

**(g) Inspection of the Fuselage Skin, Related Investigative Inspections, and Corrective Actions**

At the applicable compliance times specified in paragraphs (g)(1) through (3) of this AD, do the fluorescent dye penetrant inspection of the fuselage skin for corrosion. Before further flight, do all related investigative and corrective actions. Follow the Accomplishment Instructions of Bombardier Learjet 60 Service Bulletin 60-53-19 Revision 3, dated August 29, 2016, (SB 60-53-19, Revision 3) except as required by paragraph (h) of this AD.

(1) As of May 22, 2017 (the effective date of AD 2017-08-07, Amendment 39-18856 (82 FR 18084, April 17, 2017) ("2017-08-07"), which was superseded by AD 2017-11-09), any airplanes with more than 12 years since the date of issuance of the original airworthiness certificate or the date of issuance of the original export certificate of airworthiness, whichever date is earlier: Inspect within 12 months after May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by 2017-11-09).

(2) As of May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by AD 2017-11-09), any airplanes with more than 6 years but equal to or less than 12 years since the date of issuance of the original airworthiness certificate or the date of issuance of the original export certificate of airworthiness, whichever date is earlier: Inspect within 24 months after May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by AD 2017-11-09).

(3) As of May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by AD 2017-11-09), any airplanes with 6 years or less since the date of issuance of the original airworthiness certificate or the date of issuance of the original export certificate of airworthiness, whichever date is earlier: Inspect within 36 months after May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by AD 2017-11-09).

**(h) Retained Service Information Exception, With No Changes**

This paragraph restates the requirements of paragraph (h) of AD 2017-11-09, with no changes. Where SB 60-53-19, Revision 3, specifies contacting Learjet, Inc., for appropriate action: Before further flight, repair using a method approved in accordance with the procedures specified in paragraph (l) of this AD.

**(i) Retained Reporting, With No Changes**

This paragraph restates the requirements of paragraph (i) of AD 2017-11-09, with no changes. At the applicable time specified in paragraph (i)(1) or (i)(2) of this AD: Submit a report of the findings (both positive and negative) of the inspection required by the introductory text of paragraph (g) of this AD to: *Wichita-COS@faa.gov*; or Ann Johnson, Wichita ACO Branch, 1801 Airport Road, Wichita, KS 67209. The report must include the name of the owner, the address of the owner, the name of the organization incorporating Learjet 60 Service Bulletin 60-53-19, the date that inspection was completed, the name of the person submitting the report, the address, telephone

number, and email of the person submitting the report, the airplane serial number, the total time (flight hours) on the airplane, the total number of landings on the airplane, whether corrosion was detected, whether corrosion was repaired, the structural repair manual (SRM) chapter and revision used (if repaired), and whether corrosion exceeded the minimum thickness specified in Bombardier Learjet 60 SB 60-53-19 (and specify the SRM chapter and revision, if used as an aid to determine minimum thickness).

(1) If the inspection was done on or after May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by AD 2017-11-09): Submit the report within 30 days after the inspection.

(2) If the inspection was done before May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by AD 2017-11-09): Submit the report within 30 days after May 22, 2017 (the effective date of AD 2017-08-07, which was superseded by AD 2017-11-09).

**(j) Credit for Previous Actions**

This AD allows credit for the actions required in the introductory text of paragraph (g) if completed before the effective date of this AD using the Accomplishment Instructions in Learjet 60 SB 60-53-19, dated November 23, 2015; Learjet 60 SB 60-53-19 Revision 1, dated April 4, 2016; or Learjet 60 SB 60-53-19 Revision 2, dated April 18, 2016.

