

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 Agenda of Rules Scheduled for Review or Development

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual agenda of rules scheduled for review or development.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between

April 1994 and October 1994. An agenda is required by the Regulatory Flexibility Act and Executive Order 12866.

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: All comments and inquiries with regard to these rules should be directed to the appropriate agency contact. General comments relating to the agenda should be directed to the Office of Regulatory Affairs, Department of the Interior, at the address above or on (202) 208-5271.

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

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

This agenda also identifies rules that the Department has determined to be "significant" under Executive Order 12866 and that will be included in the Department's 1994 regulatory plan. A more comprehensive discussion of this plan and the relevant rules will be contained in the Regulatory Plan of the United States Government, which will be published by the Office of Management and Budget.

Dated: February 24, 1994.

Bill Vincent,

Deputy Director, Office of Regulatory Affairs.

Assistant Secretary for Policy, Management and Budget—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1711	Natural Resource Damage Assessments	1090-AA29

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

Sequence Number	Title	Regulation Identifier Number
1712	Natural Resource Damage Assessments	1090-AA21
1713	Natural Resource Damage Assessments	1090-AA23
1714	Principles of Ethical Conduct	1090-AA38

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

Sequence Number	Title	Regulation Identifier Number
1715	Department of the Interior, New Restrictions on Lobbying	1090-AA26
1716	Administrative and Audit Requirements and Cost Principles for Assistance Programs	1090-AA37
1717	Administrative and Audit Requirements and Cost Principles for Assistance Programs	1090-AA41
1718	Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Nonprofit Institutions	1090-AA42

Assistant Secretary for Policy, Management and Budget—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1719	Natural Resource Damage Assessments	1090-AA22

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Office of the Solicitor—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1720	Subpart E—Compulsory Process and Testimony of Employees	1092-AA09

Office for Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1721	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting From Federal Financial Assistance	1091-AA02

Office of Hearings and Appeals—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1722	Rules Applicable in Indian Affairs Hearings and Appeals	1094-AA38

Office of Hearings and Appeals—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1723	Rules Applicable in Indian Affairs Hearings and Appeals	1094-AA39
1724	Special Rules Applicable to Surface Coal Mining Hearings and Appeals	1094-AA42
1725	Notice of Interim Alternative Dispute Resolution and Opportunity for Comment	1094-AA45

Office of Hearings and Appeals—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1726	Special Rules Applicable to Surface Coal Mining Hearings and Appeals	1094-AA43

United States Fish and Wildlife Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1727	Migratory Bird Hunting	1018-AA24
1728	Policy on Health Certification for Translocation/Release of Animals under Service Jurisdiction	1018-AC40

United States Fish and Wildlife Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1729	Refuge-Specific Hunting and Fishing Regulations	1018-AA71
1730	National Wildlife Refuges: Adding to Areas Open to Hunting and Fishing	1018-AB25
1731	Seasons and Bag Limits for Subsistence Management Regulations	1018-AB43
1732	Importation, Exportation, and Transportation of Wildlife	1018-AB49
1733	Endangered and Threatened Wildlife and Plants	1018-AB66
1734	The National Coastal Wetland Conservation Grant Program	1018-AB68
1735	List of Migratory Birds	1018-AB72
1736	Release and Harvest of Captive-Bred Waterfowl	1018-AB77

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United States Fish and Wildlife Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1737	Migratory Bird Hunting: Hunting Regulations for Restriction of Shotshell Length, Maximum Shot Size, and Nontoxic Shot Coatings	1018-AB80
1738	Eagle Permits	1018-AB81
1739	Endangered and Threatened Wildlife and Plants	1018-AB94
1740	Endangered and Threatened Wildlife and Plants	1018-AB97
1741	Endangered and Threatened Wildlife and Plants; Establishment of Manatee Protection Areas in Lake Woodruff National Wildlife Refuge, Florida	1018-AB99
1742	Alaska Refuges Visitor Services	1018-AC02
1743	Humane and Healthful Transport Regulations	1018-AC08
1744	Endangered and Threatened Wildlife and Plants; San Xavier Talussnail	1018-AC13
1745	Wild Bird Conservation Act, Part II	1018-AC15
1746	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Pecos Pupfish	1018-AC18
1747	Endangered Species Listings—Alaska Breeding Population of the Steller's Eiders	1018-AC19
1748	Endangered Species Listing—Parish's Alkali Grass	1018-AC21
1749	Endangered Species Listing—Barton Springs Salamander	1018-AC22
1750	Endangered Species Listing—Gesneria Pauciflora (No Common Name (NCN))	1018-AC28
1751	Incidental Take Provisions for Endangered and Threatened Migratory Birds	1018-AC29
1752	Reclassifications of Some Populations of Saltwater Crocodiles with Special Rule for Saltwater and Nile Crocodiles	1018-AC30
1753	Endangered Species Listing—2 California Butterflies and a Snake	1018-AC32
1754	Marbled Murrelet Critical Habitat Designation	1018-AC33
1755	Endangered Species Listing—California Red-Legged Frog	1018-AC34
1756	Designated Ports for Listed Plants	1018-AC36
1757	Migratory Bird Harvest Information Program	1018-AC37
1758	Endangered Species Listing—Pacific Pocket Mouse	1018-AC39
1759	Endangered Species Listing—2 Tennessee Bladderpods	1018-AC42
1760	Endangered Species Listing—Arabian Wolf	1018-AC43
1761	Endangered and Threatened Wildlife and Plants; Saint Francis' Satyr Butterfly	1018-AC44

