

Federal Register

Friday
November 29, 1996

Part X

Department of the
Interior

Semiannual Regulatory Agenda

ATTACHMENT 2

DOI

Minerals Management Service—Proposed Rule Stage

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1820	Gas Measurement and Commingling	1010-AB97
1821	Royalties, Rentals, Bonuses, and Other Monies	1010-AC01
1822	Release of Third Party Proprietary Information	1010-AC08
1823	Valuation of Oil From Federal and Indian Mineral Leases	1010-AC09
1824	Geological and Geophysical Exploration of the Outer Continental Shelf	1010-AC10
1825	Civil Penalty Procedures	1010-AC11
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Minerals Management Service—Final Rule Stage

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1832	Response Plans for Facilities Seaward of the Coastline	1010-AB81
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1834	Training of Lessee and Contractor Employees Engaged in Oil and Gas and Sulphur Operations in the Outer Continental Shelf	1010-AB99
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1845	Lease Extensions	1010-AC07
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1849	Elimination of Drilling Requirements	1010-AC20

DOI-BIA

Completed Actions

Timetable:

Action	Date	FR Cite
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Withdrawn No rule will be published on this subject. 09/01/96

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Nancy Pierskalla, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs, Room 2070 MIB, 1849 C Street NW., Washington, DC 20240
 Phone: 202 219-4068
 Fax: 202 273-3153
 RIN: 1076-AD67

1815. • EMPLOYMENT ASSISTANCE FOR ADULT INDIANS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 26

Legal Deadline: None

Abstract: The rule for BIA's employment assistance program for adult Indians is being rewritten in plain English as part of the President's regulatory reform initiative.

Timetable:

Action	Date	FR Cite
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Withdrawn Will be published under RIN 1076-AD75. 09/01/96

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dean Poleahia, Department of the Interior, Bureau of

Indian Affairs, 1849 C Street NW., Room 2061 - MIB, Washington, DC 20240
 Phone: 202 208-2671
 Fax: 202 208-3664
 RIN: 1076-AD71

1816. • DETENTION AND HOLDING FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 28; 25 USC 2803; 25 USC 2804; PL 99-570; PL 101-379

CFR Citation: 25 CFR 10

Legal Deadline: None

Abstract: Establishes standards for detention and holding facilities.

Timetable:

Action	Date	FR Cite
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NPRM 08/05/94 59 FR 40086
 Withdrawn No further action will be taken at this time. 09/03/96

Small Entities Affected: None

Government Levels Affected: Tribal, Federal

Agency Contact: Ted Quasula, Director of Law Enforcement Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
 Phone: 202 208-5786
 RIN: 1076-AD77

1817. • ADMINISTRATION OF THE OSAGE MINERAL ESTATE

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 214

Legal Deadline: None

Abstract: Will provide guidance on the administration of the Osage mineral estate.

Timetable:

Action	Date	FR Cite
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Final Action - No further action will be taken at this time. 09/03/96

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Kim Snyder, Energy and Minerals Division, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
 Phone: 202 208-3607
 RIN: 1076-AD80

1818. • UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 103-413

CFR Citation: 25 CFR 272

Legal Deadline: None

Abstract: Implements the Indian Self Determination and Education Assistance Act Amendments of 1994.

Timetable:

Action	Date	FR Cite
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Withdrawn Final rule published under RIN 1076-AD21. 09/03/96

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jim Thomas, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
 Phone: 202 208-3708
 RIN: 1076-AD81
 BILLING CODE 4310-02-F

**DEPARTMENT OF THE INTERIOR (DOI)
 Minerals Management Service (MMS)**

Proposed Rule Stage

1819. VALUATION OF GAS FROM INDIAN LEASES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: The rule will amend the regulations governing the valuation of gas produced from Indian leases. The primary purpose of these amendments is to ensure that Indian mineral lessors receive maximum revenues from mineral resources on their land consistent with the Department's trust responsibility and lease terms.

