

DEPARTMENT OF THE INTERIOR**Bureau of Ocean Energy Management****30 CFR Parts 550, 556, 559, and 560**

[Docket ID: BOEM–2016–0031]

RIN 1010–AD06

Leasing of Sulfur or Oil and Gas in the Outer Continental Shelf MMAA104000**AGENCY:** Bureau of Ocean Energy Management (BOEM), Interior.**ACTION:** Proposed rule; revision to final rulemaking.

SUMMARY: On March 30, 2016, the Bureau of Ocean Energy Management (BOEM) published in the **Federal Register** a final rule that updates and streamlines the Outer Continental Shelf (OCS) oil and gas and sulfur leasing regulations, which will become effective on May 31, 2016. BOEM wishes to clarify the language in one section of that rule. Therefore, BOEM is proposing to revise that section and give the public an opportunity to comment. The final rule was issued under Docket ID: MMS–2007–OMM–0069, which has expired and is no longer accessible. Therefore, BOEM is utilizing a new Docket ID for this proposed rule (BOEM–2016–0031).

DATES: Submit comments by June 23, 2016.

FOR FURTHER INFORMATION CONTACT: Robert Sebastian, Office of Policy, Regulation and Analysis at (504) 736–2761 or email at robert.sebastian@boem.gov.

ADDRESSES: Address all comments regarding this proposed rule to BOEM by any of the following methods:

- *Federal Rulemaking Portal:* <http://www.regulations.gov/>. Follow the instructions for submitting comments;

- *U.S. Postal Service or Other Mail Delivery Service:* Address to Robert Sebastian, Office of Policy, Regulation and Analysis (OPRA), BOEM, Department of the Interior, 1849 C Street NW., Mailstop DM5238, Washington, DC 20240; or

- Hand delivery to Office of Policy, Regulation and Analysis, BOEM, Department of the Interior, at 1849 C Street NW., Room No. 5249, Washington, DC 20240.

Please include your name, return address and phone number and/or email address, so we can contact you if we have questions regarding your submission.

Public Availability of Comments: BOEM does not consider anonymous comments; please include your name and address as part of your submittal.

Before including your name, address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

SUPPLEMENTARY INFORMATION:**I. Background**

On March 30, 2016 BOEM published in the **Federal Register** (81 FR 18111), a final rule that updates and streamlines the Outer Continental Shelf (OCS) oil and gas and sulfur leasing regulations, which will become effective on May 31, 2016. BOEM wishes to clarify the language in one definition in § 556.105 of that rule. Therefore, in this proposed rule, BOEM proposes to make a revision to that section.

II. Analysis*Section 556.105 Definitions*

The term “You” was defined in proposed rule § 256.103 by providing a list of categories of persons to whom the term would apply. This list was retained in the definition of “You” in final rule § 556.105, but an introductory sentence was added to clarify that some persons not yet in a legal relationship with BOEM were affected by portions of part 556. The resulting definition, included in the final rule, read as follows: “You means any party that has, or may have, legal obligations to the Federal government with respect to any operations on the OCS in which it is or may become involved. Depending on the context of the regulation, the term “you” may include a lessee (record title owner), an operating rights owner, a designated operator or agent of the lessee, a predecessor lessee, a holder of a State or Federal RUE, or a pipeline ROW holder.” The first sentence of that definition, by its reference to operations, may cause confusion as to who is considered to be subject to the regulations in part 556. Therefore, BOEM proposes to change the wording of the definition to remove the introductory sentence and add specific references to: A bidder; a prospective bidder; and an applicant seeking to become an assignee of record title or operating rights. These changes will specify the categories of persons who (depending on the context) must comply with certain sections of part 556, without the ambiguity of the definition as it is stated in the final rule. As

amended, the definition would read: “You, depending on the context of the regulations, means a bidder, a prospective bidder, a lessee (record title owner), an operating rights owner, an applicant seeking to become an assignee of record title or operating rights, a designated operator or agent of the lessee, a predecessor lessee, a RUE holder for a State or Federal lease, or a pipeline ROW holder.”

III. Procedural Requirements

Section V, Legal and Regulatory Analyses, of the final rule issued on March 30, 2016 (81 FR 18145), summarizes BOEM’s analyses of the rule pursuant to applicable statutes and executive orders. This proposed amendment to that rule would not change any conclusion described in that section, because the amendment is only intended to clarify the meaning of the regulatory text in the final rule and would not require any additional actions by either BOEM or the regulated community. Therefore, no additional analysis is necessary.

List of Subjects in 30 CFR Part 556

Administrative practice and procedure, Continental shelf, Environmental protection, Federal lands, Government contracts, Intergovernmental relations, Oil and gas exploration, Outer continental shelf, Mineral resources, Reporting and recordkeeping requirements.

Dated: May 16, 2016.

