administrates the AIP and PFC programs, as well as several associated programs and requirements.

IV. FAA Policy on Disputed Changes to Airport Sponsorship or Operations

The determination of whether to seek a new applicant for airport sponsorship is a state or local decision. The FAA expects that all disputes about whether to change airport sponsorship and/or operating authority will be resolved through a legally-binding agreement between the parties involved in the dispute or a final, non-reviewable legal decision. While parties should seek technical assistance from the FAA as early as practicable, parties are encouraged to wait until a dispute has been resolved before submitting an application to the FAA seeking the agency’s approval of a change in sponsorship of, and/or operational responsibility for, an airport. In matters in which a proposed change is contested by a current sponsor or operator, the FAA will not act on a part 139 application or a change of airport sponsorship and/or operating authority until the dispute is definitively resolved to the satisfaction of the FAA. Resolution may be demonstrated by issuance of a final, non-reviewable judicial decision requiring such a change, by the issuance of a consent letter between the existing airport sponsor and/or operator and the proposed new sponsor and/or operator, or by other legally definitive means deemed acceptable to the FAA.

The FAA will accept an application for a change in airport sponsorship/operation only upon a legally definitive resolution of a dispute. At that time, the FAA will evaluate whether an application is complete and whether the proposed airport sponsor/operator is capable of assuming all grant assurances, safety compliance, and other Federal obligations, and has the expertise to operate the airport as required by law.

V. Reimbursement of Airport Investments

In circumstances in which a change in sponsorship or operation of an airport is approved and effectuated, the new airport sponsor and/or operator should reimburse the prior sponsor for investments that have been made by the prior sponsor of the airport but have not been fully recouped at the time of the change in airport sponsorship. Any such reimbursements must be consistent with the FAA’s Policy and Procedures Concerning the Use of Airport Revenue, 64 FR 7696 (Feb. 16, 1999). Issued in Washington, DC, on May 25, 2016.

Eduardo A. Angeles, Associate Administrator for Airports.

[FR Doc. 2016–13177 Filed 6–1–16; 11:15 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE INTERIOR
Bureau of Safety and Environmental Enforcement

30 CFR Parts 203, 250, 251, 252, 254, 256, 280, 282, 290, and 291

[Docket ID: BSEE–2016–0006; EEEE500000
16XE1700DX EX1SF0000.DAQ000]

RIN 1014–AA15

Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Technical Corrections

AGENCY: Bureau of Safety and Environmental Enforcement (BSEE), Interior.

ACTION: Final rule.

SUMMARY: This rule makes minor edits, changes, and updates to BSEE regulations. These changes include, but are not limited to: correcting all current Office of Management and Budget (OMB) control numbers from “1010” to “1014”; adding two new control numbers to regulations as required by the Paperwork Reduction Act (PRA); changing the BSEE address from “Herndon, VA” to “Sterling, VA”; changing “shall” to “will” or “must” and changing “which” to “that”; and revising other language where necessary for improved clarity.

DATES: This rule becomes effective on July 28, 2016.

FOR FURTHER INFORMATION CONTACT: Amy White, Regulations and Standards Branch at (703) 787–1665 or email at regs@bsee.gov.

SUPPLEMENTARY INFORMATION:

Background

The technical corrections in this rulemaking affect offshore operators, lessees, pipeline right-of-way holders, and permittees. The corrections are necessary to reflect accurate regulatory citations, add or change a few words for clarification, and revise section numbering. Also, regulatory text that was inadvertently removed in a 2013 regulatory update is being re-inserted where it belongs. These corrections will make the regulations easier to read, understand, and comprehend, but will not change the purpose, scope or effect of the regulations.

Because this rule makes no substantive change in any rule or requirement, BSEE for good cause finds that notice and public comment are unnecessary pursuant to 5 U.S.C. 553(b)(3)(B).

This rulemaking will correct regulations in 30 CFR parts 203, 250, 251, 252, 254, 256, 280, 282, 290, and 291 to reflect the changes discussed below. The following table shows the current regulatory citation and what changes were made.