DOI—MMS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	06/04/94	59 FR 39712
NPRM	09/23/96	61 FR 49894
NPRM Comment Period End	11/22/96	

Small Entities Affected: None**Government Levels Affected:** None

Additional Information: This rule is being developed using the negotiated rulemaking process which will include representatives of MMS, Indian tribes, States, and industry. Notice of public meetings will be published in the Federal Register.

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165
Phone: 303 231-3058

RIN: 1010-AB57

1820. GAS MEASUREMENT AND COMMINGLING**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1334; 30 USC 1711**CFR Citation:** 30 CFR 250.181; 30 CFR 250.182; 30 CFR 250.184**Legal Deadline:** None

Abstract: This rule would amend and update regulations applicable to gas measurement, add a provision to an existing regulation that would clarify conditions under which surface commingling of gas would be approved, and add a new section to require measurement or estimation of gas volumes used on the leases or otherwise not saved for sale.

Timetable:

Action	Date	FR Cite
NPRM	04/00/97	
NPRM Comment Period End	06/00/97	

Small Entities Affected: None**Government Levels Affected:** Federal

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070-4817
Phone: 703 787-1607

RIN: 1010-AB97

1821. ROYALTIES, RENTALS, BONUSES, AND OTHER MONIES**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 25 USC 396; 25 USC 2101; 30 USC 181; 30 USC 351; 30 USC 1701; 31 USC 9701; 43 USC 1301; 43 USC 1331; 43 USC 1801**CFR Citation:** 30 CFR 218**Legal Deadline:** None

Abstract: This rule implements changes in Treasury regulations that require agencies to use electronic collection and deposit of funds when cost effective, practical, and consistent with statutory authority. The rule will simplify industry's payments to MMS in compliance with the new Treasury requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/00/97	
NPRM Comment Period End	03/00/97	

Small Entities Affected: None**Government Levels Affected:** State, Tribal

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165
Phone: 303 231-3058

RIN: 1010-AC01

1822. RELEASE OF THIRD PARTY PROPRIETARY INFORMATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 30 USC 181 et seq; 31 USC 9701; 43 USC 1301 et seq**CFR Citation:** 30 CFR 243**Legal Deadline:** None

Abstract: This revision will allow MMS to provide appellants with documents containing proprietary information upon which assessments are based and which third parties furnished to MMS. This rule addresses only situations where MMS provides documents in administrative appeal. It

does not address MMS providing any other type of document outside the administrative appeals process.

Timetable:

Action	Date	FR Cite
NPRM	11/00/96	
NPRM Comment Period End	12/00/96	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, PO Box 25165, Room 3000, Denver, CO 80225-0165
Phone: 303 231-3058

RIN: 1010-AC08

1823. VALUATION OF OIL FROM FEDERAL AND INDIAN MINERAL LEASES**Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 25 USC 396 et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq**CFR Citation:** 30 CFR 208**Legal Deadline:** None

Abstract: This rule will improve oil valuation and reporting procedures to reflect current oil selling arrangements in the oil and gas industry.

Timetable:

Action	Date	FR Cite
ANPRM	12/20/95	60 FR 65610
ANPRM Comment Period End	03/19/96	
NPRM	01/00/97	
NPRM Comment Period End	03/00/97	

Small Entities Affected: None**Government Levels Affected:** State, Tribal

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service,

DOI—MMS

Proposed Rule Stage

PO Box 25165, Room 3000, Denver, CO 80225-0165
 Phone: 303 231-3780
 RIN: 1010-AC09

1824. GEOLOGICAL AND GEOPHYSICAL EXPLORATION OF THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1331 et seq; 43 USC 4332 et seq

CFR Citation: 30 CFR 251

Legal Deadline: None

Abstract: This rule is being revised to reflect the current requirements and practices and to conform with new or changed laws and regulations. It expands the requirements for filing notice to include all geological and geophysical research not conducted under permit. It also clarifies that these regulations apply only to oil, gas, and sulphur, as all other minerals on the Outer Continental Shelf are covered by 30 CFR 280. This rule will provide other information, such as current filing location addresses.

