

EPA-APPROVED KENTUCKY NON-REGULATORY PROVISIONS

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanations
110(a)(1) and (2) Infrastructure Requirements for the 2010 NO <sub>2</sub> NAAQS.	Kentucky	4/26/2013	3/28/2019, [Insert citation of publication].	Only addresses the minor source program requirements of section 110(a)(2)(C).
110(a)(1) and (2) Infrastructure Requirements for the 2010 SO <sub>2</sub> NAAQS.	Kentucky	04/26/2013	3/28/2019, [Insert citation of publication].	Only addresses the minor source program requirements of section 110(a)(2)(C).
110(a)(1) and (2) Infrastructure Requirements for the 2012 PM <sub>2.5</sub> NAAQS.	Kentucky	2/8/2016	3/28/2019, [Insert citation of publication].	Only addresses the minor source program requirements of section 110(a)(2)(C).

[FR Doc. 2019-05881 Filed 3-27-19; 8:45 am]  
 BILLING CODE 6560-50-P

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 665**

[Docket No. 120416010-2476-01]

RIN 0648-XG905

**Pacific Island Fisheries; Closure of the 2019 Hawaii Shallow-Set Pelagic Longline Fishery**

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

**ACTION:** Temporary rule; fishery closure.

**SUMMARY:** This final rule closes the Hawaii shallow-set pelagic longline fishery north of the Equator for all vessels registered under the Hawaii longline limited access program. The shallow-set fishery has reached the annual limit of 17 physical interactions with North Pacific loggerhead sea turtles, so NMFS must close the fishery for the remainder of the calendar year, or until further notice. This action is necessary to comply with regulations that establish maximum annual limits on the numbers of interactions that occur between longline fishing gear and sea turtles.

**DATES:** Effective March 27, 2019, through December 31, 2019. Compliance date: 9:50 a.m. Hawaii-Aleutian Standard Time (HST) on March 19, 2019, through December 31, 2019.

**FOR FURTHER INFORMATION CONTACT:** Bob Harman, NMFS Pacific Islands Regional Office, 808-725-5170.

**SUPPLEMENTARY INFORMATION:** NMFS manages the shallow-set pelagic longline fishery for swordfish in the Pacific Islands according to the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region (FEP), developed by the Western Pacific Fishery Management Council, and implemented by NMFS under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing fishing by U.S. vessels in accordance with the FEP appear at 50 CFR part 665 and at subpart H of 50 CFR part 600.

The regulations at § 665.813(b)(1) establish maximum annual limits on the numbers of physical interactions that occur between longline fishing gear and sea turtles. These limits apply to physical interactions with vessels registered with Hawaii longline limited access permits while engaged in shallow-set longline fishing, *i.e.*, fishing that is directed at swordfish. There are two calendar-year annual limits on physical interactions: 26 leatherback sea turtles (*Dermochelys coriacea*), and 17 loggerhead sea turtles (*Caretta caretta*). Scientific observers, placed by NMFS aboard every vessel engaged in shallow-set longline fishing, monitor interactions with turtles.

The regulations at § 665.813(b)(2) require NMFS to close the shallow-set fishery as soon as the interaction limit for either of the two turtle species has been determined to have been reached in a given year, after giving permit holders and operators actual notice of the closure. Upon receiving actual notice from NMFS, fishermen are required to immediately remove all longline fishing gear from the water. Once the fishery is closed, all vessels registered under Hawaii longline

limited-access permits are prohibited from shallow-set longline fishing north of the Equator.

In accordance with § 665.813(b)(2), the Regional Administrator, NMFS Pacific Islands Region, has determined that the fishery has reached the annual interaction limit of 17 North Pacific loggerhead turtles. Consequently, NMFS closed the shallow-set component of the Hawaii-based longline fishery at 9:50 a.m. HST on March 19, 2019. The closure ends at midnight HST on December 31, 2019.

NMFS is currently preparing a biological opinion that addresses the continued operation of the shallow-set longline fishery, which may result in changes to the current annual interaction limits. NMFS would publish any changes in a future rulemaking.

**Classification**

The Assistant Administrator for Fisheries, NOAA, has determined that this final rule is consistent with the Magnuson-Stevens Act, the Endangered Species Act, and other applicable laws.

This final rule is required by § 665.813(b)(2) and is exempt from review under Executive Order 12866.

NMFS has good cause under the Administrative Procedure Act (5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d)(3)) to waive prior notice and an opportunity for public comment, and the 30 days delayed effectiveness, for this temporary rule, as prior notice and comment would be contrary to the public interest. NMFS must implement the closure of the fishery immediately to prevent further impacts to North Pacific loggerhead sea turtles. In addition, providing prior notice and comment and 30 days delayed effectiveness are unnecessary because NMFS has no discretion to take other action because

such action would be inconsistent with Federal regulations.

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

Dated: March 22, 2019.

**Jennifer M. Wallace,**

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

[FR Doc. 2019-05939 Filed 3-27-19; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 180831813-9170-02]

RIN 0648-XG916

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska

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

**ACTION:** Temporary rule; modification of closure.

**SUMMARY:** NMFS is opening directed fishing for pollock in Statistical Area 610 of the Gulf of Alaska (GOA). This action is necessary to fully use the B season allowance of the 2019 total allowable catch of pollock in Statistical Area 610 of the GOA.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), March 26, 2019, through 1200 hours, A.l.t., May 31, 2019. Comments must be received at the following address no later than 4:30 p.m., A.l.t., April 9, 2019.

**ADDRESSES:** You may submit comments on this document, identified by FDMS Docket Number NOAA-NMFS-2018-0103 by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0103](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0103), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Address written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn:

Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and NMFS will post the comments for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 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 2019 total allowable catch (TAC) of pollock in Statistical Area 610 of the GOA is 848 metric tons (mt) as established by the final 2019 and 2020 harvest specifications for groundfish of the GOA (84 FR 9416, March 14, 2019).

NMFS closed directed fishing for pollock in Statistical Area 610 of the GOA under § 679.20(d)(1)(iii) on March 10, 2019 (84 FR 8626, March 11, 2019).

As of March 21, 2019, NMFS has determined that approximately 848 metric tons of pollock remain in the B season allowance for pollock in Statistical Area 610 of the GOA. Therefore, in accordance with § 679.25(a)(1)(i), (a)(2)(i)(C), and (a)(2)(iii)(D), and to fully utilize the B season allowance of the 2019 TAC of pollock in Statistical Area 610 of the GOA, NMFS is terminating the previous closure and is reopening directed fishing for pollock in Statistical Area 610 of the GOA, effective 1200 hours, A.l.t., March 26, 2019.

The Administrator, Alaska Region (Regional Administrator) considered the following factors in reaching this decision: (1) The catch of pollock in Statistical Area 610 of the GOA and, (2) the harvest capacity and stated intent on future harvesting patterns of vessels in participating in this fishery.

#### 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 opening of directed fishing for pollock in Statistical Area 610 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 21, 2019.

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.

Without this inseason adjustment, NMFS could not allow the fishery for pollock in Statistical Area 610 of the GOA to be harvested in an expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until April 9, 2019.

This action is required by § 679.25 and is exempt from review under Executive Order 12866.

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

Dated: March 25, 2019.

**Jennifer M. Wallace,**

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

[FR Doc. 2019-05943 Filed 3-25-19; 4:15 pm]

**BILLING CODE 3510-22-P**