

TABLE OF PACKING METHODS

US 1	<p>1. A jet perforating gun, charged, oil well may be transported under the following conditions:</p> <p>a. Initiation devices carried on the same motor vehicle or offshore supply vessel must be segregated; each kind from every other kind, and from any gun, tool or other supplies, unless approved in accordance with § 173.56. Segregated initiation devices must be carried in a container having individual pockets for each such device or in a fully enclosed steel container lined with a non-sparking material. No more than two segregated initiation devices per gun may be carried on the same motor vehicle.</p> <p>b. Each shaped charge affixed to the gun may not contain more than 112 g (4 ounces) of explosives.</p> <p>c. Each shaped charge if not completely enclosed in glass or metal, must be fully protected by a metal cover after installation in the gun.</p> <p>d. A jet perforating gun classed as 1.1D or 1.4D may be transported by highway by private or contract carriers engaged in oil well operations.</p> <p>(i) A motor vehicle transporting a gun must have specially built racks or carrying cases designed and constructed so that the gun is securely held in place during transportation and is not subject to damage by contact, one to the other or any other article or material carried in the vehicle; and</p> <p>(ii) The assembled gun packed on the vehicle may not extend beyond the body of the motor vehicle.</p> <p>e. A jet perforating gun classed as 1.4D may be transported by a private offshore supply vessel only when the gun is carried in a motor vehicle as specified in paragraph (d) of this packing method or on offshore well tool pallets provided that:</p> <p>(i) All conditions specified in paragraphs (a), (b), and (c) of this packing method are met;</p> <p>(ii) The total explosive contents do not exceed 90.8 kg (200 pounds) per tool pallet;</p> <p>(iii) Each cargo vessel compartment may contain up to 90.8 kg (200 pounds) of explosive content if the segregation requirements in § 176.83(b) of this subchapter are met; and</p> <p>(iv) When more than one vehicle or tool pallet is stowed "on deck" a minimum horizontal separation of 3 m (9.8 feet) must be provided.</p>
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 120706221-2705-02]

RIN 0648-XD369

Atlantic Highly Migratory Species (HMS); Commercial Blacknose Sharks and Non-Blacknose Small Coastal Sharks (SCS) in the Atlantic Region

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is closing the fisheries for commercial blacknose sharks and non-blacknose SCS in the Atlantic region. This action is necessary because the commercial landings of Atlantic blacknose sharks for the 2014 fishing season has exceeded 80 percent of the available commercial quota as of July 22, 2014.

DATES: The commercial fisheries for blacknose sharks and Atlantic non-blacknose SCSs in the Atlantic region are closed effective 11:30 p.m. local time July 28, 2014 until the end of the 2014 fishing season on December 31, 2014, or until and if NMFS announces

via a notice in the **Federal Register** that additional quota is available and the season is reopened.

FOR FURTHER INFORMATION CONTACT:

Karyl Brewster-Geisz or Alexis Jackson 301-427-8503; fax 301-713-1917.

SUPPLEMENTARY INFORMATION:

The Atlantic shark fisheries are managed under the 2006 Consolidated HMS Fishery Management Plan (FMP), its amendments, and its implementing regulations (50 CFR part 635) issued under authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

Under § 635.5(b)(1), dealers must electronically submit reports on sharks that are first received from a vessel on a weekly basis through a NMFS-approved electronic reporting system, received by NMFS no later than midnight, local time, of the first Tuesday following the end of the reporting week unless the dealer is otherwise notified by NMFS. Under § 635.28(3), the quotas of certain species and/or management groups are linked. The quotas for blacknose sharks and the non-blacknose SCS management group in the Atlantic region are linked (§ 635.28(b)(3)(iii)). Under § 635.28(b)(2), when NMFS calculates that the landings for any species and/or management group of a linked group have exceeded 80 percent of the available quota, NMFS will file for publication with the Office of the Federal Register a notice of closure for all of the species and/or management

groups in a linked group that will be effective no fewer than 5 days from date of filing. From the effective date and time of the closure until and if NMFS announces, via a notice in the **Federal Register**, that additional quota is available and the season is reopened, the fisheries for all linked species and/or management groups is closed, even across fishing years. On November 26, 2013 (78 FR 70500), NMFS announced that the commercial Atlantic blacknose shark quota for 2014 is 17.5 metric tons (mt) dressed weight (dw) (38,638 lb dw), and the Atlantic non-blacknose SCS quota is 264.1 metric tons (mt) dressed weight (dw) (582,333 lb dw). Dealer reports recently received through July 22, 2014, indicate that 15.2 mt dw or 87 percent of the available Atlantic blacknose shark quota has been landed and 85.2 mt dw or 32 percent of the available Atlantic non-blacknose SCS quota has been landed. Accordingly, NMFS is closing both the commercial blacknose shark fishery and non-blacknose SCS management group in the Atlantic region as of 11:30 p.m. local time July 28, 2014. The fisheries for all other shark species or management groups that are currently open will remain open, including the fisheries for commercial Atlantic aggregated large coastal sharks (LCS) and Atlantic hammerhead sharks.

At § 635.27(b)(1), the boundary between the Gulf of Mexico region and the Atlantic region is defined as a line beginning on the East Coast of Florida at the mainland at 25°20.4' N. lat,

proceeding due east. Any water and land to the south and west of that boundary is considered, for the purposes of monitoring and setting quotas, to be within the Gulf of Mexico region.