Timetable:

Action	Date	FR Cite
NPRM	01/00/97	
NPRM Comment	03/00/97	
Period End		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4700, Herndon, VA 22070
 Phone: 703 787-1600
 Fax: 703 787-1575

RIN: 1010-AC10

1825. CIVIL PENALTY PROCEDURES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250 subpart N

Legal Deadline: None

Abstract: This rule will be reinvented by rewriting it in plain English. The OCSLA provides MMS with significant flexibility in imposing civil penalties. MMS will rewrite the rule to state the process more clearly and remove provisions that are not needed.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	
NPRM Comment	05/00/97	
Period End		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William Cook, Chief, Inspection and Enforcement Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070
 Phone: 703 787-1610

RIN: 1010-AC11

1826. SAFETY AND POLLUTION PREVENTION EQUIPMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.1; 30 CFR 250.2; 30 CFR 250.124; 30 CFR 250.126

Legal Deadline: None

Abstract: This amendment revises the safety and pollution prevention equipment quality assurance program. It also clarifies existing rules for safety valves and establishes a new definition for the term "lessee."

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
NPRM Comment	02/00/97	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4700, Herndon, VA 22070
 Phone: 703 787-1600
 Fax: 703 787-1575

RIN: 1010-AC12

1827. SEISMIC REASSESSMENT OF CALIFORNIA OUTER CONTINENTAL SHELF PLATFORMS

Priority: Substantive, Nonsignificant

Legal Authority: 14 USC 1334

CFR Citation: 30 CFR 250.145

Legal Deadline: None

Abstract: MMS has been investigating the need for platform seismic reassessment guidelines since the Loma Prieta earthquake. This rule will require an operator to ascertain the safety of a platform before making major modifications or after damage to a primary member.

Timetable:

Action	Date	FR Cite
NPRM	10/00/96	
NPRM Comment	12/00/96	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4700, Herndon, VA 22070-4817
 Phone: 703 787-1600
 Fax: 703 787-1575

RIN: 1010-AC17

1828. • ADMINISTRATIVE APPEALS PROCESS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 25 USC 2; 25 USC 9; 30 USC 189; 30 USC 285; 30 USC 359; 30 USC 1023; 30 USC 1702 et seq; 31 USC 9701; 43 USC 1334; 43 USC 1335

CFR Citation: 30 CFR 290

DOI—MMS

Proposed Rule Stag

Legal Deadline: None

Abstract: Under this rule, the Director generally would be required to decide appeals within 16 months or the appeal would be automatically denied. The appellant could then continue its appeal before the Interior Board of Land Appeals. The rule also would impose a new appellant fee on appeals to the Director, unless the appellant was an Indian tribe or allottee. Indian tribes and allottees pay no filing fee.

Timetable:

Action	Date	FR Cite
NPRM	10/28/96	61 FR 55607
NPRM Comment	12/27/96	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Chris Thomson, Department of the Interior, Minerals Management Service, Room 6125, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-7551

RIN: 1010-AC21

1829. • AMENDMENTS TO ALLOWANCE DETERMINATION REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1701; 30 USC 181; 30 USC 351; 43 USC 1301

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule is being revised to reflect a recent decision by the Interior Board of Land Appeals that 30 CFR 206.157 does not confer authority to revoke an approved gas transportation allowance in effect when the regulation was promulgated in March 1988.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
NPRM Comment	02/00/97	
Period End		

Small Entities Affected: None

Government Levels Affected: State, Tribal

Agency Contact: David S. Guzy, Chief, Rules and Procedures Staff, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3101, Denver, CO 80225-0165
Phone: 303 231-3194
Fax: 303 231-3194

