

Subpart M—Hawaii

■ 2. In § 52.620, the table in paragraph (c) is amended by revising the table heading and adding the entries to the

beginning of the table for “Department of Health, Public Health Regulations, chapter 43, Air Pollution Control Regulations,” sections 22 and 23 to read as follows:

§ 52.620 Identification of plan.
 * * * * *
 (c) * * *

EPA APPROVED STATE OF HAWAII REGULATIONS

State citation	Title/subject	Effective date	EPA approval date	Explanation
Department of Health, Public Health Regulations, chapter 43, Air Pollution Control Regulations:				
Section 22	Hearings and Appeals	12/26/1972	05/14/1973	38 FR 12711
Section 23	Application	03/28/1972	05/31/1972	37 FR 10842
* * * * *	* * * * *			

■ 3. Section 52.622 is amended as follows:
 ■ a. By revising paragraph (a).
 ■ b. By revising paragraph (b)(1).
 ■ c. By adding paragraph (c)(4)(i) and adding and reserving paragraph (c)(4)(ii).
 ■ d. By adding paragraph (c)(5)(i), and adding and reserving paragraph (c)(5)(ii).
 ■ e. By adding paragraph (c)(15)(i) and adding and reserving paragraph (c)(15)(ii). The amendments are as follows:

§ 52.622 Original identification of plan.

(a) This section identified the original “State of Hawaii Air Pollution Control Implementation Plan” and all revisions submitted by the State of Hawaii that were federally approved prior to June 1, 2005.

(b) * * *

(1) Previously approved on May 31, 1972 in paragraph (b) of this section and now deleted from the SIP without replacement Air Pollution Control Law, Hawaii Revised Statutes, chapter 322, part V, section 322–68 and Public Health Regulations, chapter 43, section 20.

(c) * * *

(4) * * *

(i) Previously approved on November 8, 1973 in paragraph (c)(4) of this section and now deleted from the SIP without replacement S.B. No. 1382–72, Act 100, section 7.

(ii) [Reserved]

(5) * * *

(i) Previously approved on May 14, 1973 in paragraph (c)(5) of this section and now deleted from the SIP without replacement chapter 43, section 20.

(ii) [Reserved]

* * * * *

(15) * * *

(i) Previously approved on August 18, 1983 in paragraph (c)(15) of this section

and now deleted from the SIP without replacement Hawaii Statute on Environmental Quality, Hawaii Revised Statutes, chapter 342, section 342–7.
 (ii) [Reserved]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 09100091344–9056–02]

RIN 0648–XN84

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 630 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the B season allowance of the 2009 total allowable catch (TAC) of pollock for Statistical Area 630 in the GOA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), March 11, 2009, through 1200 hrs, A.l.t., August 25, 2009.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 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 B season allowance of the 2009 TAC of pollock in Statistical Area 630 of the GOA is 1,455 metric tons (mt) as established by the final 2009 and 2010 harvest specifications for groundfish of the GOA (74 FR 7333, February 17, 2009).

In accordance with § 679.20(d)(1)(i), the Regional Administrator has determined that the B season allowance of the 2009 TAC of pollock in Statistical Area 630 of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 1,400 mt, and is setting aside the remaining 55 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 630 of the GOA.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

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 closure of pollock in

Statistical Area 630 of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 10, 2009.

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 10, 2009.
Alan D. Risenhoover
 Director, Office of Sustainable Fisheries,
 National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 0910091344-9056-02]

RIN 0648-XL23

Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; 2009 and 2010 Final Harvest Specifications for Groundfish

Correction

In rule document E9-3295 beginning on page 7333 in the issue of Tuesday, February 17, 2009 make the following corrections:

1. On page 7344, Table 11 should read as set forth below:

TABLE 11—FINAL 2009 AND 2010 PACIFIC HALIBUT PSC LIMITS, ALLOWANCES, AND APPORTIONMENTS
 [Values are in metric tons]

Trawl gear		Hook-and-line gear ¹			
Season	Amount	Other than DSR		DSR	
		Season	Amount	Season	Amount
January 20–April 1	550 (27.5%)	January 1–June 10	250 (86%)	January 1–December 31	10 (100%)
April 1–July 1	400 (20%)	June 10–September 1	5 (2%)	.....	.....
July 1–September 1	600 (30%)	September 1–December 31	35 (12%)	.....	.....
September 1–October 1 ..	150 (7.5%)	n/a	n/a	.....	.....
October 1–December 31	300 (15%)	n/a	n/a	.....	.....
Total	2,000 (100%)	n/a	290 (100%)	.....	10 (100%)

¹ The Pacific halibut PSC limit for hook-and-line gear is allocated to the demersal shelf rockfish (DSR) fishery and fisheries other than DSR. The hook-and-line sablefish fishery is exempt from halibut PSC limits.

2. On page 7347, in Table 14, in the second column, in the sixth entry, “Atka mackere” should read “Atka mackerel”.

3. On the same page, in the same table, in the third column, in the sixth entry, “160” should read “60”.

4. On page 7350, Table 17 should read as set forth below:

TABLE 17—FINAL 2009 AND 2010 NON-EXEMPT AMERICAN FISHERIES ACT CATCHER VESSEL HALIBUT PROHIBITED SPECIES CATCH (PSC) LIMITS FOR VESSELS USING TRAWL GEAR IN THE GOA

[Values are in metric tons]

Seasonal allowance	Season	Target fishery	Ratio of 1995–1997 non-exempt AFA CV retained catch to total retained catch	2009 and 2010 PSC limit	2009 and 2010 non-exempt AFA CV PSC limit
1	January 20–April 1	shallow-water	0.340	450	153
		deep-water	0.070	100	7
2	April 1–July 1	shallow-water	0.340	100	34
		deep-water	0.070	300	21
3	July 1–September 1	shallow-water	0.340	200	68
		deep-water	0.070	400	28
4	September 1–October 1	shallow-water	0.340	150	51
		deep-water ¹	0.070	0	0
5	October 1–December 31	all targets	0.205	300	61

¹ There is no apportionment of halibut PSC to the deep-water targets in September. However any unused apportionment to the deep-water targets from earlier in the fishing year may be used to support the deep-water targets in September.