

Zones for Outer Continental Shelf Facilities in the Gulf of Mexico" in the **Federal Register** (66 FR 63642). We received one letter, one fax and one phone call commenting on the proposed rule. No public hearing was requested, and none was held.

Background and Purpose

The Coast Guard is establishing safety zones around the following petroleum producing facilities in the Gulf of Mexico: ExxonMobil Hoover Floating OCS Facility, a moored spar buoy, Alaminos Canyon Block 25A (AC25A), located at position 26°56'33" N, 94°41'19.55" W; Sir Douglas Morpeth Tension Leg Platform (Morpeth TLP), Ewing Bank Block 921A (EW 921A), located at position 28°02'05.28" N, 90°01'22.12" W; Allegheny Tension Leg Platform (Allegheny TLP), Green Canyon Block 254A (GC 254A), located at position 27°41'29.65" N, 90°16'31.93" W; Brutus Tension Leg Platform (Brutus TLP), Green Canyon Block 158 (GC 158), located at position 27°47'42.86" N, 90°38'51.15" W; and Enchilada Platform, Garden Banks Block 128A (GB 128A), located at position 27°52'31.31" N, 91°59'11.09" W.

These five safety zones are in the deepwater area of the Gulf of Mexico. For the purposes of this regulation, the deepwater area is considered to be waters of 304.8 meters (1,000 feet) or greater depth extending to the limits of the Exclusive Economic Zone (EEZ) contiguous to the territorial sea of the United States and extending to a distance up to 200 nautical miles from the baseline from which the breadth of the sea is measured. Navigation in the area of the safety zones consists of large commercial shipping vessels, fishing vessels, cruise ships, tugs with tows and the occasional recreational vessel. The deepwater area also includes an extensive system of shipping safety fairways that crisscross the deepwater area of the Gulf of Mexico. The shipping safety fairways include the Gulf of Mexico East-West Fairway, the entrance/exit route of the Mississippi River, and the Houston-Galveston Safety Fairway as listed in 33 CFR part 166. Significant amounts of vessel traffic occur in or near the various shipping safety fairways in the deepwater area.

ExxonMobil Production Company, AGIP Petroleum Co., Inc. (formerly known as British Borneo USA, Inc), and Shell Exploration and Production requested that the Coast Guard establish safety zones in the Gulf of Mexico around the following: ExxonMobil Production Company moored spar buoy, the ExxonMobil Hoover Floating OCS Facility; AGIP Petroleum Co., Inc.

platforms, the Morpeth TLP and the Allegheny TLP; and Shell platforms, the Brutus TLP and the Enchilada Platform.

The request for the safety zones was made due to the high level of shipping activity around the facilities and the safety concerns for both the personnel on board the facilities and the environment. ExxonMobil Production Company, AGIP Petroleum Co., Inc., and Shell Exploration and Production, indicated that the location, production level, and number of personnel on board the facilities make it highly likely that any allision with the facilities would result in a catastrophic event. The Enchilada Platform is located near the edge of a shipping safety fairway. The ExxonMobil Hoover Floating OCS Facility, Brutus TLP, Morpeth TLP and Allegheny TLP are located in open waters where no fixed structures previously existed. All are high production oil and gas drilling platforms producing from 20,000 to 108,000 barrels of oil per day, and are manned with crews ranging from approximately 18 to 160 people.

The Coast Guard reviewed the concerns raised by ExxonMobil Production Company, AGIP Petroleum Co., Inc., and Shell Exploration and Production and agrees that the risk of allision to the facilities and the potential for loss of life and damage to the environment resulting from such an accident warrant the establishment of these safety zones. This regulation would significantly reduce the threat of allisions, oil and natural gas spills, and increase the safety of life, property, and the environment in the Gulf of Mexico. This regulation is issued pursuant to 14 U.S.C. 85 as set out in the authority citation for all of 33 CFR part 147.

Discussion of Comments and Changes

We received one letter, one fax and one phone call commenting on the proposed rule. One comment received telephonically from AGIP Petroleum Co., Inc., indicated that at the time of their original request they were known as British Borneo USA, Inc., but are now known as AGIP Petroleum Co., Inc. Therefore, the name British Borneo USA, Inc., has been replaced throughout the final rule with AGIP Petroleum Co., Inc.

One comment received via fax supported the proposed rule. The comment received by letter notified the Coast Guard that the safety zones encompassed blocks adjacent to each of the facilities that are leased and if one or more of the impacted blocks became available due to relinquishment of a lease then information regarding the zones would be included in the

"Information to Lessees in the Final Notice of Sale to potential bidders." The proposed rule does not have any impact on lessees' vessels and operations in the impacted blocks.

None of the comments received affected the provisions of the proposed rule.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (44 FR 11040; February 26, 1979).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The impacts on routine navigation are expected to be minimal because the safety zones do not encompass any nearby safety fairways.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. Since the offshore facilities are located far offshore, few privately owned fishing vessels and recreational boats/yachts may be operating in the area and alternate routes are available for these vessels. Deviation of their intended course may cause a minimal loss of time (estimated loss of four to ten minutes) to their destination depending on how fast the vessel is traveling. The Coast Guard expects the impact of this regulation on small entities to be minimal.

If you are a small business entity and are significantly affected by this regulation please contact LT Karrie Trebbe, Project Manager for Eighth Coast Guard District Commander, Hale Boggs Federal Bldg., 501 Magazine