

of refineries, petrochemical and other industrial plants, and materials transportation terminals. In general, these facilities are not operated by small entities. Nonetheless, even if small entities operate low-stress interfacility transfer lines, their costs will be lower because this action reduces compliance burdens. Therefore, based on the facts available about the anticipated impact of this rulemaking action, I certify, pursuant to section 605 of the Regulatory Flexibility Act (5 U.S.C. 605), that this rulemaking action will not have a significant economic impact on a substantial number of small entities.

*C. Executive Order 12612*

RSPA has analyzed this action in accordance with the principles and criteria contained in Executive Order 12612 (52 FR 41685). RSPA has determined that the action does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

*D. Paperwork Reduction Act*

This action reduces the pipeline mileage and number of operators subject to part 195. Consequently, it reduces the information collection burden of part 195 that is subject to review by OMB under the Paperwork Reduction Act of 1995. OMB has approved the information collection requirements of part 195 through May 31, 1999 (OMB No. 2137-0047).

*List of Subjects in 49 CFR Part 195*

Ammonia, Carbon dioxide, Petroleum, Pipeline safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, RSPA amends 49 CFR part 195 as follows:

**PART 195—[AMENDED]**

1. The authority citation for part 195 continues to read as follows:

**Authority:** 49 U.S.C. 5103, 60102, 60104, 60108, 60109, 60118; and 49 CFR 1.53.

2. In § 195.1, the introductory text of paragraph (b) is republished, and paragraph (b)(3) is revised to read as follows:

**§ 195.1 Applicability.**

\* \* \* \* \*

(b) This part does not apply to—

\* \* \* \* \*

(3) Transportation through the following low-stress pipelines:

(i) An onshore pipeline or pipeline segment that—

- (A) Does not transport HVL;
- (B) Is located in a rural area; and

(C) Is located outside a waterway currently used for commercial navigation;

(ii) A pipeline subject to safety regulations of the U.S. Coast Guard; and

(iii) A pipeline that serves refining, manufacturing, or truck, rail, or vessel terminal facilities, if the pipeline is less than 1 mile long (measured outside facility grounds) and does not cross an offshore area or a waterway currently used for commercial navigation;

\* \* \* \* \*

Issued in Washington, D.C., on June 4, 1997.

**Kelley S. Coyner,**

*Deputy Administrator.*

[FR Doc. 97-14999 Filed 6-6-97; 8:45 am]

BILLING CODE 4910-60-P

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Part 571**

**Federal Motor Vehicle Safety Standards**

*CFR Correction*

In title 49 of the Code of Federal Regulations, parts 400 to 999, revised as of October 1, 1996, in § 571.108 in paragraph S8.9 the last sentence should be removed and the following sentence reinstated and in paragraph S9 the last sentence should be revised. The reinstated and revised text should read as follows:

**§ 571.108 Standard No. 108; Lamps, reflective devices, and associated equipment.**

\* \* \* \* \*

S8.9 Sealing. \* \* \* If any water occurs on the interior or air escapes, the lamp is not a sealed lamp.

\* \* \* \* \*

S9 Deflection test for replaceable light source. \* \* \* Distance 'A' for a replaceable light source other than an HB Type shall be the dimension provided in accordance with Appendix A of part 564 of this chapter, section I.A.1 if the light source has a lower beam filament, or as specified in section I.B.1 if the light source has only an upper beam filament.

\* \* \* \* \*

[FR Doc. 97-5555 Filed 6-6-97; 8:45 am]

BILLING CODE 1505-01-M

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 900833-1095; I.D. 052997D]

**Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Halibut and Red King Crab Bycatch Rate Standards for the Second Half of 1997**

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

**ACTION:** Pacific halibut and red king crab bycatch rate standards; request for comments.

**SUMMARY:** NMFS announces Pacific halibut and red king crab bycatch rate standards for the second half of 1997. Publication of these bycatch rate standards is required under regulations implementing the vessel incentive program. This action is necessary to implement the bycatch rate standards for vessel operators who participate in the Alaska groundfish trawl fisheries. The intent of this action is to reduce prohibited species bycatch rates and promote conservation of groundfish and other fishery resources.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), July 1, 1997, through 2400 hours, A.l.t., December 31, 1997. Comments on this action must be received at the following address no later than 4:30 p.m., A.l.t., June 30, 1997.

**ADDRESSES:** Comments should be mailed to Ronald J. Berg, Chief, Fisheries Management Division, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel; or be delivered to 709 West 9th Street, Federal Building, Room 401, Juneau, AK.

**FOR FURTHER INFORMATION CONTACT:** Susan J. Salveson, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The domestic groundfish fisheries in the exclusive economic zone of the Bering Sea and Aleutian Islands management area (BSAI) and Gulf of Alaska (GOA) are managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutians Islands Area and the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMPs). The FMPs were prepared by the North Pacific Fishery Management Council (Council) under the authority of the Magnuson-Stevens Fishery Conservation and Management Act and are implemented by regulations

governing the U.S. groundfish fisheries at 50 CFR part 679.

