportionments may not total precisely due to rounding.

## 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) 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 delay the reallocation of AI pollock. Since the pollock fishery is currently underway, it is important to immediately inform the industry as to the final Bering Sea subarea pollock allocations. Immediate notification is necessary to allow for the orderly

conduct and efficient operation of this fishery; allow the industry to plan for the fishing season and avoid potential disruption to the fishing fleet as well as processors; and provide opportunity to harvest increased seasonal pollock allocations while value is optimum. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as March 5, 2015.

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.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: March 6, 2015.

**Alan D. Risenhoover,**

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

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