kilometers) of the seaward boundary of any coastal State, the Regional Director, in accordance with 30 CFR 252.7 (a)(4) and (b) and subsections 8(g) and 26(e) of the Act (43 U.S.C. 1337(g) and 1352(e)), will provide the Governor with:

(i) All information on the geographical, geological, and ecological characteristics of the areas and regions MMS proposes to offer for lease;

(ii) An estimate of the oil and gas reserves in the areas proposed for leasing; and

(iii) An identification of any field, geological structure, or trap on the OCS within 3 geographic miles (5.6 kilometers) of the seaward boundary of the State.

(2) After receiving nominations for leasing an area of the OCS within 3 geographic miles of the seaward boundary of any coastal State, MMS will carry out a tentative area identification according to 30 CFR part 256, subparts D and E. At that time, the Regional Director will consult with the Governor to determine whether any tracts further considered for leasing may contain any oil or gas reservoirs that underlie both the OCS and lands subject to the jurisdiction of the State.

(3) Before a sale, if a Governor requests, the Regional Director, in accordance with 30 CFR 252.7(a)(4) and (b) and sections 8(g) and 26(e) of the Act (43 U.S.C. 1337(g) and 1352(e)), will share with the Governor information that identifies potential and/or proven common hydrocarbon bearing areas within 3 geographic miles of the seaward boundary of that State.

(4) Information received and knowledge gained by a State official under paragraph (d) of this section is subject to applicable confidentiality requirements of:

(i) The Act; and

(ii) The regulations at 30 CFR parts 250, 251, and 252.

**§ 251.15 Authority for information collection.**

(a) 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 1010–0048. The title of this information collection is ''30 CFR Part 251, Geological and Geophysical (G&G) Explorations of the OCS.''

(b) We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

(c) We use the information collected under this part to:

(1) Evaluate permit applications and monitor scientific research activities for environmental and safety reasons.

(2) Determine that explorations do not harm resources, result in pollution, create hazardous or unsafe conditions, or interfere with other users in the area.

(3) Approve reimbursement of certain expenses.

(4) Monitor the progress and activities carried out under an OCS G&G permit.

(5) Inspect and select G&G data and information collected under an OCS G&G permit.

(d) Respondents are Federal OCS permittees and Notice filers. Responses are mandatory or are required to obtain or retain a benefit. We will protect information considered proprietary under applicable law and under regulations at § 251.14 and part 250 of this chapter.

(e) Send comments regarding any aspect of the collection of information under this part, including suggestions for reducing the burden, to the Information Collection Clearance Officer, Minerals Management Service, Mail Stop 4230, 1849 C Street, N.W., Washington, D.C. 20240; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Department of the Interior (1010–0048), 725 17th Street, N.W., Washington, D.C. 20503.

[FR Doc. 97–33530 Filed 12–23–97; 8:45 am]
BILLING CODE 4310–MR–P

## DEPARTMENT OF DEFENSE

### Defense Special Weapons Agency

### 32 CFR Part 318

**[DSWA Instruction 5400.11B]**

### Defense Special Weapons Agency Privacy Program

**AGENCY:** Defense Special Weapons Agency, DOD.

**ACTION:** Final rule.

**SUMMARY:** The Defense Special Weapons Agency (DSWA) is adding two sections to its procedural rule for the DSWA Privacy Program. The two sections are entitled Disclosure of record to persons other than the individual to whom it pertains and Fees. The addition of these two sections helps an individual to better understand the DSWA Privacy Program.

**EFFECTIVE DATE:** December 3, 1997.

**ADDRESSES:** General Counsel, Defense Special Weapons Agency, 6801 Telegraph Road, Alexandria, VA 22310–3398.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Sandy Barker at (703) 325–7681.

**SUPPLEMENTARY INFORMATION:**

**Executive Order 12866.** It has been determined that this Privacy Act rule for the Department of Defense does not constitute 'significant regulatory action'. Analysis of the rule indicates that it does not have an annual effect on the economy of $100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866 (1993).

**Regulatory Flexibility Act.** It has been determined that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

**Paperwork Reduction Act.** It has been determined that the Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

The Defense Special Weapons Agency is adopting the changes previously published as a proposed rule on October 3, 1997, at 62 FR 51821. No comments were received, therefore, the Defense Special Weapons Agency is adopting the rule as previously published.

**List of Subjects in 32 CFR Part 318**

Privacy.

Accordingly, the Defense Special Weapons Agency amends 32 CFR part 318 as follows:

## PART 318–DEFENSE SPECIAL WEAPONS AGENCY PRIVACY PROGRAM-[AMENDED]

1. The authority citation for 32 CFR part 318 continues to read as follows:

**AUTHORITY:** Pub. L. 93–579, 88 Stat. 1896 (5 U.S.C. 552a).

2. Section 318.9 is redesignated as 318.11.

3. Sections 318.9 and 318.10 are added as follows:

**§ 318.9 Disclosure of record to persons other than the individual to whom it pertains.**

(a) *General.* No record contained in a system of records maintained by DSWA shall be disclosed by any means to any person or agency within or outside the Department of Defense without the request or consent of the subject of the record, except as described in 32 CFR part 310.41, Appendix C to part 310, and/or a Defense Special Weapons Agency system of records notice.