Email: David_Guzy@smtp.mms.gov

RIN: 1010-AC22

1830. • AMENDMENTS TO STANDARDS FOR REPORTING AND PAYING ROYALTIES ON GAS AND THE GAS ANALYSIS REPORT

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 301; 25 USC 396; 25 USC 396a; 25 USC 2101; 30

USC 181; 30 USC 351; 30 USC 1001; 30 USC 1701; 31 USC 3716; 31 USC 9701; 43 USC 1301; 43 USC 1331; 43 USC 1801; 31 USC 3720a

CFR Citation: 30 CFR 202; 30 CFR 216

Legal Deadline: None

Abstract: To make the Royalty Management Program's regulations consistent with proposed offshore regulations to require gas reporting at the standard conditions of 14.73 psia and adjusted to 60 degrees Fahrenheit.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	
NPRM Comment	02/00/97	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: David S. Guzy, Chief, Rules and Procedures Staff, Department of the Interior, Minerals Management Service, Room 3101, P.O. Box 25165, Denver, CO 80225-0165
Phone: 303 231-3432
Fax: 303 231-3194

RIN: 1010-AC23

**DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)**

Final Rule Stage

1831. AMENDMENTS TO 30 CFR 250.67—HYDROGEN SULFIDE

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.67

Legal Deadline: None

Abstract: This rule will revise the requirements for warning systems, personnel protection, hydrogen sulfide (H2S) and sulphur dioxide (SO2) detection and monitoring. A recent equipment failure at an H2S gas facility resulted in the flaring of gas containing high concentrations of H2S, which resulted in the risk of exposure to high concentrations of H2S and the discharge of large volumes of SO2. As a result of this incident, the current regulations are being revised to adequately address the flaring of gas

containing H2S. Since the revisions are extensive, the rule was reproposeed.

Timetable:

Action	Date	FR Cite
NPRM	08/15/90	55 FR 33326
NPRM Comment	10/15/90	
Period End		
NPRM	05/11/95	60 FR 25178
NPRM Comment	07/10/95	
Period End		
Final Action	02/00/97	
Final Action Effective	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 4700, 381 Elden Street, Herndon, VA 22070

Phone: 703 787-1607

RIN: 1010-AB50

1832. RESPONSE PLANS FOR FACILITIES SEAWARD OF THE COASTLINE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 33 USC 1321; Eo 12777

CFR Citation: 30 CFR 254

Legal Deadline: Final, Statutory, August 18, 1992.

DOI—MMS

Final Rule Stage

Abstract: Regulations are being developed to implement the authority of Minerals Management Service (MMS) under the Federal Water Pollution Control Act (FWPCA) as amended by the Oil Pollution Act of 1990. These regulations will address oil spill prevention and response in State submerged lands as well as in the Outer Continental Shelf. A nonregulatory alternative will not meet the mandate of the FWPCA as amended. The expected costs will depend on the extent to which existing practices in State and Federal waters meet the new mandated requirements. The expected benefits will be an assurance that oil spill prevention and response capability are being addressed on all facilities in both State and Federal waters.

Timetable:

Action	Date	FR Cite
ANPRM	08/12/92	57 FR 36032
ANPRM Comment Period End	10/28/92	
Interim Final Rule	02/08/93	58 FR 7489
NPRM	01/13/95	60 FR 3177
Interim Final Rule	02/21/95	60 FR 9826
NPRM Comment Period End	03/14/95	
Comment Period Extended to 5/15/95	03/14/95	60 FR 13652
Final Action	10/00/96	
Final Action Effective	11/00/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 4700, 381 Elden Street, Herndon, VA 22070
Phone: 703 787-1607

RIN: 1010-AB81

1833. REVISION OF REQUIREMENTS GOVERNING CORPORATE SURETY BONDS FOR OUTER CONTINENTAL SHELF LEASES

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250; 30 CFR 251; 30 CFR 256

Legal Deadline: None

Abstract: This rule will amend current regulations requiring lessee surety bonds. The value of surety bonds required by current regulations for leases approved before November 27, 1993, is not adequate to protect the

government from loss due to lessees' failure to comply with the terms of OCS leases. This rule embodies a comprehensive approach to the complex problems associated with the movement of smaller operators into the OCS. The potential costs are the increase in cost to obtain a higher level of bond coverage. Benefits would be the enhancement of smaller operators' ability to provide necessary surety, and to provide greater protection of the public interest by reducing the potential for losses to the government.

