



Federal Register

**Monday,
April 24, 2000**

Part X

**Department of the
Interior**

Semiannual Regulatory Agenda

DEPARTMENT OF THE INTERIOR (DOI)

DEPARTMENT OF THE INTERIOR

Office of the Secretary

25 CFR Ch. I

30 CFR Chs. II and VII

36 CFR Ch. I

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Semiannual Regulatory Agenda

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between April 2000 and October 2000. The Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

ADDRESSES: Unless otherwise indicated, all agency contacts are located at the Department of the Interior, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: You should direct all comments and inquiries with regard to these rules to the appropriate agency contact. You should direct general comments relating to the agenda to the Office of Regulatory Affairs, Department of the Interior, at the address above or on 202-208-5257 or 202-208-3071.

SUPPLEMENTARY INFORMATION: With this publication, the Department satisfies the requirement of Executive Order 12866 that the Department publish an agenda of rules that we have issued or expect to issue and of currently effective rules that we have scheduled for review.

Simultaneously, the Department meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) to publish an agenda in April and October of each year identifying rules that will have significant economic effects on a substantial number of small entities. We have specifically identified in the agenda rules that will have such effects.

Dated: March 16, 2000.

Richard A. Stephan,
Federal Register Liaison Officer.

Assistant Secretary for Policy, Management and Budget—Proposed Rule Stage

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1343	Records and Testimony; Freedom of Information Act	1090-AA61
1344	Nondiscrimination on the Basis of Sex in Federally Assisted Education Programs or Activities	1090-AA64
1345	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals	1090-AA68
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Assistant Secretary for Policy, Management and Budget—Final Rule Stage

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Assistant Secretary for Policy, Management and Budget—Long-Term Actions

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Assistant Secretary for Policy, Management and Budget—Completed Actions

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Office of the Special Trustee—Long-Term Actions

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United States Fish and Wildlife Service—Proposed Rule Stage

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1355	Public Use Regulations for Kodiak National Wildlife Refuge Alaska	1018-AE60
1356	Implementation of the 1994 Amendments to the Marine Mammal Protection Act	1018-AE72
1357	Proposed Reclassification and Delisting of the Gray Wolf in Certain Parts of Its Range	1018-AF20
1358	Taking of Marine Mammals by Level B Harassment; Issuance of General Authorization for Scientific Research and Permits for Photography, Educational, and Commercial Purposes	1018-AF26
1359	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles and Amphibians to the United States	1018-AF27
1360	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Coastal California Gnatcatcher	1018-AF32
1361	Endangered and Threatened Wildlife and Plants; Establishment of a Special Rule for the Canada Lynx	1018-AF40
1362	Endangered and Threatened Wildlife and Plants; Special Rule for the Chiricahua Leopard Frog	1018-AF41
1363	Importation, Exportation, and Transportation of Wildlife	1018-AF46
1364	Endangered and Threatened Wildlife and Plants; Tibetan Antelope	1018-AF49
1365	Administration of the National Coastal Wetlands Conservation Grant Program	1018-AF51
1366	Policy for Evaluation of Conservation Efforts in Endangered Species Decision-Making	1018-AF55
1367	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Plant Hackelia Venusta (Showy Stickseed)	1018-AF75
1368	Endangered and Threatened Wildlife and Plants; Emergency Listing of the Tiger Salamander	1018-AF81
1369	Endangered and Threatened Wildlife and Plants; Endangered Status for Cook's Lomatium and Large Flowered Woolly Meadowfoam	1018-AF84
1370	Endangered and Threatened Wildlife and Plants; List Ohlone Tiger Beetle as Endangered	1018-AF89
1371	Endangered and Threatened Wildlife and Plants; Proposal to List the Mississippi Gopher Frog Distinct Population Segment of Dusky Gopher Frog as Endangered.	1018-AF90
1372	Endangered and Threatened Wildlife and Plants; Proposal to Designate Critical Habitat for the Spectacled Eider. ..	1018-AF92
1373	Migratory Bird Permits; Determination That the State of Delaware Meets Federal Falconry Standards and Amended List of States Meeting Federal Falconry Standards.	1018-AF93
1374	Endangered and Threatened Wildlife and Plants; Proposed Designation of Critical Habitat for Steller's Eider	1018-AF95
1375	Endangered and Threatened Wildlife and Plants; Proposed Establishment of Nonessential Experimental Population Status for Four Fishes: Duskytail Darter, Smoky Madtom, Yellowfin Madtom, Spotfin Chub	1018-AF96
1376	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Alameda Whipsnake	1018-AF98
1377	Endangered and Threatened Wildlife and Plants; Designated Ports for Listed Plants	1018-AF99
1378	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Straight-horned Markhor Population of the Torghar Region of Balochistan, Pakistan, From Endangered to Threatened	1018-AG00
1379	2000 - 2001 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AG01
1380	Endangered and Threatened Wildlife and Plants; Proposed Listing of Two Southwest Milkvetch Plants	1018-AG02
1381	Endangered and Threatened Wildlife and Plants; Proposed Listing of Buena Vista Lake Shrew as Endangered	1018-AG04
1382	Endangered and Threatened Wildlife and Plants; Proposed Listing of Vermilion Darter as Endangered	1018-AG05

