

DOI

Bureau of Indian Affairs—Final Rule Stage (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2109 | Sale of Forest Products, Red Lake Indian Reservation, Minnesota | 1076-AC75 |
| 2110 | Sale of Lumber and Other Forest Products Produced by Indian Enterprises From the Forests on Indian Reservations | 1076-AC77 |
| 2111 | Indian Monies, Proceeds of Labor (IMPL) | 1076-AC86 |
| 2112 | Business Practices on the Navajo, Hopi, and Zuni Reservations | 1076-AC87 |
| 2113 | Resource Allocation Methodology for the Housing Assistance Program | 1076-AD01 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Bureau of Indian Affairs—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2114 | Leasing of Osage Reservation Lands for Oil/Gas Mining | 1076-AC09 |
| 2115 | Certificates of Degree of Indian Blood | 1076-AC19 |
| 2116 | Safety and Health Inspection Program | 1076-AC31 |
| 2117 | Deposit and Expenditure of Individual Funds of Members of the Osage Tribe of Indians Who Do Not Have Certificates of Competency | 1076-AC45 |
| 2118 | Procedures for Establishing That an American Group Exists as an Indian Tribe | 1076-AC46 |
| 2119 | Use of Columbia River Indian In-Lieu Fishing Sites | 1076-AC79 |
| 2120 | Arrangements With States, Territories, and Other Agencies for Social Welfare of Indians | 1076-AC94 |
| 2121 | Licensed Indian Traders | 1076-AC95 |
| 2122 | Education Contracts Under the Johnson-O'Malley Act | 1076-AC96 |
| 2123 | Indian Child Protection and Family Violence Prevention Programs | 1076-AC97 |
| 2124 | Protection of Products of Indian Art and Craftsmanship | 1076-AD06 |

Minerals Management Service—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 2125 | Valuation of Oil and Gas from Indian Leases | 1010-AB57 |
| 2126 | Gas Measurement and Commingling | 1010-AB97 |
| 2127 | Training of Lessee and Contractor Employees Engaged in Oil and Gas and Sulphur Operations in the Outer Continental Shelf | 1010-AB99 |

Minerals Management Service—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 2128 | Amendments to 30 CFR 250.67—Hydrogen Sulfide | 1010-AB50 |
| 2129 | Response Plans Facilities Seaward of the Coastline | 1010-AB81 |
| 2130 | Revision of Requirements Governing Corporate Surety Bonds for Outer Continental Shelf Leases | 1010-AB92 |
| 2131 | Revision of Authorized Bidding Systems for Leases in the Outer Continental Shelf | 1010-AB93 |
| 2132 | Transportation and Processing Allowances for Oil and Gas | 1010-AB94 |
| 2133 | Burning Liquid Hydrocarbons and Flaring or Venting Gas | 1010-AB96 |
| 2134 | Transportation and Washing Allowances for Coal | 1010-AC00 |
| 2135 | Royalties, Rentals, Bonuses, and Other Monies | 1010-AC01 |
| 2136 | Valuation of Gas Production | 1010-AC02 |

DOI

Minerals Management Service—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2137 | Regulations Governing Recoupment of Overpayments on Indian Leases | 1010-AB40 |
| 2138 | Payor Responsibilities | 1010-AB45 |
| 2139 | Extension of Time Period for Maintaining Records on Outer Continental Shelf Net Profit Share Oil and Gas Leases | 1010-AB46 |
| 2140 | Safety Requirements Governing Production Platforms and Pipelines | 1010-AB52 |
| 2141 | Archaeological Surveys | 1010-AB63 |
| 2142 | Limitations on Credit Adjustments Submitted by Lessees and Other Royalty Payors Under Federal and Indian Mineral Leases | 1010-AB73 |
| 2143 | Collection of Royalties, Interest, and Other Amounts Due Under Federal and Indian Mineral Leases by Administrative Offset | 1010-AB74 |
| 2144 | Amendment of Regulations Governing Assessments for Incorrect Reports | 1010-AB82 |
| 2145 | 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 |
|-----------------|--|------------------------------|
| 2146 | Audit Procedures and Payor Requirements and Responsibilities During Audits | 1010-AB44 |
| 2147 | Amendment of Regulations Governing Late Payment Interest Charges on Solid Minerals and Geothermal Resources Leases | 1010-AB83 |

Office of Surface Mining Reclamation and Enforcement—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|-----------------------------------|------------------------------|
| 2148 | Abandoned Coal Refuse Sites | 1029-AB70 |
| 2149 | Affected Area (Haul Roads) | 1029-AB76 |