Section-by-Section Discussion

<table>
<thead>
<tr>
<th>Current citation</th>
<th>Description of revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 CFR part 203</td>
<td>Revises the authority citation for Part 203 from “43 U.S.C. 1331 et seq.” to “43 U.S.C. 1334”. Revises the “Herndon, VA” address to reflect the new address in “Sterling, VA”. Provides a correct Web site address for the BSEE Fees for Services page (application fees) for electronic payments of royalty relief fees.</td>
</tr>
<tr>
<td>§ 203.3(b)</td>
<td>Corrects the OMB Control Number from “1010–0071” to “1014–0005”.</td>
</tr>
<tr>
<td>§ 203.5(a)</td>
<td>Revises the “Herndon, VA” address to reflect the new address in “Sterling, VA”.</td>
</tr>
<tr>
<td>30 CFR part 250</td>
<td>Adds the word “part” before “250” in paragraphs (b)(1) through (b)(18) in the table of general references for these regulations.</td>
</tr>
<tr>
<td>§ 250.102(b)</td>
<td>Adds new paragraph (b)(19) to the table of general references for these regulations, to include “Safety and Environmental Management Systems (SEMS), 30 CFR part 250, subpart S”.</td>
</tr>
<tr>
<td>§ 250.112(b)</td>
<td>Adds the cross reference “(as incorporated by referenced in § 250.198)” after the phrase “Division 2”.</td>
</tr>
<tr>
<td>§ 250.114(a)</td>
<td>Adds “Gas Storage or Injection” as an undesignated center heading to assist the reader with the regulatory text that follows.</td>
</tr>
<tr>
<td>Undesignated Center Heading before § 250.118.</td>
<td>Provides a correct Web site address for the BSEE Fees for Services page (application fees) for electronic payments, adds the words “or permit,” and makes structural changes so that all text is contained in subsections (a) and (b).</td>
</tr>
<tr>
<td>Current citation</td>
<td>Description of revision</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>§ 250.193(e)(2)(i)(C)</td>
<td>Corrects a previous rulemaking published April 5, 2013 (78 FR 20423), which inadvertently used BSEE's address “Herndon, VA” when it should have read “Washington, DC”.</td>
</tr>
<tr>
<td>§ 250.198(d), (e), (g), (i), (j), (k), (m)</td>
<td>Updates these sections to reflect current phone numbers, URLs, and addresses of where the public can obtain standards and other documents incorporated by reference.</td>
</tr>
<tr>
<td>§ 205.405</td>
<td>In the introductory paragraph, corrects “air take” to read “air intake”.</td>
</tr>
<tr>
<td>§ 205.610</td>
<td>Removes an already-past deadline date for diesel engine air intake shut down equipment and rewrites the section in active voice. Corrects punctuation by adding missing commas.</td>
</tr>
<tr>
<td>§ 250.611</td>
<td>Removes an already-past deadline date for traveling-block safety devices and rewrites the section in active voice.</td>
</tr>
<tr>
<td>§ 250.713(b)</td>
<td>Clarifies that site-specific information in approved plans may be relied upon to support permit issuance only when the approved plan covers “that” particular “well location and conditions” included in the APD.</td>
</tr>
<tr>
<td>§§ 250.803(b) and 250.901(a)(24)</td>
<td>Provides references to § 250.198 in instances where documents are incorporated by reference. The effect of incorporating a document into the regulations is to make the incorporated document a requirement.</td>
</tr>
<tr>
<td>§ 250.806(c)</td>
<td>Revises “MS–4020” to read “VAE–ORP” and revises BSEE’s “Herndon, VA” address to read “Sterling, VA”.</td>
</tr>
<tr>
<td>§ 250.901(a)(24)</td>
<td>Adds the cross reference “(as incorporated by reference in § 250.198)”.</td>
</tr>
<tr>
<td>§ 250.904</td>
<td>Corrects the split rulemaking (76 FR 64462, October 18, 2011), which inadvertently used “s” when it should have used “-”.</td>
</tr>
<tr>
<td>§ 250.908(a)</td>
<td>Corrects the word “maximum” to read “minimum”. Consistent with the title of the section, “What are the minimum structural fatigue design requirements”, and the final rulemaking notice of December 27, 2001 (66 FR 66851), the intent of this paragraph (originally in the 2001 rule as § 250.913) was always “minimum”. Use of “minimum” is also in keeping with the statements in § 250.908(a)(2) and (a)(3). Also amends the word “analysis” to read “fatigue analysis.”</td>
</tr>
<tr>
<td>§ 250.909(b)</td>
<td>Revises “operational loading, or inadequate deck height your platform” to read “operational loading, inadequate deck height, or”.</td>
</tr>
<tr>
<td>§ 250.1000(c)(3), (4), (12), and (13)</td>
<td>Removes obsolete dates from § 250.1000(c)(3)(i) and (iv); provides in § 250.1000(c)(4), (c)(12)(ii), (c)(13)(i), and (c)(13)(ii) a general reference to the “appropriate Department of Transportation (DOT) pipeline official” with responsibility for transfer points instead of referring to a specific DOT office, since that office title has changed several times since the rule was originally published. Rewards for further clarity.</td>
</tr>
<tr>
<td>§§ 250.1015(e) and 250.1018(c)</td>
<td>Removes an already past date. An emergency rulemaking (70 FR 61893, October 27, 2005) was codified as a result of Hurricane Katrina and filing fees were suspended until January 3, 2006.</td>
</tr>
<tr>
<td>§ 250.1165(b)</td>
<td>Clarifies that approval for enhanced recovery operations will be handled by BSEE and the Bureau of Ocean Energy Management (BOEM). BSEE is responsible for approving enhanced recovery, but under the current regulations, the proposed enhanced recovery request must be accompanied by submission of Form BOEM–0127. The amended language clarifies that the applicant would submit the form to BOEM.</td>
</tr>
<tr>
<td>§ 250.1302(a), (c), (d)</td>
<td>To avoid any confusion, revises this section by correcting the agency name to read “BSEE” and by changing the phrase “joint development and production plan” to “Competitive Reservoir Development Program.” Competitive Reservoir Development Programs will continue to be submitted to BSEE (not BOEM), as was the original intent. As a result of the reorganization of BOEM and BSEE (76 FR 64570), BSEE regulations at § 250.1302(a) and (d) were inadvertently changed to refer to ‘BOEM,’ evidently because the phrase ‘joint development and production plan’ was confused with the similarly named development and production plan (DPP) that would be submitted to BOEM. The ‘joint development and production plan’ is not a DPP nor is it related in any way.¹</td>
</tr>
<tr>
<td>§ 250.1401</td>
<td>Removes and reserves this section, since the headings of all the sections are already listed in the Table of Contents.</td>
</tr>
<tr>
<td>§§ 250.1455(b)(2) and 250.1463(b)(2).</td>
<td>Revises §§ 250.1455(b)(2) and 250.1463(b)(2) by changing the cross references from “§§ 250.1490 through 250.1497” to “30 CFR part 550, Subpart N.” These changes are necessary because the 30 CFR part 250 sections currently referenced do not apply and are being removed through this rulemaking.</td>
</tr>
<tr>
<td>§§ 250.1490 through 250.1497</td>
<td>Removes §§ 250.1490 through 250.1497 and the two undesignated center headings, “Bonding Requirements”, and “Financial Solvency Requirements.” These former Minerals Management Service provisions do not apply to BSEE. These sections are instead contained in BOEM’s regulations at §§ 550.1490 through 550.1497.</td>
</tr>
<tr>
<td>§ 250.1609(b)</td>
<td>Corretcs portions of the SEMS final rule published April 5, 2013 (78 FR 20423), which amended the original 2010 SEMS rule (75 FR 63610). Corrects the 2013 amendments to paragraph (b)(5), which inadvertently made that paragraph confusing, to reflect BSEE’s original intent. Also reinserts paragraph (e), which was included in § 250.1920 in the final 2010 SEMS rule but which was inadvertently removed in the 2013 amendments to the 2010 rule (see 78 FR 20423, 20442). This insertion remedies that inadvertent removal.</td>
</tr>
<tr>
<td>§ 251.15</td>
<td>Corrects the OMB Control Number from “1100–0141” to “1014–0025”, and changes the information collection title to the title that is submitted to OMB.</td>
</tr>
<tr>
<td>§ 252.2 (5)</td>
<td>Corrects “oilspill” to read “oil spill”.</td>
</tr>
<tr>
<td>30 CFR part 254</td>
<td>In various places, throughout this Part, replaces the words “Regional Supervisor” with “Chief, OSPD” or “Chief, Oil Spill Preparedness Division”; also changes “plan” or “response plan” to “OSRP”.</td>
</tr>
<tr>
<td>§ 254.6</td>
<td>Adds definitions of “Chief, OSPD” to mean the Chief, BSEE Oil Spill Preparedness Division or designee and of “OSRP” to mean an Oil Spill Response Plan. Also revises the definition of “spill management team” to reflect the revised acronyms.</td>
</tr>
<tr>
<td>§ 254.7</td>
<td>Revises this section to reflect accurate OSPD contacts and addresses.</td>
</tr>
<tr>
<td>§ 254.9</td>
<td>Corrects the OMB Control Number from “1010–0091” to “1014–0007” and revises the “Herndon, VA” address to reflect the new address in “Sterling, VA”.</td>
</tr>
</tbody>
</table>
The Small Business Regulatory Enforcement Fairness Act (SBREFA) is a law that seeks to ensure that small businesses are not disproportionately affected by regulations. The law requires federal agencies to conduct a regulatory impact analysis before finalizing a rule, and to provide a report to Congress describing the potential impact on small businesses. The rulemaking process must also consider ways to minimize the costs of regulation and allow flexibility in implementation. The final rule will not have a significant economic impact on small businesses, as defined by the Small Business Administration. The rule will not cause a major increase in costs for small entities, nor will it have an annual effect on the economy of $100 million or more. The rule will not have a significant effect on competition, productivity, or innovation. The rule will not create a major difference in the performance of small entities compared to larger entities. The rule will not have a significant effect on the ability of small entities to compete with larger entities. The rule will not cause substantial new costs or procedural barriers for small entities. The rule will not have a significant adverse effect on competition or the performance of small entities. The rule will not impose a significant new burden on States, local government agencies, or small businesses. The rule will not cause a significant increase in costs for States, local government agencies, or small businesses.
(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