Timetable:

Action	Date	FR Cite
NPRM	12/08/95	60 FR 63011
NPRM Comment Period End	05/06/96	60 FR 8901
Final Action	12/00/96	
Final Action Effective	02/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070
Phone: 703 787-1607

RIN: 1010-AB92

1834. TRAINING OF LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1332

CFR Citation: 30 CFR 250.210; 30 CFR 250.211; 30 CFR 250.212; 30 CFR 250.213; 30 CFR 250.214; 30 CFR 250.215

Legal Deadline: None

Abstract: MMS feels that the current regulations in 30 CFR 250 need to be updated to provide the flexibility to use new technology and innovative programs.

Timetable:

Action	Date	FR Cite
ANPRM	08/05/94	59 FR 38991

Action	Date	FR Cite
ANPRM Comment Period End	10/03/94	
NPRM	11/02/95	60 FR 55683
NPRM Comment Period End	01/31/96	
Final Action	03/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sharon Buffington, Petroleum Engineer, Department of the Interior, Minerals Management Service, Room 4800, 381 Elden Street, Herndon, VA 22070-4817
Phone: 703 787-1147

RIN: 1010-AB99

1835. VALUATION OF GAS PRODUCTION—FEDERAL LEASES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 301; 25 USC 396; 25 USC 2101; 30 USC 181; 30 USC 351; 30 USC 1001; 30 USC 1701; 31 USC 9701; 43 USC 1301; 43 USC 1331; 43 USC 1801

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule amends regulations regarding the valuation of gas produced from Federal leases and agreements for arms-length and non-arms-length contracts. Due to the variety of situations in producing and marketing gas products, MMS's purpose is to provide a valuation procedure that closely reflects market conditions and allows royalty to be based upon information readily available to the lessee. The procedure will minimize the administrative burden on industry and MMS.

Timetable:

Action	Date	FR Cite
NPRM	11/08/95	60 FR 56807
NPRM Comment Period End	02/05/96	60 FR 64000
Final Action	03/00/97	
Final Action Effective	09/00/97	

Small Entities Affected: None

Government Levels Affected: State, Federal

DOI—MMS

Final Rule Stage

Additional Information: This rule was developed using the negotiated rulemaking process which included representatives of MMS, States, industry, and other interested parties. Public meetings were held in accordance with notices published in the Federal Register.

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO-80225-0165
Phone: 303 231-3058

RIN: 1010-AC02

1836. UPDATING DOCUMENTS INCORPORATED BY REFERENCE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.1; 30 CFR 250.180

Legal Deadline: None

Abstract: This rule amends the Minerals Management Service regulations by incorporating new editions of documents that have already been incorporated into the regulations by reference. The new editions will continue to ensure that lessees use the best available and safest technologies while operating on the Outer Continental Shelf.

Timetable:

Action	Date	FR Cite
NPRM	08/17/95	60 FR 42819
NPRM Comment Period End	10/16/95	
Final Action	12/00/96	
Final Action Effective	01/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4700, Herndon, VA 22070
Phone: 703 787-1600

RIN: 1010-AC03

1837. FEES FOR LEASE ASSIGNMENTS AND PIPELINE RIGHTS OF WAY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1334; 43 USC 1331 et seq

CFR Citation: 30 CFR 250.160; 30 CFR 250.163; 30 CFR 256.64

Legal Deadline: None

Abstract: This rule amends the requirements governing filing fees for pipeline right of way applications and assignments and lease transfers. By increasing the filing fees, MMS will recover the costs of processing these documents. The amendment also establishes that future changes in these filing fees will be indexed to the Consumer Price Index "U."

