

local, or tribal governments, in the aggregate, or to the private sector, and would be the least burdensome alternative that achieves the objective of the rule.

#### *National Environmental Policy Act*

We have analyzed the proposed rules for purposes of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*). Because the proposed rules parallel present requirements or practices, we have preliminarily determined that the proposed rules would not significantly affect the quality of the human environment. An environmental assessment document is available for review in the docket. A final determination on environmental impact will be made after the end of the comment period. If you disagree with our preliminary conclusion, please submit your comments to the docket as described above.

#### *Executive Order 13132*

The proposed rules have been analyzed in accordance with the principles and criteria contained in Executive Order 13132 ("Federalism"). The proposed rules do not propose any regulation that (1) has substantial direct effects on the States, the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government; (2) imposes substantial direct compliance costs on State and local governments; or (3) preempts State law. Therefore, the consultation and funding requirements of Executive Order 13132 do not apply.

#### **List of Subjects in 49 CFR Part 193**

Pipeline safety, Fire prevention, Security measures, Reporting and recordkeeping requirements.

Accordingly, we are proposing the following amendments to 49 CFR part 193:

1. The authority citation for part 193 continues to read as follows:

**Authority:** 49 U.S.C. 5103, 60102, 60103, 60111, 60118 and 49 CFR 1.53.

2. Revise § 193.2005(a) to read as follows:

#### **§ 193.2005 Applicability.**

(a) Standards in this part governing siting, design, installation, or construction of LNG facilities do not apply to LNG facilities existing or under construction before the date such standards take effect under this part.

\* \* \* \* \*

3. Add § 193.2017(c) to read as follows:

#### **§ 193.2017 Plans and procedures.**

\* \* \* \* \*

(c) Each operator must review and update the plans and procedures required by this part at intervals not exceeding 15 months, but at least once each calendar year.

4. Remove the parenthetical expression "(1996 edition)" from § 193.2019(a).

5. Amend § 193.2503 as follows:

a. In paragraph (e), remove the semicolon and add a period in its place;

b. In paragraph (g), remove the semicolon and the word "and" and add a period in the place of the removed semicolon; and

c. Remove paragraph (h).

6. Revise the first sentence of § 193.2507 to read as follow:

#### **§ 193.2507 Monitoring operations.**

Each component in operation or building in which a hazard to persons or property could exist must be monitored to detect fire or any malfunction or flammable fluid that could cause a hazardous condition.

\* \* \*

7. Revise the first sentence of § 193.2509(b) introductory text to read as follows:

#### **§ 193.2509 Emergency procedures.**

\* \* \* \* \*

(b) To adequately handle each type of emergency identified under paragraph (a) of this section and each fire emergency, each operator shall follow one or more manuals of written procedures. \* \* \*

\* \* \* \* \*

8. Revise § 193.2605(b)(2) to read as follows:

#### **§ 193.2605 Maintenance procedures.**

\* \* \* \* \*

(b) \* \* \*

(2) A description of other actions necessary to maintain the LNG plant in accordance with the requirements of this subpart.

\* \* \* \* \*

9. Revise § 193.2705(b) to read as follows:

#### **§ 193.2705 Construction, installation, inspection, and testing.**

\* \* \* \* \*

(b) Each operator must periodically determine whether inspectors performing construction, installation, and testing duties required by this part are satisfactorily performing their assigned functions.

10. In § 193.2717, revise paragraph (a) and add paragraph (c) to read as follows:

#### **§ 193.2717 Training: fire protection.**

(a) All personnel involved in maintenance and operations of an LNG plant, including their immediate supervisors, must be trained in accordance with a written plan of initial instruction, including plant fire drills, to:

(1) Know the potential causes and areas of fire;

(2) Know the types, sizes, and predictable consequences of fire; and

(3) Know and be able to perform their assigned fire control duties according to the procedures established under § 193.2509 and by proper use of equipment provided under § 193.2801.

\* \* \* \* \*

(c) Plant fire drills must include—

(1) Evacuation of buildings; and

(2) Personnel performing fire control duties.

11. In section II. E. 1. of Appendix A to Part 193, remove the parenthetical expression "(1996 edition)" and add the parenthetical expression "(2001 edition)" in its place.

Issued in Washington, DC on April 25, 2003.

**Stacey Gerard,**

*Associate Administrator for Pipeline Safety.*

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 648**

[ID 042403A]

RIN 0648-A010

### **Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Skate Fisheries; Northeast Skate Fishery Management Plan**

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

**ACTION:** Notice of availability of a fishery management plan; request for comments.

**SUMMARY:** NMFS announces that the New England Fishery Management Council (Council) has submitted the Northeast Skate Fishery Management Plan (FMP) for Secretarial review and is requesting comments from the public. The FMP would establish a management program and fishing effort controls for