

**PART 62—[AMENDED]****Subpart GG—New Mexico**

1. The authority citation for Part 62 continues to read as follows:

**Authority:** 42 U.S.C. 7401–7642.

2. A new center heading consisting of §§ 62.7855 and 62.7856 is added to read as follows:

\* \* \* \* \*

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**62.7855 Identification of Plan.**

Control of landfill gas emissions from existing municipal solid waste landfills, submitted on January 7, 1997.

**62.7856 Identification of Sources.**

The plan applies to all existing municipal solid waste landfills with design capacities greater than or equal to 2.5 million megagrams and non-methane organic emissions greater than or equal to 50 megagrams per year as described in 40 CFR part 60, subpart Cc.

Subpart T is amended (corrected) to read as follows:

**PART 62—[AMENDED]****Subpart T—Louisiana**

A new center heading, consisting of Sections 62.4631 and 62.4632 is added to read as follows:

LANDFILL GAS EMISSIONS FROM EXISTING MUNICIPAL SOLID WASTE LANDFILLS

**62.4631 Identification of Sources.**

The plan applies to all existing municipal solid waste landfills with design capacities greater than 2.5 million megagrams and non-methane organic emissions greater than 50 megagrams per year as described in 40 CFR part 60, subpart Cc.

**62.4632 Effective Date.**

The effective date of the portion of the plan applicable to existing municipal solid waste landfills is October 28, 1997.

[FR Doc. 97–27849 Filed 10–20–97; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Research and Special Programs Administration****49 CFR Part 195**

[Docket No. PS–121; Amdt. 195–58]

RIN 2137–AD 05

**Pressure Testing Older Hazardous Liquid and Carbon Dioxide Pipelines**

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Direct final rule; extension of time for compliance.

**SUMMARY:** This direct final rule extends the time for compliance with the requirements for pressure testing of older hazardous liquid and carbon dioxide pipelines. Plans for testing, or establish maximum operating pressure, which were to be completed by December 7, 1997, would now be required by December 7, 1998. The dates for actual completion of the testing, previously December 7, 1999, and December 7, 2002, are also extended by one year. RSPA is extending these compliance dates to allow time to complete a rulemaking based on the American Petroleum Institute's (API) petition for a risk-based alternative to the required pressure testing rule. In a separate notice, RSPA intends to issue a proposed rule for a risk-based alternative to the existing pressure testing rule.

**DATES:** *Effective date:* This direct final rule takes effect January 20, 1998. If RSPA does not receive any adverse comment or notice of intent to file an adverse comment by December 22, 1997, the rule will become effective on the date specified. RSPA will issue a subsequent document in the **Federal Register** by January 5, 1998, to confirm that fact and reiterate the effective date. If an adverse comment or notice of intent to file an adverse comment is received, RSPA will issue a timely notice in the **Federal Register** to confirm that fact and RSPA would withdraw the direct final rule in whole or in part. RSPA may then incorporate the adverse comment into a subsequent direct final rule or may publish a notice of proposed rulemaking.

*Compliance dates:* The deadline that establishes regulations for planning and scheduling pressure testing is to be extended to December 7, 1998. All other deadlines are extended by a year.

**ADDRESSES:** Written comments must be submitted in duplicate and mailed to the Docket Facility, U.S. Department of Transportation, Plaza 401, 400 Seventh

Street SW., Washington, DC 20590–0001. Comments should identify the docket number and the RSPA rulemaking number. All comments received before December 22, 1997, will be considered before final action is taken. Late-filed comments will be considered so far as practicable. All comments and other docketed material will be available for inspection and copying in room 401 Plaza between the hours of 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. **FOR FURTHER INFORMATION CONTACT:** Mike Israni, (202) 366–4571, e-mail: mike.israni@rspa.dot.gov, regarding the subject matter of this document, or the Dockets Unit (202) 366–9329, for copies of this document or other information in the docket.

**SUPPLEMENTARY INFORMATION:****API Proposal**

In a petition dated June 23, 1995, API submitted a risk-based alternative to the pressure testing rule and requested that RSPA delay implementation of the rule until the API proposal was given full consideration. A copy of the API proposal is available in the docket. API argued that the rule on pressure testing older hazardous liquid and carbon dioxide pipelines presents an opportunity to apply a risk-based approach to pressure testing, and proposed a risk-based alternative to the final rule issued on June 7, 1994 (59 FR 29379).

RSPA has been working with the pipeline industry to develop a risk management framework for pipeline regulation and decided to carefully evaluate the API proposal. Because substantial planning is required before pressure testing older pipelines, an extension of time for compliance was needed to avoid unnecessary costs in planning.