United States Fish and Wildlife Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1762	Endangered and Threatened Wildlife and Plants	1018-AA85
1763	Proposed Determination of Experimental Population Status for an Introduced Population of Colorado Squawfish	1018-AB09
1764	Captive-Bred Wildlife	1018-AB10
1765	Endangered and Threatened Wildlife and Plants	1018-AB42
1766	Cabin Management Regulations on National Wildlife Refuges in Alaska	1018-AB46
1767	Endangered and Threatened Wildlife and Plants	1018-AB52
1768	Endangered and Threatened Wildlife and Plants	1018-AB56
1769	Farm-Raised Fish; Exemption From Fish and Wildlife Export Requirements	1018-AB61
1770	Endangered and Threatened Wildlife and Plants	1018-AB73
1771	Endangered and Threatened Wildlife and Plants: Establishment of Additional Manatee Sanctuaries in Kings Bay, Crystal River, Citrus County, Florida	1018-AB74
1772	Endangered and Threatened Wildlife and Plants	1018-AB75
1773	Endangered and Threatened Wildlife and Plants	1018-AB83
1774	Endangered and Threatened Wildlife and Plants: 30 African Birds	1018-AB84
1775	Endangered and Threatened Wildlife and Plants	1018-AB88
1776	Endangered and Threatened Wildlife and Plants: Four Hawaiian Ferns	1018-AB92
1777	Clean Vessel Act Technical Guidelines	1018-AB95
1778	Proposed Establishment of a Nonessential Experimental Population of Black-Footed Ferrets in North-Central Montana	1018-AB96
1779	Establishment of a Nonessential Experimental Population of Black-Footed Ferrets in Southwestern South Dakota ..	1018-AB98
1780	Endangered and Threatened Wildlife and Plants: Eight Vernal Pool Plants of the Central Valley of California	1018-AC00
1781	Endangered and Threatened Wildlife and Plants	1018-AC01
1782	Endangered and Threatened Wildlife and Plants: Revision of the Special Rule for Nonessential Experimental Populations of Red Wolves in North Carolina and Tennessee	1018-AC03
1783	Endangered and Threatened Wildlife and Plants: Three Puerto Rican Trees	1018-AC04

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United States Fish and Wildlife Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1784	Clean Vessel Act Pumpout Station Grant Administration	1018-AC06
1785	Designated Port Status for Boston, MA	1018-AC07
1786	Endangered and Threatened Wildlife and Plants	1018-AC09
1787	Endangered and Threatened Wildlife and Plants: Flat-Tailed Horned Lizard	1018-AC10
1788	Endangered and Threatened Wildlife and Plants: Small Whorled Pogonia, Reclassification	1018-AC11
1789	Endangered and Threatened Wildlife and Plants: Two Puerto Rican Hawks	1018-AC12
1790	Endangered and Threatened Wildlife and Plants; Reclassification of the Loch Lomond Coyote Thistle	1018-AC14
1791	Regulations Prohibiting Taking of Free Ranging Wolves and Wolverines on the National Wildlife Refuges in Alaska on the Same Day the Trapper or Hunter is Airborne	1018-AC16
1792	Endangered and Threatened Wildlife and Plants; Three Puerto Rican Plants	1018-AC17
1793	Endangered Species Listing—Rock Gnome Lichen	1018-AC23
1794	Endangered Species Listing—Spruce-Fir Moss Spider	1018-AC25
1795	Endangered Species Listing—Sacramento Splittail	1018-AC26
1796	Endangered Species Listing—Rock Cress	1018-AC27
1797	Species Change to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	1018-AC31
1798	Removal of the Eastern North Pacific Populations of the Gray Whale from the List of Endangered Wildlife	1018-AC38

United States Fish and Wildlife Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1799	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Least Bell's Vireo	1018-AA95
1800	Injurious Wildlife: Importation of Live or Dead Fish, Mollusks, and Crustaceans, or Their Eggs	1018-AB13
1801	Endangered and Threatened Wildlife and Plants; Designated Ports for Plants	1018-AB28
1802	Federal Migratory Bird Hunting and Conservation Stamp (Duck Stamp) Logo	1018-AB40
1803	Migratory Bird Permits: Determination That Kansas, Rhode Island, and Missouri Meet Federal Falconry Standards	1018-AB45
1804	Endangered and Threatened Wildlife and Plants: Hawaiian Plants—11 From Koolau	1018-AB69
1805	Marine Mammals: Incidental Take During Specified Activities (Oil and Gas Exploration, Development, and Production) in Arctic Alaska and the Beaufort Sea	1018-AB79
1806	Endangered and Threatened Wildlife and Plants: 22 Hawaiian Plants	1018-AB89
1807	Endangered and Threatened Wildlife and Plants: Critical Habitat for Four Colorado River Fishes	1018-AB91
1808	Wild Bird Conservation Act	1018-AB93
1809	Endangered Species Listing—Loach Minnow and Spikedace	1018-AC24
1810	Endangered and Threatened Wildlife and Plants; Withdrawal of Proposal to List Hesperocnide Sandwicensis (No Common Name (NCN))	1018-AC35

National Park Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1811	National Park Service Symbols: United States Park Police Insignia	1024-AB94

National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1812	Fort Jefferson National Monument: Fishing; Boundary Adjustments	1024-AA96
1813	Minerals Management—Non-Federal Oil and Gas	1024-AB39
1814	Rights-of-Way	1024-AC01
1815	Alaska: Subsistence Uses	1024-AC03
1816	Glacier Bay: Vessel Management Plan/Regulations	1024-AC05
1817	Penalty Provisions	1024-AC06
1818	Rock Climbing	1024-AC13

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National Park Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1819	Sale and Distribution of Newspapers, Leaflets, and Pamphlets	1024-AC14
1820	Glacier National Park Revision	1024-AC15
1821	Katmai National Park—Bear Management	1024-AC17
1822	Yellowstone National Park—Special Revision	1024-AC18
1823	Visitor Services Under Section 1307 of ANILCA	1024-AC19
1824	Grand Teton Backcountry Use	1024-AC20
1825	Applicability and Resource Protection Revisions	1024-AC21

