

(j) As provided herein, an incumbent LEC may require reasonable security arrangements to protect its equipment and ensure network reliability. An incumbent LEC may only impose security arrangements that are as stringent as the security arrangements that the incumbent LEC maintains at its own premises for its own employees or authorized contractors. An incumbent LEC must allow collocating parties to access their collocated equipment 24 hours a day, seven days a week, without requiring either a security escort of any kind or delaying a competitor's employees' entry into the incumbent LEC's premises. An incumbent LEC may require a collocating carrier to pay only for the least expensive, effective security option that is viable for the physical collocation space assigned. Reasonable security measures that the incumbent LEC may adopt include:

\* \* \* \* \*

(4) Restricting physical collocation to space separated from space housing the incumbent LEC's equipment, provided that each of the following conditions is met:

(i) Either legitimate security concerns, or operational constraints unrelated to the incumbent's or any of its affiliates' or subsidiaries competitive concerns, warrant such separation;

(ii) Any physical collocation space assigned to an affiliate or subsidiary of the incumbent LEC is separated from space housing the incumbent LEC's equipment;

(iii) The separated space will be available in the same time frame as, or a shorter time frame than, non-separated space;

(iv) The cost of the separated space to the requesting carrier will not be materially higher than the cost of non-separated space; and

(v) The separated space is comparable, from a technical and engineering standpoint, to non-separated space.

(5) Requiring the employees and contractors of collocating carriers to use a central or separate entrance to the incumbent's building, provided, however, that where an incumbent LEC requires that the employees or contractors of collocating carriers access collocated equipment only through a separate entrance, employees and contractors of the incumbent LEC's affiliates and subsidiaries must be subject to the same restriction.

(6) Constructing or requiring the construction of a separate entrance to access physical collocation space, provided that each of the following conditions is met:

(i) Construction of a separate entrance is technically feasible;

(ii) Either legitimate security concerns, or operational constraints unrelated to the incumbent's or any of its affiliates' or subsidiaries competitive concerns, warrant such separation;

(iii) Construction of a separate entrance will not artificially delay collocation provisioning; and

(iv) Construction of a separate entrance will not materially increase the requesting carrier's costs.

\* \* \* \* \*

(k) \* \* \*

(2) Cageless collocation. Incumbent LECs must allow competitors to collocate without requiring the construction of a cage or similar structure. Incumbent LECs must permit collocating carriers to have direct access to their equipment. An incumbent LEC may not require competitors to use an intermediate interconnection arrangement in lieu of direct connection to the incumbent's network if technically feasible. An incumbent LEC must make cageless collocation space available in single-bay increments, meaning that a competing carrier can purchase space in increments small enough to collocate a single rack, or bay, of equipment.

\* \* \* \* \*

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Parts 192 and 195

[Docket No. RSPA-98-3783; Amts. 192-90; 195-72]

RIN 2137-AB38

#### Pipeline Safety: Qualification of Pipeline Personnel; Correction

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations on qualification of pipeline personnel, which were published in the **Federal Register** on August 27, 1999 (64 FR 46853). These corrections are minor and do not affect the substance or content of the rule.

**DATES:** Effective on August 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Richard D. Huriaux, (202) 366-366-4565, or by e-mail at

richard.huriaux@rspa.dot.gov, regarding the subject matter of this final rule; or the Dockets Unit, (202) 366-4453, for copies of this final rule or other material in the docket. All materials in this docket may be accessed electronically at <http://dms.dot.gov>. General information about the RSPA Office of Pipeline Safety can be obtained by accessing OPS's Internet home page at <http://ops.dot.gov>.

#### SUPPLEMENTARY INFORMATION

##### Background

The final regulations that are the subject of these corrections established operator personnel qualification requirements for gas and hazardous liquid pipeline operators.

##### Need for correction

As published, the final regulations omitted titles for the new subparts to the pipeline safety regulations. Therefore, this document amends the regulations to add the title, "Qualification of Pipeline Personnel", to subpart N of 49 CFR part 192 and to subpart G of 49 CFR part 195.

In addition, the final regulations contained incorrect numbering for the evaluation methods in § 192.803(b) and § 195.503(b). This document corrects the numbering to clarify that observation of performance on the job, job training, or simulations are all acceptable methods of observation, which is one of the means of individual evaluation allowed by the rule.

##### List of Subjects

49 CFR Part 192

Pipeline safety, Reporting and recordkeeping requirements.

49 CFR Part 195

Petroleum, Pipeline safety, Reporting and recordkeeping requirements.

Accordingly, 49 CFR parts 192 and 195 are corrected by making the following correcting amendments:

#### PART 192—[CORRECTED]

1. The authority citation for Part 192 continues to read as follows:

**Authority:** 49 U.S.C. 5103, 60102, 60104, 60108, 60109, 60110, 60113, and 60118; and 49 CFR 1.53.

2. Add a heading to Subpart N to read as follows:

##### Subpart N—Qualification of Pipeline Personnel

3. Amend § 192.803 by revising the definition of *Evaluation* to read as follows:

§ 192.803 Definitions.