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---------------------------------------|------------------------------|
| 2150 | Coal Moisture | 1029-AB78 |
| 2151 | Backfilling and Grading | 1029-AB79 |
| 2152 | Notification and Right of Entry | 1029-AB80 |
| 2153 | Arizona Federal Program | 1029-AB81 |

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2154 | Applicant/Violator System Procedures | 1029-AB34 |
| 2155 | Permanent Regulatory Program; Performance Standards; Permanent and Temporary Impoundments | 1029-AB40 |
| 2156 | Definition and Criteria for Valid Existing Rights | 1029-AB42 |
| 2157 | Surface Coal Mining and Reclamation Operations: Initial and Permanent Regulatory Programs; Abandoned Sites .. | 1029-AB60 |
| 2158 | Applicant/Violator System Permit Information | 1029-AB62 |
| 2159 | Regulation of Indian Lands | 1029-AB65 |
| 2160 | Basis for Coal Weight Determination | 1029-AB68 |
| 2161 | Subsidence | 1029-AB69 |
| 2162 | Abandoned Mine Land Grant Procedures | 1029-AB72 |
| 2163 | Coal Remining | 1029-AB74 |

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

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|------------------------------------|------------------------------|
| 2164 | Definition of Coal | 1029-AB75 |
| 2165 | Coal Formation Outcrop Fires | 1029-AB77 |

Office of Surface Mining Reclamation and Enforcement—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2166 | Abandoned Mine Land Reclamation Fund Reauthorization | 1029-AB49 |
| 2167 | Wire Transfer of Fees | 1029-AB50 |
| 2168 | Land Use Information Rule | 1029-AB57 |
| 2169 | Surface Coal Mining and Reclamation Operations; Permanent Regulatory Programs; Performance Bonds; Alternative Bonding Systems | 1029-AB61 |

Bureau of Reclamation—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2170 | Central Valley Project of California - Purposes, Uses, and Allocation of Water Supplies | 1006-AA34 |

Bureau of Reclamation—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 2171 | Regulations for Administering Entitlements to Colorado River Water in the Lower Colorado River Basin (Reg Plan Seq. No. 85) | 1006-AA24 |
| 2172 | Revenues Management | 1006-AA30 |
| 2173 | Acreage Limitation, Water Conservation, and Cost Recovery | 1006-AA32 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Bureau of Reclamation—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 2174 | Acreage Limitation Administrative Fees | 1006-AA33 |

Bureau of Reclamation—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 2175 | Procedure To Process and Recover the Value of Rights of Use and Administrative Costs Incurred in Permitting Such Use | 1006-AA23 |
| 2176 | Reclamation of Arid Lands by the United States | 1006-AA26 |
| 2177 | Exchange or Amendment of Farm Units on Federal Reclamation Projects | 1006-AA27 |
| 2178 | Administrative Claims Under the Public Works Appropriation Act for Teton Dam | 1006-AA28 |
| 2179 | Emergency Drought Act | 1006-AA29 |

DOI

Bureau of Land Management—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2180 | Sales of Forest Products; General—Preparation for Sale | 1004-AB34 |
| 2181 | Leases, Permits, and Easements | 1004-AB51 |
| 2182 | Management of Designated Wilderness Area | 1004-AB69 |
| 2183 | Drainage, Operations, and Leasing Obligations | 1004-AB74 |
| 2184 | Sales—Federal Land Policy and Management Act | 1004-AB77 |
| 2185 | Land Withdrawals | 1004-AB94 |
| 2186 | Onshore Oil and Gas Operations | 1004-AC09 |
| 2187 | Logical Mining Units: General; LMU Application Procedures; LMU Approval Criteria; LMU Diligence; Administration of LMU Operations | 1004-AC15 |
| 2188 | Disposal of Reserved Minerals Under the Stockraising Homestead Act | 1004-AC19 |
| 2189 | Recreation and Public Purposes Act Conveyances; Conveyance of Federally Owned Minerals | 1004-AC21 |
| 2190 | FAA Airport Grants and Airport Leases | 1004-AC22 |
| 2191 | Segregation and Opening of Lands | 1004-AC23 |
| 2192 | Tramroads and Logging Road | 1004-AC24 |
| 2193 | Onshore Oil and Gas Geophysical Exploration | 1004-AC25 |
| 2194 | Waiver, Suspension, or Reduction of Rental, Royalty, or Minimum Royalty | 1004-AC26 |
| 2195 | Coalbed Methane Development | 1004-AC27 |
| 2196 | Delegation of Authority, Cooperative Agreements, and Contracts for Oil and Gas Inspections: General | 1004-AC28 |
| 2197 | Grazing Administration; Exclusive of Alaska; General | 1004-AC29 |
| 2198 | Law Enforcement—Criminal | 1004-AC30 |
| 2199 | Onshore Oil and Gas Order No. 9, Waste Prevention and Use of Produced Oil and Gas for Beneficial Purposes ... | 1004-AC31 |
| 2200 | Planning, Programming, and Budgeting | 1004-AC32 |
| 2201 | Onshore Oil and Gas Order No. 8, Well Workovers, Completions, and Abandonments | 1004-AC33 |
| 2202 | Geothermal Resources Operations | 1004-AC34 |
| 2203 | Onshore Oil and Gas Order No. 1, Approval of Operations | 1004-AC35 |
| 2204 | Fire Management | 1004-AC36 |