During the closure, retention of blacknose sharks and non-blacknose SCS in the Atlantic region is prohibited for persons fishing aboard vessels issued a commercial shark limited access permit under § 635.4. However, persons aboard a commercially permitted vessel that is also properly permitted to operate as a charter vessel or headboat for HMS and is engaged in a for-hire trip could fish under the recreational retention limits for sharks and “no sale” provisions (§ 635.22(a) and (c)).

During this closure, a shark dealer issued a permit pursuant to § 635.4 may not purchase or receive blacknose sharks or non-blacknose SCS in the Atlantic region from a vessel issued an Atlantic Shark Limited Access Permit (LAP), except that a permitted shark dealer or processor may possess blacknose sharks and/or non-blacknose SCS in the Atlantic region that were harvested, off-loaded, and sold, traded, or bartered prior to the effective date of the closure and were held in storage consistent with § 635.28(b)(5). Similarly, a shark dealer issued a permit pursuant to § 635.4 may, in accordance with relevant state regulations, purchase or receive blacknose sharks and/or non-blacknose SCS in the Atlantic region if the sharks were harvested, off-loaded, and sold, traded, or bartered from a vessel that fishes only in state waters and that has not been issued an Atlantic Shark LAP, HMS Angling permit, or HMS Charter/Headboat permit pursuant to § 635.4.

Classification

Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries, NOAA (AA), finds that providing prior notice and public comment for this action is impracticable and contrary to the public interest because the fisheries are currently underway and any delay in this action would result in overharvest of the quota and be inconsistent with management requirements and objectives. Similarly, affording prior notice and opportunity for public comment on this action is contrary to the public interest because if the quota is exceeded, the stock may be negatively affected and fishermen ultimately could experience reductions in the available quota and a lack of fishing opportunities in future seasons. For these reasons, the AA also finds good cause to waive the 30-day delay in effective date pursuant to 5 U.S.C.

553(d)(3). This action is required under § 635.28(b)(2) and is exempt from review under Executive Order 12866.

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

Dated: July 22, 2014.

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 660

[Docket No. 031125294-4091-02]

RIN 0648-XD238

Fisheries Off West Coast States; the Highly Migratory Species Fishery; Closure

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

ACTION: Inseason action; closure.

SUMMARY: We, NMFS, are immediately closing the Pacific loggerhead conservation area, prohibiting fishing with large mesh drift gillnet (DGN) gear (>14 in mesh) off the coast of southern California east of 120° West meridian through August 31, 2014. This prohibition is based on the Assistant Administrator for Fisheries' (AA) determination that El Niño conditions are occurring off the coast of southern California. This action protects Endangered Species Act (ESA) listed loggerhead sea turtles (*Caretta caretta*), specifically the endangered North Pacific Ocean Distinct Population Segment. Large mesh DGN fishing vessels must cease fishing east of 120° west on publication of this document.

DATES: Effective 12:01 a.m. Pacific Daylight Time (PDT) July 23, 2014 through 11:59 p.m., August 31, 2014.

FOR FURTHER INFORMATION CONTACT: Craig Heberer, West Coast Region, NMFS, (760) 431-9440, ext. 303; craig.heberer@noaa.gov.

SUPPLEMENTARY INFORMATION: The DGN fishery is managed under the Fishery Management Plan (FMP) for U.S. West Coast Fisheries for Highly Migratory Species (HMS) (50 CFR part 660, subpart K). The fishery occurs off the coast of California. Our regulations provide that “No person may fish with, set, or haul back drift gillnet gear in U.S. waters of the Pacific Ocean east of the

120° W. meridian from June 1 through August 31 during a forecasted, or occurring, El Niño event off the coast of southern California.” 50 CFR 660.713(c)(2). This area, which falls within the southern California Bight (SCB), is referred to in the regulations as the Pacific loggerhead conservation area.

Under 50 CFR 660.713(c)(2)(ii), the AA is to make the determination that an El Niño event is forecasted or occurring off southern California, relying on information developed by NOAA offices such as the Climate Prediction Center (CPC) and the West Coast Office of the Coast Watch program. The AA is to use monthly sea surface temperature (SST) charts to determine whether there are warmer than normal SSTs off southern California “during the months prior to the closure months for years in which an El Niño event has been declared” by the CPC. The AA is also to specifically use SST data from the third and second months prior to the month of closure.

We published these regulations to protect ESA-listed loggerhead sea turtles in response to a reasonable and prudent alternative (RPA) included in our 2000 biological opinion on issuance of an incidental take permit under the Marine Mammal Protection Act. The consultation concluded that bycatch in the DGN fishery jeopardized the continued existence of the turtles and required the regulations to avoid jeopardy. We have not closed the Pacific loggerhead conservation area since the regulations were first published in 2003 because the AA has not determined El Niño conditions were occurring off the coast of southern California.

The CPC forecasts and declares when El Niño conditions exist based on conditions in equatorial waters, but does not forecast or declare when El Niño conditions exist off southern California. This year, based on monthly updates through July 10, 2014, the CPC has not declared an El Niño. The Coast Watch program publishes maps of SST off the California coast through the Environmental Research Division's Data Access Program.

On May 27, 2014, a working group of staff, including sea turtle biologists and oceanographers, from the NMFS West Coast Region (Region) and Southwest Fisheries Science Center (SWFSC) held a teleconference to discuss whether El Niño conditions were likely off the southern California coast during June, July, or August 2014. On May 8, 2014, the CPC had issued an *El Niño watch*, which means that conditions are favorable for the development of El Niño within the next six months, and