

**ACTION:** Final Rule; correction.

**SUMMARY:** This action corrects an error in the geographic coordinates of a Final Rule that was published in the **Federal Register** on April 20, 1998 (63 FR 19393), Airspace Docket No. 98-AWP-2. The final rule modified the Class E Airspace area at Porterville, CA.

**EFFECTIVE DATE:** 0901 UTC August 13, 1998.

**FOR FURTHER INFORMATION CONTACT:**

Larry Tonish, Airspace Specialist, Airspace Branch, AWP-520, Air Traffic Division, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, telephone (310) 725-6539.

**SUPPLEMENTARY INFORMATION:**

**History**

Federal Register Document 98-10303, Airspace Docket No. 98-AWP-2, published on April 20, 1998 (63 FR 19393), revised the geographic coordinates of the Class E airspace area at Porterville, CA. A typographical error was discovered in the geographic coordinates for the Porterville, CA, Class E airspace area. This action corrects that error.

**Correction to Final Rule**

Accordingly, pursuant to the authority delegated to me, the geographic coordinates for the Class E airspace area at Porterville, CA, as published in the **Federal Register** on April 20, 1998 (63 FR 19393), **Federal Register** Document 98-10303) are corrected as follows:

**§ 7.1. [Corrected]**

**AWP CA E5 Porterville, CA [Corrected]**

On page 19394, in column 2, for Porterville Municipal Airport, CA, beginning in line 7, correct long. 118° 47'20" W" to read long. 118° 57'20" W".

Issued in Los Angeles, California, on June 23, 1998.

**John G. Clancy,**

Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 98-17856 Filed 7-8-98; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF THE INTERIOR**

**Minerals Management Service**

**30 CFR Part 250**

**RIN 1010-AC46**

**Update of Documents Incorporated by Reference**

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Final rule.

**SUMMARY:** MMS is updating two documents incorporated by reference in regulations governing oil, gas, and sulphur operations in the Outer Continental Shelf (OCS). The two new editions will continue to ensure that lessees use the best available and safest technologies while operating in the OCS. This rule is also necessary because the previously referenced documents are no longer available. The updated documents are the sixth edition of the American Petroleum Institute's (API) Recommended Practice for Analysis, Design, Installation and Testing of Basic Surface Safety Systems for Offshore Production Platforms and the second edition of API's Manual of Petroleum Measurement Standards, Chapter 14, Section 8, Liquefied Petroleum Gas Measurement.

**DATES:** This rule is effective August 10, 1998. The incorporation by reference of publications listed in the regulation is approved by the Director of the Federal Register as of August 10, 1998.

**FOR FURTHER INFORMATION CONTACT:** Bill Hauser, Engineering and Research Branch, at (703) 787-1613.

**SUPPLEMENTARY INFORMATION:** MMS uses standards, specifications, and recommended practices developed by standard-setting organizations and the oil and gas industry as a means of establishing requirements for activities in the OCS. This practice, known as incorporation by reference, allows MMS to incorporate the requirements of technical documents into the regulations without increasing the volume of the Code of Federal Regulations (CFR). MMS currently incorporates by reference 83 documents into the offshore operating regulations.

The regulations found at 1 CFR part 51 govern how MMS and other Federal agencies incorporate various documents by reference. Agencies can only incorporate by reference through publication in the **Federal Register**. Agencies must also gain approval from the Director of the Federal Register for each publication incorporated by reference. Incorporation by reference of

a document or publication is limited to the edition of the document or publication cited in the regulations. This means that newer editions, amendments, or revisions to documents already incorporated by reference in regulations are not part of MMS's regulations.

This rule updates the following two documents that are currently incorporated by reference into MMS regulations:

- American Petroleum Institute's (API) Recommended Practice (RP) 14C, Recommended Practice for Analysis, Design, Installation and Testing of Basic Surface Safety Systems for Offshore Production Platforms, Sixth Edition, March 1998 and

- Manual of Petroleum Measurement Standards (MPMS), Chapter 14, Section 8, Liquefied Petroleum Gas Measurement, Second Edition, July 1997.

MMS has reviewed these documents and has determined that the new editions must be incorporated into regulations to ensure the use of the best and safest technologies. Our review shows that the changes between the old and new editions are minor and will not impose undue cost on the offshore oil and gas industry. In addition, the old editions are not readily available to the affected parties because they are out of publication.

MMS is updating these documents via a final rule. The regulations found at 30 CFR 250.101(a)(2) allow updating documents without opportunity to comment when MMS determines that the revisions to a document result in safety improvements or represent new industry standard technology, and do not impose undue costs on the affected parties.