National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1826	Protection of Archaeological Resources; Uniform Regulations	1024-AA51
1827	Everglades National Park: Mining	1024-AB10
1828	Yellowstone National Park: Commercial Traffic on U.S. Highway 191 Within Yellowstone National Park	1024-AB82
1829	Solid Waste Disposal Sites in Units of the National Park System	1024-AB95
1830	National Natural Landmarks Program	1024-AB96
1831	Glacier Bay National Park, Alaska Fishing Regulations	1024-AB99
1832	Native American Graves Protection and Repatriation Act Implementation	1024-AC07
1833	Glacier Bay: Regulation Applicability	1024-AC22

National Park Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1834	Management of Mineral Development Associated With Mining Claims	1024-AB74
1835	National Capital Region Parks: Special Event Rules	1024-AB92

Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1836	Administration of the Higher Education Program	1076-AA10
1837	Administration of the Indian Adult Education Programs	1076-AA15
1838	Leasing and Permitting	1076-AA29
1839	Roads of the Bureau of Indian Affairs	1076-AB05
1840	Financial Assistance and Social Services Program	1076-AC13
1841	Certificates of Degree of Indian Blood	1076-AC19
1842	Revised Procedures for Implementation of the Indian Self-Determination and Education Assistance Act Amendments of 1988	1076-AC20
1843	Safety and Health Inspection Program	1076-AC31
1844	Minimum Academic Standards for the Basic Education of Indian Children and National Criteria for Dormitory Situations	1076-AC32
1845	Deposit and Expenditure of Individual Funds of Members of the Osage Tribe of Indians Who Do Not Have Certificates of Competency	1076-AC45
1846	Operation and Maintenance of Irrigation Projects	1076-AC53
1847	Individual Indian Monies	1076-AC65
1848	Sale of Forest Products, Red Lake Indian Reservation, Minnesota	1076-AC75
1849	Sale of Lumber and Other Forest Products Produced by Indian Enterprises From the Forests on Indian Reservations	1076-AC77
1850	Listing of Courts of Indian Offenses: Amendment	1076-AC78
1851	Adult and Juvenile Detention, Holding, and Community Residential Standards for Facilities and Programs	1076-AC80
1852	Navajo Partitioned Lands Grazing Regulations	1076-AC81
1853	Indian Monies, Proceeds of Labor (IMPL)	1076-AC86

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Bureau of Indian Affairs—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1854	Tribal Organization Under a Federal Statute	1076-AC88
1855	Petitioning and Other Procedures for Tribes Reorganized Under Federal Statute and Other Organized Tribes	1076-AC89
1856	Family and Child Education Program (FACE)	1076-AC92
1857	Arrangements With States, Territories, and Other Agencies for Social Welfare of Indians	1076-AC94
1858	Licensed Indian Traders	1076-AC95
1859	Education Contracts Under the Johnson-O'Malley Act	1076-AC96
1860	Indian Child Protection and Family Violence Prevention Programs	1076-AC97
1861	Resource Allocation Methodology for the Housing Assistance Program	1076-AD01
1862	Irrigation Operation and Maintenance Rate Adjustment	1076-AD02
1863	Indian Electric Power Utilities	1076-AD03
1864	American Indian Agricultural Rangeland Management	1076-AD04
1865	Preference in Employment	1076-AD05
1866	Protection of Products of Indian Art and Craftsmanship	1076-AD06

Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1867	Oil, Gas, Solid Mineral, and Geothermal Mineral Agreements	1076-AA82
1868	Leasing of Osage Reservation Lands for Oil/Gas Mining	1076-AC09
1869	General Forest Regulations	1076-AC44
1870	Procedures for Establishing That an American Group Exists as an Indian Tribe	1076-AC46
1871	Education Facilities Construction	1076-AC49
1872	Buy Indian Act Procedures for Contracting	1076-AC50
1873	Off Reservation Land Acquisitions for Indian Tribes	1076-AC51
1874	Use of Columbia River Indian In-Lieu Fishing Sites	1076-AC79
1875	Business Practices on the Navajo, Hopi, and Zuni Reservations	1076-AC87

Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1876	Criminal and Civil Code of Offenses and Procedures for the Courts of Indian Offense	1076-AA01
1877	Protection of Archaeological Resources	1076-AC23
1878	Preparation of a Roll of Independent Seminole Indians of Florida	1076-AC48
1879	Indian Child Welfare Act	1076-AC55
1880	Law Enforcement Facilities Regulations	1076-AC60
1881	Housing Improvement Program	1076-AC82
1882	Mutual Fund Investment of Trust Funds	1076-AC83
1883	Management of Tribal Assets of the Ute Indian Tribe and the Ute Indian Corporation	1076-AC98
1884	Oil and Gas, Solid Mineral, and Geothermal Mineral Agreements	1076-AC99
1885	Oil and Gas, Solid Mineral, and Geothermal Minerals Agreements	1076-AD00

Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1886	Audit Procedures and Payor Requirements and Responsibilities During Audits	1010-AB44
1887	Payor Responsibilities	1010-AB45
1888	Extension of Time Period for Maintaining Records on Outer Continental Shelf Net Profit Share Oil and Gas Leases	1010-AB46
1889	Amendments to 30 CFR 250.67—Hydrogen Sulfide	1010-AB50
1890	Safety Requirements Governing Production Platforms and Pipelines	1010-AB52
1891	Valuation of Gas Production Under Unitization or Communitization Agreements and for Non-Arms Length Sales	1010-AB57
1892	Response Plans Facilities Seaward of the Coastline	1010-AB81

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Minerals Management Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1893	Revision of Requirements Governing Corporate Surety Bonds for Outer Continental Shelf Leases	1010-AB92
1894	Revision of Authorized Bidding Systems for Leases in the Outer Continental Shelf	1010-AB93
1895	Transportation and Processing Allowances	1010-AB94

