

**FOR FURTHER INFORMATION CONTACT:** For further information and/or to have your name added to our mailing list, contact Lon Kelly, telephone (907) 474-2368.

**SUPPLEMENTARY INFORMATION:** The RMP for the White Mountains National Recreation Area was signed in 1986. The planning area is approximately 60 miles northwest of Fairbanks, Alaska, and encompasses approximately 1,000,000 acres of public lands within the recreation area and approximately 20,000 acres of public lands outside of the Recreation Area. There are approximately 160 acres of private lands within the Recreation Area. A recent evaluation of the RMP found issues related to several existing land use plan allocations that will require an amendment to the RPM in order to be changed. These resource use allocations include: (1) Areas designated for off-highway vehicle use are not meeting RMP objectives and need to be reevaluated, (2) two transportation corridors were prescribed in the RMP but only one corridor was established. The second corridor was replaced by the Nome Creek Gateway project. The plan should be updated to reflect the change, (3) there are other issues affecting this planning area including, (a) federally managed lands exist within the planning area boundaries but were not included in or covered by the RMP, (b) there has been a change in Federal subsistence regulations since the RMP was completed, (c) ownership patterns in the area have changed due to the completion of State and native selections, and (d) fire management policy. Other issues may be considered depending on public input. Additional issues to be addressed in this amendment can be submitted to the BLM by interested agencies, groups, and individuals throughout the planning process. Documents pertinent to this amendment may be examined at the Northern Field Office located in Fairbanks, Alaska. Comments, including names and street addresses of respondents, will be available for public review at the Northern Field Office during regular business hours 7:45 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the EA. Individual respondents may request confidentiality.

If you wish BLM to withhold your name or street address from public

review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning or your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

**Robert Schneider,**

*Field Manager.*

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**BILLING CODE 4310-JA-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Outer Continental Shelf (OCS) Civil Penalties

**AGENCY:** Minerals Management Service (MMS).

**ACTION:** Notice summarizing OCS civil penalties paid, January 1, 2004, through December 31, 2004.

**SUMMARY:** This notice provides a listing of civil penalties paid January 1, 2004, through December 31, 2004, for violations of the OCS Lands Act (OCSLA). The goal of the MMS OCS Civil Penalties Program is to assure safe and clean operations on the OCS. Through the pursuit, assessment, and collection of civil penalties and referrals for the consideration of criminal penalties, the program is designed to encourage compliance with OCS statutes and regulations. The purpose of publishing the penalties summary is to provide information to the public on violations of special concern in OCS operations and to provide an additional incentive for safe and environmentally sound operations.

**FOR FURTHER INFORMATION CONTACT:** Joanne McCammon (Acting Program Coordinator), 703-787-1292.

**SUPPLEMENTARY INFORMATION:** The Oil Pollution Act of 1990 (OPA 90) strengthened section 24 of the OCSLA Amendments of 1978. Subtitle B of OPA 90, titled "Penalties," increased the amount of the civil penalty from a maximum of \$10,000 to a maximum of \$20,000 per violation for each day of noncompliance. More importantly, in

cases where a failure to comply with applicable regulations constitutes or constituted a threat of serious, irreparable, or immediate harm or damage to life (including fish and other aquatic life); property; any mineral deposit; or the marine, coastal, or human environment; OPA 90 provided the Secretary of the Interior (Secretary) with the authority to assess a civil penalty without regard to the requirement of expiration of a period of time allowed for corrective action.

On August 8, 1997, MMS published new regulations (62 FR 42668) implementing the civil penalty provisions of the OCSLA. Written in "plain English," the new question-and-answer format provides a better understanding of the OCS civil penalty process. In addition, the provisions of OPA 90 require the Secretary to adjust the maximum civil penalty to reflect any increases in the Consumer Price Index. The new rule increased the maximum civil penalty to \$25,000 per violation, per day. Please note, subsequent to publishing the new regulations, MMS made several corrections and amendments, including the appeals procedures. These were published at 63 FR 42711, 8/11/98; 64 FR 9066, 2/24/99; 62 FR 9065, 2/24/99, and 64 FR 26257, 5/13/99.