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1385	Seizure and Forfeiture Procedures	1018-AC89
1386	Reclassification of Yacare Caiman From Endangered to Threatened With Special Rule	1018-AD67
1387	Proposed Special Rule With the Reclassification of the Vicuna From Endangered to Threatened	1018-AE04
1388	Endangered and Threatened Wildlife and Plants; Proposed Determination of Threatened Status for Koala	1018-AE43
1389	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Oahu Elepaio From the Hawaiian Islands	1018-AE51
1390	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened La Graciosa Thistle, Lompoc Yerba Santa, Gaviota Tarplant & Nipoma Mesa Lupine	1018-AE81
1391	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Mariana Fruit Bat	1018-AE83
1392	Endangered and Threatened Species; Proposal To List Northern Idaho Ground Squirrel as Endangered or Threatened	1018-AE84
1393	Endangered and Threatened Wildlife and Plants; Proposal To List Colorado Butterfly Plant as Endangered or Threatened	1018-AE87
1394	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered in the United States the Short-Tailed Albatross	1018-AE91
1395	Proposed Delisting of the Bald Eagle Throughout the Lower 48 States	1018-AF21
1396	Endangered and Threatened Wildlife and Plants; Prebles Meadow Jumping Mouse	1018-AF30
1397	Endangered and Threatened Wildlife and Plants; Desert Yellowhead	1018-AF31
1398	Endangered and Threatened Wildlife and Plants; Nine Bexar County, Texas, Invertebrates	1018-AF33
1399	Endangered and Threatened Wildlife and Plants; Santa Ana Sucker	1018-AF34
1400	Endangered and Threatened Wildlife and Plants; Columbia White-Tailed Deer	1018-AF43
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1402	Endangered and Threatened Wildlife and Plants; Coastal Cutthroat Trout	1018-AF45
1403	Endangered and Threatened Wildlife and Plants; Scaleshell Mussel	1018-AF57
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1405	Endangered and Threatened Wildlife; Golden Sedge	1018-AF68
1406	Critical Habitat for the Tidewater Goby	1018-AF73
1407	Regulations for Subsistence Hunting and Fishing on Federal Lands in Alaska for the 2000-2001 Seasons.	1018-AF74
1408	Endangered and Threatened Wildlife and Plants; Proposal to List the Distinct Population Segment (DPS) of Anadromous Atlantic Salmon in the Gulf of Maine.	1018-AF80
1409	Endangered and Threatened Wildlife and Plants; Endangered Status for Southern CA Distinct Vertebrate Population Segment (DPS) of Mountain Yellow-Legged Frog	1018-AF83
1410	Importation or Shipment of Injurious Wildlife; Zebra Mussel	1018-AF88
1411	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp	1018-AF97
1412	Subsistence Hunting and Fishing on Federal Lands in Alaska; Rural Determinations	1018-AG03

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1416	Critical Habitat Designation for the Lost River and Shortnose Suckers	1018-AC90
1417	Revision of Migratory Bird Hunting Regulations, 50 CFR Part 20	1018-AD01
1418	Marine Mammal Protection Act; Unintentional Take of Marine Mammals by Harassment Only in Activities Other Than Commercial Fishing	1018-AD18
1419	Marine Mammal Protection Act; Measures To Safely Deter Marine Mammals, Including Threatened and Endangered Marine Mammals	1018-AD19
1420	Endangered and Threatened Wildlife and Plants; Special Rule for the Northern Spotted Owl	1018-AD20
1421	Taxonomic Change From Subspecies to Vertebrate Population Segment for the Virgin River Chub	1018-AD22
1422	Federal Aid in Sport Fish Restoration Program for Participation for District of Columbia and Insular Territories and Commonwealths	1018-AD83
1423	Rescission of Administrative Procedures for Grants in Aid (Marine Mammal Protection Act of 1972)	1018-AD92

