

3. **REGULATIONS**

A. **Tank Level or Pressure Monitoring Devices (CG)**

The Oil Pollution Act of 1990 (OPA 90) directed the Coast Guard (CG), U.S. Department of Transportation, to promulgate a number of regulations, including a variety of standards for the design and operation of equipment to reduce the number and severity of tank vessel oil spill incidents. Section 4110 of OPA 90 mandates that the Coast Guard: (1) establish standards for devices that measure oil levels in cargo tanks or devices that monitor cargo tank pressure level, and (2) issue regulations establishing requirements concerning the use of these devices on tank vessels carrying oil or oil residue as cargo. Functionally, these tank level or pressure monitoring (TLPM) devices measure changes in cargo volume, thereby detecting possible oil leaks into the marine environment.

On September 17, 2002, (67 FR 58515), the Coast Guard promulgated a final rule (33 CFR parts 155 and 156) for tank vessels to use tank level or pressure monitoring (TLPM) devices. The Coast Guard is implementing regulations to include minimum standards for the performance and use of TLPM devices on single-hull tank ships and single-hull tank barges carrying oil or oil residue as cargo.

For further information, contact Mr. Martin L. Jackson, Standards Evaluation and Analysis Division, Office of Standards Evaluation and Development (G-MSR), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, (telephone: (202) 267-1140, electronic mail: mjackson@comdt.uscg.mil).

B. **Vessel and Facility Response Plans for Oil Spills (CG)**

On October 11, 2002, (67 FR 63331), the Coast Guard, U.S. Department of Transportation, proposed changes to its requirements (33 CFR parts 154 and 155) for oil-spill removal equipment under vessel response plans and marine transportation-related facility response plans. These changes would increase the minimum available spill removal equipment required for tank vessels and facilities, add requirements for new response technologies, and clarify methods and procedures for responding to oil spills in coastal waters.

Under the Oil Pollution Act of 1990 (OPA 90) and Executive Order 12777, the Coast Guard is authorized to issue regulations requiring the owners and operators of tank vessels and marine transportation-related facilities to prepare and submit response plans. OPA 90 amended the Clean Water Act to require the preparation and submission of oil spill response plans by the owners or operators of certain facilities and vessels. It also requires that these vessels and facilities be operated in compliance with their submitted response plans.

For further information, contact Mr. Robert Pond, Plans and Preparedness Division, Office of Response (G-MOR), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, (telephone: (202) 267-6603, electronic mail: rpond@comdt.uscg.mil).

C. Exit Routes, Emergency Action Plans, and Fire Prevention Plans (OSHA)

On November 7, 2002, (67 FR 67950), the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, issued a final rule (29 CFR part 1910) that revises its standards for means of egress. The purpose of this revision is to rewrite the existing requirements in clearer language so they will be easier to understand by employers, employees, and others who use them. The revisions reorganize the text, remove inconsistencies, and eliminate duplicative requirements. The rules are performance-oriented to the extent possible, and more concise than the original. OSHA has evaluated the National Fire Protection Association's Standard 101, Life Safety Code, 2000 Edition (NFPA 101-2000), and has concluded that the standard provides comparable safety to the OSHA Exit Routes Standard. Therefore, employers who wish to comply with NFPA 101-2000 instead of the OSHA Exit Routes Standard may do so.

For further information, contact Ms. Bonnie Friedman, Director, Office of Public Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210, (telephone: (202) 693-1999). For further information, visit the OSHA Internet Web Site at <http://www.osha.gov>.

D. Emissions from Nonroad Engines (EPA)

On November 8, 2002, (67 FR 68242), the U.S. Environmental Protection Agency (EPA) promulgated a final rule (40 CFR parts 89, 90, 91, 94, 1048, 1051, 1065, and 1068) that adopts emission standards for several groups of nonroad engines that have not been subject to EPA emission standards. These engines are: (1) large spark-ignition engines such as those used in forklifts and airport ground-service equipment; (2) recreational vehicles using spark-ignition engines such as off-highway motorcycles, all-terrain vehicles, and snowmobiles; and (3) recreational marine diesel engines. These new standards are a continuation of the process of establishing emission standards for nonroad engines and vehicles under the Clean Air Act section 213(a).

Emissions from the engines regulated in this rule contribute to serious air pollution problems, and will continue to do so in the future absent regulation. These air pollution problems include exposure to carbon monoxide (CO), ground-level ozone, and particulate matter (PM), which can cause serious health problems, including premature mortality and respiratory problems. These emissions also contribute to other serious environmental problems, including visibility impairment and ecosystem damage. In addition, many of the hydrocarbon (HC) pollutants emitted by these engines are air toxics.

EPA expects that manufacturers will be able to maintain or even improve the performance of their products when producing engines and equipment meeting the new standards. Many engines will substantially reduce their fuel consumption, partially or completely offsetting any costs associated with the emission standards. Overall, the gasoline-equivalent fuel savings associated with the anticipated changes in technology resulting from this rule are estimated to be about 800 million gallons per year once the program is fully phased in. Health and environmental benefits

from the controls included in this rule are estimated to be approximately \$8 billion per year once the controls are fully phased in. There are also several provisions to address the unique limitations of small-volume manufacturers.

For further information, contact Mr. Alan Stout, Office of Transportation and Air Quality, National Vehicle and Fuel Emissions Laboratory, U.S. Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105, (telephone: (734) 214-4805, electronic mail: stout.alan@epa.gov).

E. Manatee Protection Areas in Florida (FWS)

On November 8, 2002, (67 FR 68450), the Fish and Wildlife Service (FWS), U.S. Department of the Interior, issued a final rule (50 CFR part 17) that establishes 13 additional manatee protection areas in Florida. This action is authorized under the Endangered Species Act of 1973, as amended (ESA), and the Marine Mammal Protection Act of 1972, as amended (MMPA), to further recovery of the Florida manatee by reducing the number of takings. With this final rule, FWS has designated manatee protection areas in Brevard, Charlotte, Citrus, De Soto, Hillsborough, Lee, Pinellas, and Sarasota Counties. Four of the sites are manatee sanctuaries, where all waterborne activities are prohibited throughout all or part of the year, with exceptions for adjoining property owners. The remaining 9 sites are manatee refuges, in which certain waterborne activities are prohibited or regulated for all or some portion of the year.

For further information, contact Mr. David Hankla or Mr. Peter Benjamin, Jacksonville Field Office, Fish and Wildlife Service, U.S. Department of the Interior, 6620 Southpoint Drive, South, Suite 310, Jacksonville, FL 32216, (telephone: (904) 232-2580), or visit the following FWS Internet Web Site: <http://northflorida.fws.gov>.

F. Harmonization of the Hazardous Materials Regulations (RSPA)

On December 3, 2002, (67 FR 72034), the Research and Special Programs Administration (RSPA), U.S. Department of Transportation, proposed amendments to the Hazardous Materials Regulations (49 CFR parts 171, 172, 173, 175, 176, 178, and 180) to maintain alignment with international standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. Because of recent changes to the International Maritime Dangerous Goods (IMDG) Code, the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Technical Instructions), and the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations), these revisions are necessary to facilitate the transport of hazardous materials in international commerce.

For further information, contact Ms. Joan McIntyre, Office of Hazardous Materials Standards, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590, (telephone: (202) 366-8553).