A summary of MMS' review of the new documents is provided below:

*API RP 14C, Recommended Practice for Analysis, Design, Installation and Testing of Basic Surface Safety Systems for Offshore Production Platforms, Sixth Edition, March 1998.*

This edition is an improvement over the fifth edition, which MMS chose not to incorporate into the regulations. MMS believed that the fifth edition contained errors, even after API issued an errata sheet to correct several errors. The sixth edition represents current technology and is a good replacement for the currently incorporated fourth edition, which was issued in September 1986. Furthermore, the fourth edition is no longer available from API.

Technical changes from the fourth edition include: (1) guidelines on procedures and location of detectors for platforms that process toxic

hydrocarbons; (2) update of industry codes, standards, and recommended practices; (3) a discussion of hot surface protection and hot equipment shielding; (4) expansion and clarification of safety analysis tables; and (5) general technical updates to reflect changes in technology and production processes.

*MPMS, Chapter 14, Section 8, Liquefied Petroleum Gas Measurement, Second Edition, July 1997.*

This edition replaces the first edition which was issued in February 1983 and reaffirmed in May 1996. The changes between the two editions are minor.

In addition to updating the two documents, this rule also removes one document from incorporation by reference. It is API Spec 14D, Specification for Wellhead Surface Safety Valves and Underwater Safety Valves for Offshore Service, Ninth Edition, June 1, 1994, with Errata dated August 1, 1994. The specifications contained in API Spec 14D are now covered in API Spec 6A, Specification for Wellhead and Christmas Tree Equipment, and API Spec 6AV1, Specification for Verification Test of Wellhead Surface Safety Valves and Underwater Safety Valves for Offshore Service. These two documents are already incorporated by reference into our regulations.

As part of this rulemaking, MMS considered incorporating by reference the second edition of API RP 500, Recommended Practice for Classification of Locations for Electrical Installations at Petroleum Facilities Classified as Class 1, Division 1 and Division 2 into our regulations. Upon review of this document, we decided that the second edition was significantly different than the currently incorporated first edition of API RP 500. Differences between the two editions center on the use of combustible gas detector systems in classified locations. MMS is in the process of evaluating these differences and will take appropriate steps.

MMS is also investigating the incorporation of the first edition of API RP 505, Recommended Practice for Classification of Locations for Electrical Installations at Petroleum Facilities Classified as Class 1, Zone 0, Zone 1, and Zone 2 into our regulations. API recently released this document and it contains guidance on classifying locations in accordance with international concepts of zones versus API RP 500's use of divisions. MMS will be requesting public comment on the possible incorporation of this document.

#### **Procedural Matters**

This is a very simple rule. The rule's purpose is to update two documents

that are currently incorporated by reference in the regulations. The differences between the newer documents and the older documents are very minor. If the differences were not minor, MMS could not update these documents via a final rule. The minor differences between the newer and older documents will not cause a significant economic effect on any entity (small or large). Therefore, this regulation's impact on the entire industry is minor.

#### **Federalism (Executive Order (E.O.) 12612)**

In accordance with E.O. 12612, the rule does not have significant Federalism implications. A Federalism assessment is not required.

#### **Takings Implications Assessment (E.O. 12630)**

In accordance with E.O. 12630, the rule does not have significant Takings Implications. A Takings Implication Assessment is not required.

#### **Regulatory Planning and Review (E.O. 12866)**

This document is not a significant rule and is not subject to review by the Office of Management and Budget (OMB) under E.O. 12866. This rule will not have an effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. This rule does not alter the budgetary effects or entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients. This rule does not raise novel legal or policy issues.

#### **Clarity of This Regulation**

E.O. 12866 requires each agency to write regulations that are easy to understand. We invite your comments on how to make this proposed rule easier to understand, including answers to questions such as the following: (1) Are the requirements in the rule clearly stated? (2) Does the rule contain technical language or jargon that interferes with its clarity? (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? (4) Would the rule be easier to understand if it were divided into more (but shorter) sections? (5) Is the description of the rule in the "Supplementary Information" section of

this preamble helpful in understanding the rule?

What else could we do to make the rule easier to understand?

Send a copy of any comments that concern how we could make this rule easier to understand to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street, N.W., Washington, D.C. 20240. You may also e-mail the comments to this address: [Exsec@ios.doi.gov](mailto:Exsec@ios.doi.gov).

#### **Civil Justice Reform (E.O. 12988)**

In accordance with E.O. 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

#### **National Environmental Policy Act (NEPA) of 1969**

This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the NEPA of 1969 is not required.

#### **Paperwork Reduction Act (PRA) of 1995**

Department of the Interior (DOI) has determined that this regulation does not contain information collection requirements pursuant to PRA (44 U.S.C. 3501 *et seq.*). We will not be submitting an information collection request to OMB.