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1425	Endangered and Threatened Wildlife and Plants; Proposed Establishment of Nonessential Experimental Population of Ten Freshwater Mussels in Holston River System in TN and VA	1018-AE01
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1427	Export of American Alligator for the 1998-2000 Harvest Seasons	1018-AE15
1428	Revisions to the Federal Aid Administrative Requirements	1018-AE17
1429	Exportation of Marine Mammal Products for Cultural Exchange	1018-AE33
1430	Injurious Wildlife; Addition of Brush-Tailed Possum	1018-AE34
1431	Endangered and Threatened Wildlife and Plants; Proposed Revision of Special Regulations for Gray Wolf	1018-AE45
1432	Eagle Permits; Permits for Falconry Purposes; Permits To Take Golden Eagle Nests	1018-AE62
1433	Migratory Bird Permits; Specific Permit Provisions; Import and Export Permits; Banding or Marking Permits; and Scientific Collecting Permits	1018-AE63
1434	Migratory Bird Permits; Introduction, General Requirements and Exceptions	1018-AE64
1435	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Cowhead Lake Tui Chub	1018-AE85
1436	Endangered and Threatened Wildlife and Plants; Proposed Establishment of Nonessential Experimental Population Status for 16 Freshwater Mussels and 1 Freshwater Snail	1018-AE92
1437	Refuge Compatibility Regulations Pursuant to the National Wildlife Refuge System Implementation Act of 1997	1018-AE98
1438	Consideration of Listing the Green Iguana (Iguana iguana) as Injurious, Pursuant to the Lacey Act	1018-AF08
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1441	Endangered and Threatened Wildlife and Plants; Proposal To List Sclerocactus Brevispinus (Pariette Cactus) as Endangered or Threatened	1018-AF15
1442	Endangered and Threatened Wildlife and Plants; Proposal To List Fourteen Hawaiian Pomace Flies as Endangered or Threatened	1018-AF16
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1444	Proposed Delisting of the Grizzly Bear in the Yellowstone Ecosystem	1018-AF22
1445	Export of River Otters Taken in Missouri in 1998-1999 and Subsequent Seasons	1018-AF23
1446	Migratory Bird Permits; Specific Permit Provisions; Special Purpose Permits	1018-AF28
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1448	National Boating Infrastructure Grant Program	1018-AF38
1449	Endangered and Threatened Wildlife and Plants; Proposed Special Rule for the Arkansas River Shiner	1018-AF39
1450	Endangered and Threatened Wildlife and Plants; Aleutian Canada Goose	1018-AF42
1451	Endangered and Threatened Wildlife and Plants; Asian Bonytongue	1018-AF48
1452	Proposed Guidance for Conducting Consultations for the Indiana Bat	1018-AF50
1453	1999-2000 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AF52
1454	Endangered and Threatened Wildlife and Plants; Alabama Sturgeon	1018-AF56
1455	Endangered and Threatened Wildlife and Plants; Tidewater Goby	1018-AF67
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1458	Spikedace and Loach Minnow; Determination of Critical Habitat Under the Endangered Species Act	1018-AF76
1459	Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for Spalding's Catchfly	1018-AF79
1460	Endangered and Threatened Wildlife and Plants; Endangered Status for San Diego Ambrosia	1018-AF86
1461	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2001 Subsistence Fishing and Shellfish Taking in Alaska	1018-AF91
1462	Endangered and Threatened Wildlife and Plants; Establishment of Critical Habitat Designation for the Santa Ana Sucker	1018-AF94

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1469	Endangered and Threatened Wildlife and Plants: Critical Habitat Designation for the Western Snowy Plover	1018-AD10
1470	Critical Habitat Proposal for Virgin River Fishes	1018-AD23
1471	Export of Appendix I Specimens That Were Bred for Commercial Purposes	1018-AD64
1472	Consolidation of Lists of Wildlife of Federal Concern	1018-AD66
1473	Migratory Bird Hunting: Regulations Regarding Prohibition Against Artificially Altering/Manipulating Natural Vegetation in Moist Areas To Attract Waterfowl	1018-AD74
1474	Endangered and Threatened Species: Removal of Lloyd's Hedgehog Cactus From Federal List of Endangered and Threatened Plants	1018-AD91
1475	Proposed Approval of Selected State Programs Allowing the Export of Ginseng Harvested in 1997-1999	1018-AE03
1476	Importation, Exportation, Transportation of Wildlife	1018-AE08
1477	Endangered and Threatened Wildlife and Plants: Proposed Endangered Status for Blackburn's Sphinx Moth from the Hawaiian Islands	1018-AE20
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1479	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Lone Buckwheat and Threatened Status for Lone Manzanita	1018-AE25
1480	Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for Newcomb's Snail From the Hawaiian Islands	1018-AE27
1481	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Plant Keck's Checker-Mallow From Tulare County, California	1018-AE30
1482	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Plant in Wenatchee Mountains of Washington	1018-AE32
1483	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two Cave Animals From Hawaiian Islands	1018-AE39
1484	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two San Joaquin Valley Mammals	1018-AE40
1485	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Plant Rough Popcornflower	1018-AE44
1486	Update of Addresses for Endangered Species Permit Applications	1018-AE49
1487	Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for Plant Howell's Spectacular Thelypody	1018-AE52
1488	Endangered and Threatened Wildlife and Plants; Endangered Status for Willamette Daisy, Fender's Blue Butterfly and Threatened Status for Kincaid's Lupine	1018-AE53
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1490	Endangered and Threatened Wildlife and Plants; Endangered Status for the Plant Prairie Penny Cress From Coastal Northern California	1018-AE55
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1492	Importation, Exportation and Transportation of Wildlife Concerning International Mail, Pet Birds, Border Ports, Shellfish and Fishery Products Exemption	1018-AE70
1493	Reclassification of the Namibian Population of Cheetah From Endangered to Threatened	1018-AE73
1494	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Gentner's Fritilaria (Mission Bells)	1018-AE75
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1497	Endangered and Threatened Species; Proposal To List as Endangered or Threatened Blumer's Dock	1018-AE89
1498	Endangered and Threatened Wildlife and Plants; Listing of Several Evolutionary Significant Units of West Coast Steelhead	1018-AE97
1499	Endangered and Threatened Wildlife and Plants; Delist Dismal Swamp Southeastern Shrew	1018-AF00
1500	Endangered and Threatened Wildlife and Plants; List Coastal-Puget Sound Jarbidge River and St. Mary's-Belly River Population Segments of Bull Trout as Threatened	1018-AF01
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1503	Announcement of Draft Policy for Evaluation of Conservation Efforts in Making Listing Decisions	1018-AF11

