Title of document	Incorporated by reference at
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API MPMS, Chapter 14, Section 3, Part 3, Natural Gas Applications, Third Edition, August 1992, reaffirmed December 1998, API Stock No. H30353; also available as ANS/API 2530, Part 3.	§ 250.1203(b)(2).
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API RP 2D, Recommended practice for Operation and Maintenance of Offshore Cranes, Fourth Edition, August 1, 1999. API Stock No. G02D04.	§ 250.108(a)(1).
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API Spec Q1, Specification for Quality Programs for the Petroleum and Natural Gas Industry, Sixth Edition, March 1, 1999. API Stock No. GQ1006.	§ 250.806(a)(2)(ii).
* * * * *	* *
ASTM Standard C 33–99a. Standard Specification for Concrete Aggregates	§ 250.908(b)(4)(i).
ASTM Standard C 94/C 94M–99, Standard Specification for Ready-Mixed Concrete	§ 250.908(e)(2)(i).
ASTM Standard C 150–99, Standard Specification for Portland Cement	§ 250.908(b)(2)(i).
ASTM Standard C 330–99, Standard Specification for Lightweight Aggregates for Structural Concrete.	§ 250.908(b)(4)(i).
ASTM Standard C 595–98, Standard Specification for Blended Hydraulic Cements	§ 250.908(b)(2)(i).
* * * * *	* *
NACE Standard MR0175–99, Sulfide Stress Cracking Resistant Metallic Materials for Oilfield Equipment, Revised January 1999, NACE Item No. 21302.	§ 250.417(p)(2).
* * * * *	* *

3. In § 250.417, paragraph (p)(2) is revised to read as follows:

§ 250.417 Hydrogen sulfide.

* * * * *

(p) * * *

(2) Use BOP system components, wellhead, pressure-control equipment, and related equipment exposed to H_2S-bearing fluids that conform to NACE Standard MR0175–99.

* * * * *

4. In § 250.908, paragraphs (b)(2)(i), (b)(4)(i), and (e)(2)(i) are revised to read as follows:

§ 250.908 Concrete-gravity platforms.

* * * * *

(b) * * *

(2) * * *

(i) Cement must be equivalent to Type I, II, or III portland cement as specified by ASTM Standard C 150–99, Standard Specification for Portland Cement, or portland-pozzolan cement as specified by ASTM Standard C 595–98, Standard Specification for Blended Hydraulic Cements. However, the suitability of Type III cement to serve its intended function must be demonstrated.

(4) * * *

(i) Aggregates must conform to the requirements of ASTM Standard C 33–99a, Standard Specification for Concrete Aggregates. Lightweight aggregates conforming to ASTM Standard C 330–99, Standard Specification for Lightweight Aggregates for Structural Concrete, will only be permitted if they do not pose durability problems and where they are used according to the applicable provisions of the ACI publication, ACI Standard 318, Building Code Requirements for Reinforced Concrete, plus Commentary.

* * * * *

(e) * * *

(2) * * *

(i) Mixing of concrete must conform to the requirements of ACI Standard 318 and ASTM Standard C 94/C 94M–99, Standard Specification for Ready-Mixed Concrete;

* * * * *

5. In § 250.1605, paragraph (g) is revised to read as follows:

§ 250.1605 Drilling requirements.

* * * * *

(g) *Crane operations.* You must operate a crane installed on fixed platforms according to § 250.108 of this subpart.

* * * * *

Dated: March 16, 2000.

E. P. Danenberger,

Chief, Engineering and Operations Division.

[FR Doc. 00–7267 Filed 3–23–00; 8:45 am]

BILLING CODE 4310–MR–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 040–0223a FRL–6563–3]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Ventura County Air Pollution Control District, Monterey Bay Unified Air Pollution Control District, and Santa Barbara County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on revisions to the California State Implementation Plan (SIP). The revisions concern rules from the following districts: Ventura County Air Pollution Control District (VCAPCD), Monterey Bay Unified Air Pollution Control District (MBUAPCD), and Santa Barbara County Air Pollution Control District (SBCAPCD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rules control VOC emissions from architectural coatings. Thus, EPA is finalizing the approval of these revisions into the California SIP under provisions of the CAA regarding EPA

action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

DATES: This rule is effective on May 23, 2000 without further notice, unless EPA receives adverse comments by April 24, 2000. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office [AIR–4], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Environmental Protection Agency, Air Docket (6102), 401 ''M'' Street, SW., Washington, DC 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 ''L'' Street, Sacramento, CA 95812.