RSPA decided to initiate rulemaking on the API proposal. A notice of proposed rulemaking on risk-based alternative to pressure testing of older hazardous liquid and carbon dioxide pipelines is being published separately.

RSPA published a Final Rule (Docket PS–121; 61 FR 43026; August 20, 1996) extending the compliance deadline to plan and schedule pressure testing or establish maximum operating pressure to December 7, 1997. The dates for actual completion of testing were extended by one year.

To determine merits of the API proposal, RSPA held a public meeting on March 25, 1996. On May 8 and November 6, 1996, and again on May 7, 1997, RSPA briefed the Technical Hazardous Liquid Pipeline Safety

Committee (THLPSSC) on the API proposal and changes proposed by RSPA. RSPA also discussed those changes at the API conference on March 13, 1997, in Dallas, Texas.

RSPA received several comments from the industry during these meetings that all the compliance deadlines for the current pressure test rule should be extended. Industry argued that they were not sure what changes RSPA might suggest in the risk-based alternative rulemaking, so they could not plan in advance.

RSPA agrees with the comments about the need for extension of the comment period while rulemaking on the risk-based alternative is conducted. These new compliance dates are as follows:

- Before December 7, 1998, plan and schedule testing; or establish the pipeline's maximum operating pressure under § 195.406(a)(5).
- Before December 7, 2000, pressure test each pipeline containing more than 50 percent by mileage of electric resistance welded pipe manufactured before 1970; and at least 50 percent of the mileage of all other pipelines; and
- Before December 7, 2003, pressure test the remainder of the pipeline mileage.

### Regulatory Analyses and Notices

#### *Executive Order 12866 and DOT Policies and Procedures*

The Office of Management and Budget (OMB) does not consider this final rule to be a significant regulatory action under section 3(f) of Executive Order 12866. Therefore, OMB did not review the direct final rule under that order. Also, DOT does not consider the direct final rule to be significant under its regulatory policies and procedures (44 FR 11034, February 26, 1979). This extension of compliance dates does not warrant preparation of a Regulatory Evaluation.

#### *Executive Order 12612*

We analyzed the final rule under the principles and criteria in Executive Order 12612 ("Federalism"). The final rule does not have sufficient federalism impacts to warrant preparation of a federalism assessment.

#### *Regulatory Flexibility Act*

I certify, under section 605 of the Regulatory Flexibility Act, that this final rule will not have a significant economic impact on a substantial number of small entities.

#### *Unfunded Mandates Reform Act of 1995*

This rule does not impose unfunded mandates under the Unfunded

Mandates Reform Act of 1995. It does not result in costs of \$100 million or more to either State, local, or tribal governments, in the aggregate, or to the private sector, and is the least burdensome alternative that achieves the objective of the rule.

### List of Subjects in 49 CFR Part 195

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

In consideration of the foregoing, RSPA amends part 195 of title 49 of the Code of Federal Regulations as follows:

### PART 195—[AMENDED]

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

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

2. Section 195.302, paragraphs (c)(1), introductory text, and (c)(2)(i), introductory text, and (c)(2)(ii) are revised to read as follows:

#### § 195.302 General requirements.

\* \* \* \* \*

(c) \* \* \*  
(1) Before December 7, 1998, for each pipeline each operator shall—

\* \* \* \* \*

(2) \* \* \*  
(i) Before December 7, 2000, pressure test—

\* \* \* \* \*

(ii) Before December 7, 2003, pressure test the remainder of the pipeline mileage.

\* \* \* \* \*

Issued in Washington, DC, on October 15, 1997.

**Kelley S. Coyner,**

*Acting Administrator.*

[FR Doc. 97-27740 Filed 10-20-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 961107312-7021-02; I.D. 101697A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Vessels Catching Pollock for Processing by the Inshore Component in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the inshore component in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the amount of the 1997 pollock total allowable catch (TAC) apportioned to vessels catching pollock for processing by the inshore component in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 16, 1997, until 2400 hrs, A.l.t., December 31, 1997.

**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 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. Fishing by U.S. processors is governed by regulations implementing the FMP at Subpart H of 50 CFR part 600 and 50 CFR part 679.

The amount of the 1997 pollock TAC apportioned to vessels catching pollock for processing by the inshore component in the Bering Sea subarea of the BSAI was established by the Final 1997 Harvest Specifications of Groundfish for the BSAI (62 FR 7168, February 18, 1997) as 365,837 metric tons (mt). See § 679.20(c)(3)(iii).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the amount of the 1997 pollock TAC apportioned to vessels catching pollock for processing by the inshore component in the Bering Sea subarea of the BSAI has been reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 365,587 mt, and is setting aside the remaining 250 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the inshore component in the Bering Sea subarea of the BSAI.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e) and (f).