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1506	Amendment by Mexico to Appendix III Listing of Bigleaf Mahogany	1018-AF47
1507	Marine Mammals; Incidental Take of Polar Bear and Pacific Walrus During Specified Activities	1018-AF54
1508	Endangered and Threatened Wildlife and Plants; Sierra Nevada Population of California Bighorn Sheep	1018-AF59
1509	National Wildlife Refuges: Administrative Provisions	1018-AF60
1510	Convention on International Trade in Endangered Species of Wild Fauna and Flora; Sturgeon Permits	1018-AF66
1511	Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Two Chinook Salmon Evolutionarily Significant Unit (ESU's) in California.	1018-AF82
1512	Migratory Bird Hunting; Conservation Order, Mid-continent Light Fronted Geese (MCLG)	1018-AF85
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1523	Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway: Snowmobile and Snowplane Routes and Regulations	1024-AC34
1524	Big Cypress National Preserve; Recreational Frogging	1024-AC54
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National Park Service—Completed Actions

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Bureau of Indian Affairs—Proposed Rule Stage

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1551	Certificates of Degree of Indian Blood	1076-AD97
1552	Arrangement With States, Territories, or Other Agencies for Relief of Distress and Social Welfare of Indians	1076-AD98
1553	Trust Management Reform: Leasing, Permitting, Grazing, Probate and Funds Held in Trust	1076-AE00

Bureau of Indian Affairs—Final Rule Stage

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Bureau of Indian Affairs—Completed Actions

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Bureau of Indian Affairs—Completed Actions (Continued)

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1572	Preparation of Rolls of Indians	1076-AD89
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Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
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1600	Postlease Operations	1010-AC32
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Minerals Management Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1602	Deep Water Emergency Well Control Operations	1010-AC54
1603	Update of Documents Incorporated by Reference	1010-AC55

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1604	Abandoned Coal Refuse Sites—Title I	1029-AB70
1605	Contemporaneous Reclamation	1029-AB79
1606	Dam Safety Rules	1029-AB92
1607	Electronic Filing of the OSM-1 Form	1029-AB95
1608	Electronic Funds Transfer	1029-AB96
1609	Temporary Cessation of Mining Operations	1029-AB97

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1610	Indian Lands	1029-AB83
1611	Ownership and Control—Redesign	1029-AB94

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identification Number
1612	Definition and Criteria for Valid Existing Rights	1029-AB42
1613	Prohibitions Under Section 522(e) of SMCRA	1029-AB82

Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identification Number
1614	Central Valley Project of California—Purposes, Uses, and Allocation of Water Supplies	1006-AA34
1615	Acreage Limitation Rules for Trusts	1006-AA38
1616	Recovering the Value of Rights of Use and Related Administrative Costs	1006-AA39

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1617	Leases, Permits, and Easements	1004-AB51
1618	Sales—Federal Land Policy and Management Act	1004-AB77
1619	Desert Land Entries	1004-AC56
1620	Disposal of Reserved Minerals Under the Stock Raising Homestead Act	1004-AC59
1621	Land Withdrawals	1004-AC63
1622	Cost Recovery; Mineral Filings and Operations	1004-AC64
1623	Railroad Grants	1004-AC76
1624	Land Classification	1004-AC78
1625	Carey Act Grants	1004-AC80

DOI

Bureau of Land Management—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1626	Segregation and Opening of Lands	1004-AC84
1627	Appeals Procedures; Hearings Procedures	1004-AC99
1628	Color of Title and Omitted Lands	1004-AD00
1629	Paleontological Resources	1004-AD03
1630	Geothermal Resource Unit Agreement	1004-AD10
1631	Coal Management	1004-AD11
1632	Oil and Gas Leasing; National Petroleum Reserve, Alaska—Unit Agreements	1004-AD13
1633	Financial Assistance; Local Governments	1004-AD23
1634	Use Authorizations (Recreation)	1004-AD25
1635	Mineral Materials Disposal	1004-AD29
1636	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32
1637	Alaska Native Veterans Allotments	1004-AD34
1638	Conservation; Helium Leasing	1004-AD35
1639	Timber Export and Substitution	1004-AD37
1640	Hazardous Materials Compliance	1004-AD38
1641	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AD39

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1642	Management of Designated Wilderness Area	1004-AB69
1643	Oil and Gas Leasing; Drainage	1004-AC54
1644	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AC74
1645	Indian Allotments	1004-AC77
1646	Oil and Gas Leasing and Operations	1004-AC94
1647	Surface Management (Locatable Minerals)	1004-AD22
1648	Location Recording, and Maintenance of Mining Claims and Sites	1004-AD31

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1649	Coalbed Methane Development	1004-AC27

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1650	Wild and Scenic Rivers	1093-AA08

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1342. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 9651(c)

CFR Citation: 43 CFR 11

Legal Deadline: None

Abstract: CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called "type B" procedures for determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

Timetable:

Action	Date	FR Cite
ANPRM	07/16/96	61 FR 37031
ANPRM Comment Period End	09/16/96	
NPRM	11/00/00	
NPRM Comment Period End	02/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Willie R. Taylor, Director, Office of Environmental Policy and Compliance, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 2340, MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-3891

RIN: 1090-AA29

1343. RECORDS AND TESTIMONY; FREEDOM OF INFORMATION ACT

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 552 Freedom of Information Act

CFR Citation: 43 CFR 2

Legal Deadline: None

Abstract: 43 CFR part 2, subparts A and B, are being revised in their entirety to reflect the provisions of the new FOIA law "Electronic FOIA Amendments of 1996," Pub. L. 104-231, the recommendations of the National Performance Review lab, and to make other changes as necessary.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Alexandra Mallus, DOI FOIA Officer (OIRM), Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 208-5342

