

paragraph (o) of this section shall be completed by July 10, 1995.

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Part 254

RIN 1010-AB81

#### Spill-Response Plans for Offshore Facilities Including State Submerged Lands and Pipelines

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

**ACTION:** Interim final rule; delay of expiration.

**SUMMARY:** This document delays the expiration of the interim final rule governing spill-response plans for offshore facilities. The Federal Water Pollution Control Act as amended by the Oil Pollution Act of 1990 (OPA) requires that a spill-response plan be submitted for offshore facilities. The MMS published an interim final rule establishing requirements for spill-response plans for offshore facilities including pipelines on February 8, 1993. The rule was scheduled to expire on February 18, 1995, or when superseded by a final rule. The MMS will not have a final rule in place by February 18, 1995, and therefore will extend the termination date of the interim final rule. This rulemaking is being extended until superseded by a final rule.

**EFFECTIVE DATE:** The interim rule published February 8, 1993 (58 FR 7489) is extended indefinitely; it will not expire until the interim rule is superseded by a final rule.

**FOR FURTHER INFORMATION CONTACT:** Lawrence H. Ake, Engineering and Standards Branch, telephone (703) 787-1600.

**SUPPLEMENTARY INFORMATION:** On February 8, 1993, MMS published an interim final rule titled "Spill-Response Plans for Offshore Facilities Including State Submerged Lands and Pipelines" (58 FR 7489). The interim final rule was given an effective date of February 18, 1993, and was to expire on February 18, 1995, or when superseded by a final rule. At the time of publication of the interim final rule, it was anticipated that a final rule would be in place before February 18, 1995. A final rule on this subject will not be published before the published expiration date, yet there is

still a need for a rule that conveys MMS requirements for spill-response plans for offshore facilities. The interim final rule provides necessary guidance to operators for preparing and submitting spill-response plans that are required by OPA. The MMS has determined that an immediate effective date is necessary to provide continuity in the administration, review, and approval of spill-response plans.

#### Author

This document was prepared by Lawrence H. Ake, Engineering and Technology Division, MMS.

#### Rulemaking Analyses

##### *E.O. 12866*

Non significant.

##### *Regulatory Flexibility Act*

No significant impact.

##### *Paperwork Reduction Act*

OMB clearance number 1010-0057.

##### *Takings Implication Assessment*

No interference with constitutionally protected property rights.

##### *E.O. 12778*

Meets applicable standards.

##### *National Environmental Policy Act*

The Department of the Interior has determined that this action does not constitute a major federal action affecting the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

#### List of Subjects in 30 CFR Part 254

Continental shelf, Environmental protection, Oil and gas development and production, Oil and gas exploration, Pipelines, Public lands—mineral resources, Reporting and recordkeeping requirements.

Dated: February 14, 1995.

**Sylvia V. Baca,**

*Deputy Assistant Secretary, Land and Minerals Management.*

[FR Doc. 95-4110 Filed 2-17-95; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 3

RIN 2900-AH29

#### Reductions and Discontinuances (Federal Employees' Compensation)

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends Department of Veterans Affairs (VA) adjudication regulations concerning reduction or discontinuance of VA benefits when a payee is also entitled to benefits under the Federal Employees' Compensation Act (FECA) for the same injury or death for which VA payment is being made. The intended effect of this amendment is to bring VA regulations into conformance with the statutory prohibition against concurrent receipt of VA benefits and FECA benefits for the same injury or death.

**EFFECTIVE DATE:** This amendment is effective February 21, 1995.

**FOR FURTHER INFORMATION CONTACT:** Lorna Weston, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273-7210.

**SUPPLEMENTARY INFORMATION:** 5 U.S.C. 8116(a) prohibits a federal employee who is receiving benefits for a work-related injury or death under FECA from receiving benefits from VA for the same injury or death.

Currently the adjudication regulations at 38 CFR 3.500(e) specify that the effective date for reduction of VA benefits based on an election of FECA benefits will be the end of the month following the month in which notice is received from the Department of Labor's Office of Workers' Compensation Programs that a VA payee has elected FECA benefits. The regulations do not prohibit concurrent payment of VA and FECA benefits. Thus, in those cases where FECA payment is authorized prior to a proper election and discontinuance of VA benefits, a potential for duplicate payment exists.

VA is amending 38 CFR 3.500(e) to provide that the effective date for reduction or discontinuance of VA benefits in cases where FECA benefits are elected for an injury or death which is the basis of VA payment will be the day preceding the date on which the FECA award became effective.

The final rule is made effective upon publication, since it makes changes merely to reflect statutory requirements.

The Secretary certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This rule will directly affect VA beneficiaries, but will not directly affect small business. Therefore, pursuant to 5 U.S.C. 605(b), this final regulation is exempt from the