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1896	Regulations Governing Recoupment of Overpayments on Indian Leases	1010-AB40
1897	Archaeological Surveys	1010-AB63
1898	Limitations on Credit Adjustments Submitted by Lessees and Other Royalty Payors Under Federal and Indian Mineral Leases	1010-AB73
1899	Collection of Royalties, Interest, and Other Amounts Due Under Federal and Indian Mineral Leases by Administrative Offset	1010-AB74
1900	Amendment of Regulations Governing Assessments for Incorrect Reports	1010-AB82
1901	Amendment of Regulations Governing Late Payment Interest Charges on Solid Minerals and Geothermal Resources Leases	1010-AB83
1902	Offsets, Recoupments, and Refunds of Excess Payments of Royalties, Rentals, Bonuses, or Other Amounts Under Federal Offshore Mineral Leases	1010-AB90

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1903	Administrative Amendment of Regulations To Update Addresses and Information Regarding Information Collection	1010-AB89

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1904	Abandoned Coal Refuse Sites	1029-AB70
1905	Affected Area (Haul Roads)	1029-AB76
1906	Coal Moisture	1029-AB78
1907	Backfilling and Grading	1029-AB79
1908	Notification and Right of Entry	1029-AB80

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1909	Applicant/Violator System Procedures	1029-AB34
1910	Permanent Regulatory Program; Performance Standards; Permanent and Temporary Impoundments	1029-AB40
1911	Definition and Criteria for Valid Existing Rights	1029-AB42
1912	Abandoned Mine Land Reclamation Fund Reauthorization	1029-AB49
1913	Wire Transfer of Fees	1029-AB50
1914	Land Use Information Rule	1029-AB57
1915	Surface Coal Mining and Reclamation Operations: Initial and Permanent Regulatory Programs; Abandoned Sites ..	1029-AB60
1916	Surface Coal Mining and Reclamation Operations; Permanent Regulatory Programs; Performance Bonds; Alternative Bonding Systems	1029-AB61
1917	Applicant/Violator System Permit Information	1029-AB62
1918	Regulation of Indian Lands	1029-AB65
1919	Basis for Coal Weight Determination	1029-AB68

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Office of Surface Mining Reclamation and Enforcement—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1920	Subsidence	1029-AB69
1921	Abandoned Mine Land Grant Procedures	1029-AB72
1922	Coal Remining	1029-AB74
1923	Definition of Coal	1029-AB75
1924	Coal Formation Outcrop Fires	1029-AB77

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1925	Procedure To Process and Recover the Value of Rights of Use and Administrative Costs Incurred in Permitting Such Use	1006-AA23
1926	Regulations for Administering Entitlements to Colorado River Water in the Lower Colorado River Basin	1006-AA24
1927	Acreage Limitation Regulations	1006-AA32
1928	Acreage Limitation Administrative Fees	1006-AA33

Bureau of Reclamation—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1929	Reclamation of Arid Lands by the United States	1006-AA26
1930	Exchange or Amendment of Farm Units on Federal Reclamation Projects	1006-AA27
1931	Administrative Claims Under the Public Works Appropriation Act for Teton Dam	1006-AA28
1932	Emergency Drought Act	1006-AA29
1933	Revenues Management	1006-AA30

Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1934	Reclamation Acquisition Regulation System	1006-AA20
1935	Acreage Limitation Reporting Threshold	1006-AA31

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1936	Management of Rights-of-Way Authorized by R.S. 2477	1004-AB00
1937	Onshore Oil and Gas Operations; Special Provisions; Onshore Oil and Gas Order No. 5—Measurement of Gas	1004-AB22
1938	Sales of Forest Products; General—Preparation for Sale	1004-AB34
1939	Leases, Permits, and Easements	1004-AB51
1940	Management of Designated Wilderness Area	1004-AB69
1941	Drainage, Operations, and Leasing Obligations	1004-AB74
1942	Sales—Federal Land Policy and Management Act	1004-AB77
1943	Onshore Oil and Gas Operations: Onshore Oil and Gas Order No. 4 —Measurement of Oil	1004-AB80
1944	Grazing Administration Exclusive of Alaska	1004-AB89
1945	Land Withdrawals	1004-AB94
1946	Onshore Oil and Gas Operations	1004-AC09
1947	Administration of Rights-of-Way	1004-AC12
1948	Logical Mining Units: General; LMU Application Procedures; LMU Approval Criteria; LMU Diligence; Administration of LMU Operations	1004-AC15
1949	Mining Claim Maintenance and Location Fees	1004-AC17

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Bureau of Land Management—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1950	Execution and Filing of Forms	1004-AC18
1951	Disposal of Reserved Minerals Under the Stockraising Homestead Act	1004-AC19

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1952	Public Availability of Minerals Resources Information	1004-AB55
1953	Protection, Management, and Control of Wild Free-Roaming Horses and Burros	1004-AB84
1954	Conveyance of Federally Owned Mineral Interests	1004-AB86
1955	Public Law 167; Act of July 23, 1955	1004-AB88
1956	Sales of Forest Products; Law Enforcement	1004-AB97
1957	Homesteading; Designation of Areas and Sites; Programs and Objectives (Administrative Final Rule)	1004-AB98

