

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of extension of an information collection (1010-0091).

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), we are inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) concerns the paperwork requirements in the regulations under 30 CFR part 254, "Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line."

DATES: Submit written comments by June 23, 2003.

ADDRESSES: Mail or hand carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Processing Team; Mail Stop 4024; 381 Elden Street; Herndon, Virginia 20170-4817. If you wish to e-mail comments, the address is: *rules.comments@mms.gov*. Reference "Information Collection 1010-0091" in your e-mail subject line and mark your message for return receipt. Include your name and return address in your message.

FOR FURTHER INFORMATION CONTACT: Arlene Bajusz, Rules Processing Team

(703) 787-1600. You may also contact Arlene Bajusz to obtain a copy, at no cost, of the regulations that require the subject collection of information.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR part 254, Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line.
OMB Control Number: 1010-0091.
Abstract: The Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990 (OPA), requires that a spill-response plan be submitted for offshore facilities prior to February 18, 1993. The OPA specifies that after that date, an offshore facility may not handle, store, or transport oil unless a plan has been submitted. This authority and responsibility have been delegated to the Minerals Management Service (MMS). Regulations at 30 CFR part 254 establish requirements for spill-response plans for oil-handling facilities seaward of the coast line, including associated pipelines.

The MMS uses the information collected under 30 CFR part 254 to determine compliance with OPA by owners/operators. Specifically, MMS needs the information to:

- Determine effectiveness of the spill-response capability of owners/operators;
- Review plans prepared under the regulations of a State and submitted to MMS to satisfy the requirements of this rule to ensure that they meet minimum requirements of OPA;
- Verify that personnel involved in oil-spill response are properly trained and familiar with the requirements of the spill-response plans and to witness spill-response exercises;

- Assess the sufficiency and availability of contractor equipment and materials;

- Verify that sufficient quantities of equipment are available and in working order;

- Oversee spill-response efforts and maintain official records of pollution events; and

- Assess the efforts of owners/operators to prevent oil spills or prevent substantial threats of such discharges.

No proprietary, confidential, or sensitive information is collected. However, we will protect any information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2) and under regulations at 30 CFR parts 250, 251, and 252. Responses are mandatory or required to obtain or retain a benefit.

Frequency: On occasion and annual.

Estimated Number and Description of Respondents: Approximately 193 owners or operators of facilities located in both State and Federal waters seaward of the coast line.

Estimated Reporting and Recordkeeping "Hour" Burden: The currently approved annual reporting burden for this collection is 42,233 hours. The following chart details the individual components and respective hour burden estimates of this ICR. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

Citation 30 CFR 254	Reporting and recordkeeping requirement	Hour burden
254.1(a) thru (d); 254.2(a); 254.3 thru 254.5; 254.7; 254.20 thru 254.29; 254.44(b).	Submit spill response plan for OCS facilities and related documents	120
254.1(e)	Request MMS jurisdiction over facility landward of coast line (no recent request received)	0.5
254.2(b)	Submit certification of capability to respond to worst case discharge or substantial threat of such	10
254.2(c); 254.30	Submit revised spill response plan for OCS facilities at least every 2 years	25
254.8	Appeal MMS orders or decisions. (Burden covered under 30 CFR 290 [1010-0121])	0
254.41	Conduct annual training; retain training records for 2 years	40
254.42(a) thru (e)	Conduct triennial response plan exercise; retain exercise records for 3 years	110
254.42(f)	Inform MMS of the date of any exercise (triennial)	1
254.43	Inspect response equipment monthly; retain inspection & maintenance records for 2 years	3
254.46(a)	Notify NRC of all oil spills from owner/operator facility (Burden included in the NRC inventory)	0
254.46(b)	Notify MMS of oil spills of 1 barrel or more from owner/operator facility; submit follow-up report	1
254.46(c)	Notify MMS & responsible party of oil spills from operations at another facility	1
254.50; 254.51	Submit response plan for facility in State waters by modifying existing OCS plan	45
254.50; 254.52	Submit response plan for facility in State waters following format for OCS plan	100
254.50; 254.53	Submit response plan for facility in State waters developed under State requirements	93
254.54	Submit description of oil-spill prevention procedures	5
Part 254	General departure or alternative compliance requests not specifically covered elsewhere in part 254.	2

Estimated Reporting and Recordkeeping "Non-Hour Cost"

Burden: We have identified no non-hour cost burdens for this collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an

agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency “* * * to provide notice * * * and otherwise consult with members of the public and affected agencies concerning each proposed collection of information * * *”.

Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Agencies must also estimate the “non-hour cost” burdens to respondents or recordkeepers resulting from the collection of information. Therefore, if you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information, monitoring, and record storage facilities. You should not include estimates for equipment or services purchased: (i) Before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

Public Comment Policy: Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual

respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There may be circumstances in which we would withhold from the record a respondent’s identity, as allowable by the law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

MMS Information Collection Clearance Officer: Jo Ann Lauterbach, (202) 208-7744.

Dated: April 17, 2003.

E.P. Danenberger,

Chief, Engineering and Operations Division.

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BILLING CODE 4310-MR-P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent To Prepare an Environmental Impact Statement for the North Shore Road in Great Smoky Mountains National Park

SUMMARY: In accordance with section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), the National Park Service (NPS) is preparing an Environmental Impact Statement (EIS) to analyze alternatives for resolving issues related to the North Shore Road. The purpose of this action is to discharge and satisfy any obligations on the part of the United States that presently exist as the result of the Memorandum of Agreement of October 8, 1943, between the U.S. Department of Interior, Tennessee Valley Authority, Swain County, North Carolina, and the state of North Carolina. The public scoping process for this EIS has been initiated with issuance of this notice. The purpose of the scoping process is to elicit public comment regarding the full spectrum of public issues and concern, including a suitable range of alternatives, the nature and extent of potential environmental impacts, and appropriate mitigation strategies, which should be addressed in the EIS process.

DATES: Beginning in the spring of 2003, public scoping meetings will be conducted in the vicinity of Great Smoky Mountains National Park. The location, date, and time of the meetings

and deadlines for written comments will be announced via local and regional media as follows: The Smoky Mountain Times, Bryson City, NC; The Cherokee One Feather, Cherokee, NC; The Mountaineer, Waynesville, NC; The Sylva Herald, Sylva, NC; Asheville Citizen Times, Asheville, NC; The Smoky News, Waynesville, NC; The Mountain Press, Sevierville, TN; The Knoxville News-Sentinel, Knoxville, TN; The Daily Times, Maryville, TN; and other major newspapers in Alabama, Georgia, Florida, Kentucky, Indiana, Illinois, Mississippi, North Carolina, Ohio, South Carolina and Tennessee. Announcements will also be placed on the following Web sites: www.nps.gov\grsm and www.epl.fhwa.dot.gov. All interested individuals, organizations, and agencies are invited to attend these meetings to comment orally and/or provide written comments or suggestions during the scoping period.

ADDRESSES: Any comments or requests for information should be addressed to Superintendent, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738.

FOR FURTHER INFORMATION CONTACT:

North Shore Road EIS, Attn: Superintendent, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738, Telephone: 865/436-1207 or Fax: 865/436-1220.

SUPPLEMENTARY INFORMATION: In July, 1943, the Tennessee Valley Authority (TVA), the U.S. Department of Interior (DOI), the state of North Carolina, and Swain County, North Carolina, entered into a Memorandum of Agreement (MOA) that dealt with the creation of Fontana Dam and Reservoir and the flooding of lands and roads within Swain County. As part of that agreement, 44,170 acres of land were ultimately transferred to the DOI and made part of the Great Smoky Mountains National Park (Park). The MOA also contained a provision by which the DOI was to construct a road through the Park, along the north shore of the newly formed Fontana Reservoir, to replace the flooded NC 288. The obligation of the DOI to construct the road was subject to and contingent on the appropriation by Congress of all funds necessary for the road’s construction. The United States was at war when the MOA was executed and so no funds could be appropriated for construction. After the war, between 1948 and 1970, the DOI, through the National Park Service (NPS), built 7.2 miles of the proposed road.