

PART 106—RULEMAKING PROCEDURES

Subpart A—PHMSA Rulemaking Documents

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§ 106.5 Defined terms used in this subpart.

- Sec.
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- 106.10 Process for issuing rules.
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- 106.30 Final rule.
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- 106.40 Direct final rule.
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The following defined terms (see part 105, subpart A, of this subchapter) appear in this subpart: File; Person; State.

§ 106.10 Process for issuing rules.

Subpart B—Participating in the Rulemaking Process

(a) PHMSA (“we”) uses informal rulemaking procedures under the Administrative Procedure Act (5 U.S.C. 553) to add, amend, or delete regulations. To propose or adopt changes to a regulation, PHMSA may issue one or more of the following documents. We publish the following rulemaking documents in the FEDERAL REGISTER unless we name and personally serve a copy of a rule on every person subject to it:

- 106.50 Defined terms used in this subpart.
- 106.55 Public participation in the rulemaking process.

WRITTEN COMMENTS

- (1) An advance notice of proposed rulemaking.
- (2) A notice of proposed rulemaking.
- (3) A final rule.
- (4) An interim final rule.
- (5) A direct final rule.

- 106.60 Filing comments.
- 106.65 Required information for written comments.
- 106.70 Where and when to file comments.
- 106.75 Extension of time to file comments.

(b) Each of the rulemaking documents in paragraph (a) of this section generally contains the following information:

PUBLIC MEETINGS AND OTHER PROCEEDINGS

- (1) The topic involved in the rulemaking document.
- (2) PHMSA’s legal authority for issuing the rulemaking document.
- (3) How interested persons may participate in the rulemaking proceeding (for example, by filing written comments or making oral presentations).
- (4) Whom to call if you have questions about the rulemaking document.
- (5) The date, time, and place of any public meetings being held to discuss the rulemaking document.
- (6) The docket number and regulation identifier number (RIN) for the rulemaking proceeding.

- 106.80 Public meeting procedures.
- 106.85 Requesting a public meeting.
- 106.90 Other rulemaking proceedings.

PETITIONS FOR RULEMAKING

- 106.95 Requesting a change to the regulations.
- 106.100 Required information for a petition for rulemaking.
- 106.105 PHMSA response to a petition for rulemaking.

APPEALS

- 106.110 Appealing a PHMSA action.
- 106.115 Required information for an appeal.
- 106.120 Appeal deadline.
- 106.125 Filing an appeal.
- 106.130 PHMSA response to an appeal.

AUTHORITY: 49 U.S.C. 5101–5127; 49 CFR 1.53.

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EDITORIAL NOTE: Nomenclature changes to part 106 appear at 70 FR 56088, Sept. 23, 2005.

[67 FR 42954, June 25, 2002, as amended at 70 FR 56088, Sept. 23, 2005]

§ 106.15 Advance notice of proposed rulemaking.

An advance notice of proposed rulemaking (ANPRM) tells the public that PHMSA is considering an area for rulemaking and requests written comments on the appropriate scope of the rulemaking or on specific topics. An