Amanda C. Leiter,*Acting Assistant Secretary—Land and Minerals Management.*

For the reasons stated in the preamble, BOEM proposes to amend 30 CFR part 556 (as amended by the final rule published on March 30, 2016, at 81 FR 18111) as follows:

PART 556—LEASING OF SULFUR OR OIL AND GAS AND BONDING REQUIREMENTS IN THE OUTER CONTINENTAL SHELF

■ 1. The authority citation for part 556 continues to read as follows:

Authority: 30 U.S.C. 1701 note, 30 U.S.C. 1711, 31 U.S.C. 9701, 42 U.S.C. 6213, 43 U.S.C. 1331 note, 43 U.S.C. 1334, 43 U.S.C. 1801–1802.

■ 2. Amend § 556.105 by revising the definition of “You” to read as follows:

§ 556.105 Acronyms and definitions.

* * * * *

You, depending on the context of the regulations, means a bidder, a prospective bidder, a lessee (record title owner), an operating rights owner, an

applicant seeking to become an assignee of record title or operating rights, a designated operator or agent of the lessee, a predecessor lessee, a RUE holder for a State or Federal lease, or a pipeline ROW holder.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2015-0118]

RIN 1625-AA00

Safety Zones, Recurring Marine Events Held in the Coast Guard Sector Long Island Sound Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to add, delete, and modify safety zones for annual marine events in the Coast Guard Sector Long Island Sound Captain of the Port Zone. When enforced, these proposed safety zones would restrict vessels from portions of water areas during certain annually recurring events. The safety zones are intended to expedite public notification and ensure the protection of the maritime public and event participants from the hazards associated with certain maritime events. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before June 23, 2016.

ADDRESSES: You may submit comments identified by docket number USCG-2015-0118 using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

(2) *Fax:* 202-493-2251.

(3) *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these four methods. See the "Public Participation and Request for Comments" portion of the

below for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Chief Petty Officer Ian M. Fallon, U.S. Coast Guard Waterways Management Division Sector Long Island Sound; telephone (203) 468-4565, or email Ian.M.Fallon@uscg.mil. If you have questions on viewing or submitting material to the docket, call Ms. Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
 DHS Department of Homeland Security
 E.O. Executive order
 FR Federal Register
 NPRM Notice of proposed rulemaking
 Pub. L. Public Law
 § Section
 U.S.C. United States Code
 AOR Area of Responsibility

II. Background, Purpose, and Legal Basis

Previously, the Coast Guard promulgated safety zones for most of the events associated with this rule and received no public comments. The most recently promulgated rulemaking was on May 24, 2013 when the Coast Guard published a Final Rule, entitled, "Safety Zones and Special Local Regulations; Recurring Marine Events in Captain of the Port Sector Long Island Sound Zone" in the **Federal Register** (78 FR 31402).

The purpose of this rulemaking is to carry out three related actions: (1) Establishing new necessary safety zones, (2) removing safety zones that are no longer needed, and (3) updating and reorganizing existing regulations for ease of use and reduction of administrative overhead.

The Coast Guard proposes this rulemaking under authority in 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 0170.1, which collectively authorize the Coast Guard to establish regulatory safety zones.

III. Discussion of Proposed Rule

The Coast Guard proposes to revise section 33 CFR 165.151 "Safety Zones; Fireworks Displays, Air Shows and Swim Events in the Captain of the Port Long Island Sound Zone" by establishing one new permanent safety zone, removing twenty-four existing safety zones, and modifying twenty existing safety zones. By proposing these permanent regulation updates, we

are providing the public with an opportunity to comment on these changes. This rulemaking limits the unnecessary burden of continually establishing temporary rules every year for events that occur on an annual basis.

(1) Establishing New Marine Event Regulated Areas

This rule proposes to establish one new permanent marine event safety zone under 33 CFR 165.151. The events listed in the revised 33 CFR 165.151 table are all fireworks displays throughout the Sector Long Island Sound Captain of the Port Zone. The event created by this rule is 5.1 Bridgeport Bluefish May Fireworks. Event location and details are listed below in the text of the regulation. Due to the pyrotechnics detonation and burning debris, a safety zone is needed to protect both spectators and participants from the safety potential hazards. This rule would permanently establish a safety zone that restricts vessel movement around the location of the marine event to reduce the safety risks associated with it.

During the enforcement period of the safety zone, persons and vessels would be prohibited from entering, transiting through, remaining, anchoring, or mooring within the safety zone unless specifically authorized by the COTP or the designated representative. Persons and vessels would be able to request authorization to enter, transit through, remain, anchor, or moor within the safety zone by contacting the COTP Sector Long Island Sound by telephone at (203) 468-4401, or designated representative via VHF radio on channel 16. If authorization to enter, transit through, remain, anchor, or moor within the regulated area is granted, all persons and vessels receiving authorization would be required to comply with the instructions of the COTP or designated representative.

The Coast Guard COTP Sector Long Island Sound or designated representatives would enforce the safety zone. These designated representatives are comprised of commissioned, warrant, and petty officers of the Coast Guard. The Coast Guard may be assisted by other federal, state and local agencies in the enforcement of these safety zones.

(2) Remove Old Safety Zones That Are No Longer Needed

This rulemaking proposes to remove the following twenty-four safety zones from Table 1 to § 165.151: 5.1 Jones Beach Air Show, as the regulation will be moved to 33 CFR 100.100 at the Table to § 100.100. 5.2 Greenport Spring Fireworks, as the event has been