

interference current is greater than or equal to 100 amps per meter squared alternating current (AC), or if it impedes the safe operation of a pipeline, or if it may cause a condition that would adversely impact the environment or the public; and

\* \* \* \* \*

■ 4. Section 192.714, as added August 24, 2022, at 87 FR 52271, and effective May 24, 2023, is amended by revising paragraphs (b), (d)(1) introductory text, and (d)(3)(i) to read as follows:

§ 192.714 Transmission lines: Repair criteria for onshore transmission pipelines.

\* \* \* \* \*

(b) General. Each operator must, in repairing its pipeline systems, ensure that the repairs are made in a safe manner and are made to prevent damage to persons, property, and the environment. A pipeline segment's operating pressure must be less than the predicted failure pressure determined in accordance with § 192.712 during repair operations. Repairs performed in accordance with this section must use pipe and material properties that are documented in traceable, verifiable, and complete records. If documented data required for any analysis, including predicted failure pressure for determining MAOP, is not available, an operator must obtain the undocumented data through § 192.607. Until documented material properties are available, the operator must use the conservative assumptions in either § 192.712(e)(2) or, if appropriate following a pressure test, in § 192.712(d)(3).

\* \* \* \* \*

(d) \* \* \*

(1) Immediate repair conditions. An operator's evaluation and remediation schedule for immediate repair conditions must follow section 7 of ASME/ANSI B31.8S (incorporated by reference, see § 192.7). An operator must repair the following conditions immediately upon discovery:

\* \* \* \* \*

(3) \* \* \*

(i) A dent that is located between the 4 o'clock and 8 o'clock positions (bottom 1/3 of the pipe) with a depth greater than 6 percent of the pipeline diameter (greater than 0.50 inches in depth for a pipeline diameter less than NPS 12), and where an engineering analysis, performed in accordance with § 192.712(c), demonstrates critical strain levels are not exceeded.

\* \* \* \* \*

■ 5. Section 192.933, as amended August 24, 2022, at 87 FR at 52277, and effective May 24, 2023, is further

amended by revising paragraph (a) introductory text to read as follows:

§ 192.933 What actions must be taken to address integrity issues?

(a) General requirements. An operator must take prompt action to address all anomalous conditions the operator discovers through the integrity assessment. In addressing all conditions, an operator must evaluate all anomalous conditions and remediate those that could reduce a pipeline's integrity. An operator must be able to demonstrate that the remediation of the condition will ensure the condition is unlikely to pose a threat to the integrity of the pipeline until the next reassessment of the covered segment. Repairs performed in accordance with this section must use pipe and material properties that are documented in traceable, verifiable, and complete records. If documented data required for any analysis is not available, an operator must obtain the undocumented data through § 192.607. Until documented material properties are available, the operator must use the conservative assumptions in either § 192.712(e)(2) or, if appropriate following a pressure test, in § 192.712(d)(3).

\* \* \* \* \*

Issued in Washington, DC, under authority delegated in 49 CFR 1.97.

Tristan H. Brown, Deputy Administrator, Pipeline and Hazardous Materials Safety Administration.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R1-ES-2022-0062; FXES1113090000C6-234-FF09E42000]

RIN 1018-BG77

Endangered and Threatened Wildlife and Plants; Technical Corrections for 62 Wildlife and Plant Species on the Lists of Endangered and Threatened Wildlife and Plants

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Partial withdrawal of direct final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are withdrawing, in part, a February 2, 2023, direct final rule that revises the taxonomy of 62 wildlife and plant species listed under the Endangered

Species Act of 1973, as amended (Act). For the Hawaiian hoary bat (Lasiurus cinereus semotus), we received comments relating to scientific research relevant to its taxonomic classification; and as a result, we are withdrawing the amendment in the direct final rule for this species only. The amendments in the direct final rule for the other 61 wildlife and plant species will be effective on May 3, 2023.

DATES: Effective April 24, 2023, the Service withdraws amendatory instruction 2.a published at 88 FR 7142 on February 2, 2023.

ADDRESSES: The direct final rule may be found online at https://www.regulations.gov under Docket No. FWS-R1-ES-2022-0062.

FOR FURTHER INFORMATION CONTACT: Marilet Zablan, Program Manager for Restoration and Endangered Species Classification, U.S. Fish and Wildlife Service, Pacific Regional Office, Ecological Services, 911 NE 11th Avenue, Portland, OR 97232; telephone 503-231-6131. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Background

Our regulations under the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 et seq.), in title 50 of the Code of Federal Regulations at 50 CFR 17.11(c) and 17.12(b) direct us to use the most recently accepted scientific names for species on the Lists of Endangered and Threatened Wildlife and Plants (50 CFR 17.11(h) and 17.12(h)). Accordingly, on February 2, 2023, we published in the Federal Register a direct final rule (88 FR 7134) to revise the taxonomy and nomenclature of 62 wildlife and plant species listed under section 4 of the Act (16 U.S.C. 1531 et seq.). All of these changes are supported by peer-reviewed scientific studies and reflect taxonomy that has been accepted by taxonomic authorities. Specific references relevant to each species are cited in the text of the February 2, 2023, direct final rule, and the list of references is posted as a supporting document at https://www.regulations.gov under Docket No. FWS-R1-ES-2022-0062.

Consequently, we published the direct final rule without a prior proposal

because we considered it a noncontroversial action that was in the best interest of the public and should be undertaken in as timely a manner as possible. We stated that if we received comments that provide strong justifications as to why the rule should not be adopted or why it should be changed for any of these species, we would publish a document in the **Federal Register** withdrawing this rule for the appropriate species before the effective date.

