

For production through January 31, 2006, reporters used Form MMS-4377, Stripper Royalty Rate Reduction Notification, to notify MMS of royalty rate changes. Although the benefits were terminated, MMS continues to verify previously submitted notifications and may require the operator to submit an amended Form MMS-4377.

The MMS requests OMB approval to continue to collect this information. Not

collecting this information would limit the Secretary's ability to discharge his/her duties and may also result in loss of royalty payments. Proprietary information submitted is protected, and there are no questions of a sensitive nature included in this information collection.

*Frequency:* As requested.  
*Estimated Number and Description of Respondents:* 150 lessees/lessors.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 180 hours.

We have not included in our estimates certain requirements performed in the normal course of business and considered usual and customary. The following chart shows the estimated burden hours by CFR section and paragraph:

RESPONDENTS' ESTIMATED ANNUAL BURDEN HOURS

30 CFR 216 subpart B	Reporting and recordkeeping requirement	Hour burden	Average number of annual responses	Annual burden hours
216.57 .....	Stripper royalty rate reduction notification ..... In accordance with its regulations at 43 CFR 3103.4-1, titled "Waiver, suspension, or reduction of rental, royalty, or minimum royalty," the Bureau of Land Management (BLM) may grant reduced royalty rates to operators of low producing oil leases to encourage continued production. Operators who have been granted a reduced royalty rate(s) by BLM must submit a Stripper Royalty Rate Reduction Notification (Form MMS-4377) to MMS for each 12-month qualifying period that a reduced royalty rate(s) is granted. [58 FR 64903, Dec. 10, 1993] Please note the BLM citation and title changed to 43 CFR 3103.4-2 Stripper well royalty reductions.	1.2	150	180
Total Burden	.....	.....	150	180

*Estimated Annual Reporting and Recordkeeping "Non-hour" Cost Burden:* We have identified no "non-hour cost" burden associated with the collection of information.

*Public Disclosure Statement:* The PRA (44 U.S.C. 3501 *et seq.*) provides that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

*Comments:* Section 3506(c)(2)(A) of the PRA requires each agency " \* \* \* to provide notice \* \* \* and otherwise consult with members of the public and affected agencies concerning each proposed collection of information \* \* \*." Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

To comply with the public consultation process, we published a notice in the **Federal Register** on

November 6, 2006 (71 FR 64978), announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. We received no comments in response to the notice.

If you wish to comment in response to this notice, you may send your comments to the offices listed under the **ADDRESSES** section of this notice. The OMB has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore, to ensure maximum consideration, OMB should receive public comments by November 1, 2007.

*Public Comment Policy:* We will post all comments in response to this notice on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/InfoColl/InfoColCom.htm](http://www.mrm.mms.gov/Laws_R_D/InfoColl/InfoColCom.htm). Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. We will also make copies of the comments available for public review, including names and addresses of respondents, during regular business hours at our offices in Lakewood, Colorado. Upon request, we will withhold an individual respondent's home address from the public record, as allowable by law.

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

*MMS Information Collection Clearance Officer:* Arlene Bajusz (202) 208-7744.

Dated: July 30, 2007.

**Lucy Querques Denett,**  
*Associate Director for Minerals Revenue Management.*

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**BILLING CODE 4310-MR-P**

**DEPARTMENT OF THE INTERIOR**

**Minerals Management Service**

**Agency Information Collection Activities: Proposed Collection, Comment Request**

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

**ACTION:** Notice of an extension of a currently approved information

collection (OMB Control Number 1010-0073).

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), we are inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The previous title of this ICR was "30 CFR Part 220—Accounting Procedures for Determining Net Profit Share Payment for Outer Continental Shelf Oil and Gas Leases, § 220.010 NPSL capital account, § 220.030 Maintenance of records, § 220.031 Reporting and payment requirements, § 220.032 Inventories, and § 220.033 Audits." The new title of this ICR is "30 CFR 220—OCS Net Profit Share Payment Reporting." There are no forms associated with this information collection.