Consultation and Coordination With Indian Tribal Governments (E.O. 13175)

Under the criteria in E.O. 13175 and DOI’s Policy on Consultation with Indian Tribes (Secretarial Order 3317, Amendment 2, December 31, 2013), we evaluated this final rule and determined that it has no substantial direct effects on federally recognized Indian tribes.

Paperwork Reduction Act (PRA) of 1995

This final rule does not contain new information collection requirements, and a submission under the PRA is not required. Therefore, an information collection request is not being submitted to OMB for review and approval under the PRA (44 U.S.C. 3501 et seq.).

National Environmental Policy Act of 1969

This final rule does not constitute a major Federal action significantly affecting the quality of the human environment. BSEE has evaluated this rule under the criteria of the National Environmental Policy Act (NEPA) and the Department’s regulations implementing NEPA. This rule meets the criteria set forth at 43 CFR 46.210(i) for a Departmental Categorical Exclusion in that this rule is “of an administrative, financial, legal, technical, or procedural nature. . . .” Further, BSEE has analyzed this rule to determine if it meets any of the extraordinary circumstances that would require an environmental assessment or an environmental impact statement as set forth in 43 CFR 46.215 and has concluded that this rule does not meet any of the criteria for extraordinary circumstances.

Data Quality Act

In developing this final rule, we did not conduct or use a study, experiment, or survey requiring peer review under the Data Quality Act (Pub. L. 106–554, app. C § 515, 114 Stat. 2763, 2763A–153–154).

Effects on the Nation’s Energy Supply (E.O. 13211)

This final rule is not a significant energy action under the definition in E.O. 13211. A Statement of Energy Effects is not required.
§ 250.114 [Amended]

■ 8. Amend § 250.114(a) by adding, after the phrase “Division 2”, the parenthetical phrase “(as incorporated by reference in § 250.190)”.

■ 9. Add an undesignated center heading, before § 250.118 to read “GAS STORAGE OR INJECTION”.

■ 10. Revise § 250.126 to read as follows:

§ 250.126 Electronic payment instructions.