Timetable:

Action	Date	FR Cite
NPRM	08/11/95	60 FR 41034
NPRM Comment Period End	10/10/95	
Final Action	03/00/97	
Final Action Effective	04/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4700, Herndon, VA 22070
Phone: 703 787-1600

RIN: 1010-AC04

1838. ALLOWANCES FOR TRANSPORTATION AND PROCESSING COSTS ASSOCIATED WITH GAS VALUATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 301; 25 USC 396; 25 USC 2101; 30 USC 181; 30 USC 351; 30 USC 1001; 30 USC 1701; 31

USC 9701; 43 USC 1301; 43 USC 1331; 43 USC 1801

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule amends the regulations governing valuation for royalty purposes of gas produced from Federal and Indian leases. It primarily addresses allowances for transportation of gas. The amendments would clarify the methods by which gas royalties and deductions for gas transportation are calculated. The rule will also clarify changes required by Federal Energy Regulatory Commission Order 636 which has caused significant changes in the natural gas transportation industry.

Timetable:

Action	Date	FR Cite
NPRM	07/31/96	61 FR 39931
NPRM Comment Period End	09/30/96	
Final Action	10/00/96	

Small Entities Affected: None

Government Levels Affected: State, Tribal

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3000, Denver, CO 80225-0165
Phone: 303 231-3058

RIN: 1010-AC06

1839. • UNITIZATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250 subpart M

Legal Deadline: None

Abstract: This proposed revision removes the model unit agreements for (a) exploration, development, and production units and (b) development and production units. The rule will also be written in plain English. The intended effect of this action is to significantly shorten and clarify the wording.

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Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/05/96	61 FR 28525
NPRM Comment Period End	08/05/96	
Final Action	02/00/97	
Final Action Effective	03/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070-4817

Phone: 703 787-1600
 Fax: 703 787-1575
 RIN: 1010-AC19

DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)

Long-Term Actions

1840. ROYALTY PAYMENT LIABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

CFR Citation: 30 CFR 211

Legal Deadline: None

Abstract: Responsibilities of Minerals Management Service include the collection of royalties, bonuses, rentals, and related revenues from Federal and Indian mineral leases. These monies are, for the most part, collected from the current designated payor on the lease. However, if MMS is unable to collect from the current payor, it must pursue collections from a prior payor(s), the lessee, or an assignee of the lease. Existing regulations are unclear as to the responsibilities and liabilities of the parties involved. Therefore, MMS is proposing to amend its regulations to clarify payor, lessee, and assignee requirements and responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	04/13/94	59 FR 17504
NPRM	08/09/95	60 FR 30492
Comment Period Extended to 1/8/96	08/30/95	60 FR 45112
Comment Period Extended to 1/26/96	10/03/95	60 FR 56033
NPRM	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165

Phone: 303 231-3058

RIN: 1010-AB45

1841. CREDIT ADJUSTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

CFR Citation: 30 CFR 218

Legal Deadline: None

Abstract: Section 10 of the Outer Continental Shelf Lands Act (OCSLA), 43 USC 1339, requires that a lessee or payor under an offshore lease submit a request to Minerals Management Service (MMS) for recoupment or refund of an overpayment (credit adjustment) within 2 years of the date of the original payment. However, current law does not provide for a time limitation on credit adjustments under onshore Federal or Indian leases similar to that provided in the OCSLA. This rule would add a new provision entitled "Limitations on Credit Adjustments" which would restrict credit adjustments without prior authorization to payments due within 5 years before the date of the adjustments. The rule provides that MMS could authorize credit adjustments with respect to payments made more than 5 years but less than 10 years before the date of the adjustments. However, credit adjustments with respect to any payment made more than 10 years before the date of the adjustment would be prohibited.