**DATES:** Submit written comments on or before December 3, 2007.

**ADDRESSES:** Submit written comments to Sharron L. Gebhardt, Lead Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225. If you use an overnight courier service or wish to hand-carry your comments, our courier address is Building 85, Room A-614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225. You may also e-mail your comments to us at [mrm.comments@mms.gov](mailto:mrm.comments@mms.gov). Include the title of the information collection and the OMB control number in the "Attention" line of your comment. Also include your name and return address. If you do not receive a confirmation that we have received your e-mail, contact Ms. Gebhardt at (303) 231-3211.

**FOR FURTHER INFORMATION CONTACT:** Sharron L. Gebhardt, telephone (303) 231-3211, FAX (303) 231-3781, or e-mail [sharron.gebhardt@mms.gov](mailto:sharron.gebhardt@mms.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* 30 CFR Part 220—OCS Net Profit Share Payment Reporting.

*OMB Control Number:* 1010-0073.

*Bureau Form Number:* None.

*Abstract:* The Secretary of the U.S. Department of the Interior is responsible for collecting royalties from lessees who produce minerals from leased Federal and Indian lands. The Secretary is required by various laws to manage mineral resources production on Federal and Indian lands, collect the royalties due, and distribute the funds in accordance with those laws. The MMS performs the royalty management functions for the Secretary.

Applicable law citations pertaining to mineral leases include the Federal Oil

and Gas Royalty Management Act of 1982 (Pub. L. 97-451—Jan. 12, 1983); Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1353; Pub. L. 212—Aug. 7, 1953, as amended by Pub. L. 93-627—Jan. 3, 1975, Pub. L. 95-372—Sept. 18, 1978, and Pub. L. 98-498—Oct. 19, 1984); and the Mineral Leasing Act (30 U.S.C. 1923). These citations can be viewed on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/PublicLawsAMR.htm](http://www.mrm.mms.gov/Laws_R_D/PublicLawsAMR.htm).

**General Information**

When a company or an individual enters into a lease to explore, develop, produce, and dispose of minerals from Federal or Indian lands, that company or individual agrees to pay the lessor a share of the value received from production from the leased lands. The lease creates a business relationship between the lessor and the lessee. The lessee is required to report various kinds of information to the lessor relative to the disposition of the leased minerals. Such information is similar to data reported to private and public mineral interest owners and is generally available within the records of the lessee or others involved in developing, transporting, processing, purchasing, or selling of such minerals. The information collected includes data necessary to ensure royalties or net profit share payments are properly valued and appropriately paid.

**Net Profit Share Leases (NPSL) Bidding System**

To encourage exploration and development of oil and gas leases on submerged Federal lands on the Outer Continental Shelf (OCS), regulations were promulgated at 30 CFR 260—Outer Continental Shelf Oil and Gas Leasing. Specific implementation regulations for the NPSL bidding system are promulgated at § 260.110(d). The MMS established the NPSL bidding system to balance a fair market return to the Federal Government for the lease of its public lands with a fair profit to companies risking their investment capital. The system provides an incentive for early and expeditious exploration and development and provides for sharing the risks by the lessee and the Federal Government. The NPSL bidding system incorporates a fixed capital recovery system as a means through which the lessee recovers costs of exploration and development from production revenues, along with a reasonable return on investment.

**NPSL Capital Account**

The Federal Government does not receive a profit share payment from an

NPSL until the lessee shows a credit balance in its capital account; that is, cumulative revenues and other credits exceed cumulative costs. The credit balance is multiplied by the net profit share rate (30 to 50 percent), resulting in the amount of net profit share payment due the Federal Government.

The MMS requires lessees to maintain an NPSL capital account for each lease, which transfers to a new owner when sold. Following the cessation of production, lessees are also required to provide either an annual or a monthly report to the Federal Government, using data from the capital account.

**NPSL Inventories**

The NPSL lessees must notify MMS of their intent to perform an inventory and file a report after each inventory of controllable material.

**NPSL Audits**

When non-operators of an NPSL call for an audit, they must notify MMS. When MMS calls for an audit, the lessee must notify all non-operators on the lease. These requirements are located at § 220.033.

**Summary**

This collection of information is necessary in order to determine when net profit share payments are due and to ensure royalties or net profit share payments are properly valued and appropriately paid.