(a) You must file all payments electronically through the Fees for Services page on the BSEE Web site at http://www.bsee.gov. This includes, but is not limited to, all OCS applications, permits, or any filing fees. You must include a copy of the Pay.gov confirmation receipt page with your application, permit, or filing fee.

(b) If you submitted an application or permit through eWell, you must use the interactive payment feature in that system, which directs you through Pay.gov to make a payment. It is recommended that you keep a copy of your payment confirmation receipt in the event that any questions arise regarding your transaction.

§ 250.193 [Amended]

■ 11. Amend § 250.193(e)(2)(i)(C) by removing “Herndon, VA” and adding in its place “Washington, DC”.

§ 250.198 [Amended]

■ 12. Amend § 250.198, by revising paragraphs (d), (e) introductory text, (g) introductory text, (i) introductory text, (j) introductory text, (k) introductory text, and (m) introductory text to read as follows:

§ 250.198 Documents incorporated by reference.

| (1) Applications for permit to drill | 30 CFR part 250, subpart D. |
| (2) Development and Production Plans (DPP) | 30 CFR part 550, subpart B. |
| (3) Downhole commingling | 30 CFR part 250, subpart K. |
| (4) Exploration Plans (EP) | 30 CFR part 550, subpart B. |
| (5) Flaring | 30 CFR part 250, subpart K. |
| (6) Gas measurement | 30 CFR part 250, subpart L. |
| (7) Off-lease geological and geophysical permits | 30 CFR part 551. |
| (8) Oil and gas financial responsibility coverage | 30 CFR part 553. |
| (9) Oil and gas production safety systems | 30 CFR part 250, subpart H. |
| (10) Oil spill response plans | 30 CFR part 254. |
| (11) Oil and gas well-completion operations | 30 CFR part 250, subpart E. |
| (12) Oil and gas well-workover operations | 30 CFR part 250, subpart F. |
| (13) Decommissioning Activities | 30 CFR part 250, subpart Q. |
| (14) Platforms and structures | 30 CFR part 250, subpart I. |
| (16) Sulphur operations | 30 CFR part 250, subpart P. |
| (17) Training | 30 CFR part 250, subpart O. |
| (18) Unitization | 30 CFR part 250, subpart M. |
| (19) Safety and Environmental Management Systems (SEMS) | 30 CFR part 250, subpart S. |

You may inspect these documents at the Bureau of Safety and Environmental Enforcement, 45600 Woodland Rd, Sterling, VA 20166; phone: 1–844–250–4779; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(d) You may inspect these documents at the Bureau of Safety and Environmental Enforcement, 45600 Woodland Rd, Sterling, VA 20166; phone: 1–844–250–4779; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(e) American Concrete Institute (ACI), ACI Standards, 38800 Country Club Drive, Farmington Hills, MI 48331–3439: http://www.concrete.org; phone: 248–848–3700:

(g) American National Standards Institute (ANSI), ANSI/ASME Codes, http://www.webstore.ansi.org; phone: 212–642–4900; and/or American Standards of Mechanical Engineers (ASME), 22 Law Drive, P.O. Box 2900, Fairfield, NJ 07007–2900: http://www.asme.org; phone: 1–800–843–2763:

(i) American Society for Testing and Materials (ASTM), ASTM Standards, 100 Bar Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; http://www.astm.org; phone: 1–877–909–2768:

(j) American Welding Society (AWS), AWS Codes, 8669 NW 36 Street, #130, Miami, FL 33126; http://www.aws.org; phone: 800–443–9353:

(k) National Association of Corrosion Engineers (NACE) International, NACE Standards, Park Ten Place, Houston, TX 77084; http://www.nace.org; phone: 281–228–6200:

(m) International Organization for Standardization (ISO), 1, ch. de la Voie-Creuse, CP 56, CH–1211, Geneva 20, Switzerland; www.iso.org; phone: 41–22–749–01–11:

§ 250.610 [Amended]

■ 13. Amend § 250.610, in the introductory text, by removing the words “air take” and adding in their place “air intake”.

§ 250.611 [Amended]

■ 15. Revise § 250.611 to read as follows:

§ 250.611 Traveling-block safety device.

You must equip each traveling-block with a safety device that is designed to prevent the traveling block from striking the crown block. You must check the device for proper operation weekly and after each drill-line slipping operation. You must enter the results of the operational check in the operations log.
§ 250.713 [Amended]

■ 16. Amend § 250.713(b) by adding after the phrase “or DOCD submitted to BOEM,” the phrase “for that well location and conditions.”

§ 250.803 [Amended]

■ 17. Amend § 250.803(b)(1) introductory text, by adding, after the phrase “(ASME) Boiler and Pressure Vessel Code,” the parenthetical phrase “as incorporated by reference in § 250.198)”.

§ 250.806 [Amended]

■ 18. Amend § 250.806(c) by removing “MS–4020” and adding in its place “VAE–OORP”.

§ 250.901 [Amended]

■ 19. Amend § 250.901(a)(24) by adding, after the phrase “Offshore Structures Associated with Petroleum Production”, the parenthetical phrase “as incorporated by reference in § 250.198”.

§ 250.904 [Amended]

■ 20. Amend § 250.904(b) by removing “≤” and adding in its place “≥”.

§ 250.908 [Amended]

■ 21. Amend § 250.908(a), in the table under “Then . . .”, by removing the word “analysis” and adding in its place “fatigue analysis” in paragraph (a)(1), and by removing the word “maximum” wherever it appears and adding in its place “minimum”.

§ 250.920 [Amended]

■ 22. Amend § 250.920(b) by removing “operational loading, or inadequate deck height your platform” and adding in its place “operational loading, inadequate deck height, or”.