#### **Regulatory Flexibility Act**

DOI certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). In general, the entities that engage in offshore activities are not considered small due to the technical and financial resources and experience necessary to safely conduct such activities. DOI also determined that the indirect effects of this rule on small entities that provide support for offshore activities are small (in effect zero).

Your comments are important. The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small business about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MMS, call toll-free (888) 734-3247.

**Small Business Regulatory Enforcement Fairness ACT (SBREFA)**

This rule is not a major rule under 5 U.S.C. 804(2), SBREFA. This rule:

a. Does not have an annual effect on the economy of \$100 million or more.

b. Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

c. Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

**Unfunded Mandates Reform Act of 1995**

DOI has determined and certifies according to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rule will not impose a cost of \$100 million or more in any year on State,

local, and tribal governments, or the private sector.

**List of Subjects in 30 CFR Part 250**

Continental shelf, Environmental impact statements, Environmental protection, Government contracts, Incorporation by reference, Investigations, Mineral royalties, Oil and gas development and production, Oil and gas exploration, Oil and gas reserves, Penalties, Pipelines, Public lands—mineral resources, Public lands—rights-of-way, Reporting and recordkeeping requirements, Sulphur development and production, Sulphur exploration, Surety bonds.

Dated: June 19, 1998.  
**Bob Armstrong,**  
*Assistant Secretary, Land and Minerals Management.*  
  
For the reasons stated in the preamble, Minerals Management

Service (MMS) amends 30 CFR part 250 as follows:

**PART 250—OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF**

1. The authority citation for part 250 continues to read as follows:

**Authority:** 43 U.S.C. 1334.

2. In § 250.101, the following documents incorporated by reference in Table 1 in paragraph (e) are revised to read as follows:

**§ 250.101 Documents incorporated by reference.**

\* \* \* \* \*

(e) \* \* \*

Title of documents	Incorporated by reference at
API RP 14C, Recommended Practice for Analysis, Design, Installation and Testing of Basic Surface Safety Systems for Offshore Production Platforms, Sixth Edition, March 1998, API Stock No. G14C06.	§ 250.802(b), (e)(2); § 250.803(a), (b)(2)(i), (b)(4), (b)(5)(i), (b)(7), (b)(9)(v), (c)(2); § 250.804(a), (a)(5); § 250.1002(d); § 250.1004(b)(9); § 250.1628(c), (d)(2); § 250.1629(b)(2), (b)(4)(v); § 250.1630(a).
MPMS, Chapter 14, Section 8, Liquefied Petroleum Gas Measurement, Second Edition, July 1997, API Stock No. H14082.	§ 250.1203(b)(2).

\* \* \* \* \*

3. In § 250.101, the following document in Table 1 in paragraph (e) is removed.

**§ 250.101 Documents incorporated by reference.**

\* \* \* \* \*

(e) \* \* \*

API Spec 14D, Specification for Wellhead Surface Safety Valves and Underwater Safety Valves for Offshore Service, Ninth Edition, June 1, 1994, with Errata dated August 1, 1994.	§ 250.806(a)(3).
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4. In § 250.806, paragraph (a)(3) is revised to read as follows:

**§ 250.806 Safety and pollution prevention equipment quality assurance requirements.**

(a) \* \* \*

(3) All SSV's and USV's must meet the technical specifications of API Spec 6A and 6AV1. All SSSV's must meet the technical specifications of API Spec 14A.

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[FR Doc. 98-18089 Filed 7-8-98; 8:45 am]  
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**DEPARTMENT OF DEFENSE**

**Department of the Army**

**32 CFR Part 588**

**Equal Employment Opportunity Discrimination Complaints**

**AGENCY:** Assistant Secretary of the Army (Manpower and Reserve Affairs), DoD.  
**ACTION:** Final rule.

**SUMMARY:** This document removes the Department of the Army's Equal Employment Opportunity Discrimination Complaints regulation

codified in 32 CFR Chapter V. The part has served its purpose and no longer supports other related rules currently in existence. The Army is in the process, however, of revising its policies and procedures concerning Equal Employment Opportunity and will announce a future proposed rule for public comment.

**DATES:** This rule is effective July 9, 1998.

**FOR FURTHER INFORMATION CONTACT:** Mr. Stanley L. Kelley, Jr., Office of the Assistant Secretary, 2nd Floor, 1941 Jefferson Davis Highway, Arlington, VA 22202-4508, (703) 607-1448.

**SUPPLEMENTARY INFORMATION:** Removal of Part 588 is based on the issuance of 29 CFR part 1614 which supersedes the EEOC 29 CFR part 1613.

**List of Subjects in 32 CFR Part 588**

Administrative practice and procedure, Equal employment opportunity, Government employees.