RIN: 1090-AA61

1344. NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS OR ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 20 USC 1681; 20 USC 1682; 20 USC 1683; 20 USC 1685; 20 USC 1686; PL 92-318; PL 93-568, sec 3

CFR Citation: 43 CFR 41

Legal Deadline: None

Abstract: The purpose of this regulatory action is to proscribe discrimination on the basis of sex in federally assisted education programs or activities of the Department of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Local, Tribal

Agency Contact: Melvin C. Fowler, Civil Rights Staff Assistant, Department

of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-3455

RIN: 1090-AA64

1345. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4.401(c)(2); 43 CFR 4.403; 43 CFR 4.404; 43 CFR 4.405; 43 CFR 4.406; 43 CFR 4.407; 43 CFR 4.408; 43 CFR 4.414; 43 CFR 4.415; 43 CFR 4.422(c)(2); 43 CFR 4.450-5

Legal Deadline: None

Abstract: This document proposes to amend procedural rules governing hearings and appeals in public-lands cases. The amendments are necessary to conform the rules to procedural practices contained in decisions of the Interior Board of Land Appeals. The amended rules would provide parties more complete information and more up-to-date procedures than the existing rules.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	
Final Action	11/00/00	
Final Action Effective	06/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Interior Board of Appeals, 4015 Wilson Boulevard, Arlington, VA 22203
Phone: 703 235-3750

RIN: 1090-AA68

1346. RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 372

CFR Citation: 43 CFR 4.271; 43 CFR 4.320

Legal Deadline: None

DOI—BIA

Completed Actions

Completed:

Reason	Date	FR Cite
Withdrawn - Replaced by RIN 1076-AD97	01/03/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Lee Fleming
Phone: 202 208-3592**RIN:** 1076-AD78**1572. PREPARATION OF ROLLS OF INDIANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 61**Completed:**

Reason	Date	FR Cite
Final Action	04/23/99	64 FR 19896

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Daisy West
Phone: 202 208-2475
Fax: 202 501-0679**RIN:** 1076-AD89**1573. DISTRIBUTION OF FY 2000 INDIAN RESERVATION ROADS FUNDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 170**Completed:**

Reason	Date	FR Cite
Final Action	02/15/00	65 FR 7431

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** LeRoy Gishi
Phone: 202 208-4359**RIN:** 1076-AD99**BILLING CODE** 4310-02-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Minerals Management Service (MMS)

1574. REFUNDS AND RECOUPMENT OF OVERPAYMENTS ON OCS**Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 181 et seq; 25 USC 2101 et seq; 25 USC 351 et seq; 25 USC 3716; 25 USC 3720a; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 9701; 5 USC 301 et seq; 25 USC 1001 et seq; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1735; 25 USC 1701 et seq; 25 USC 1801 et seq
CFR Citation: 30 CFR 206; 30 CFR 218; 30 CFR 230**Legal Deadline:** None**Abstract:** This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent and estimates resulting from sales of Federal onshore and offshore oil and gas production.**Timetable:**

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

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, MineralsManagement Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
Phone: 303 231-3432
Fax: 303 231-3385
Email: david.guzy@mms.gov**RIN:** 1010-AC27**1575. TAKES VS. ENTITLEMENTS REPORTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1735**CFR Citation:** 30 CFR 205**Legal Deadline:** None**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.**Timetable:**

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

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165Phone: 303 231-3432
Fax: 303 231-3385
Email: david.guzy@mms.gov
RIN: 1010-AC29**1576. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1735**CFR Citation:** 30 CFR 204**Legal Deadline:** None**Abstract:** This rule allows reporters to seek accounting, reporting, and auditing relief for their marginal properties in accordance with section 117(c) of the Federal Oil and Gas Royalty Management Act of 1982 as amended by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.**Timetable:**

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3360
NPRM Comment Period End	03/22/99	
Supplementary Proposed Rule	11/00/00	
NPRM Comment Period End	01/00/01	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff,

DOI—MMS

Proposed Rule Stage

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RIN: 1010-AC30

1577. PREPAYMENT OF ROYALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 204

Legal Deadline: None

Abstract: This rule allows payors to prepay royalty in lieu of monthly royalty payments for their marginal properties with approval from the affected States. It will establish the criteria used by payors, States, and MMS to calculate, report, and monitor royalty prepayments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

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RIN: 1010-AC31

1578. OIL AND GAS DRILLING OPERATIONS

Priority: Other Significant

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

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: The rule will be written in plain English, substantive changes will

be incorporated, and the rule will reflect the results of the blowout preventer study.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	08/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

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RIN: 1010-AC43

1579. EXPLORATION OR DEVELOPMENT AND PRODUCTION PLANS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 25 CFR 250

Legal Deadline: None

Abstract: MMS requires companies to submit for approval their exploration and development plans for activities on the Outer Continental Shelf. The companies must submit these plans before they can begin any activities, except preliminary activities. This rule would rewrite the requirements into clearer language and organize them into discrete sections by topic, to make them easier to follow.