■ 23. Amend § 250.1000, paragraphs (c)(3)(i) and (iv), (c)(4), (c)(12)(ii), and (c)(13)(i) and (ii), to read as follows:

§ 250.1000 General requirements.

* * * * *

(c) * * *

(3) * * *

(i) Each producing operator must, if practical, durably mark all of its above-water transfer points as of the date a pipeline begins service.

* * * * *

(iv) If adjoining producing and transporting operators cannot agree on a transfer point, the BSEE Regional Supervisor and the appropriate Department of Transportation (DOT) pipeline official may jointly determine the transfer point.

§ 250.1015 [Amended]

■ 24. Amend § 250.1015 by removing paragraph (e).

§ 250.1018 [Amended]

■ 25. Amend § 250.1018 by removing paragraph (c).

■ 26. Amend § 250.1165 by removing the last sentence of paragraph (b) and adding two sentences in its place to read as follows:

§ 250.1165 What must I do for enhanced recovery operations?

* * * * *

(b) * * * The proposed plan must include, for each project reservoir, a geologic and engineering overview and any additional information required by the BSEE Regional Supervisor. You must submit Form BOEM–0127 to BOEM along with the supporting data specified in BOEM regulations, 30 CFR part 550, subpart K.

* * * * *

§ 250.1302 What if I have a competitive reservoir on a lease?

(a) The Regional Supervisor may require you to conduct development and production operations in a competitive reservoir under either a joint Competitive Reservoir Development Program submitted to BSEE or a unitization agreement.

* * * * *

(c) If you conduct drilling or production operations in a reservoir determined competitive by the BSEE Regional Supervisor, you and the other affected lessees must submit for approval a joint Competitive Reservoir Development Program. You must submit the joint Competitive Reservoir Development Program within 90 days after the Regional Supervisor makes a final determination that the reservoir is competitive. The joint Competitive Reservoir Development Program must provide for the development and/or production of the reservoir. You may submit supplemental Competitive Reservoir Development Programs for the Regional Supervisor’s approval.

(d) If you and the other affected lessees cannot reach an agreement on a joint Competitive Reservoir Development Program, submitted to BSEE within the approved period of time, each lessee must submit a separate Competitive Reservoir Development Program to the Regional Supervisor. The Regional Supervisor will hold a hearing to resolve differences in the separate Competitive Reservoir Development Programs. If the differences in the separate programs are not resolved at the hearing and the Regional Supervisor determines that unitization is necessary under § 250.1301(b), BSEE will initiate unitization under § 250.1304.

§ 250.1401 [Removed and Reserved]

■ 28. Remove and reserve § 250.1401.

■ 29. Amend § 250.1405 by revising paragraph (b)(2) to read as follows:

§ 250.1455 Does my request for a hearing on the record affect the penalties?

* * * * *

(b) * * *

(2) To stay the accrual of penalties, you must post a bond or other surety instrument, or demonstrate financial solvency, using the standards and requirements as prescribed in BOEM’s regulations, 30 CFR part 550, subpart N. The posted amount must cover the unpaid principal and interest due for the Notice of Noncompliance, plus the amount of any penalties accrued before the date a stay becomes effective.

* * * * *

■ 30. Amend § 250.1463 by revising paragraph (b)(2) to read as follows:

§ 250.1463 Does my request for a hearing on the record affect the penalties?

* * * * *

(b) * * *

(2) To stay the accrual of penalties, you must post a bond or other surety instrument, or demonstrate financial solvency, using the standards and requirements as prescribed in BOEM’s regulations, 30 CFR part 550, subpart N. The posted amount must cover the unpaid principal and interest due for the Notice of Noncompliance, plus the amount of any penalties accrued before the date the stay becomes effective.
The posted amount must cover the unpaid principal and interest due for the Notice of Noncompliance, plus the amount of any penalties accrued before the date a stay becomes effective.

31. Remove the redesignated heading, directly above § 250.1490, “BONDING REQUIREMENTS”.

§§ 250.1490 and 250.1491 [Removed]

32. Remove §§ 250.1490 and 250.1491.

33. Remove the redesignated heading, directly above § 250.1495, “FINANCIAL SOLVENCY REQUIREMENTS”.

§§ 250.1495, 250.1496, and 250.1497 [Removed]

34. Remove §§ 250.1495, 250.1496, and 250.1497.

§ 250.1609 [Amended]

35. Amend § 250.1609(b) by removing “timelapse” and adding in its place “time lapse”.

36. Amend § 250.1920 by revising paragraph (b)(5) and by adding paragraph (e) to read as follows:

§ 250.1920 What are the auditing requirements for my SEMS program?

* * * * *

(b) * * *

(5) Section 12.5 Audit Frequency. You must have your SEMS program audited by an ASP within 2 years after initial implementation and every 3 years thereafter. The 3-year auditing cycle begins on the start date of each comprehensive audit (including the initial implementation audit) and ends on the start date of your next comprehensive audit.

* * * * *

(e) BSEE may verify that you undertook the corrective actions and that these actions effectively address the audit findings.

PART 251—GEOLOGICAL AND GEOPHYSICAL (G&G) EXPLORATIONS OF THE OUTER CONTINENTAL SHELF

37. The authority citation for part 251 continues to read as follows:


§ 251.15 [Amended]

38. Revise § 251.15 to read as follows:

§ 251.15 Authority for information collection.