On November 28, 2003, MMS published a new regulation (68 FR 61622) adjusting the maximum civil penalty assessment to comply with the Department of Labor's Consumer Price Index. The maximum amount is now \$30,000 per violation per day.

Between August 18, 1990, and January 2005, MMS initiated 504 civil penalty reviews. Operators have paid 397 civil penalties for a total of \$13,234,792 in fines. Seventy cases were dismissed; 5 cases were merged; and 32 cases are under review.

On September 1, 1997, the Associate Director of Offshore Minerals Management issued a notice informing lessees and operators of Federal oil, gas, and sulphur leases on the OCS that MMS will annually publish a summary of OCS civil penalties paid. The annual summary will highlight the identity of the party, the regulation violated, and the amount paid. The following table provides a listing of the penalties paid between January 1, 2004, and December 31, 2004.

## 2004 CIVIL/CRIMINAL PENALTIES—SUMMARY ALL PENALTIES PAID IN CALENDAR 2004 (1/1/2004–12/31/2004)

[The following acronyms are used in this table: SCSSV (surface controlled subsurface safety valve); SSV (surface safety valve); PSHL (pressure safety high/low); LSH (level safety high); INC (incident of non-compliance); ESD (emergency shutdown device); H<sub>2</sub>S (Hydrogen Sulfide)]