Timetable:

Action	Date	FR Cite
NPRM	07/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

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RIN: 1010-AC47

1580. INCIDENT REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: Recent rapid growth in offshore exploration and production activities in the Gulf of Mexico has led to an increase in accidents and fatalities. Since safety is our top priority, we must upgrade our accident investigation functions. To do this we need accurate and timely information. This rule is the only way to require operators, lessees, and permit holders in the Outer Continental Shelf (OCS) to give us a written report about each OCS accident. It will also establish clearer guidelines for accident reporting thresholds and timing.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	11/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC57

1581. ROYALTY RELIEF TERMS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 396 et seq

CFR Citation: 30 CFR 203

Legal Deadline: None

Abstract: This rule amends the circumstances that discontinue the existing royalty relief for end-of-life leases.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior,

DOI—MMS

Proposed Rule Stage

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RIN: 1010-AC58

1582. VALUATION OF FEDERAL GEOTHERMAL RESOURCES USED TO GENERATE ELECTRICITY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq, 2101 et seq; 30 USC 181 et seq, 1001 et seq, 1701 et seq; 31 USC 9701; 43 USC 1301 et seq, 1801 et seq; 30 CFR 206

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule contains procedures to use in valuing geothermal resources used to generate electricity.

Timetable:

Action	Date	FR Cite
ANPRM	08/19/99	64 FR 45213
NPRM	09/00/00	
NPRM Comment Period End	11/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC59

1583. ● RECORDS AND FILES MAINTENANCE

Priority: Substantive, Nonsignificant

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

CFR Citation: 30 CFR 212

Legal Deadline: None

Abstract: This rule will amend records and files maintenance regulations to incorporate the longer retention requirements for records related to Federal oil and gas.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
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RIN: 1010-AC64

1584. ● DECOMMISSIONING ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a)

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule will amend MMS' regulations governing operations in the Outer Continental Shelf to update decommissioning requirements. The new layout of the rule follows the logical sequence of plugging a well, decommissioning the platform and pipeline, and clearing the waste site. The proposed rule also updates the requirements to reflect changes in technology. We have restructured the requirements to make the regulations easier to read and understand. The proposed technical changes will help ensure that lessees decommission operations safely and effectively.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC65

1585. ● UPDATE OF DOCUMENTS INCORPORATED BY REFERENCE: API/ISO 10432

Priority: Routine and Frequent

Legal Authority: 5 USC 552(a)

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule will incorporate a document by reference into 30 CFR part 250. The document is an international standard dealing with downhole equipment and subsurface safety valve equipment.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC66

1586. ● UPDATE OF DOCUMENTS INCORPORATED BY REFERENCE: NACE MR 0175-99 ETC.

Priority: Routine and Frequent

Legal Authority: 5 USC 552(a)

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule incorporates by reference recent revisions of the following documents: NACE MR 0175-99; API Specification Q1, 6th edition; API, RP 2D, Cranes; API, MPMS, Chapter 4, Section 6; API, MPMS, Chapter 4, Section 7.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

DOI—MMS

Proposed Rule Stage

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 RIN: 1010-AC67

1587. • REQUIREMENTS GOVERNING SURETY BONDS FOR THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 256

Legal Deadline: None

Abstract: This rule would change requirements governing surety bonds for activities on the Outer Continental Shelf. These changes will codify the terms and conditions under which a surety will be relieved of responsibility when MMS terminates the period and liability of a bond. Codifying these terms and conditions is necessary to clarify the responsibilities of the lessee after the lease expires.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC68

1588. • OUTER CONTINENTAL SHELF OIL AND GAS LEASING-BIDDING SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 and 1337

CFR Citation: 30 CFR 260

Legal Deadline: None

Abstract: This rule rewrites the Outer Continental Shelf (OCS) Bidding System procedures in plain language. It also adds a new section that addresses how leases sold after the year 2000 may receive royalty suspensions on an OCS field. This new section is included because offering royalty suspensions is part of the bidding system that will be used in future oil

and gas lease sales. The current rule specifies royalty suspension volumes that apply across the board to water depth categories in the Central and Western Gulf of Mexico sales from 1995 through 2000. The new rule provides for a more selective, sale-specific approach to granting royalty suspensions. It also explains how different categories of leases will share royalty relief on a common field after 2000.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment	10/00/00	
Period End		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC69

1589. • AMENDMENTS TO SALE OF FEDERAL ROYALTY OIL (SMALL REFINER ADMINISTRATIVE FEE)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1301 et seq; 31 USC 9701 et seq; 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 would remove the requirement that MMS collect fees from small refiners to recover the administrative cost of the small refiner royalty-in-kind program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment	07/00/00	
Period End		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: David S. Guzy, Chief, Rules and Publications Staff,

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RIN: 1010-AC70

1590. • DEEP WATER ROYALTY RELIEF FOR OUTER CONTINENTAL SHELF OIL AND GAS LEASES ISSUED AFTER 2000

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 ISC 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 1810 et seq

CFR Citation: 30 CFR 203

Legal Deadline: None

Abstract: Some of the leases issued after the year 2000 in the deep water of the Gulf of Mexico may need development incentives, especially if most of the better prospects have already been leased. The current regulations only allow leases issued before November 28, 1995, to apply for royalty relief. Unless we revise these regulations, new leases on non-producing fields cannot apply for royalty relief under our established deep water royalty relief program. This rule change also establishes guidelines for seeking royalty relief outside our existing programs for end-of-life or deep water royalty relief, if the circumstances serve the objectives of the Outer Continental Shelf Lands Act.

Timetable:

Action	Date	FR Cite
NPRM	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC71

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

Final Rule Stage

1591. VALUATION OF OIL FROM INDIAN LEASES

Priority: Other Significant

Legal Authority: 25 USC 2101 et seq; 25 USC 396 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule would modify the regulations that establish royalty value for oil produced from Indian leases and create a new form for collecting value and value differential data. These changes would decrease reliance on oil posted prices and make Indian oil royalty valuation more consistent with the terms of Indian leases.