The Debt Collection Act of 1982 (DCA), 31 USC 3716, allows Federal agencies to collect outstanding claims by administrative offset. The DCA instructs each agency to prescribe

regulations before collecting a claim by administrative offset, of royalties, interest, or other amounts due under Federal and Indian oil, gas, and other mineral leases.

Timetable:

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
Final Action	10/00/97	
Final Action Effective	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: This rule now includes the material formerly contained in RIN 1010-AB74.

Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165

Phone: 303 231-3058

RIN: 1010-AB73

1842. ROYALTY RELIEF FOR OUTER CONTINENTAL SHELF LEASES IN THE GULF OF MEXICO

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-58 Outer Continental Shelf Deep Water Relief Act

CFR Citation: 30 CFR 202; 30 CFR 208; 30 CFR 210; 30 CFR 216; 30 CFR 217; 30 CFR 218; 30 CFR 250.175; 30 CFR 256.32; 30 CFR 260

Legal Deadline: Final, Statutory, May 28, 1996.

Abstract: The Act authorizes the Secretary of the Interior to modify royalty or net profit share terms of certain existing leases and to offer new leases subject to the Act's provisions for royalty suspension volumes in water depths of 200 meters or more in

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Long-Term Actions

parts of the Central and Western Gulf of Mexico. The Act directs the Secretary to promulgate implementing regulations within 180 days of enactment.

Timetable:

Action	Date	FR Cite
ANPRM	02/23/96	61 FR 6958
Interim Final Rule	05/31/96	61 FR 27263
Final Action	10/00/97	
Final Action Effective	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Eldon Street, Room 4700, Herndon, VA 22075-4817
Phone: 703 787-1600
Fax: 703 787-1575

RIN: 1010-AC13

1843. DEEP WATER ROYALTY RELIEF—TRACTS OFFERED BETWEEN NOVEMBER 28, 1995, AND NOVEMBER 28, 2000

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-58 Outer Continental Shelf Deep Water Royalty Relief Act

CFR Citation: 30 CFR 260

Legal Deadline: Final, Statutory, May 28, 1996.

Abstract: The Act authorizes the Secretary of the Interior to modify royalty or net profit share terms of certain existing leases and to offer new leases subject to the Act's provisions for royalty suspension volumes in water depths of 200 meters or more in parts of the Central and Western Gulf of Mexico. The Act directs the Secretary to promulgate implementing

regulations within 180 days of enactment.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/25/96	61 FR 12022
Final Action	10/00/97	
Final Action Effective	11/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, 381 Eldon Street, Room 4700, Herndon, VA 22075-4817
Phone: 703 787-1600
Fax: 703 787-1575

RIN: 1010-AC14

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Minerals Management Service (MMS)

1844. FLARING OR VENTING GAS AND BURNING LIQUID HYDROCARBONS

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 250.175

Completed:

Reason	Date	FR Cite
Final Action	05/20/96	61 FR 25147
Final Action Effective	05/20/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sharon Buffington
Phone: 703 787-1147

RIN: 1010-AB96

1845. LEASE EXTENSIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 30 CFR 250

Completed:

Reason	Date	FR Cite
Final Action	10/30/96	61 FR 55885
Final Action Effective	11/29/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Mirabella
Phone: 703 787-1607

RIN: 1010-AC07

1846. OUTER CONTINENTAL SHELF LEASE TERMS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 30 CFR 256.37

Completed:

Reason	Date	FR Cite
Final Action	10/30/96	61 FR 55887
Final Action Effective	11/29/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John Mirabella
Phone: 703 787-1600
Fax: 703 787-1575

RIN: 1010-AC15

1847. ANNUAL INSPECTIONS OF OUTER CONTINENTAL SHELF FACILITIES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 30 CFR 250

Completed:

Reason	Date	FR Cite
Withdrawn No further action will be taken.	09/01/96	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William Cook
Phone: 703 787-1610

RIN: 1010-AC16

1848. EXTENSION OF THE BID ACCEPTANCE/REJECTION PERIOD IN THE FINAL NOTICE OF SALE

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 256.47

Completed:

Reason	Date	FR
Final Action	07/03/96	61 FR 34730
Final Action Effective	07/18/96	

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Completed Actions

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: John Mirabella
 Phone: 703 787-1607
RIN: 1010-AC18

Legal Deadline: None
Abstract: This revision will eliminate the drilling requirement from 30 CFR 258.37 for future leases. The provision will apply only when stipulated in the notice of lease sale. This will allow MMS to issue leases for eight years without the drilling provision.