* * * * *

The Office of Management and Budget has approved the information collection requirements in this part under 44 U.S.C. 3501 et seq. and assigned OMB control number 1014–0025 as it pertains to Application for Permit to Drill (APD, Form BSEE–0123), and Supplemental APD Information Sheet (Form BSEE–0123S). The title of this information collection is “30 CFR Part 250, Application for Permit to Drill (APD, Revised APD) Supplemental APD Information Sheet, and all supporting documents.”

PART 252—OUTER CONTINENTAL SHELF (OCS) OIL AND GAS INFORMATION PROGRAM

39. The authority citation for part 252 continues to read as follows:


§ 252.2 [Amended]

40. Amend § 252.2, in paragraph (5) of the definition of Affected State, by removing “oilspill” and adding in its place “oil spill”.

PART 254—OIL–SPILL RESPONSE REQUIREMENTS FOR FACILITIES LOCATED SEAWARD OF THE COASTLINE

41. The authority citation for part 254 continues to read as follows:


§ 254.1 [Amended]

42. Amend § 254.1 by revising the section heading and paragraphs (a), (b), (d), and (e) to read as follows:

§ 254.1 Who must submit an oil spill response plan (OSRP)?

(a) If you are the owner or operator of an oil handling, storage, or transportation facility, and it is located seaward of the coast line, you must submit an oil spill response plan (OSRP) to BSEE for approval. Your OSRP must demonstrate that you can respond quickly and effectively whenever oil is discharged from your facility. Refer to § 254.6 for the definitions of oil, facility, and coast line if you have any doubts about whether to submit a plan.

(b) Despite the provisions of paragraph (a) of this section, you may operate your facility after you submit your OSRP while BSEE reviews it for approval. To operate a facility without an approved OSRP, you must certify in writing to the Chief, OSPD, that you have the capability to respond, to the maximum extent practicable, to a worst case discharge or a substantial threat of such a discharge. The certification must show that you have ensured by contract, or other means approved by the Chief, OSPD, the availability of private personnel and equipment necessary to respond to the discharge. Verification from the organization(s) providing the personnel and equipment must accompany the certification. BSEE will not allow you to operate a facility for more than 2 years without an approved OSRP.

43. Revise § 254.2 to read as follows:

§ 254.2 When must I submit an OSRP?

(a) You must submit, and BSEE must approve, an OSRP that covers each facility located seaward of the coast line before you may use that facility. To continue operations, you must operate the facility in compliance with the OSRP.

(b) Despite the provisions of paragraph (a) of this section, you may operate your facility after you submit your OSRP while BSEE reviews it for approval. To operate a facility without an approved OSRP, you must certify in writing to the Chief, OSPD, that you have the capability to respond, to the maximum extent practicable, to a worst case discharge or a substantial threat of such a discharge. The certification must show that you have ensured by contract, or other means approved by the Chief, OSPD, the availability of private personnel and equipment necessary to respond to the discharge. Verification from the organization(s) providing the personnel and equipment must accompany the certification. BSEE will not allow you to operate a facility for more than 2 years without an approved OSRP.

44. Revise § 254.3 to read as follows:

§ 254.3 May I cover more than one facility in my OSRP?

(a) Your OSRP may be for a single lease or facility or a group of leases or facilities. All the leases or facilities in your plan must have the same owner or operator (including affiliates) and must be located in the same BSEE Region (see definition of Regional OSRP in § 254.6).

(b) Regional OSRPs must address all the elements required for an OSRP in subpart B, or subpart D of this part, as appropriate.

(c) When developing a Regional OSRP, you may group leases or facilities subject to the approval of the Chief, OSPD, for the purposes of:

(1) Calculating response times;

(2) Determining quantities of response equipment;

(3) Conducting oil-spill trajectory analyses;

(4) Determining worst case discharge scenarios; and
(5) Identifying areas of special economic and environmental importance that may be impacted and the strategies for their protection.

(d) The Chief, OSPD, may specify how to address the elements of a Regional OSPR. The Chief, OSPD, also may require that Regional OSRPs contain additional information if necessary for compliance with appropriate laws and regulations.

45. Revise §254.4 to read as follows:

§254.4 May I reference other documents in my OSRP?

You may reference information contained in other readily accessible documents in your OSRP. Examples of documents that you may reference are the National Contingency Plan (NCP), Area Contingency Plan (ACP), BSEE or BOEM environmental documents, and Oil Spill Removal Organization (OSRO) documents that are readily accessible to the Chief, OSPD. You must ensure that the Chief, OSPD, possesses or is provided with copies of all OSRO documents you reference. You should contact the Chief, OSPD, if you want to know whether a reference is acceptable.

46. Amend §254.5 by revising paragraphs (a), (b), and (d) to read as follows:

§254.5 General OSRP requirements.

(a) The OSRP must provide for response to an oil spill from the facility. You must immediately carry out the provisions of the OSRP whenever there is a release of oil from the facility. You must also carry out the training, equipment testing, and periodic drills described in the OSRP, and these measures must be sufficient to ensure the safety of the facility and to mitigate or prevent a discharge or a substantial threat of a discharge.

(b) The OSRP must be consistent with the National Contingency Plan and the appropriate Area Contingency Plan(s).

(d) In addition to the requirements listed in this part, you must provide any other information the Chief, OSPD, requires for compliance with appropriate laws and regulations.

47. Amend §254.6 by adding in alphabetical order the definitions for “Chief, OSPD” and “OSRP”, and by revising the definition of “Spill management team”, to read as follows:

§254.6 Definitions.

Chief, OSPD means the Chief, BSEE Oil Spill Preparedness Division or designee.

OSRP means an Oil Spill Response Plan.