Statement of Need: Current oil valuation regulations rely primarily on posted prices and prices under arm's-length sales to value oil that is not sold at arm's-length. Recently, posted prices have become increasingly suspect as a fair measure of market value. This rulemaking would modify valuation regulations to place substantial reliance on the highest of crude oil futures prices, major portion prices, or gross proceeds. It would eliminate any direct reliance on posted prices. This rulemaking would also add more certainty to valuation of oil produced from Indian leases.

Summary of Legal Basis: The primary legal basis for this rulemaking is the Federal Oil and Gas Royalty Management Act of 1982, as amended, which defines the Secretary of the Interior's (1) authority to implement and maintain a royalty management system for oil and gas leases on Indian lands, and (2) trust responsibility to administer Indian oil and gas resources.

Alternatives: We considered a range of valuation alternatives. Among these were: (1) Making minor adjustments to the current gross proceeds valuation method using spot prices; (2) using index-based prices with fixed adjustments for production from specific geographic zones; (3) relying on some type of field pricing other than posted prices; and (4) taking oil in-kind.

We chose the higher of New York Mercantile Exchange (NYMEX) futures prices, major portion prices in the field or area, or gross proceeds received by the lessee or its affiliate. We chose NYMEX-based prices as one of three

measures of value because NYMEX represents the price for a widely-traded domestic crude oil, there is little likelihood that any particular participant in NYMEX trading could affect the prices, and NYMEX prices are regarded by many experts to be the best available measure of oil market value.

Anticipated Cost and Benefits: We estimate compliance with this rulemaking would cost the oil and gas industry approximately \$46,000 annually. Additional costs to industry and MMS would be up-front computer programming and other administrative costs associated with processing the new form. The benefits of this rulemaking would be an estimated \$3.6 million increase in annual royalties collected on oil produced from Indian leases. Additional benefits would include simplification and increased certainty of oil pricing, reduced audit efforts, and reduced valuation determinations and associated litigation.

Risks: The risk of not modifying current oil valuation regulations is that Indian recipients may not receive royalties based on the highest paid price or offered for the major portion of oil produced—a common requirement in most Indian leases. These modifications ensure that the Department fulfills its trust responsibilities for administering Indian oil and gas leases under governing mineral leasing laws, treaties, and lease terms.

Timetable:

Action	Date	FR Cite
ANPRM	12/20/95	60 FR 65610
ANPRM Comment Period End	03/19/96	
NPRM	02/12/98	63 FR 7089
NPRM Comment Period Extended	04/09/98	63 FR 17349
NPRM Comment Period End	05/13/98	
Supplementary NPRM	01/05/00	65 FR 403
Comment Period End	03/06/00	
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Tribal

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RIN: 1010-AC24

1592. TRAINING LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF

Priority: Other Significant

Legal Authority: 43 USC 133

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would require operators and lessees to ensure that their workers (including contractors) are properly trained and can demonstrate their proficiency to MMS. Operators and lessees will determine the type of training, teaching methods, training length, and frequency. MMS will develop appropriate performance measures and indicators. These measures may include: written testing; hands-on and simulator testing; audits, interviews, or cooperative reviews; and incidence of noncompliance for civil penalty and events data.

Timetable:

Action	Date	FR Cite
NPRM	04/20/99	64 FR 19318
NPRM Comment Period End	07/19/99	
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
 Phone: 703 787-1600
 Fax: 703 787-1093
 Email: kumkum_ray.mms.gov

RIN: 1010-AC41

1593. PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 280

Legal Deadline: None

DOI—MMS

Final Rule Stage

Abstract: This rule will expand the provisions governing research by requiring everyone conducting geological and geophysical scientific research without a permit to file a notice with MMS. These revisions respond to changes in technology and practice.

Timetable:

Action	Date	FR Cite
NPRM	12/08/99	64 FR 68649
NPRM Comment Period End	02/07/00	
Final Action	09/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC48

1594. PRODUCER-OPERATED OUTER CONTINENTAL SHELF PIPELINES THAT CROSS DIRECTLY INTO STATE WATERS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: A 1996 Memorandum of Understanding between the Departments of the Interior and Commerce agreed that interior would regulate producer-operated pipelines in the OCS and Transportation would regulate transporter-operated pipelines. This rule will implement the terms of the memorandum. It will ensure that 35 Gulf of Mexico and 10 California producer-operated pipelines are regulated by the Department of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	10/01/99	64 FR 53298
NPRM Comment Period End	11/30/99	
Final Action	07/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC56

1595. • FORMS AND REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq, 2101 et seq; 30 USC 181 et seq, 351 et seq, 101 et seq, 1701 et seq; 31 USC 3176 et seq, 9701 ; 43 USC 1301 et seq, 1331 et seq, 1801 et seq

CFR Citation: 30 CFR 210

Legal Deadline: None

Abstract: This rule will update the list of Royalty Management Program information collections, the purpose of the collections, and the estimated reporting burden associated with each collection. It will also update MMS mailing addresses.