**(k) Paperwork Reduction Act Burden Statement**

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 1 hour per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

**(l) Alternative Methods of Compliance (AMOCs)**

(1) The Manager, Wichita ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO Branch, send it to the attention of the person identified in paragraph (m)(1) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager

of the local flight standards district office/certificate holding district office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by a Learjet, Inc., Designated Engineering Representative (DER), or a Unit Member (UM) of the Learjet Organization Designation Authorization (ODA), that has been authorized by the Manager, Wichita ACO Branch, to make those findings. To be approved, the repair, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved previously for AD 2017-08-07 or AD 2017-11-09 should continue to be considered approved for the corresponding requirements in paragraph (g) of this AD.

**(m) Related Information**

(1) For more information about this AD, contact Tara Shawn, Aerospace Engineer, Wichita ACO Branch, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4141; fax: (316) 946-4107; email: *tara.shawn@faa.gov* or *Wichita-COS@faa.gov*.

(2) For service information identified in this AD, contact Learjet, Inc., One Learjet Way, Wichita, KS 67209-2942; telephone: 316-946-2000; fax: 316-946-2220; email: *ac.ict@aero.bombardier.com*; internet: *http://www.bombardier.com*. You may view this service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued in Kansas City, Missouri, on January 31, 2019.

**Melvin J. Johnson,**

*Aircraft Certification Service, Deputy Director, Policy and Innovation Division, AIR-601.*

[FR Doc. 2019-01500 Filed 2-7-19; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2018-1071; Product Identifier 2018-NM-119-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Fokker Services B.V. Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for all Fokker Services B.V. Model F28 Mark 0070 and 0100 airplanes. This proposed AD was prompted by a determination

that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. We are proposing this AD to address the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by March 25, 2019.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

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

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Fokker Services B.V., Technical Services Dept., P.O. Box 1357, 2130 EL Hoofddorp, the Netherlands; telephone +31 (0)88-6280-350; fax +31 (0)88-6280-111; email [technicalservices@fokker.com](mailto:technicalservices@fokker.com); internet <http://www.myfokkerfleet.com>. You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

### Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-1071; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations (phone: 800-647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3226.

### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to send any written relevant data, views, or arguments about

this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2018-1071; Product Identifier 2018-NM-119-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. We will consider all comments received by the closing date and may amend this NPRM because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this NPRM.

### Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2018-0159, dated July 25, 2018 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Fokker Services B.V. Model F28 Mark 0070 and 0100 airplanes. The MCAI states:

Fokker Services Engineering Report SE-623 contains the Airworthiness Limitation Items (ALIs) and Safe Life Items (SLIs) for Fokker F28 Mark 0070 and Mark 0100 aeroplanes. This report is Part 2 of the Airworthiness Limitations Section of the Instructions for Continued Airworthiness, referred to in Section 06, Appendix 1, of the Fokker 70/100 Maintenance Review Board document.

The complete Airworthiness Limitations Section consists of:

Part 1—Report SE-473, Certification Maintenance Requirements (CMRs)—ref. EASA AD 2015-0027 [corresponds to FAA AD 2016-11-22, Amendment 39-18549 (81 FR 36438, June 7, 2016)],

Part 2—Report SE-623, ALIs and SLIs—ref. EASA AD 2017-0095 [corresponds to FAA AD 2017-06-06, Amendment 39-18830 (83 FR 8328, February 27, 2018), (“AD 2017-06-06”)], and

Part 3—Report SE-672, Fuel ALIs and CDCCLs—ref. EASA AD 2015-0032 [corresponds to FAA AD 2016-11-15, Amendment 39-18542 (81 FR 36447, June 7, 2016)].

The instructions contained in those reports have been identified as mandatory actions for continued airworthiness. Failure to accomplish these actions could result in an unsafe condition.

EASA previously issued [EASA] AD 2017-0095, requiring the actions described in Report SE-623 at issue 17. Since that [EASA] AD was issued, Fokker Services published issue 18 of Report SE-623, containing new and/or more restrictive maintenance tasks.

For the reason described above, this [EASA] AD retains the requirements of

[EASA] AD 2017-0095, which is superseded, and requires implementation of the maintenance actions as specified in the ALS.

You may examine the MCAI in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-1071.