Spill management team means the trained persons identified in an OSRP who staff the organizational structure to manage spill response.

§254.7 How do I submit my OSRP to the BSEE?

You must submit the number of copies of your OSRP that the appropriate BSEE regional office requires. If you prefer to use improved information technology such as electronic filing to submit your plan, ask the Chief, OSPD, for further guidance.

(a) Send OSRPs for facilities located seaward of the coast line of Alaska to: Bureau of Safety and Environmental Enforcement, Oil Spill Preparedness Division, Attention: Senior Analyst, 3801 Centerpoint Drive, Suite #500, Anchorage, AK 99503–5823.

(b) Send OSRPs for facilities in the Gulf of Mexico or Atlantic Ocean to: Bureau of Safety and Environmental Enforcement, Oil Spill Preparedness Division, Attention: Senior Analyst, 1201 Elmwood Park Boulevard, New Orleans, LA 70123–2394.

(c) Send OSRPs for facilities in the Pacific Ocean (except seaward of the coast line of Alaska) to: Bureau of Safety and Environmental Enforcement, Oil Spill Preparedness Division, Attention: Senior Analyst, 760 Paseo Camarillo, Suite 201, Camarillo, CA 93010–6002.

§254.9 [Amended]

49. Amend §254.9 in paragraph (a), by removing “1010–0091” and adding in its place “1014–0007” and in paragraph (d), by removing “381 Elen Street, Herndon, VA 20170” and adding in its place “45600 Woodland Road, Sterling, VA 20166”.

§254.20 [Amended]

50. Amend §254.20 by removing “spill-response plans” and adding in its place “OSRPs”.

51. Amend §254.21 by revising the section heading and paragraphs (a), (b) introductory text, and (b)(1) to read as follows:

§254.21 How must I format my OSRP?

(a) You must divide your OSRP for OCS facilities into the sections specified in paragraph (b) of this section and explained in the other sections of this subpart. The OSRP must have an easily found marker identifying each section. You may use an alternate format if you include a cross reference table to identify the location of required sections. You may use alternate contents if you can demonstrate to the Chief, OSPD that they provide for equal or greater levels of preparedness.

(b) Your OSRP must include:

(1) Introduction and OSRP contents.

§254.22 [Amended]

52. Amend §254.22, in the section heading, introductory text, and paragraphs (a), (c), and (d), by removing “plan” and adding in its place “OSRP”.

§254.23 [Amended]

53. Amend §254.23, in the introductory text, by removing “response plan” and adding in its place “OSRP”.

§254.25 [Amended]

54. Amend §254.25, in the first sentence, by removing “plan” and adding in its place “OSRP”.

55. Revise §254.30 to read as follows:

§254.30 When must I revise my OSRP?

(a) You must review your OSRP at least every 2 years and submit all resulting modifications to the Chief, OSPD. If this review does not result in modifications, you must inform the Chief, OSPD, in writing that there are no changes.

(b) You must submit revisions to your OSRP for approval within 15 days whenever:

(1) A change occurs which significantly reduces your response capabilities;

(2) A significant change occurs in the worst case discharge scenario or in the type of oil being handled, stored, or transported at the facility;

(3) There is a change in the name(s) or capabilities of the oil spill removal organizations cited in the OSRP; or

(4) There is a significant change to the Area Contingency Plan(s).

(c) The Chief, OSPD, may require that you resubmit your OSRP if the OSRP has become outdated or if numerous revisions have made its use difficult.

(d) The Chief, OSPD, will periodically review the equipment inventories of OSRO’s to ensure that sufficient spill removal equipment is available to meet the cumulative needs of the owners and operators who cite these organizations in their OSRPs.

(e) The Chief, OSPD, may require you to revise your OSRP if significant inadequacies are indicated by:

(1) Periodic reviews (described in paragraph (d) of this section);

(2) Information obtained during drills or actual spill responses; or
§ 254.47 [Amended]  
62. Amend § 254.47(d) by removing “Regional Supervisor” and adding in its place “Chief, OSPD.”.

§ 254.51 [Amended]  
63. Amend § 254.51, in the section heading by removing “response plan” and adding in its place “OSRP”, and in the text by removing “this plan” and adding in its place “this OSRP”.

§ 254.52 [Amended]  
64. Amend § 254.52, in the section heading by removing “response plan” and adding in its place “OSRP”, and in the text by removing “plan” and adding in its place “OSRP”.

§ 254.53 [Amended]  
65. Amend § 254.53, in the section heading by removing “response plan” and adding in its place “OSRP”, and in paragraph (a) introductory text by removing “plan” and adding in its place “OSRP”.

§ 254.54 [Amended]  
66. Amend § 254.54, by removing “response plan” and adding in its place “OSRP” and by removing “Regional Supervisor” and adding in its place “Chief, OSPD,”.

PART 256—LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF

67. The authority citation for part 256 continues to read as follows:


§ 256.0 and §§ 256.2 through 256.5 [Removed]  
68. Remove reserved § 256.0 and reserved §§ 256.2 through 256.5.

69. Amend § 256.7 by adding paragraph (j) to read as follows:

§ 256.7 Cross references.  
(j) For Bureau of Ocean Energy Management (BOEM) regulations, see 30 CFR chapter V.

§§ 256.8 through 256.12 [Removed]  
70. Remove reserved §§ 256.8 through 256.12.

Subparts B Through I [Removed]  
71. Remove reserved subparts B Through I.

Subparts J Through L [Redesignated as Subparts B through D]  
72. Redesignate subparts J through L as subparts B through D respectively.