### Comments on the Direct Final Rule

We received eight comments on the direct final rule. Three of these comments called our attention to continuing scientific disagreement over the taxonomic classification of the Hawaiian hoary bat. These comments concurred with the decision in the direct final rule to elevate the Hawaiian hoary bat from subspecies to species level, and none of the comments disagreed with amending the common name to include the Hawaiian name ('ōpe'ape'a). However, they noted that moving the Hawaiian hoary bat from the genus *Lasiurus* to *Aeorestes* has not been generally accepted.

As noted in the direct final rule, *Aeorestes* was accepted by the Integrated Taxonomic Information System (ITIS 2022, unpaginated) and the American Society of Mammalogists (2022, unpaginated). Yet, commenters noted that *Lasiurus* continues to be widely used in the scientific literature and was retained by multiple authorities including the American Museum of Natural History (Bats of the World: A Taxonomic and Geographic Database), the Handbook of the Mammals of the World, and the International Union for Conservation of Nature (IUCN) Red List. One commenter attached a detailed review of this taxonomic issue that was recently prepared by the Global Bat Taxonomy Working Group of the IUCN Species Survival Commission Bat Specialist Group, recommending that *Lasiurus* be retained as the genus name for hoary bats, with *Aeorestes* as a subspecies.

We concur that these comments are significant and that the taxonomic status of Hawaiian hoary bat merits further consideration pending a more clear scientific consensus on this issue. Therefore, we are withdrawing that portion of the direct final rule concerning the listed entity Hawaiian hoary bat (*Lasiurus cinereus semotus*). In the future, we may propose changes in the taxonomy of Hawaiian hoary bat with opportunity for further public comment.

Other topics discussed in the comments were not specific to the taxonomic issues raised in the direct final rule. Three commenters expressed approval for inclusion of local common names in addition to English names. Two commenters requested that we also coordinate with the National Oceanic and Atmospheric Administration to amend the common names of two listed sea turtles (green sea turtle (*Chelonia mydas*) and hawksbill sea turtle (*Eretmochelys imbricata*)), so as to include Hawaiian, Chamorro, Carolinian, and Samoan names; sea turtles were not addressed in the direct final rule, but we will consider incorporating this change in a future action. We did not receive significant adverse comments concerning the taxonomy of the other 61 wildlife and plant species addressed in the direct final rule.

### Partial Withdrawal of the Direct Final Rule

For the reasons stated above, we withdraw amendatory instruction 2.a of the direct final rule published on February 2, 2023, at 81 FR 7134–7177.

### List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Plants, Reporting and recordkeeping requirements, Transportation, Wildlife.

**Stephen Guertin,**

*Acting Director, U.S. Fish and Wildlife Service.*

[FR Doc. 2023–08503 Filed 4–21–23; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 220325–0078; RTID 0648–XC939]

### Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; 2023 Closure of the Northern Gulf of Maine Scallop Management Area to the Limited Access General Category Fishery

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS announces the closure of the Northern Gulf of Maine Scallop Management Area for the remainder of

the 2023 fishing year for Limited Access General Category vessels. Regulations require this action once NMFS projects that 100 percent of the Northern Gulf of Maine Set-Aside will be harvested. This action is intended to prevent the overharvest of the 2023 Northern Gulf of Maine Set-Aside.

**DATES:** Effective 0001 hr local time, April 21, 2023, through March 31, 2024.

**FOR FURTHER INFORMATION CONTACT:** Louis Forristall, Fishery Management Specialist, (978) 281–9321.

**SUPPLEMENTARY INFORMATION:** The regulations governing fishing activity in the Northern Gulf of Maine (NGOM) Scallop Management Area are located in 50 CFR 648.54 and 648.62. These regulations authorize vessels issued a valid Federal scallop permit to fish in the NGOM Scallop Management Area under specific conditions, including the NGOM Set-Aside for the 2023 fishing year, and a State Waters Exemption Program for the State of Maine and Commonwealth of Massachusetts. Section 648.62(b)(2) requires the NGOM Scallop Management Area to be closed to scallop vessels issued Federal Limited Access General Category (LAGC) scallop permits, except as provided below, for the remainder of the fishing year once the NMFS Greater Atlantic Regional Administrator determines that 100 percent of the NGOM Set-Aside is projected to be harvested. Any vessel that holds a Federal NGOM (LAGC B) or Individual Fishing Quota (IFQ) (LAGC A) permit may continue to fish in the Maine or Massachusetts state waters portion of the NGOM Scallop Management Area under the State Waters Exemption Program found in § 648.54 provided it has a valid Maine or Massachusetts state scallop permit and fishes only in that state's respective waters.

Based on trip declarations by federally permitted LAGC scallop vessels fishing in the NGOM Scallop Management Area and analysis of fishing effort, we project that the 2023 NGOM Set-Aside will be harvested as of April 21, 2023. Therefore, in accordance with § 648.62(b)(2), the NGOM Scallop Management Area is closed to all federally permitted LAGC scallop vessels as of April 21, 2023. As of this date, no vessel issued a Federal LAGC scallop permit may fish for, possess, or land scallops in or from the NGOM Scallop Management Area after 0001 local time, April 21, 2023, unless the vessel is fishing exclusively in state waters and is participating in an approved state waters exemption program as specified in § 648.54. Any federally permitted LAGC scallop vessel