### Relationship Between Proposed AD and Related ADs

This NPRM does not propose to supersede AD 2017-06-06. Rather, we have determined that a stand-alone AD is more appropriate to address the changes in the MCAI. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. Accomplishment of the proposed actions would then terminate all of the requirements of AD 2017-06-06, and, as pursuant to AD 2017-06-06, would continue to provide terminating action for paragraph (g) of AD 2012-12-07, Amendment 39-17087 (77 FR 37788, June 25, 2012).

### Related Service Information Under 1 CFR Part 51

Fokker Services B.V. has issued Fokker Engineering Report SE-623, Fokker 70/100 Airworthiness Limitations Section (ALS), Part 2—(Structure ALI’s and Safe Life Items), Issue 18, dated June 14, 2018. This service information describes airworthiness limitations for safe life limits. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

### FAA’s Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop on other products of the same type design.

### Proposed Requirements of This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (e.g., inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revised maintenance documents. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (j)(1) of this proposed AD.

#### Costs of Compliance

We estimate that this proposed AD affects 4 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

We have determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although we recognize that this number may vary from operator to operator. In the past, we have estimated that this action takes 1 work-hour per airplane. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), we have determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, we estimate the total cost per operator to be \$7,650 (90 work-hours × \$85 per work-hour).

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is

normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes and associated appliances to the Director of the System Oversight Division.

#### Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**Fokker Services B.V.:** Docket No. FAA–2018–1071; Product Identifier 2018–NM–119–AD.

#### (a) Comments Due Date

We must receive comments by March 25, 2019.

#### (b) Affected ADs

(1) This AD affects AD 2017–06–06, Amendment 39–18830 (83 FR 8328, February 27, 2018) ("AD 2017–06–06").

(2) This AD affects AD 2012–12–07, Amendment 39–17087 (77 FR 37788, June 25, 2012) ("AD 2012–12–07").

#### (c) Applicability

This AD applies to all Fokker Services B.V. Model F28 Mark 0070 and 0100 airplanes, certificated in any category.

#### (d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

#### (e) Reason

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. We are issuing this AD to address reduced structural integrity of the airplane.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Maintenance or Inspection Program Revision

Within 90 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in Fokker Engineering Report SE–623, Fokker 70/100 Airworthiness Limitations Section Part 2—(Structure ALI's and Safe Life Items), Issue 18, dated June 14, 2018.

(1) The initial compliance time for doing the tasks is at the time specified in Fokker Engineering Report SE–623, Fokker 70/100 Airworthiness Limitations Section Part 2—(Structure ALI's and Safe Life Items), Issue 18, dated June 14, 2018, or within 90 days after the effective date of this AD, whichever occurs later.

(2) If any discrepancy is found, before further flight, repair using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Fokker B.V. Service's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

#### (h) No Alternative Actions or Intervals

After the maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (e.g., inspections) or intervals may be used unless the actions or intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (j)(1) of this AD.

#### (i) Terminating Action for Affected ADs

(1) Accomplishing the actions required by this AD terminates all requirements of AD 2017–06–06.

(2) Accomplishing the actions required by this AD terminates the requirements of paragraph (g) of AD 2012–12–07.

#### (j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International

Section, Transport Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Section, send it to the attention of the person identified in paragraph (k)(2) of this AD. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto:9-ANM-116-AMOC-REQUESTS@faa.gov). Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the EASA; or Fokker Services B.V.'s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

#### (k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2018-0159, dated July 25, 2018, for related information. This MCAI may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-1071.

(2) For more information about this AD, contact Tom Rodriguez, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3226.

(3) For service information identified in this AD, contact Fokker Services B.V., Technical Services Dept., P.O. Box 1357, 2130 EL Hoofddorp, the Netherlands; telephone +31 (0)88-6280-350; fax +31 (0)88-6280-111; email [technicalservices@fokker.com](mailto:technicalservices@fokker.com); internet <http://www.myfokkerfleet.com>. You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

Issued in Des Moines, Washington, on January 10, 2019.