Regulations at § 679.21(f) implement a vessel incentive program to reduce halibut and red king crab bycatch rates in the groundfish trawl fisheries. Under the incentive program, operators of trawl vessels may not exceed Pacific halibut bycatch rate standards specified for the BSAI and GOA midwater pollock and "other trawl" fisheries, and the BSAI yellowfin sole and "bottom pollock" fisheries. Vessel operators also may not exceed red king crab bycatch standards specified for the BSAI yellowfin sole and "other trawl" fisheries in Bycatch Limitation Zone 1 (defined in § 679.2). The fisheries included under the incentive program are defined in regulations at § 679.21(f)(2).

Regulations at § 679.21(f)(3) require that halibut and red crab bycatch rate standards for each fishery included under the incentive program be published in the **Federal Register**. The standards are in effect for specified seasons within the 6-month periods of January 1 through June 30, and July 1 through December 31. For purposes of calculating vessel bycatch rates under the incentive program, 1997 fishing months were specified in the **Federal Register** on December 16, 1996 (61 FR 65989).

Halibut and red king crab bycatch rate standards for the first half of 1997 also were published in the **Federal Register** (61 FR 65989, December 16, 1996). As required by § 679.21(f)(3) and (4), the Administrator, Alaska Region, NMFS (Regional Administrator), has established the bycatch rate standards for the second half of 1997 (July 1 through December 31). These standards were recommended by the Council at its April 1997 meeting and are set out in Table 1. The bycatch rate standards are based on the following information:

1. Previous years' average observed bycatch rates;
2. Immediately preceding season's average observed bycatch rates;
3. The bycatch allowances and associated fishery closures specified under § 679.21(d) and (e);
4. Anticipated groundfish harvests;
5. Anticipated seasonal distribution of fishing effort for groundfish; and
6. Other information and criteria deemed relevant by the Regional Administrator.

TABLE 1. BYCATCH RATE STANDARDS BY FISHERY FOR THE SECOND HALF OF 1997 FOR PURPOSES OF THE VESSEL INCENTIVE PROGRAM IN THE BSAI AND GOA.

Fishery	Bycatch rate standard
<b>Halibut bycatch rate standards (kilogram of halibut/metric ton of groundfish catch)</b>	
BSAI Midwater pollock .....	1.0
BSAI Bottom pollock .....	5.0
BSAI Yellowfin sole .....	5.0
BSAI Other trawl .....	30.0
GOA Midwater pollock .....	1.0
GOA Other trawl .....	40.0
<b>Zone 1 red king crab bycatch rates standards (number of crab/metric ton of groundfish catch)</b>	
BSAI yellowfin sole .....	2.5
BSAI Other trawl .....	2.5

**Bycatch Rate Standards for Pacific Halibut**

The halibut bycatch rate standards for the July 1–December 31, 1997 trawl fisheries are unchanged from those implemented for the July 1–December 31, 1996 trawl fisheries. The Regional Administrator based standards for the second half of 1997 on anticipated seasonal fishing effort for groundfish species and 1993–1997 halibut bycatch rates observed in the trawl fisheries included under the incentive program. In determining these bycatch rate standards, the Regional Administrator recognized that directed fishing for BSAI Pacific cod by catcher vessels using trawl gear is closed for the remainder of the year (62 FR 24058, May 2, 1997). Directed fishing for Pacific cod and flatfish species in Bycatch Limitation Zone 1 (Zone 1) by vessels using trawl gear also is closed because 1997 bycatch allowances of *Chionoectes bairdi* Tanner crab specified for these fisheries have been reached (62 FR 10479, March 7, 1997; 62 FR 22896, April 28, 1997; 62 FR 27210, May 19, 1997). Given the present status of halibut bycatch in the yellowfin sole fishery, the Regional Administrator anticipates that the third seasonal allowance for this fishery will be reached by mid June (62 FR 16112, April 4, 1997). The fishery will remain closed until August 15 when the remainder of its halibut bycatch allowance becomes available. The Regional Administrator also considered the September 1 opening date of the 1997 Bering Sea pollock non-roe season (§ 679.23(e)(2)).

Directed fishing for GOA groundfish by vessels using trawl gear other than pelagic trawl gear is closed until July 1 (62 FR 25138, May 8, 1997), when the third seasonal allowance of Pacific halibut bycatch specified for the deep water and shallow water fisheries becomes available (62 FR 8179, February 24, 1997).

The halibut bycatch rate standards for the BSAI yellowfin sole and "bottom pollock" trawl fisheries are each set at 5 kilogram (kg) halibut/metric ton (mt) of groundfish. These standards approximate the average annual rates observed on trawl vessels participating in these fisheries since 1992.

The halibut bycatch rate standard for the BSAI and GOA midwater pollock fisheries (1 kg halibut/mt of groundfish) is higher than the bycatch rates normally experienced by vessels participating in these fisheries. This standard is intended to encourage vessel operators to maintain off-bottom trawl operations and limit further bycatch of halibut in the pollock fishery when halibut bycatch restrictions at § 679.21 prohibit directed fishing for pollock by vessels using non-pelagic trawl gear.

