

date final regulations are filed with the Office of the Federal Register.

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Margaret Milner Richardson,

Commissioner of Internal Revenue.

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

RIN 1010-AB96

Flaring or Venting Gas and Burning Liquid Hydrocarbons

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule would amend regulations governing the restrictions on flaring or venting gas to include restrictions on burning liquid hydrocarbons. The MMS is proposing to amend these regulations because of the increased interest in burning liquid hydrocarbons and to clarify the restrictions on burning this natural resource. The amendment would conserve liquid hydrocarbons and protect the environment from the possible effects of burning liquid hydrocarbons.

DATES: Comments on this proposed rule must be postmarked or received on or before April 18, 1995 to be considered for this rulemaking.

ADDRESSES: Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Mail Stop 4700; 381 Elden Street; Herndon, Virginia 22070-4817; Attention: Chief, Engineering and Standards Branch.

FOR FURTHER INFORMATION CONTACT: Sharon Buffington, Engineering and Standards Branch, telephone (703) 787-1600.

SUPPLEMENTARY INFORMATION: Requests for burning liquid hydrocarbons (crude oil and condensate) have become more frequent in the Outer Continental Shelf. In the interest of conserving natural resources, and because of the environmental concerns associated with this burning, MMS proposes to amend the regulations at 30 CFR 250.175, which currently include restrictions on flaring and venting of gas, to include restrictions on burning liquid hydrocarbons.

Under proposed new paragraph (c) of 30 CFR 250.175, lessees will not be permitted to burn liquid hydrocarbons

without the prior approval of the Regional Supervisor. To obtain approval, the lessee must demonstrate that the amounts to be burned would be minimal or that the alternatives, such as transporting the liquids or storing and re-injecting the liquids, are infeasible or pose a significant risk to offshore personnel or the environment. The term "lessee" also includes their agents and designees.

Authors

Sharon Buffington and Jo Ann Lauterbach, Engineering and Technology Division, MMS, prepared this document.

Executive Order (E.O.) 12866

The Department of the Interior (DOI) reviewed this proposed rule under E.O. 12866 and determined that it is not a significant rule.

Regulatory Flexibility Act

The DOI determined that this proposed rule will not have a significant effect on a substantial number of small entities. 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.

Paperwork Reduction Act

The proposed information collection requirements contained in § 250.175 were submitted to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

The DOI will not require the collection on this information until OMB has approved its collection.

The MMS estimates the public reporting burden for this information to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing the burden, to the Information Collection Clearance Officer; Minerals Management Service; Mail Stop 2053, 381 Elden Street; Herndon, Virginia 22070-4817, and the Office of Management and Budget, Paperwork Reduction Project (1010-0041), Washington, DC 20503.

Takings Implication Assessment

The DOI determined that this proposed rule does not represent a governmental action capable of

interference with constitutionally protected property rights. Thus, a Takings Implication Assessment does not need to be prepared pursuant to E.O. 12630, Government Action and Interference with Constitutionally Protected Property Rights.

E.O. 12778

The DOI certified to OMB that this proposed rule meets the applicable civil justice reform standards provided in Sections 2(a) and 2(b)(2) of E.O. 12778.

National Environmental Policy Act

The DOI determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment; therefore, an Environmental Impact Statement is not required.

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: December 23, 1994.

Bob Armstrong,

Assistant Secretary, Land and Minerals Management.

For the reasons set forth above, MMS proposes to amend 30 CFR part 250 to read 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. Section 250.175 is revised to read as follows:

§ 250.175 Flaring or venting gas and burning liquid hydrocarbons.

(a) Lessees must not flare or vent oil-well gas or gas-well gas without the prior approval of the Regional Supervisor except in the following situations:

(1) When gas vapors are flared or vented in small volumes from storage vessels or other low-pressure production vessels and cannot be economically recovered.

(2) During temporary situations such as a compressor or other equipment