Ventura County Air Pollution Control District, 669 County Square Drive, 2nd Floor, Ventura, CA 93003.

Monterey Bay Unified Air Pollution Control District, 24580 Silver Cloud Court, Monterey, CA 93940.

Santa Barbara County Air Pollution Control District, 26 Castilian Drive, Suite B–23, Goleta, CA 93117.

FOR FURTHER INFORMATION CONTACT: Yvonne Fong, Rulemaking Office [AIR–4], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901, Telephone: (415) 744–1199.

SUPPLEMENTARY INFORMATION:

I. Applicability

The rules being approved into the California SIP include: VCAPCD Rule 74.2, Architectural Coatings; MBUAPCD Rule 426, Architectural Coatings; and SBCAPCD Rule 323, Architectural Coatings. VCAPCD Rule 74.2 was submitted by the California Air Pollution Control District (CARB) to EPA on November 12, 1992. MBUAPCD Rule 426 and SBCAPCD Rule 323 were both submitted by CARB to EPA on March 3, 1997.

II. Background

On March 3, 1978, EPA promulgated a list of ozone nonattainment areas under the provisions of the Clean Air Act, as amended in 1977 (1977 Act or pre-amended Act), that included the Ventura County, Monterey Bay, and Santa Barbara-Santa Maria-Lompoc Areas. 43 FR 8964, 40 CFR 81.305. On May 26, 1988, EPA notified the Governor of California, pursuant to section 110(a)(2)(H) of the 1977 Act, that the above districts' portions of the California SIP were inadequate to attain and maintain the ozone standard and requested that deficiencies in the existing SIP be corrected (EPA's SIP-Call).

On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted. Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q. Section 110(a)(2)(A) of the Act requires that plans which are submitted to the EPA in order to achieve or maintain the National Ambient Air Quality Standards (NAAQS) contain enforceable emission limitations. The Ventura County Area is classified as severe and the Monterey Bay and Santa Barbara-Santa Maria-Lompoc Areas are classified as serious.[1]

The State of California submitted many rules for incorporation into its SIP on November 12, 1992 and March 3, 1997, including the rules being acted on in this document. This document addresses EPA's direct-final action for VCAPCD Rule 74.2, Architectural Coatings; MBUAPCD Rule 426, Architectural Coatings; and SBCAPCD Rule 323, Architectural Coatings. These rules were adopted by the VCAPCD, MBUAPCD, and SBCAPCD on August 11, 1992, December 18, 1996, and July 18, 1996, respectively. VCAPCD Rule 74.2 was found to be complete on March 26, 1993. MBUAPCD Rule 426 and SBCAPCD Rule 323 were found to be complete on August 12, 1997. Findings of completeness are made pursuant to EPA's completeness criteria that are set forth in 40 CFR part 51 Appendix V.[2] These submitted rules are being finalized for approval into the SIP.

These rules control VOC emissions from architectural coatings. VOCs contribute to the production of ground level ozone and smog. These rules were originally adopted as part of the districts' efforts to achieve the NAAQS for ozone and in response to EPA's SIP-Call and the section 110(a)(2)(A) CAA requirement. The following is EPA's evaluation and final action for these rules.

III. EPA Evaluation and Action

In determining the approvability of VOC rules, EPA must evaluate the rules for consistency with the requirements of the CAA and EPA regulations, as found in section 110 and part D of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans).

In addition, these rules were evaluated against the general requirements of the CAA (section 110 and part D) 40 CFR part 52 and ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations—Clarification to Appendix D of November 24, 1987 **Federal Register**'' (EPA's ''Blue Book''). In general, these guidance documents have been set forth to ensure that VOC rules are fully enforceable and strengthen or maintain the SIP.

On January 24, 1985, EPA approved into the SIP a version of Rule 74.2, Architectural Coatings, that had been adopted by the VCAPCD on November 22, 1983. VCAPCD submitted Rule 74.2, Architectural Coatings includes the following significant changes from the current SIP:

- Deletion of Section A1b in the SIP version to allow the sale of bituminous pavement sealers;
- Addition of 19 VOC limits and deletion of three VOC limits from the Table of Standards;
- A provision that the lowest VOC limit shall apply when a coating may fall under two or more categories;
- A requirement that all VOC-containing materials be stored in closed containers;
- A requirement that the maximum VOC content be displayed on coating containers;
- Deletion of Section B1 in the SIP version to remove the small business exemption;
- Exemptions for aerosol containers and emulsion-type bituminous pavement sealers;
- Removal of exemptions for 11 categories of coatings;
- Addition of test methods for determining the VOC, acid, and metal content of coatings; and
- Addition of 15, deletion of eight, and revision of 12 definitions.