(b) *Accounting of disclosures.* Except for disclosures made to members of the DoD in connection with their official duties, and disclosures required by the Freedom of Information Act, an accounting will be kept of all disclosures of records maintained in DSWA system of records.

(1) Accounting entries will normally be kept on a DSWA form, which will be maintained in the record file jacket, or in a document that is part of the record.

(2) Accounting entries will record the date, nature and purpose of each disclosure, and the name and address of the person or agency to whom the disclosure is made.

(3) Accounting records will be maintained for at least 5 years after the last disclosure, of for the life of the record, whichever is longer.

(4) Subjects of DSWA records will be given access to associated accounting records upon request, except for those disclosures made to law enforcement activities when the law enforcement activity has requested that the disclosure not be made, and/or as exempted under section 318.11 of this part.

**§ 318.10 Fees.**

Individuals may request copies for retention of any documents to which they are granted access in DSWA records pertaining to them. Requesters will not be charged for the first copy of any records provided; however, duplicate copies will require a charge to cover costs of reproduction. Such charges will be computed in accordance with DoD 5400.11–R.

Dated: December 18, 1997.

**L. M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 97–33542 Filed 12-23-97; 8:45 am]

BILLING CODE 5000–04–F

## DEPARTMENT OF TRANSPORTATION

## Research and Special Programs Administration

## 49 CFR Part 194

**[Docket No. PS–130; Amdt. 194–1]**

**RIN 2137–AD12**

## Pipeline Safety: Change in Response Plan Review Cycle

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

**ACTION:** Direct final rule.

**SUMMARY:** This direct final rule changes the reporting cycle for facility response plan submissions to 5 years for operators who are required to submit facility response plans to RSPA. Pipeline operators were previously required to submit facility response plans every 3 years.

OPS is undertaking this change to improve safety by ensuring consistency between OPS requirements and those of the other federal agencies under the Oil Pollution Act of 1990, and encouraging the use of integrated plans, while easing the burden on the regulated community. The comments to the docket have fully supported this change.

**EFFECTIVE DATES:** This direct final rule takes effect February 23, 1998. If RSPA does not receive adverse comment or notice of intent to file an adverse comment by January 23, 1998, the rule will become effective on the date specified. RSPA will issue a subsequent notice in the **Federal Register** by February 9, 1998 after the close of the comment period to confirm that fact and reiterate the effective date. If an adverse comment or a 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 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.

**ADDRESSES:** Send comments in duplicate to the Dockets Unit, room 8421, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, S.W., Washington, DC 20590. Identify the docket number stated in the heading of this notice. All comments and docketed material will be available for inspection and copying in room 8419 between 8:30 a.m. and 5:00 p.m. each business day.

**FOR FURTHER INFORMATION CONTACT:** Jim Taylor, (202) 366–8860, or by e-mail (jim.taylor@rspa.dot.gov), regarding the subject matter of this Notice; or the RSPA Dockets Unit, (202) 366–5046, for copies of this final rule or other material in the docket. General information about OPS programs can be obtained by accessing OPS'' Internet home page at ops.dot.gov.

**SUPPLEMENTARY INFORMATION:**

### Background

In recent years, several catastrophic oil spills have damaged the marine environment of the United States. These spills have resulted in extensive environmental impact, including the loss of fish and wildlife. In response to these catastrophic spills, Congress passed the Oil Pollution Act of 1990, 33 U.S.C. 2701–2761 (OPA 90). OPA 90 amended section 1321(j) of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1251–1387), and established a new national planning and response system, including a requirement for the development of facility response plans.

The FWPCA requires the President to issue regulations that require the operator of a tank vessel, an onshore facility, and certain offshore facilities, to prepare and submit to the President, a plan for responding, to the maximum extent practicable, to a worst case oil discharge and to a substantial threat of such a discharge. 33 U.S.C. 1321(j)(5). The FWPCA also requires the President to review and approve facility response plans and periodic reviews of each plan. 33 U.S.C. 1321(j)(5)(D).

To be consistent with OPA 90 and FWPCA plan submission requirements of the Environmental Protection Agency and U.S. Coast Guard, RSPA is revising 49 CFR § 194.121(b) to require a response plan to be resubmitted every 5 years for review and approval. For significant and substantial harm facilities, the plan shall be resubmitted 5 years after the latest approval date by RSPA. For substantial harm facilities, operators must resubmit the plan to RSPA 5 years after the date of initial submission and every 5 years thereafter.

In the event there are no changes in the plan, the operator must submit a written certification to RSPA stating that there are no changes to the plan previously submitted to RSPA. Upon receipt of the certification, RSPA will review the existing plan and, for significant and substantial harm facilities, RSPA will re-approve the plan. Substantial harm facility plans will be reviewed only. Although the current 3-year cycle for all plans is ending, when this rule becomes effective there will be no requirement to