The MMS will request OMB's approval to continue to collect this information. Not collecting this information would limit the Secretary's ability to discharge his/her duty and may also result in loss of royalty payments. Proprietary information submitted to MMS under this collection is protected, and there are no questions of a sensitive nature included in this information collection.

*Frequency:* Annually, monthly, and on occasion.

*Estimated Number and Description of Respondents:* 6 lessees.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 1,046 hours.

All six lessees report monthly because all current NPSLs are in producing status. Because the requirements for establishment of capital accounts at § 220.010(a) and capital account annual reporting at § 220.031(a) are necessary only during non-producing status of a lease, we included only one response annually for these requirements, in case a new NPSL is established. We have not included in our estimates certain requirements performed in the normal course of business, which are

considered usual and customary. The following chart shows the estimated annual burden hours by CFR section and paragraph.

RESPONDENTS' ESTIMATED ANNUAL BURDEN HOURS

Citation 30 CFR 220	Reporting & recordkeeping requirement	Hour burden	Number of annual responses	Annual burden hours
<b>PART 220—ACCOUNTING PROCEDURES FOR DETERMINING NET PROFIT SHARE PAYMENT FOR OUTER CONTINENTAL SHELF OIL AND GAS LEASES</b>				
<b>§ 220.010 NPSL capital account</b>				
220.010(a) .....	(a) For each NPSL tract, an NPSL capital account shall be established and maintained by the lessee for NPSL operations * * *.	1	1	1
<b>§ 220.030 Maintenance of records</b>				
220.030(a) and (b) ..	(a) Each lessee * * * shall establish and maintain such records as are necessary * * *.	1	6	6
<b>§ 220.031 Reporting and payment requirements</b>				
220.031(a) .....	(a) Each lessee subject to this part shall file an annual report during the period from issuance of the NPSL until the first month in which production revenues are credited to the NPSL capital account * * *.	1	1	1
220.031(b) .....	(b) Beginning with the first month in which production revenues are credited to the NPSL capital account, each lessee * * * shall file a report for each NPSL, not later than 60 days following the end of each month * * *.	13	72	936
220.031(c) .....	(c) Each lessee subject to this Part 220 shall submit, together with the report required * * * any net profit share payment due * * *.	Burden hours covered under § 220.031(b).		
220.031(d) .....	(d) Each lessee * * * shall file a report not later than 90 days after each inventory is taken * * *.	8	6	48
220.031(e) .....	(e) Each lessee * * * shall file a final report, not later than 60 days following the cessation of production * * *.	4	6	24
<b>§ 220.032 Inventories</b>				
220.032(b) .....	(b) At reasonable intervals, but at least once every three years, inventories of controllable materiel shall be taken by the lessee. Written notice of intention to take inventory shall be given by the lessee at least 30 days before any inventory is to be taken so that the Director may be represented at the taking of inventory * * *.	1	6	6
<b>§ 220.033 Audits</b>				
220.033(b)(1) .....	(b)(1) When nonoperators of an NPSL lease call an audit in accordance with the terms of their operating agreement, the Director shall be notified of the audit call * * *.	2	6	12
220.033(b)(2) .....	(b)(2) If DOI determines to call for an audit, DOI shall notify the lessee of its audit call and set a time and place for the audit * * *. The lessee shall send copies of the notice to the nonoperators on the lease * * *.	2	6	12
220.033(e) .....	(e) Records required to be kept under § 220.030(a) shall be made available for inspection by any authorized agent of DOI * * *.	The Office of Regulatory Affairs determined that the audit process is exempt from the Paperwork Reduction Act of 1995 because MMS staff asks non-standard questions to resolve exceptions.		
Total Burden ....	.....	.....	110	1,046

*Estimated Annual Reporting and Recordkeeping “Non-hour” Cost Burden:* We have identified no “non-hour cost” burdens.

*Public Disclosure Statement:* The PRA (44 U.S.C. 3501 *et seq.*) provides that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it

displays a currently valid OMB control number.