A bycatch rate standard of 30 kg halibut/mt of groundfish is established for the BSAI "other trawl" fishery. This standard has remained unchanged since 1992. A bycatch rate standard of 40 kg halibut/mt of groundfish is established for the GOA "other trawl" fishery, which is unchanged since 1994. The considerations that support these bycatch rate standards for the "other trawl" fisheries are unchanged from previous years and are discussed in the **Federal Register** publications of 1995 bycatch rate standards (60 FR 2905, January 12, 1995, and 60 FR 27425, May 24, 1995).

Observer data collected from the 1996 GOA "other trawl" fishery show average third and fourth quarter halibut bycatch rates of 25 and 47 kg halibut/mt of groundfish, respectively. The first quarter rate from 1997 was lower, at 20 kg halibut/mt of groundfish. Observer data from the 1996 BSAI "other trawl" fishery show third and fourth quarter halibut bycatch rates of 6 and 12 kg halibut/mt of groundfish, respectively. The first quarter rate from the 1997 BSAI "other trawl" fishery was 6 kg halibut/mt of groundfish.

**Bycatch Rate Standards for Red King Crab**

The red king crab bycatch rate standard for the yellowfin sole and "other trawl" fisheries in Zone 1 of the Bering Sea subarea is 2.5 crab/mt of groundfish during the second half of

1997. This standard has remained unchanged since 1992.

The red king crab savings area in Zone 1 is closed to directed fishing for groundfish by vessels using trawl gear other than pelagic trawl gear (§ 679.22(a)(3)). This closure is effective for the remainder of 1997 and has limited the number of red king crab taken in the Zone 1 trawl fisheries. Through May 10, 1997, the rock sole/flathead sole/other flatfish fishery category had taken 75 percent of its annual red king crab bycatch allowance. The Pacific cod and yellowfin sole fisheries have taken only 25 percent and 38 percent, respectively, of their bycatch allowances. As a result, NMFS does not anticipate that the red king crab bycatch allowances specified for the 1997 trawl fisheries (62 FR 7168, February 18, 1997) will be reached. Furthermore, red king crab bycatch rates should remain low given that the intensive flatfish and Pacific cod trawl fisheries in Zone 1 are closed for the remainder of the year. Nonetheless, as in past years, the Regional Administrator is maintaining the 2.5 red king crab/mt of groundfish bycatch rate standard to support any exploratory fishing in Zone 1 by vessel operators attempting to avoid relatively high halibut and *C. bairdi* bycatch rates typically experienced in other areas of the BSAI.

The Regional Administrator has determined that the bycatch rate standards set out in Table 1 are appropriately based on the information and considerations necessary for such determinations under § 679.21(f)(4). These bycatch rate standards may be revised and published in the **Federal Register** when deemed appropriate by the Regional Administrator, pending his consideration of the information set forth at § 679.21(f)(4).

#### Classification

This action is taken under 50 CFR 679.21(f) and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 773 *et seq.*, 1801 *et seq.*

Dated: June 2, 1997.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries.*

[FR Doc. 97-14920 Filed 6-6-97; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 961107312-7021-02; I.D. 052397B]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Bering Sea and Aleutian Islands Area; Apportionment of Reserve

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

**ACTION:** Apportionment of reserve; request for comments.

**SUMMARY:** NMFS is apportioning reserve to certain target species in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow for ongoing harvest and account for previous harvest of the total allowable catch (TAC). It is intended to promote the objectives of the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP).

**DATES:** Effective June 4, 1997.

Comments must be received at the following address no later than 4:30 p.m., Alaska local time, June 24, 1997.

**ADDRESSES:** Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, 709 W. 9th Street, room 453, Juneau, AK 99801 or P.O. Box 21668, Juneau, AK 99802-1668, Attention: Lori Gravel.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the FMP prepared by the North Pacific Fishery Management

Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Administrator, Alaska Region, NMFS, has determined that the initial TACs specified for Greenland turbot in the Bering Sea subarea and shortraker/rougheye rockfish in the Aleutian Islands subarea need to be supplemented from the non-specific reserve in order to continue operations and account for prior harvest.

Therefore, in accordance with § 679.20(b)(3)(i)(A), NMFS is apportioning from the reserve to the TAC for the following species: Bering Sea subarea - 905 metric tons (mt) of Greenland turbot; Aleutian Islands subarea - 141 mt of shortraker/rougheye rockfish.

These apportionments are consistent with § 679.20(a)(2) and do not result in overfishing of a target species because the revised TACs are equal to or less than specifications of acceptable biological catch.

#### Classification

This action is required by 50 CFR 679.20 and is exempt from review under E.O. 12866.

The Assistant Administrator for Fisheries, NOAA, has determined, under section 553(b)(B) and (d)(3) of the Administrative Procedure Act and 50 CFR 679.20(b)(3)(iii)(A), that good cause exists for waiving the opportunity for public comment and the 30-day delayed effectiveness period for this action. Fisheries are currently taking place that will be supplemented by this apportionment. Delaying the implementation of this action would be disruptive and costly to these ongoing operations.

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

Dated: June 2, 1997.

**Richard W. Surdi,**

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

[FR Doc. 97-14923 Filed 6-4-97; 10:18 am]

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