§§ 256.62 through 256.68, § 256.76, and § 256.80 [Removed]  
73. Remove reserved §§ 256.62 through 256.68, § 256.76, and § 256.80.

Subparts M and N [Removed]  
74. Remove reserved subparts M and N.

PART 280—PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR ON THE OUTER CONTINENTAL SHELF

75. The authority citation for part 280 continues to read as follows:


§ 280.25 [Amended]  
76. Amend § 280.25, paragraph (a)(2), by removing the word “our” and adding in its place “the”.

§ 280.28 [Amended]  
77. Amend § 280.28, paragraph (a), by adding “Bureau of Ocean Energy Management” before “Regional Director”.

PART 282—OPERATIONS IN THE OUTER CONTINENTAL SHELF FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR

78. The authority citation for part 282 continues to read as follows:


§ 282.0 Authority for information collection.  
(b) Send comments regarding any aspect of the collection of information under this part, including suggestions for reducing the burden, to: Information Collection Clearance Officer, Bureau of Safety and Environmental Enforcement, 45600 Woodland Road, Sterling, VA 20166.

§ 282.3 [Amended]  
80. Amend § 282.3, in the definition of Geological sample, by removing “overlying” and adding in its place “overlying”.

81. Amend § 282.13 by revising paragraphs (d) and (e)(2) to read as follows:

§ 282.13 Suspension of production or other operations.  
* * * * *

(d) The Director may, at any time within the period prescribed for a suspension or temporary prohibition issued pursuant to paragraph (b)(2) of this section, require the lessee to submit a Delineation, Testing, or Mining Plan to the Bureau of Ocean Energy Management for approval in accordance with the requirements for the approval of such plans in part 582 of this title.

(e) * * *

(2) When the Director determines that measures are necessary, on the basis of the results of the studies conducted in accordance with paragraph (e)(1) of this section and other information available to and identified by the Director, the lessee will be required to take appropriate measures to mitigate, avoid, or minimize the damage or potential damage on which the suspension or temporary prohibition is based. In choosing between alternative mitigation measures, the Director will balance the cost of the required measures against the reduction or potential reduction in damage or threat of damage or harm to life (including fish and other aquatic life), to property, to any mineral deposits (in areas leased or not leased), to the National security or defense, or to the marine, coastal, or human environment. When deemed appropriate by the Director, the lessee must submit to the Bureau of Ocean Energy Management a revised Delineation, Testing, or Mining Plan that incorporates the mitigation measures required by the Director.

§ 282.14 [Amended]

§ 282.14 Amend § 282.14 by revising “$10,000” to read “$40,000”.

§ 282.27 [Amended]

§ 282.27 Amend § 282.27(d)(2) to read as follows:

§ 282.27 Conduct of operations.

* * * * *

(d) * * *

(2) A lessee shall, on request by the Director, furnish food, quarters, and transportation for BSEE representatives to inspect its facilities. Upon request, you will be reimbursed by BSEE for the actual costs that you incur as a result of providing transportation to BSEE representatives. In addition, you will be reimbursed for the actual costs that you incur for providing food and quarters for a BSEE representative’s stay of more than 12 hours. You must submit an invoice for reimbursement within 90 days of the inspection.

PART 290—APPEAL PROCEDURES

§ 290.4 Revise § 290.4(b)(1) to read as follows:

§ 290.4 How do I file an appeal?

* * * * *

(b) * * *

(1) You must pay electronically through the Fees for Services page on the BSEE Web site at http://www.bsee.gov, and you must include a copy of the Pay.gov confirmation receipt page with your Notice of Appeal.

* * * * *

PART 291—OPEN AND NONDISCRIMINATORY ACCESS TO OIL AND GAS PIPELINES UNDER THE OUTER CONTINENTAL SHELF LANDS ACT

§ 291.1 Amend § 291.1 by revising “Office of Policy Analysis” to read “Office of Policy and Analysis”.

§ 291.107 Amend § 291.107 by removing “(202)–208–3530);” in paragraph (e), and adding in its place “(202)–208–3530);” to paragraph (e).

§ 291.108 Amend § 291.108 by revising paragraph (a) to read as follows:

§ 291.108 How do I pay the processing fee?

(a) You must pay the processing fee electronically through the Fees for Services page on the BSEE Web site at http://www.bsee.gov, and you must include a copy of the Pay.gov confirmation receipt page with your complaint.

* * * * *

[FR Doc. 2016–12487 Filed 6–3–16; 8:45 am]

BILLING CODE 4310–VH–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 100 and 165

[Docket No. USCG–2015–1052]

RIN 1625–AA08; AA00

Special Local Regulations and Safety Zones: Recurring Marine Events Held in the Coast Guard Sector Northern New England Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is updating the special local regulations and permanent safety zones in the Coast Guard Sector Northern New England Captain of the Port Zone for annual recurring marine events. When enforced, these special local regulations and safety zones will restrict vessels from portions of water areas during certain annually recurring events. The special local regulations and safety zones are intended to expedite public notification and ensure the protection of the maritime public and event participants from the hazards associated with certain maritime events.

DATES: This rule is effective June 6, 2016.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov, type USCG–USCG–2015–1052 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rulemaking, call or email Chief Marine Science Technician Chris Bains, Waterways Management Division at Coast Guard Sector Northern New England, telephone (207) 347–5003, or email Chris.D.Bains@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
SLR Special Local Regulation
COTP Captain of the Port

II. Background Information and Regulatory History

On February 25, 2016, the Coast Guard published an NPRM in the Federal Register titled Special Local