Timetable:

Action	Date	FR Cite
Final Action	07/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
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RIN: 1010-AC63

DEPARTMENT OF THE INTERIOR (DOI)

Minerals Management Service (MMS)

Long-Term Actions

1596. ROYALTY PAYMENT LIABILITY

Priority: Other Significant

Legal Authority: 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 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 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 amending its regulations to clarify payor, lessee, and assignee requirements and responsibilities for Indian mineral leases and Federal solid mineral and geothermal leases.

Timetable:

Action	Date	FR Cite
NPRM	04/13/94	59 FR 17504
NPRM	06/09/95	60 FR 30492
Comment Period Extended	08/30/95	60 FR 45112

Action	Date	FR Cite
Comment Period Extended	10/03/95	60 FR 56033
Final Action	04/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 1010-AB45

DOI—MMS

Long-Term Actions

1597. CREDIT ADJUSTMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq; 5 USC 301 et seq**CFR Citation:** 30 CFR 218**Legal Deadline:** None**Abstract:** This rule will limit adjustments on royalty payments and determine the use of administrative offset for certain collections. This rule was expanded to include post-Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 impacts on credit adjustments and administrative offsets after the initial proposed rule was published, so a new proposed rule will be issued.**Timetable:**

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
NPRM	04/00/01	
NPRM Comment Period End	06/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
Phone: 303 231-3432
Fax: 303 231-3385
Email: david.guzy@mms.gov**RIN:** 1010-AB73**1598. CHRONIC ERRONEOUS REPORTING****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; 43 USC 1331 et seq; 43 USC 1801 et seq; 43 USC 1301 et seq; 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 30 USC 181 et seq; 30 USC 351 et seq**CFR Citation:** 30 CFR 216; 30 CFR 218**Legal Deadline:** None**Abstract:** This rule eliminates assessments for late reporting and failure to report and defines the assessment criteria. The new rule will define what is considered a chronic erroneous reporter and applicable assessments. Penalties for failure to report are also addressed.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/01	
NPRM Comment Period End	06/00/01	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
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DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Minerals Management Service (MMS)

1599. VALUATION OF OIL FROM FEDERAL MINERAL LEASES**Priority:** Other Significant**CFR Citation:** 30 CFR 206**Completed:**

Reason	Date	FR Cite
Supplementary Proposed Rule	12/30/99	64 FR 73820
NPRM Comment Period End	01/31/00	
Final Action	03/15/00	65 FR 14022
Final Action Effective	06/01/00	

Regulatory Flexibility Analysis Required: Yes**Government Levels Affected:** State**Agency Contact:** David S. Guzy
Phone: 303 231-3432
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Email: David.Guzy@mms.gov**RIN:** 1010-AC09**1600. POSTLEASE OPERATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 218.154; 30 CFR 250.1 to 250.29; 30 CFR 256.1; 30 CFR 256.4; 30 CFR 256.55; 30 CFR 256.73**Completed:**

Reason	Date	FR Cite
Final Action	12/28/99	64 FR 72756
Final Action Effective	01/27/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum__ray.mms.gov**RIN:** 1010-AC32**1601. REVIEWING EXPLORATION PLANS AND DEVELOPMENT AND PRODUCTION PLANS FOR COASTAL ZONE CONSISTENCY****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	10/01/99	64 FR 53195
Final Action Effective	11/01/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Kumkum Ray
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum__ray.mms.gov**RIN:** 1010-AC42

DOI—MMS

Completed Actions

1602. DEEP WATER EMERGENCY WELL CONTROL OPERATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	08/01/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray

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RIN: 1010-AC54**1603. UPDATE OF DOCUMENTS INCORPORATED BY REFERENCE****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	01/04/00	65 FR 217
Final Action Effective	02/03/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Joseph Levine

Phone: 703 787-1032

Email: rules.comments@mms.gov

RIN: 1010-AC55**BILLING CODE** 4310-MR-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1604. ABANDONED COAL REFUSE SITES—TITLE I**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870**Legal Deadline:** None**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 poillycy Act of 1992.**Timetable:**

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Douglas Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240
Phone: 202 208-2634**RIN:** 1029-AB70**1605. CONTEMPORANEOUS RECLAMATION****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816; 30 CFR 780; 30 CFR 773**Legal Deadline:** None**Abstract:** This rule would amend our regulations to ensure that coal mine operators reclaim their operations in a contemporaneous manner using site-based contemporaneous standards.**Timetable:**

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: John Craynon, Chief, Technology Development Staff, Department of the Interior, Office of Surface Mining Reclamation and Enforcement

Phone: 202 208-2866

RIN: 1029-AB79**1606. DAM SAFETY RULES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816; 30 CFR 817**Legal Deadline:** None**Abstract:** This rule would require the surface coal mining permittee to have an emergency action plan (EAP) when a dam is placed in service. This would bring OSM's regulations on EAPs into compliance with the Federal guidelines for dam safety and the Department manual. It would ensure that EAPs are

in place for all Class "B" and Class "C" hazard structures that may not necessarily be regulated by the Mine Safety and Health Administration but for which OSM is responsible.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** State**Agency Contact:** Ruchi Kohli, Civil Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240
Phone: 202 208-2971**RIN:** 1029-AB92**1607. ELECTRONIC FILING OF THE OSM-1 FORM****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 870**Legal Deadline:** None**Abstract:** This rule would allow mine operators the option of electronically filing the information required by the OSM-1 form. The form is used by coal mine operators to report the amount of coal sold, used, or transferred during the calendar quarter; the method of coal removal; the type of coal removal; and other required information.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	