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1958	Unauthorized Use of Public Lands	1004-AA38
1959	Indian Allotments	1004-AB10
1960	Exchanges—General Procedures	1004-AB28
1961	Mining Claims Under the General Mining Laws	1004-AB36
1962	Onshore Oil and Gas Order No. 8—Well Workovers, Completions, Abandonments	1004-AB37
1963	Onshore Oil and Gas Order No. 9—Waste Prevention and Beneficial Use of Oil and Gas	1004-AB47
1964	Mining in Military Withdrawals	1004-AB52
1965	Classifications	1004-AB57
1966	Onshore Oil and Gas Operations; Special Provisions; Onshore Oil and Gas Order No. 1—Approval of Operations on Onshore Federal and Indian Oil and Gas Leases	1004-AB72
1967	Onshore Oil and Gas Unit Agreements—Unproven Areas	1004-AB73
1968	Protection, Management, and Control of Wild Free-Roaming Horses and Burros	1004-AB81
1969	Award of Contract	1004-AB83
1970	Hardrock Minerals Prospecting Permits	1004-AC05
1971	Minerals; Cost Recovery	1004-AC06
1972	Law Enforcement—Criminal	1004-AC11
1973	Mining Claims; Lands Open to Location; National Parks; Indian Reservations; Removal of Obsolete or Expired Regulations	1004-AC13
1974	Planning, Programming, and Budgeting	1004-AC14
1975	Requirements and Procedures for the Survey of the Public Lands of the United States	1004-AC16

DEPARTMENT OF THE INTERIOR (DOI)

Prerule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1711. NATURAL RESOURCE DAMAGE ASSESSMENTS

Legal Authority: 42 USC 9651(c)

CFR Citation: 43 CFR 11

Legal Deadline: None

Abstract: The Department is currently revising its CERCLA type B procedures based on a court ruling. Section 301(c)(3) of CERCLA requires that the regulations be reviewed and revised, as

appropriate, on a biennial basis. The Department will begin a review of the type B rule once it is revised. The Department will ask trustees, other interested parties, and members of the public to draw upon their experience with the type B procedures and the general assessment process to advise the Department of areas where revisions to the process and the type B procedures may be desired. If these

comments and suggestions show areas where revisions to the general process or to the type B procedures are needed, a notice of proposed rulemaking will be issued to revise the rule. This review will be closely coordinated with the rulemaking of the National Oceanic and Atmospheric Administration (Commerce), which has responsibility for natural resource damage assessment

DOI—BIA

Completed Actions

Timetable:

Action	Date	FR Cite
Withdrawn	01/26/94	

Small Entities Affected: None

Government Levels Affected: Tribal

Agency Contact: Jim Parris, Director, Office of Trust Funds Management, Department of the Interior, Bureau of Indian Affairs, 505 Marquette Street NW., Suite 700, Albuquerque, NM 87102, 505 766-3230

RIN: 1076-AC98

1884. OIL AND GAS, SOLID MINERAL, AND GEOTHERMAL MINERAL AGREEMENTS

Significance:

Subject to OMB review: Undetermined
Regulatory Plan entry: Undetermined

Legal Authority: 25 USC 2101 to 2108

CFR Citation: 30 CFR 225

Legal Deadline: None

Abstract: This rule will add a new part 225 governing solid mineral, oil and gas, and geothermal mineral agreements entered into pursuant to the the Indian Mineral Development Act of 1982. The intent of the rule is to ensure that Indian mineral owners wishing to develop their mineral resources are able to do so in their best economic interests with a minimum of environmental or cultural impact. This rule will assist Indian mineral owners entering into minerals agreements by allowing for

greater responsibility, oversight, and flexibility in the control and development of their own resources.

Timetable:

Action	Date	FR Cite
NPRM	11/21/91	56 FR 58734
NPRM Comment Period End	01/19/92	56 FR 58734
Withdrawn	01/26/94	

Small Entities Affected: None

Government Levels Affected: Tribal

Additional Information: This rule was listed in the April 1993 agenda under RIN 1087-AA82. The provisions in this rule have been separated from the other provisions of RIN 1076-AA82, which are published elsewhere in this agenda under the old RIN.

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

RIN: 1076-AC99

1885. • OIL AND GAS, SOLID MINERAL, AND GEOTHERMAL MINERALS AGREEMENTS

Legal Authority: 25 USC 2101 to 2104; 25 USC 5 to 8

CFR Citation: 25 CFR 225

Legal Deadline: None

Abstract: This rule will add a new part 255 governing solid mineral, oil and gas, and geothermal mineral agreements

entered into pursuant to the Indian Mineral Development Act of 1982. The intent of the rule is to ensure that Indian mineral owners wishing to develop their mineral resources are able to do so in their best interests with a minimum of environmental or cultural impact. This rule will assist Indian mineral owners entering into minerals agreements by allowing for greater responsibility, oversight, and flexibility in the control and development of their own resources.

Timetable:

Action	Date	FR Cite
NPRM	11/21/91	56 FR 58734
NPRM Comment Period End	01/19/92	56 FR 58734
Final Action	03/30/94	59 FR 14960
Final Action Effective	04/29/94	

Small Entities Affected: None

Government Levels Affected: Tribal

Additional Information: Listed in the April 1993 agenda under RIN 1076-AA82 and in the October 1993 agenda under RIN 1076-AC99. The other provisions of 1076-AA82 appear in this agenda under that number.

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

RIN: 1076-AD00

BILLING CODE 4310-02-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Minerals Management Service (MMS)

1886. AUDIT PROCEDURES AND PAYOR REQUIREMENTS AND RESPONSIBILITIES DURING AUDITS

Significance:

Subject to OMB review: Undetermined

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 217

Legal Deadline: None

Abstract: The Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) requires that the Secretary

of the Interior establish a comprehensive inspection and auditing system to provide the capability to accurately determine royalties, interest, fines, penalties, fees, deposits, and other payments owed on Federal or Indian oil and gas leases. This responsibility has been delegated to MMS. However, performance of the required audits may be delegated to States or Indian tribes pursuant to sections 202 and 205 of FOGRMA or to independent certified public accountants under contract. The FOGRMA also requires the promulgation of regulations to establish audit standards and procedures, payor requirements and responsibilities, and authorities and responsibilities which

may be delegated by MMS to a State, Indian tribe, or an independent certified public accountant. The purpose of this rulemaking action is to establish the regulations required by FOGRMA.