**Jeffrey E. Duven,**

*Director, System Oversight Division, Aircraft Certification Service.*

[FR Doc. 2019-01527 Filed 2-7-19; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 154

[Docket Number USCG-1999-5705]

RIN 1625-AA-12 and 2115-AE87

#### Marine Transportation-Related Facility Response Plans for Hazardous Substances

**AGENCY:** Coast Guard, DHS.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The Coast Guard is withdrawing its notice of proposed rulemaking entitled "Marine Transportation-Related Facility Response Plans for Hazardous Substances" that we published on March 31, 2000. The Coast Guard is withdrawing this rulemaking based on findings that the proposed rules are no longer appropriate to the current state of spill response in the chemical industry.

**DATES:** The notice of proposed rulemaking published March 31, 2000, at 65 FR 17416, is withdrawn as of February 8, 2019.

**ADDRESSES:** The docket for this withdrawn rulemaking is available by searching docket number USCG-1999-5705 using the Federal portal at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of withdrawal, call or email Mr. Christopher Friese, Commercial Vessel Safety Specialist, Office of Marine Environmental Response Policy (CG-MER-1), Coast Guard; telephone 202-372-1227.

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

FR Federal Register  
NPRM Notice of Proposed Rulemaking  
OPA 90 Oil Pollution Act of 1990  
CTAC Chemical Transportation Advisory Committee

##### II. Background

The Clean Water Act,<sup>1</sup> as amended by section 4202(a)(6) of the Oil Pollution Act of 1990 (OPA 90),<sup>2</sup> requires owners or operators of tank vessels, offshore facilities, and onshore facilities to prepare response plans to mitigate spills of both oils and hazardous substances. These plans must address measures to respond, to the maximum extent practicable, to a worst-case discharge or a substantial threat of such a discharge,

of oil or a hazardous substance into or on navigable waters, adjoining shorelines, or the exclusive economic zone of the United States. The primary purpose of requiring response plans is to minimize the impact of a discharge of oil or hazardous substances into the navigable waters of the United States.

On May 3, 1996, we published an advance notice of proposed rulemaking soliciting public input on regulations concerning response plans for certain tank vessels and marine transportation-related facilities (61 FR 20083), and subsequently held two public meetings on the subject that were announced in the **Federal Register** (61 FR 34775). On March 31, 2000, we published a notice of proposed rulemaking (NPRM) in the **Federal Register** entitled "Marine Transportation-Related Facility Response Plans for Hazardous Substances" (65 FR 17416). In the NPRM, we proposed regulations requiring response plans for certain Marine Transportation-Related facilities. The Coast Guard received feedback from concerned citizens, commercial entities, and trade associations regarding the proposed rulemaking. These comments were made available in the docket. Since then, further analysis by the Coast Guard and the Chemical Transportation Advisory Committee (CTAC) has shown that implementation of the rules as laid out in the 2000 NPRM would not significantly increase response effectiveness at this time.

CTAC also identified many areas in which the NPRM may overlap with existing local and state regulatory schemes as well as current industry practice. Most coastal states already have regulations in place governing spill response at facilities that handle hazardous substances. Area Planning Committees have also been voluntarily incorporating hazardous substances into their contingency plans, as facilities that handle hazardous chemicals are often located near sites that process oil. Furthermore, organizations like the Chemical Transportation Emergency Center and Spill Center have demonstrated that synergies from oil response may also be utilized in hazardous substance response. Marine transportation related facilities handling oil products must also comply with the Coast Guard's Facility Response Plan requirements.<sup>3</sup> Although these requirements address planning for oil spill response, these best practices may also be applied to hazardous substance response to an extent. Due to the services and requirements industry frequently engages in to satisfy

<sup>1</sup> 33 U.S.C. 1321(j)(5).

<sup>2</sup> Public Law 101-380, 104 Stat. 484.

<sup>3</sup> 33 CFR part 154, subpart F.