

**§ 178.338–9 [Amended]**

■ 35. In § 178.338–9, in paragraph (c) (2), in the last sentence, the section reference “§ 178.320(a) (3)” is revised to read “§ 178.320 (a)”.

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■ 36. In § 178.338–18, as amended at 68 FR 19283, paragraph (d) is revised to read as follows:

**§ 178.338–18 Marking.**

\* \* \* \* \*

(d) The design weight of lading used in determining the loading in §§ 178.338–3 (b), 178.338–10 (b) and (c), and 178.338–13 (b), must be shown as the maximum weight of lading marking required by paragraph (c) of this section.

**PART 179—SPECIFICATIONS FOR TANK CARS**

■ 37. The authority citation for part 179 continues to read as follows:

**Authority:** 49 U.S.C. 5101–5127; 49 CFR 1.53.

■ 38. In § 179.102–4, the section heading is revised to read as follows:

**§ 179.102–4 Vinyl fluoride, stabilized.**

\* \* \* \* \*

■ 39. In § 179.300–12, paragraph (b), the second sentence is revised to read as follows:

**§ 179.300–12 Protection of fittings.**

\* \* \* \* \*

(b) \* \* \* Pressure relief devices shall not be covered by the housing.

■ 40. In § 179.500–12, paragraph (b) is revised to read as follows:

**§ 179.500–12 Pressure relief devices.**

\* \* \* \* \*

(b) Pressure relief devices shall open at a pressure not exceeding the marked test pressure of tank and not less than  $\frac{7}{10}$  of marked test pressure. (For tolerance for pressure relief valves, see § 179.500–16(a).)

\* \* \* \* \*

Issued in Washington, DC, on September 24, 2003, under authority delegated in 49 CFR part 1.

**Samuel G. Bonasso,**

*Acting Administrator.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 021212307–3037–02; I.D. 092603C]

**Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea Subarea**

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

**ACTION:** Reallocation.

**SUMMARY:** NMFS is reallocating projected unused amounts of Bering Sea subarea (BS) pollock from the incidental catch account to the directed fisheries. This action is necessary to allow the 2003 total allowable catch (TAC) of pollock to be harvested.

**DATES:** Effective October 1, 2003, until 2400 hrs, A.L.T., December 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** Andrew Smoker, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (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.

In accordance with § 679.20(a)(5)(i)(A)(1) and the American Fisheries Act (AFA) (Public Law 105–277, Division C, Title II), NMFS specified a pollock incidental catch allowance equal to 3.5 percent of the pollock total allowable catch after subtraction of the ten percent Community Development Quota reserve in the final 2003 harvest specifications for groundfish in the BSAI (68 FR 9907, March 3, 2003).

On August 29, 2003 NMFS apportioned the projected unused

amount, 6,500 mt, of pollock from the incidental catch account to the directed fishing allowances established pursuant to § 679.20(a)(5)(i)(A) (68 FR 51,928, August 29, 2003).

As of September 13, 2003, the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that approximately 8,616 metric tons (mt) of pollock remain in the incidental catch account. Based on projected harvest rates of other groundfish species and the expected incidental catch of pollock in those fisheries, the Regional Administrator has determined that 4,000 mt of pollock specified in the incidental catch account will not be necessary as incidental catch. Therefore, NMFS is apportioning the projected unused amount, 4,000 mt, of pollock from the incidental catch account to the directed fishing allowances established pursuant to § 679.20(a)(5)(i)(A).

Pursuant to the pollock allocation requirements set forth in 679.20(a)(5)(i), this transfer will increase the allocation to catcher vessels harvesting pollock for processing by the inshore component by 2,000 mt, to catcher/processors and catcher vessels harvesting pollock for processing by catcher processors in the offshore component by 1,600 mt and to catcher vessels harvesting pollock for processing by motherships in the offshore component by 400 mt. Pursuant to § 679.20(a)(5)(i)(A)(4), no less than 8.5 percent of the 1,600 mt allocated to catcher processors in the offshore component, 136 mt, will be available for harvest only by eligible catcher vessels delivering to listed catcher processors. Pursuant to § 679.20(a)(5)(i)(A)(4)(iii), an additional 8 mt or 0.5 percent of the catcher/processor sector allocation of pollock will be available to unlisted AFA catcher/processors.

Pursuant to § 679.20(a)(5)(i)(A)(3), Table 1 revises the final 2003 BS subarea allocations for the seven inshore catcher vessel pollock cooperatives that have been approved and permitted by NMFS and the open access AFA vessels for the 2003 fishing year consistent with this reallocation.