Timetable:

Action	Date	FR Cite
NPRM	05/00/94	
NPRM Comment Period End	07/00/94	

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,

DOI—MMS

Proposed Rule Stage

P.O. Box 25165, MS 3000, Denver, CO
80225-0165, 303 231-3058

RIN: 1010-AB44

1887. PAYOR RESPONSIBILITIES**Significance:**

Subject to OMB review: Undetermined

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 218**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	08/00/94	
NPRM Comment Period End	10/00/94	

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, 303 231-3058

RIN: 1010-AB45

1888. EXTENSION OF TIME PERIOD FOR MAINTAINING RECORDS ON OUTER CONTINENTAL SHELF NET PROFIT SHARE OIL AND GAS LEASES**Significance:**

Subject to OMB review: Undetermined

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 220**Legal Deadline:** None

Abstract: There is a conflict in MMS regulations at 30 CFR 220.030 with the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) as to the time period that an offshore net profit share lessee (NPSL) must maintain records and all other documentation pertaining to the NPSL capital account. Therefore, MMS is proposing to amend 30 CFR 250.030 to extend the time period to 6 years, from 36 months, consistent with the statutory requirement of FOGRMA. The MMS is also proposing to remove 30 CFR 220.033 which includes language that conflicts with the recordkeeping requirements of FOGRMA and MMS regulations at 30 CFR 212.50 and 212.51.

Timetable:

Action	Date	FR Cite
NPRM	04/00/94	
NPRM Comment Period End	06/00/94	

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, 303 231-3058

RIN: 1010-AB46

1889. AMENDMENTS TO 30 CFR 250.67—HYDROGEN SULFIDE**Significance:**

Subject to OMB review: Undetermined

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, and the criteria for the activation of warning systems. These amendments are necessary to be consistent with the new personnel exposure limits for H₂S and SO₂ established by the Occupational

Safety and Health Administration. Amending the rule would reduce personnel exposure limits, thereby decreasing the risks associated with hazardous environments. An NPRM was published in the Federal Register on August 15, 1990 (55 FR 33326), soliciting comments. The comments received were reviewed and revisions were written. 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 sulphur dioxide. 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 is being reproposeed.

Timetable:

Action	Date	FR Cite
NPRM	08/15/90	55 FR 33326
NPRM Comment Period End	10/15/90	55 FR 33326
NPRM	07/00/94	
NPRM Comment Period End	09/00/94	
Final Action	05/00/95	

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, 703 787-1607

RIN: 1010-AB50

1890. SAFETY REQUIREMENTS GOVERNING PRODUCTION PLATFORMS AND PIPELINES**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: The development of this notice of proposed rulemaking resulted from the recommendation of a task force that examined many contributing causes to recent fatal accidents in the North Sea and the Gulf of Mexico. The task force identified areas where changes in regulations should be considered. This action considers changes to the regulations concerning better communication among personnel, protection of pipeline risers, safe fuel storage, and requirements of

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Proposed Rule Stage

shutdown valves on depositing pipelines.

Timetable:

Action	Date	FR Cite
ANPRM	07/23/90	55 FR 29860
ANPRM Comment Period End	09/21/90	
NPRM	06/00/94	
NPRM Comment Period End	08/00/94	
Final Action	03/00/95	
Final Action Effective	04/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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, 703 787-1607

RIN: 1010-AB52

1891. VALUATION OF GAS PRODUCTION UNDER UNITIZATION OR COMMUNITIZATION AGREEMENTS AND FOR NON-ARMS LENGTH SALES

Significance:

Subject to OMB review: Undetermined

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 202

Legal Deadline: None

Abstract: The current gas valuation regulations provided that when the lessee of any gas lease committed to a federally approved unitization or communitization agreement does not take the full share of production under the terms of the agreement, the entitled, but not taken, production is still subject to royalty payment and reporting requirements. This rulemaking would eliminate the requirement that the actual disposition of any part of production to which a lessee was entitled but did not take governs the valuation of that part. Under the rulemaking, the regulations would be amended to allow lessees to value their entitled, but not taken, production at prices based upon information that is accessible to the lessee. This rule will reduce the administrative burden for

payors and MMS so that there is certainty in the determination of royalty values. The adoption of these rules would not affect the requirement in Indian leases and the current regulations for the performance of major portion analyses or dual accounting.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/92	57 FR 23068
ANPRM Comment Period End	08/17/92	57 FR 31471
NPRM	09/00/94	
NPRM Comment Period End	11/00/94	
Final Action	07/00/95	

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, 303 231-3058

RIN: 1010-AB57

1892. RESPONSE PLANS FACILITIES SEAWARD OF THE COASTLINE

Significance:

Subject to OMB review: Undetermined

Legal Authority: 33 USC 1321; EO 12777

CFR Citation: 30 CFR 250

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

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
Interim Final Rule	02/08/93	58 FR 7489
NPRM	05/00/94	
NPRM Comment Period End	07/00/94	
Final Action	02/00/95	
Final Action Effective	04/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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, 703 787-1607

RIN: 1010-AB81

1893. • REVISION OF REQUIREMENTS GOVERNING CORPORATE SURETY BONDS FOR OUTER CONTINENTAL SHELF LEASES

Significance:

Subject to OMB review: Undetermined
Economically significant: Undetermined
Regulatory Plan entry: Undetermined

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 206.16; 30 CFR 260.110

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.

