

Proposed Rules

Federal Register

Vol. 66, No. 218

Friday, November 9, 2001

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Federal Housing Enterprise Oversight

12 CFR Part 1710

RIN 2550-AA20

Corporate Governance

AGENCY: Office of Federal Housing Enterprise Oversight, HUD.

ACTION: Extension of the public comment period.

SUMMARY: On September 12, 2001, the Office of Federal Housing Enterprise Oversight (OFHEO) published a notice of proposed rulemaking entitled "Corporate Governance" in the **Federal Register** (66 FR 47557) to set forth minimum requirements with respect to corporate governance practices and procedures for the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation (the Enterprises).

OFHEO has received requests from the Enterprises for an extension of the current deadline of November 13, 2001, for comments to permit adequate time to enable them to present their respective views in a manner that is as comprehensive and as helpful to OFHEO as possible. In recognition of the importance of obtaining fully developed and constructive comments as to the implication of this proposed rulemaking, OFHEO is extending the comment period for the Corporate Governance proposed regulation from November 13, 2001, to December 13, 2001. This is to ensure that all interested parties have ample opportunity to participate in the rulemaking process by providing meaningful comment in the development of the corporate governance regulation.

DATES: The comment period is extended until December 13, 2001.

ADDRESSES: Send written comments to Alfred M. Pollard, General Counsel,

Office of General Counsel, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW., Fourth Floor, Washington, DC 20552. Written comments may also be sent by electronic mail to RegComments@OFHEO.gov.

FOR FURTHER INFORMATION CONTACT:

David W. Roderer, Deputy General Counsel, telephone (202) 414-3804 (not a toll-free number); or Isabella W. Sammons, Associate General Counsel, telephone (202) 414-3790 (not a toll-free number); Office of Federal Housing Enterprise Oversight, Fourth Floor, 1700 G Street, NW., Washington, DC 20552. The telephone number for the Telecommunications Device for the Deaf is (800) 877-8339.

Dated: November 6, 2001.

Armando Falcon, Jr.,

Director, Office of Federal Housing Enterprise Oversight.

[FR Doc. 01-28214 Filed 11-8-01; 8:45 am]

BILLING CODE 4220-01-P

NATIONAL INDIAN GAMING COMMISSION

25 CFR Part 580

[RIN 3141-AA04]

Environment, Public Health and Safety

AGENCY: National Indian Gaming Commission.

ACTION: Proposed rule: Notice of reopening of comment period.

SUMMARY: On October 2, 2001, the National Indian Gaming Commission (Commission) issued a Proposed Rule (66 FR 50127-50135) proposing regulations to establish the Commission's oversight process to ensure that the environment, public health and safety are adequately protected at Indian Gaming facilities in accordance with IGRA. Upon a written request from members of the general public, the date for filing comments is being extended.

DATES: Comments shall be filed on or before December 29, 2001.

ADDRESSES: Send comments by mail, facsimile, or hand delivery to: Environment, Public Health Safety Comments, National Indian Gaming Commission, Suite 9100, 1441 L Street, N.W., Washington, DC 20005. Fax

number: 202-632-7066 (not a toll-free number). Public comments may be delivered or inspected from 9 a.m. until noon and from 2 p.m. to 5 p.m. Monday through Friday.

FOR FURTHER INFORMATION, CONTACT:

Christine Nagle at 202-632-7003 or, by fax, at 202-632-7066 (these are not toll-free numbers).

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act ("IGRA" or "Act") 25 U.S.C. 2701-2721, enacted on October 17, 1988, established the National Indian Gaming Commission (Commission). Under the Act, the Commission is charged with regulating gaming activities on Indian lands. The Act expressly authorizes the Commission to "promulgate such regulations and guidelines as it deems appropriate to implement provisions of this [Act]." 25 U.S.C. 2706(b)(10).

The regulations proposed on October 2, 2001, would establish a system to implement the Commission's oversight authority in the areas of environment, public health and safety. The statutory basis for this responsibility is set forth in 25 U.S.C. 2710 (b)(2)(E) which provides that tribal ordinances or resolutions submitted for the Chairman's approval ensure that "the construction and maintenance of the gaming facility, and the operation of that gaming is conducted in a manner which adequately protects the environment and the public health and safety." On April 27, 1999, the Commission issued an Advance Notice of Proposed Rulemaking regarding the establishment of environment, public health and safety procedures. After reviewing the information solicited through this notice, the Commission decided to move forward with proposed regulations. In November 1999, a Tribal-Commission Advisory Committee was formed to consult on the project. The Commission attempted to assemble a diverse advisory committee that represented the interests of a broad range of gaming tribal governments. During the period from November 1999 through May 2000, the Commission and the Tribal Advisory Committee met four times to develop a regulatory proposal. The Commission published a Notice of Proposed Rulemaking that appeared in the **Federal Register** at 65 FR 45558, on July 24, 2000. In response to the **Federal Register** notice, the Commission received a number of helpful comments

suggesting changes to the proposed rule. The Tribal-Commission Advisory Committee met after the close of the public comment period to discuss the comments that had been submitted. Upon consideration of the comments submitted, and discussions with the Tribal-Commission Advisory Committee, the Commission decided to revise the proposed rule and republish the revised rule as a proposed rule. The Commission established a thirty-day comment period for public comment on this revised rule. However, the Commission did receive a written request for extension of time from the general public citing the interest in these issues by tribes and indicating that the thirty-day period did not provide enough time for meaningful responses. Based on the request, the Commission has decided to extend the comment period until December 29, 2001.