Operator name and Case No.	Violation and date(s)	Penalty paid and date paid	Regulation(s) violated (30 CFR)
Dominion Exploration & Production, Inc., G-2002-049.	A fire resulted during a welding operation when operator failed to properly protect equipment containing hydrocarbons. Equipment was located on a lower deck immediately beneath welding site.	\$28,000 2/11/04	
	8/14/02–8/14/02 .....	.....	250.107
TDC Energy LLC (Island Operators Co., Inc.), G-2003-005.	8/15/02–8/15/02 .....	.....	250.113
	The operating company was conducting operations without an H <sub>2</sub> S Contingency Plan and with a confirmed presence of H <sub>2</sub> S in concentrations and volumes that could potentially result in atmospheric concentrations of 20 ppm or more of H <sub>2</sub> S.	\$25,000 5/7/04	
Pogo Producing Company, G-2003-007.	10/29/02–10/29/02 .....	.....	250.417(f)
	The sump pump ABH-1460 was isolated from the sump tank by a closed valve, rendering the pump inoperable.	\$10,000 3/12/04	
Murphy Exploration & Production Company, G-2003-009.	1/29/03–1/29/03 .....	.....	250.300(b)
	Relay for the departing gas pipeline (KAH-0056) PSHL pilots was found pinned out of service.	\$10,000 6/29/04	
BP America Production Company (Diamond Offshore Drilling, Inc.), G-2003-010.	3/17/03–3/17/03 .....	.....	250.1004
	The Rig's Gas Detection System was bypassed with ongoing drilling operations being conducted.	\$25,000 2/3/04	
Chevron U.S.A. Inc., G-2003-011	3/1/03–3/18/03 .....	.....	250.410(e)(3)
	Gas detector protecting the generator building was found in the by-pass position.	\$20,000 1/15/04	
Devon Louisiana Corporation, G-2003-012.	3/7/03–3/10/03 .....	.....	250.803(c)
	The production process group by-pass selector valve was found in the by-pass mode.	\$30,000 4/1/04	
Helis Oil & Gas Company, LLC, G-2003-014.	9/13/02–9/13/02 .....	.....	250.803(c)
	Surface-controlled subsurface safety valve for Well B-1 was blocked out of service.	\$10,000 2/4/04	
El Paso Production GOM Inc., G-2003-015.	5/29/03–5/30/03 .....	.....	250.803(c)
	The LSH on the 3rd stage suction scrubber was bypassed and was not flagged or monitored.	\$12,000 1/9/04	
GOM Shelf LLC (Production Systems, Inc.), G-2003-017.	6/12/03–6/13/03 .....	.....	250.803(c)
	Pollution resulted due to an inoperable drain sump system .....	\$35,000 3/4/04	
BP Exploration & Production Inc., G-2003-018.	6/19/03–6/24/03 .....	.....	250.300(b)
	6/24/03–6/24/03 .....	.....	250.300(a)
Chevron U.S.A. Inc. (Production Management Industries, LLC), G-2004-001.	A fire occurred involving the as-built diverter system leading to damage to property and the environment. The diverter system was not installed as in the approved plan, had inadequate supports, added right angle turns at the ends, and did not provide for downwind diversion.	\$190,000 7/6/04	
	8/6/02–8/9/02 .....	.....	250.409(d)(1)
Union Oil Company of California (Coastal Production Services, Inc.), G-2004-002.	8/6/02–8/9/02 .....	.....	250.415
	While cleaning a low pressure separator, the Confined Space Entry policy was not completely followed which resulted in an explosion and flash fire that injured four employees.	\$50,000 8/2/04	
Comstock Offshore, LLC, G-2004-004.	6/14/02–6/15/02 .....	.....	250.107(a)
	Rusted out hole in grating and missing toe (kick) plates in two locations.	\$35,000 7/26/04	
Anadarko E&P Company LP (Island Operators Co. Inc.), G-2004-006.	5/9/03–5/9/03 .....	.....	250.107
	Tubing plugs for Well 01 and Well 01D were found leaking on March 31, 2002. Not repaired until September 18, 2002.	\$172,000 7/9/04	
Walter Oil & Gas Corporation, G-2004-007.	3/31/02–9/18/02 .....	.....	250.804(a)(1)
	Subsurface safety valve in Well C-21 was found leaking and left in service without being repaired or replaced for 129 days.	\$96,750 8/20/04	
Murphy Exploration & Production Company—USA, G-2004-008.	7/29/02–12/4/02 .....	.....	250.804(a)(1)
	The Operator failed to implement the H <sub>2</sub> S Contingency Plan while performing operations on a well with a confirmed presence of H <sub>2</sub> S in concentrations and volumes that could potentially result in atmospheric concentrations of 20 ppm or more of H <sub>2</sub> S.	\$40,000 9/1/04	
Newfield Exploration Company, G-2004-009.	12/3/03–12/4/03 .....	.....	250.490(f)(1–13)
	The SCSSV, which was being used as a tubing plug, was found in the open position with the hydraulic control line pressured up.	\$15,000 10/22/04	
	3/30/04–3/31/04 .....	.....	250.801(f)
	The LSH on the 2nd stage scrubber was found in the bypassed mode rendering it inoperable. It was not flagged or being monitored.	\$12,000 11/8/04	
	3/29/04–4/1/04 .....	.....	250.803(c)

**2004 CIVIL/CRIMINAL PENALTIES—SUMMARY ALL PENALTIES PAID IN CALENDAR 2004 (1/1/2004–12/31/2004)—  
Continued**

[The following acronyms are used in this table: SCSSV (surface controlled subsurface safety valve); SSV (surface safety valve); PSHL (pressure safety high/low); LSH (level safety high); INC (incident of non-compliance); ESD (emergency shutdown device); H<sub>2</sub>S (Hydrogen Sulfide)]

Operator name and Case No.	Violation and date(s)	Penalty paid and date paid	Regulation(s) violated (30 CFR)
Murphy Exploration & Production Company—USA, G–2004–010.	The required surface safety valve (SSV–2) for Well CA–7 was found capped in the open position and inadvertently left bypassed for 8 days. 3/25/04–4/1/04 .....	\$40,000 10/21/04	250.803(c)
Apache Corporation (Island Operators Co. Inc.), G–2004–015.	The main safety panel for the Water Bath Heater, the Fired Component, and the Water Bath Pump was found in the bypassed position and it was not flagged or being monitored by personnel. 6/21/04–6/21/04 .....	\$5,000 12/22/04	250.803(c)
Aera Energy LLC., P–2004–001 ....	Aera was issued INC G–110 on 7/12/02 after a pipeline riser leak and oil spill. Aera appealed to IBLA. Through the DOI Solicitor, Aera proposed to settle the appeal with a payment of \$25,000. MMS accepted Aera's offer on 1/22/04. The INC was not withdrawn and Aera paid \$25,000 as a civil penalty.	\$25,000 2/4/04	250.107(a)