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Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	09/00/94	
NPRM Comment	12/00/94	
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, Room 4700, 381 Elden Street, Herndon, VA 22070, 703 787-1607

RIN: 1010-AB92

1894. • REVISION OF AUTHORIZED BIDDING SYSTEMS FOR LEASES IN THE OUTER CONTINENTAL SHELF

Significance:

Subject to OMB review: Undetermined
Economically significant: Undetermined
Regulatory Plan entry: Undetermined

Legal Authority: 43 USC 1334(a)

CFR Citation: 30 CFR 256

Legal Deadline: None

Abstract: This action will better enable MMS to set lease terms in reaction to changing oil and gas market conditions by offering leases at royalty rates that reflect lower market prices. This rule will allow modification of the minimum royalty from 12-1/2 percent of the production amount or value to an effectively lower rate that would be described in the lease terms portion of a sale's final notice. This lower rate

could be designated over the life of the lease as a constant or sliding scale measure, or it could emerge as a result of the lessee's fulfillment of specified conditions (e.g., no royalties would be due until production reaches a designated level or a predetermined capital cost allowance is recovered). MMS expects to better respond to changing market conditions because of this modification and believes that this action will cause increased bidding (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/00/94	
NPRM Comment	11/00/94	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Additional Information: ABSTRACT CONT: competition for new leases. For those selected tracts offered under a reduced royalty bidding system, the proposed rule is expected to bolster domestic production and maintain or increase employment in the oil and gas sector.

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

RIN: 1010-AB93

1895. • TRANSPORTATION AND PROCESSING ALLOWANCES

Significance:

Subject to OMB review: Undetermined

Legal Authority: 25 USC 396; 25 USC 2102; 30 USC 181; 30 USC 351; 30 USC 1001; 30 USC 1701; 30 USC 1301; 30 USC 1331; 30 USC 1801

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: A study group was formed to review regulatory requirements that became effective on March 1, 1988. This group proposed changes to the forms and submission requirements and the method for calculating assessments. The minerals industry and the general public will be requested to comment on the proposed changes to the rules on transportation and processing allowances.

Timetable:

Action	Date	FR Cite
NPRM	07/00/94	
NPRM Comment	09/00/94	
Period End		

Small Entities Affected: Undetermined

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, 303 231-3058

RIN: 1010-AB94

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

Final Rule Stage

1896. REGULATIONS GOVERNING RECOUPMENT OF OVERPAYMENTS ON INDIAN LEASES

Significance:

Subject to OMB review: Undetermined

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 218

Legal Deadline: None

Abstract: Because royalty payments are a major source of income to many

Indian allottees, and the only source in some instances, it has been a longstanding Department of the Interior policy that overpayments made by lessees and other royalty payors to Indians cannot be recovered by refund. This policy was established to prevent an undue financial burden on Indian allottees who may have limited financial means to refund the overpayment. However, the adopted policy permits lessees and payors to recoup overpayments as a credit against future rental or royalty accruals due to Indian tribes or allottees. Lessees and operators were instructed to follow this recoupment policy in "Notice to Lessees and Operators of Indian Oil

and Gas Leases No. 1A" (NTL-1A), issued by the Conservation Division of U.S. Geological Survey in 1977. The MMS published revised final oil and gas product valuation regulations at 30 CFR part 206 on January 15, 1988 (53 FR 1184 and 53 FR 1230), effective March 1, 1988. Section 206.150(e)(2) of the revised regulations terminated NTL-1A. Although the Indian lease overpayment recoupment policy has been the same for many years, MMS believes that its (cont)

Timetable:

Action	Date	FR Cite
NPRM	01/31/90	55 FR 3232

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Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	03/02/90	55 FR 3232
Final Action	07/00/94	
Final Action Effective	07/00/94	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: ABSTRACT CONT: regulations should state the policy. Consequently, MMS proposes to add new sections at 30 CFR 218.53 (previously reserved) and 30 CFR 218.203 to codify the policy and procedure.

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, 303 231-3058

RIN: 1010-AB40

1897. ARCHAEOLOGICAL SURVEYS

Significance:

Subject to OMB review: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.33; 30 CFR 250.34; 30 CFR 250.157

Legal Deadline: None

Abstract: This rule proposes to amend the regulations to specifically express the authority under which Regional Directors may require archaeological resource surveys and reports. The requirements under consideration are comparable to requirements previously included in lease stipulations and are not expected to add significant costs to the lessee.

Timetable:

Action	Date	FR Cite
NPRM	10/12/93	58 FR 52731
NPRM Comment Period End	12/13/93	
Final Action	06/00/94	
Final Action Effective	07/00/94	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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, 703 787-1607

RIN: 1010-AB63

1898. LIMITATIONS ON CREDIT ADJUSTMENTS SUBMITTED BY LESSEES AND OTHER ROYALTY PAYORS UNDER FEDERAL AND INDIAN MINERAL LEASES

Significance:

Subject to OMB review: Undetermined

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.

Timetable:

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
Final Action	02/00/95	

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, 303 231-3058

RIN: 1010-AB73

1899. COLLECTION OF ROYALTIES, INTEREST, AND OTHER AMOUNTS DUE UNDER FEDERAL AND INDIAN MINERAL LEASES BY ADMINISTRATIVE OFFSET

Significance:

Subject to OMB review: Undetermined

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 1810 et seq

CFR Citation: 30 CFR 218

Legal Deadline: None

Abstract: The Debt Collection Act of 1982 (DCA), 31 USC 3716, provides for a Federal Agency's exercise of administrative offset to collect claims of the United States Government. The DCA instructs each Agency to prescribe regulations before collecting a claim by administrative offset. In accordance with the requirements of the DCA, the Minerals Management Service (MMS) is proposing new regulations governing collection by administrative offset of royalties, interest, and other amounts due under Federal and Indian oil, gas, and other mineral leases. Under this rule, collection by administrative offset would only be used after other attempts to collect the debt had been attempted by MMS.