\* \* \* \* \*

Evaluation means a process, established and documented by the operator, to determine an individual's ability to perform a covered task by any of the following:

- (a) Written examination;
(b) Oral examination;
(c) Work performance history review;
(d) Observation during:
(1) Performance on the job,
(2) On the job training, or
(3) Simulations;
(e) Other forms of assessment.

\* \* \* \* \*

4. Revise paragraph (c) of § 192.809 to read as follows:

§ 192.809 General.

\* \* \* \* \*

(c) Work performance history review may be used as a sole evaluation method for individuals who were performing a covered task prior to October 26, 1999.

\* \* \* \* \*

PART 195—[Corrected]

1. The authority citation for Part 195 continues to read as follows:

Authority: 49 U.S.C. 5103, 60102, 60104, 60108, 60109, and 60118; and 49 CFR 1.53.

2. Add a heading to Subpart G to read as follows:

Subpart G—Qualification of Pipeline Personnel

3. Amend § 195.503 by revising the definition of Evaluation to read as follows:

§ 195.503 Definitions.

\* \* \* \* \*

Evaluation means a process, established and documented by the operator, to determine an individual's ability to perform a covered task by any of the following:

- (a) Written examination;
(b) Oral examination;
(c) Work performance history review;
(d) Observation during:
(1) performance on the job,
(2) on the job training, or
(3) simulations;
(e) Other forms of assessment.

\* \* \* \* \*

4. Revise paragraph (c) of § 195.509 to read as follows:

§ 195.509 General.

\* \* \* \* \*

(c) Work performance history review may be used as a sole evaluation method for individuals who were

performing a covered task prior to October 26, 1999.

\* \* \* \* \*

Issued in Washington, DC on August 8, 2001.

Stacey L. Gerard,

Acting Deputy Administrator.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 001114320-1191-02; I.D. 080400B]

RIN 0648-AN01

Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting Requirements; Alaska Commercial Operator's Annual Report

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

ACTION: Final rule.

SUMMARY: NMFS issues a final rule to amend portions of the regulations implementing the recordkeeping and reporting requirements for groundfish fisheries in the Exclusive Economic Zone to require groundfish motherships and catcher/processors to submit annually to the State of Alaska, Department of Fish & Game (ADF&G), a Commercial Operator's Annual Report (COAR). This action is necessary to gather information on exvessel and first wholesale values for state-wide finfish and shellfish products from catcher/processors and motherships at sea. These data together with the information already gathered from shoreside processors and stationary floating processors will provide a means to compare value information (in dollars) of different types of species and products from all processors of fish harvested from Alaska State and Federal waters within a year and comparisons of several years through consistent yearly collection of information. This action is intended to further the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with respect to the collection and analysis of economical data.

DATES: Effective September 19, 2001.

ADDRESSES: Copies of the Regulatory Impact Review (RIR) prepared for this

action may be obtained from the Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel, or by calling the Alaska Region, NMFS, at 907-685-7228.

Comments involving the reporting burden estimates or any other aspects of the collection of information requirements contained in this final rule should be sent to both Lori Gravel, at the preceding address, and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attn: NOAA Desk Officer). Comments sent by e-mail or the Internet will not be accepted.

FOR FURTHER INFORMATION CONTACT:

Patsy A. Bearden, 907-586-7228 or patsy.bearden@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

NMFS manages fishing for groundfish by U.S. vessels in the exclusive economic zone of the Gulf of Alaska and the Bering Sea and Aleutian Islands Management Area under the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMPs). The Council prepared the FMPs under authority of the Magnuson-Stevens Act. Regulations implementing the FMPs at 50 CFR part 679 and subpart H of 50 CFR part 600 govern fishing by U.S. vessels. Recordkeeping and reporting requirements appear at 50 CFR 679.5.

This final rule implements the following changes to the recordkeeping and reporting requirements: (1) In § 679.2, add a definition of COAR; (2) in § 679.5, add a paragraph (p) that establishes requirements on completing and submitting the COAR; (3) revise Table 14—Ports of landing, Table 15—Gear Codes, descriptions, and use; (4) add Table 16—Area Codes and descriptions for use with ADF&G COAR, Table 17—COAR Process Codes, and Table 18—COAR Buying and Production Forms.

This action results in a substantive regulatory revision, namely, the addition of a requirement that catcher/processors and motherships submit an annual COAR detailing exvessel and first wholesale value data for fish and shellfish products. This action is necessary to gather information on exvessel and first wholesale values for state-wide finfish and shellfish products from catcher/processors and motherships at sea. These data together with the information already gathered