Dated: November 6, 2001.

Montie R. Deer,

Chairman, National Indian Gaming Commission.

[FR Doc. 01-28154 Filed 11-8-01; 8:45 am]

BILLING CODE 7565-01-P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

RIN 1010-AC83

Oil and Gas and Sulphur Operations in the Outer Continental Shelf— Procedures for Dealing With Sustained Casing Pressure

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rulemaking amends Subpart E (Oil and Gas Well-Completion Operations) of MMS operating regulations. It describes procedures for dealing with sustained casing pressure (SCP) in oil and gas wells on the Outer Continental Shelf (OCS). Currently, lessees must request a departure from MMS regulations to operate a well that has SCP. When granting a departure, MMS requires that lessees perform periodic checks and evaluations to ensure that the pressure is not a danger to personnel, equipment, or the environment. This proposed rule will codify these procedures and ensure uniform regulatory practices among MMS regional offices. The proposed changes will also help ensure that lessees will continue to conduct operations in a safe manner.

DATES: MMS will consider all comments we receive by January 8, 2002. We will begin reviewing comments then and may not fully consider comments we receive after January 8, 2002.

ADDRESSES: Mail or hand-carry comments (three copies) to the Department of the Interior; Minerals Management Service; Mail Stop 4024; 381 Elden Street; Herndon, Virginia 20170-4817; Attention: Rules Processing Team (RPT). If you wish to e-mail comments, the RPT's e-mail address is: rules.comments@mms.gov. Reference 1010-AC83, SCP in your e-mail subject line. Include your name and return address in your e-mail message and mark your message for return receipt.

Mail or hand-carry comments with respect to the information collection burden of the proposed rule to the Office of Information and Regulatory Affairs; Office of Management and Budget; Attention: Desk Officer for the Department of the Interior (OMB control number 1010-New); 725 17th Street, NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT:

Larry Ake, Engineering and Operations Division, at (703) 787-1600.

SUPPLEMENTARY INFORMATION: Sustained casing pressure (SCP) is pressure between the casing and the well's tubing, or between strings of casing, that rebuilds after being bled down. Data gathered by MMS has shown that SCP is most often caused by leaks in the production tubing and tubing connectors. It is also caused by poor casing cement bond, channeling in the cemented annulus, and leaks in seals or other equipment. If left uncontrolled, this SCP represents an ongoing safety hazard and can cause serious or immediate harm or damage to human life, the marine and coastal environment, and property. During the period 1980 to 1990, the oil and gas industry in the Gulf of Mexico (GOM) suffered four serious accidents as a result of high SCP, and the lack of proper control and monitoring of these pressures. In response, MMS developed a policy for the GOM OCS under which lessees could effectively monitor the SCP of wells in an attempt to avoid future accidents.

As far back as 1977, OCS Order No. 6, "Completion of Oil and Gas Wells," required the testing and repair of all wells that exhibit SCP. The current regulation at 30 CFR 250.517 addresses tubing and wellhead equipment. Paragraph (a) of § 250.517 requires that tubing strings must maintain pressure integrity. Paragraph (c) requires that wellheads be equipped to monitor SCP

in all casing annuli, and stipulates that the lessee must notify the District Supervisor if SCP is observed. The primary intent of this regulation with respect to SCP is to achieve and maintain pressure control of wells. Since that regulation was issued in 1988, MMS has interpreted 30 CFR 250.517(c) [previously designated 30 CFR 250.87(c)] to mean that no SCP is to be maintained on any annulus of an OCS well.

With over 8,000 affected wells in the GOM, immediate elimination of all SCP has proved to be impractical. It would also be exceedingly costly. MMS conservatively estimates the cost of workovers to eliminate SCP on these wells at over \$800,000,000 (at \$100,000 per well). The upper limit of potential costs could reach as high as \$4,000,000,000, if a major workover rig would have to be used on each well at an average cost of \$500,000. Through recent policy, however, MMS has sought to identify and eliminate SCP in only those cases that represent a hazard and establish a monitoring system for the rest, all the while working towards elimination of the problem.

In 1988 and 1989, the MMS GOM Region met with the Offshore Operators Committee (OOC) several times to discuss conditions that required a variance from the requirements of 30 CFR 250.517. The OOC recommended that SCP be divided into two broad categories: production casing SCP that can be eliminated relatively easily and SCP on outer casings where no consistently successful solution has been developed. They also recommended criteria for classifying SCP.

On August 5, 1991, MMS (GOM Region) issued a Letter to Lessees (LTL) that identified policy changes concerning SCP based on the OOC advice, thereby initially clarifying the provisions contained in 30 CFR 250.517(c). This LTL streamlined the reporting procedures for wells with SCP conditions. The intent of this initial policy was twofold: to permit continued production from existing completions, subject to specific monitoring requirements, and to allow for the retention of records at the operator's field office. This policy also addressed wells with SCPs that were less than 20 percent of the minimum internal yield pressure of the affected casing and that bled to zero pressure through a 1/2-inch needle valve in 24 hours or less. Wells that met these criteria were put in a "self-approved" category, and MMS approval of a departure from the regulatory requirement was not required.