Timetable:

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43583
NPRM Comment Period End	11/01/93	58 FR 50301
Final Action	02/00/95	

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, 303 231-3058

RIN: 1010-AB74

1900. AMENDMENT OF REGULATIONS GOVERNING ASSESSMENTS FOR INCORRECT REPORTS

Significance:

Subject to OMB review: Undetermined

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 181 et seq; 30 USC 351 et seq;

DOI—MMS

Final Rule Stage

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 216; 30 CFR 218

Legal Deadline: None

Abstract: 30 CFR 216.40(b) and 218.40(b) authorize the Minerals Management Service (MMS) to assess an amount not to exceed \$10 for each report received by the designated due date but which is incorrectly completed. The reports subject to this assessment are required to be submitted to MMS by royalty payors, lease operators, lessees, or other parties in accordance with statutes, regulations, contracts, orders, or terms of Federal or Indian mineral leases. The MMS regulations do not provide for an assessment for incorrect reports if the incorrect report is received after its designated due date. However, the administrative costs incurred by MMS to research and resolve reporting errors are identical whether or not the report is received timely or late. So that MMS may be compensated for all administrative costs incurred due to reporting errors, MMS is amending sections 216.40(b) and 218.40(b) to include as assessable, all reports that are submitted incorrectly regardless of whether or not the report was received by the designated due date or was received late.

Timetable:

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43852
NPRM Comment Period End	10/17/93	58 FR 43852
Final Action	07/00/94	

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, Royalty Management Program, P.O. Box 25165, MS 3000, Denver, CO 80225-0165, 303 231-3058

RIN: 1010-AB82

1901. AMENDMENT OF REGULATIONS GOVERNING LATE PAYMENT INTEREST CHARGES ON SOLID MINERALS AND GEOTHERMAL RESOURCES LEASES

Significance:

Subject to OMB review: Undetermined

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 218.54 of 30 CFR of the MMS regulations provides for late-payment interest charges on oil and gas late royalty payments based on the rate applicable under section 6621 of the Internal Revenue Code, 26 U.S.C. 6621(a)(2) (Supp. 1987). However, MMS regulations applicable to solid minerals and geothermal resources late royalty payments provide for late payment interest charges based on the lower rate prescribed by the Department of the Treasury as the "Treasury Current Value of Funds Rate." The MMS is amending its solid minerals and geothermal resources regulations to provide for the higher interest rate authorized by section 6621 of the Internal Revenue Code. This rule amendment will provide for consistency in MMS regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/17/93	58 FR 33414
NPRM Comment Period End	08/16/93	58 FR 33414
Final Action	06/00/94	

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, Royalty Management Program, P.O. Box

25165, MS 3000, Denver, CO 80225-0165, 303 231-3058

RIN: 1010-AB83

1902. OFFSETS, RECOUPMENTS, AND REFUNDS OF EXCESS PAYMENTS OF ROYALTIES, RENTALS, BONUSES, OR OTHER AMOUNTS UNDER FEDERAL OFFSHORE MINERAL LEASES

Significance:

Subject to OMB review: Undetermined

Legal Authority: 43 USC 1339

CFR Citation: 30 CFR 200

Legal Deadline: None

Abstract: This rulemaking will add new provisions covering Federal offshore mineral leases subject to section 10 of the Outer Continental Shelf Lands Act (OCSLA), 43 USC 1339. The rule will establish procedures for crediting (recouping) excess payments of royalties, rentals, bonuses, or other amounts against a current or future payment obligation. It will also provide for refunding excess payments to any person lawfully entitled to receive a refund or credit for overpayments made under an offshore lease.

Timetable:

Action	Date	FR Cite
NPRM	10/15/93	58 FR 53470
NPRM Comment Period End	12/16/93	58 FR 53470
Interim Final Rule	09/00/94	

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, 303 231-3058

RIN: 1010-AB90

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

Completed Actions

1903. ADMINISTRATIVE AMENDMENT OF REGULATIONS TO UPDATE ADDRESSES AND INFORMATION REGARDING INFORMATION COLLECTION

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

CFR Citation: 30 CFR 207; 30 CFR 210; 30 CFR 216; 30 CFR 219; 30 CFR 220; 30 CFR 228; 30 CFR 208; 30 CFR 218; 30 CFR 229; 30 CFR 243

Legal Deadline: None

Abstract: This rule will make administrative changes to regulations governing royalty oil surety requirements, payments by electronic funds transfer, information collection requirements and references to addresses for mailing or delivering requests, forms, and/or payments to MMS. These amendments will clarify and improve the accuracy of MMS regulations.

Timetable:

Action	Date	FR Cite
Final Action	12/10/93	58 FR 64899
Final Action Effective	12/10/93	

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, 303 231-3058

RIN: 1010-AB89

BILLING CODE 4310-MR-F

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

Proposed Rule Stage

1904. ABANDONED COAL REFUSE SITES
Significance:

Subject to OMB review: Undetermined

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	09/00/94	
NPRM Comment Period End	11/00/94	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Don Smith, Deputy Director, Big Stone Gap Field Office, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, P.O. Box 1216, Big Stone Gap, VA 24219, 703 523-1814

RIN: 1029-AB70

1905. AFFECTED AREA (HAUL ROADS)

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701

Legal Deadline: None

Abstract: The term "affected area" as defined in 30 CFR 701.5 excludes public roads, if, among other things, there is substantial public use. The rule was remanded by the Federal District Court because the definition excluded too broad a class of public roads. Suspension of that rule has caused confusion and left state regulatory authorities and OSM with imperfect guidance in a difficult area. Consistent with the Federal District Court ruling this rule will provide clarification and nationwide consistency concerning the extent to which public roads must be included in the affected area. There would be some increased costs to regulatory authorities and the coal industry since certain public roads that are not now regulated will need to be incorporated into the affected area of existing permits.

Timetable:

Action	Date	FR Cite
NPRM	09/00/94	
NPRM Comment Period End	11/00/94	
Final Action	11/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Fred Fox, Program Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240, 200 234-3263

RIN: 1029-AB76

1906. COAL MOISTURE
Significance:

Subject to OMB review: Undetermined

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	12/00/94	
NPRM Comment Period End	02/00/95	
Final Action	12/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Jane Robinson, Program Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Room 635 NC, Washington, DC 20240, 202 343-2826

RIN: 1029-AB78