**Total Penalties Paid: 1/1/04–12/31/04  
21 Cases: \$885,750**

The purpose of publishing the penalties summary is to provide information to the public on violations of special concern in OCS operations and to provide an additional incentive for safe and environmentally sound operations.

Dated: February 15, 2005.

**Thomas A. Readinger,**

*Associate Director for Offshore Minerals Management.*

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## DEPARTMENT OF JUSTICE

### Office of the Attorney General

[Docket No. OAG 107; A.G. Order No. 2760–2005]

RIN 1105–AB08

#### **Guidelines for the PROTECT Act Amendments to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act**

**AGENCY:** Department of Justice.

**ACTION:** Notice; Proposed guidelines.

**SUMMARY:** The United States Department of Justice is publishing Proposed Guidelines to implement amendments to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act enacted by the PROTECT Act.

**DATES:** Comments must be received by May 16, 2005.

**ADDRESSES:** Comments may be mailed to David J. Karp, Senior Counsel, Office of Legal Policy, Room 4509, Main Justice Building, 950 Pennsylvania Avenue, NW., Washington, DC 20530. Comments may also be submitted by the Internet at [OLPREGS@USDOJ.GOV](mailto:OLPREGS@USDOJ.GOV). Electronically submitted comments must include Docket No. OAG 107 in the subject box.

**SUPPLEMENTARY INFORMATION:** Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103–322, 108 Stat. 1796, 2038 (codified at 42 U.S.C. 14071) contains the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (the “Wetterling Act”). The Wetterling Act provides standards for state sex offender registration and community notification programs, and directs the Attorney General to issue guidelines for such programs. The main set of current Wetterling Act guidelines was published on January 5, 1999, in the *Federal Register* (64 FR 572, with corrections at 64 FR 3590), and a supplementary set of guidelines for the Campus Sex Crimes Prevention Act amendment to the Wetterling Act was published on October 25, 2002, in the *Federal Register* (67 FR 65598). States that fail to comply with the Wetterling Act's standards (as implemented and explained in the Attorney General's guidelines) are subject to a mandatory 10% reduction of the formula grant funding available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (42 U.S.C. 3756), which is administered by the Bureau of Justice Assistance of the Department of Justice.

Subsequent to the publication of the current Wetterling Act guidelines, the Wetterling Act was amended by sections 604 and 605 of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003, or PROTECT Act, Pub. L. 108–21, 117 Stat. 650, 688 (2003). These

amendments provide that the means by which a State provides information to the public concerning registered sex offenders must include an Internet site, and add child pornography production and distribution offenses to the list of crimes against children for which registration is required under the Wetterling Act's standards.

Supplementary guidelines are necessary to take account of the PROTECT Act amendments to the Wetterling Act.

Section 604 of the PROTECT Act, relating to Internet sites for sex offender information, states that “[e]ach State shall implement the amendment made by this section within 3 years after the date of enactment of this Act”—*i.e.*, by April 29, 2006—“except that the Attorney General may grant an additional 2 years to a State that is making a good faith effort to implement the amendment.” The amendment in section 605 of the PROTECT Act, relating to registration for child pornography production and distribution offenses, took effect at the time of its enactment, *i.e.*, on April 30, 2003.

#### **Proposed Guidelines**

##### **I. Internet Sites for Sex Offender Information**

The community notification provisions of the Wetterling Act that predate the PROTECT Act—paragraph (1) and the first sentence of paragraph (2) of 42 U.S.C. 14071(e)—have both permissive and mandatory aspects. The permissive aspect appears in paragraph (1), which makes it clear that the Act