On February 9, 1996, EPA approved into the SIP a version of Rule 426, Architectural Coatings, that had been adopted by the MBUAPCD on August

[1] The Ventura County, Monterey Bay, and Santa Barbara-Santa Maria-Lompoc Areas retained their designation of nonattainment and were classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. See 56 FR 56694 (November 6, 1991). On December 10, 1997, EPA published a final rule reclassifying the Santa Barbara-Santa Maria-Lompoc Area from moderate to serious. See 62 FR 65025. This reclassification became effective on January 9, 1998.

[2] EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

25, 1993. MBUAPCD submitted Rule 426, Architectural Coatings includes the following significant changes from the current SIP:

- Addition of a VOC limit to the Table of Standards;
- References to other MBUAPCD rules;
- Addition of three and revision of five definitions; and
- Addition of a test method for determining the gloss of non-flat coatings.

On July 14, 1995, EPA approved into the SIP a version of Rule 323, Architectural Coatings, that had been adopted by the SBCAPCD on March 16, 1995. SBCAPCD submitted Rule 323, Architectural Coatings includes the following significant change from the current SIP:

- Deletion of the definition of reactive organic compound found in Section C27 of the SIP to maintain consistency with the definition in SBCAPCD Rule 102, Definitions.

EPA has evaluated the submitted rules and has determined that they strengthen the applicable SIP and are consistent with the CAA and EPA policy. Therefore, VCAPCD Rule 74.2, Architectural Coatings; MBUAPCD Rule 426, Architectural Coatings; and SBCAPCD Rule 323, Architectural Coatings are being approved under section 110(k)(3) of the CAA.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve these SIP revisions should adverse comments be filed. This rule will be effective May 23, 2000 without further notice unless the Agency receives adverse comments by April 24, 2000.

If the EPA receives such comments, then EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule is effective on May 23, 2000 and no further action will be taken on the proposed rule.

IV. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866, entitled ''Regulatory Planning and Review.''

B. Executive Order 13132

Federalism (64 FR 43255, August 10, 1999) revokes and replaces Executive Orders 12612, Federalism and 12875, Enhancing the Intergovernmental Partnership. Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects 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.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

This rule will not have substantial direct effects 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

C. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13084

Under Executive Order 13084, Consultation and Coordination with Indian Tribal Governments, EPA may not issue a regulation that is not required by statute, that significantly affects or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide to the OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation.

In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.'' Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses,

small not-for-profit enterprises, and small governmental jurisdictions.

This final rule will not have a significant impact on a substantial number of small entities because SIP approvals under sections 110 and 301, and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA,* 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

F. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to State, local, or tribal governments in the aggregate; or to the private sector, of $100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a ''major'' rule as defined by 5 U.S.C. 804(2).

H. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

I. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 23, 2000. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: March 10, 2000.

Felicia Marcus,

Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52 [AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c)(190)(i)(A)(*2*), (244)(i)(A)(*5*), and (244)(i)(F) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(190) * * *

(i) * * *

(A) * * *

(*2*) Rule 74.2 revised on August 11, 1992.

* * * * *

(244) * * *

(i) * * *

(A) * * *

(*5*) Rule 426 revised December 18, 1996.

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(F) Santa Barbara County Air Pollution Control District.

(*1*) Rule 323 revised July 18, 1996.

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[FR Doc. 00–7227 Filed 3–23–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 55

[FRL–6563–9]

Outer Continental Shelf Air Regulations Consistency Update for California

AGENCY: Environmental Protection Agency (''EPA'')

ACTION: Final rule—consistency update.

SUMMARY: EPA is finalizing the update of the Outer Continental Shelf (''OCS'') Air Regulations proposed in the **Federal Register** on November 19, 1999, August 19, 1999, May 27, 1999, August 6, 1998, January 16, 1998, August 23, 1997, July 16, 1997, December 16, 1996, and July 9, 1996. Requirements applying to OCS sources located within 25 miles of states' seaward boundaries must be updated periodically to remain consistent with the requirements of the corresponding onshore area (''COA''), as mandated by section 328(a)(1) of the Clean Air Act Amendments of 1990 (''the Act''). The portion of the OCS air regulations that is being updated pertains to the requirements for OCS sources for which the Santa Barbara