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: John Mirabella, Chief, Engineering and Standards Branch, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070
 Phone: 703 787-1607

1849. • ELIMINATION OF DRILLING REQUIREMENTS

Priority: Substantive, Nonsignificant
Legal Authority: 43 USC 1331 et seq
CFR Citation: 30 CFR 256.37

Timetable:

Action	Date	FR Cite
Withdrawn Will be published under RIN 1010-AC15.	09/01/96	

RIN: 1010-AC20
BILLING CODE: 4310-MR-F

DEPARTMENT OF THE INTERIOR (DOI)
Office of Surface Mining Reclamation and Enforcement (OSMRE)

Proposed Rule Stage

1850. DEFINITION AND CRITERIA FOR VALID EXISTING RIGHTS

Priority: Other Significant
Legal Authority: 30 USC 1201 et seq
CFR Citation: 30 CFR 740; 30 CFR 745; 30 CFR 761; 30 CFR 772
Legal Deadline: None

Abstract: This rule will amend the portions of the permanent program which address the circumstances which constitute valid existing rights to mine coal in areas where Congress has otherwise prohibited mining under section 522(e) of the Surface Mining Control and Reclamation Act of 1977. This revision is in response to a court decision in round III of the litigation on OSM's permanent program regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/18/91	56 FR 33152
NPRM Comment Period End	09/16/91	
Second NPRM	11/00/96	

Small Entities Affected: None
Government Levels Affected: Federal
Agency Contact: Dennis Rice, Rules and Legislation Staff, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240
 Phone: 202 208-2829
 Fax: 202 219-0239
RIN: 1029-AB42

1851. ABANDONED COAL REFUSE SITES

Priority: Substantive, Nonsignificant
Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.
Legal Authority: 30 USC 1201
CFR Citation: 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870
Legal Deadline: NPRM, Statutory, October 24, 1993.

Abstract: OSM will propose new regulations governing permitting and performance standards for on-site processing of abandoned coal refuse piles and operations for removal of abandoned coal refuse piles. The rules are required to implement Section 2503(e) of the Energy Policy Act of 1992.

Timetable:

Action	Date	FR Cite
NPRM	03/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Doug Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240
 Phone: 202 208-2561
 Fax: 202 208-0239
RIN: 1029-AB70

1852. COAL MOISTURE

Priority: Substantive, Nonsignificant
Legal Authority: 30 USC 1201 et seq
CFR Citation: 30 CFR 870
Legal Deadline: None
Abstract: This rule adds specific criteria an operator must use in determining an excess moisture allowance claimed under 30 CFR 870.12. These criteria will codify technical guidance contained in AML Payer Letters issued since June 1988. The rule will identify acceptable methods and procedures for estimating total and inherent moisture contained in low rank coal. The criteria are based upon OSM experience and industry practices.

Timetable:

Action	Date	FR Cite
NPRM	12/00/96	

Small Entities Affected: Undetermined
Government Levels Affected: Undetermined
Agency Contact: James K. Krawchyk, Chief, Division of Compliance Management, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Three Parkway Center, Pittsburgh, PA 15220
 Phone: 412 921-2976
RIN: 1029-AB78

1853. CONTEMPORANEOUS RECLAMATION

Priority: Other Significant
Legal Authority: 30 USC 1201 et seq
CFR Citation: 30 CFR 816; 30 CFR 780; 30 CFR 773