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

comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d)

minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

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

We will summarize written responses to this notice and address them in our ICR submission for OMB approval, including appropriate adjustments to the estimated burden. We will provide a copy of the ICR to you without charge upon request. The ICR also will be posted on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/FRNotices/FRInfColl.htm](http://www.mrm.mms.gov/Laws_R_D/FRNotices/FRInfColl.htm).

**Public Comment Policy:** We will post all comments in response to this notice on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/FRNotices/FRInfColl.htm](http://www.mrm.mms.gov/Laws_R_D/FRNotices/FRInfColl.htm). We will also make copies of the comments available for public review, including names and addresses of respondents, during regular business hours at our offices in Lakewood, Colorado. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

*MMS Information Collection Clearance Officer:* Arlene Bajusz (202) 208-7744.

Dated: September 21, 2007.

**Lucy Querques Denett,**  
*Associate Director for Minerals Revenue Management.*  
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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Availability of Final Environmental Impact Statement for the North Shore Road in Great Smoky Mountains National Park

**SUMMARY:** The National Park Service (NPS) in cooperation with the Federal Highway Administration (FHWA) announces the availability of the Final Environmental Impact Statement (FEIS) for the North Shore Road in the Great Smoky Mountains National Park, North Carolina. This document will be available for public review pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969 and NPS policy in Director's Order Number 12 (Conservation Planning, Environmental Impact Analysis, and Decision Making). The primary purpose of this FEIS is to finalize the documentation of the environmental analysis of the five alternatives studied in the document; to address substantive comments made on the Draft EIS; and to disclose the Agency's Preferred Alternative.

The purpose of the proposed action is to discharge and satisfy any obligations on the part of the United States that presently exist as the result of the July 30, 1943, Memorandum of Agreement (MOA) among the U.S. Department of the Interior (DOI), Tennessee Valley Authority (TVA), Swain County, North Carolina, and the State of North Carolina. The need for the project is to determine whether or not it is feasible to complete the road and to evaluate other alternatives that would satisfy the obligation.

The FEIS analyzed five alternatives for meeting the purpose and need of the project. The no-action alternative would continue current management practices and policies into the future. The monetary settlement (the preferred alternative) would provide Swain County, North Carolina, with a monetary settlement to satisfy and discharge the obligations of the MOA. Each of the other three action alternatives would allow various levels of development and/or road

construction within the project study area of the Great Smoky Mountains National Park. Under the Laurel Branch Picnic Area alternative, a day-use area on the north side of existing Lake View Road would be constructed. Outdoor facilities would include a multi-use picnic shelter, picnic tables, several loop trails, drinking fountains, and restrooms. Under the Partial-Build Alternative to Bushnell, up to 8 miles (12.9 km) of new roadway from the existing tunnel west to the vicinity of the former Bushnell settlement would be constructed. This alternative would provide a boat-launching ramp and restricted boat dock. Located near the terminus of the new roadway would be a multi-use picnic shelter and picnic tables, a backcountry permit station, an information kiosk, restrooms, and a parking area. Exhibit/museum space would be designed to highlight local heritage of the area and could include concession opportunities. Under the Northern Shore Corridor Alternative, 29 to 34.3 miles of new roadway to the vicinity of Fontana Dam would be constructed. It would connect Lake View Road to NC Hwy. 28. This alternative would include provisions for the development of an auto-tour guide describing the historic and natural points of interest along the route. Also, restrooms would be built at appropriate locations.

The NPS Preferred Alternative is the Monetary Settlement Alternative. The Monetary Settlement would ensure that resources of Great Smoky Mountains National Park and the Appalachian National Scenic Trail would be unimpaired for the enjoyment of future generations. It would fulfill project goals and objectives including the protection of natural, cultural, and recreational resources.

**DATES:** The NPS will execute a Record of Decision (ROD) no sooner than 30 days following the publication of the Environmental Protection Agency's Notice of Availability in the **Federal Register**.

**ADDRESSES:** The complete FEIS is available for review or download on the internet at <http://www.northshoreroad.info>.

Copies of the FEIS will also be available for review at the following locations:

Pack Memorial Library, 67 Haywood Street, Asheville, North Carolina 28801;

Marianna Black Library, 33 Fryemont Road, Bryson City, North Carolina 28713;

Charlotte and Mecklenburg County