Bureau of Land Management—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2205 | Management of Rights-of-Way Authorized by R.S. 2477 | 1004-AB00 |
| 2206 | Onshore Oil and Gas Operations; Special Provisions; Onshore Oil and Gas Order No. 5—Measurement of Gas | 1004-AB22 |
| 2207 | Public Availability of Minerals Resources Information | 1004-AB55 |
| 2208 | Onshore Oil and Gas Operations: Onshore Oil and Gas Order No. 4 —Measurement of Oil | 1004-AB80 |
| 2209 | Protection, Management, and Control of Wild Free-Roaming Horses and Burros | 1004-AB84 |
| 2210 | Conveyance of Federally Owned Mineral Interests | 1004-AB86 |
| 2211 | Grazing Administration Exclusive of Alaska (Reg Plan Seq. No. 86) | 1004-AB89 |
| 2212 | Sales of Forest Products; Law Enforcement | 1004-AB97 |
| 2213 | Administration of Rights-of-Way | 1004-AC12 |

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Bureau of Land Management—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 2214 | Public Law 167; Act of July 23, 1955 | 1004-AB88 |
| 2215 | Homesteading; Designation of Areas and Sites; Programs and Objectives (Administrative Final Rule) | 1004-AB98 |
| 2216 | Mining Claim Maintenance and Location Fees | 1004-AC17 |
| 2217 | Execution and Filing of Forms | 1004-AC18 |

DEPARTMENT OF THE INTERIOR (DOI)
Assistant Secretary for Policy, Management and Budget (ASPMB)

Prerule Stage

1913. NATURAL RESOURCE DAMAGE ASSESSMENTS; TYPE B—BIENNIAL REVIEW

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 or a discharge of oil. 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 site-specific "type B" procedures for determining injury and damages. This rulemaking will be closely coordinated with the natural resource damage assessment rulemaking being conducted by the National Oceanic and Atmospheric Administration under the Oil Pollution Act of 1990.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|---------|
| ANPRM | 10/00/94 | |
| ANPRM Comment Period End | 02/00/95 | |

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: A description of this regulatory action and several related actions appears in Regulatory Plan entry 1090-AA21 in Part II of this issue of the Federal Register.

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

RIN: 1090-AA29

DEPARTMENT OF THE INTERIOR (DOI)
Assistant Secretary for Policy, Management and Budget (ASPMB)

Proposed Rule Stage

1914. NATURAL RESOURCE DAMAGE ASSESSMENTS

Regulatory Plan: This entry is Seq. No. 83 in Part II of this issue of the Federal Register.

RIN: 1090-AA21

procedure for coastal and marine environments. Subsequently, State of Colorado v. United States Department of the Interior, 880 F.2d 481 (D.C. Cir. 1989), ordered the Department to revise the type A computer model to incorporate restoration costs as well as lost economic values.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| ANPRM | 09/22/89 | 54 FR 39015 |
| ANPRM Comment Period End | 10/23/89 | 54 FR 39015 |
| NPRM | 10/27/94 | |
| NPRM Comment Period End | 01/27/95 | |
| Final Action | 07/17/95 | |
| Final Action Effective | 08/17/95 | |

Small Entities Affected: None

Government Levels Affected: None

Additional Information: A description of this regulatory action and several related actions appears in Regulatory Plan entry 1090-AA21 in Part II of this issue of the Federal Register.

Agency Contact: Jonathan P. Deason, Director, Office of Environmental Policy and Compliance, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 2340, 1849 C St. NW., Washington, DC 20240, 202 208-3891

RIN: 1090-AA23

1915. NATURAL RESOURCE DAMAGE ASSESSMENTS; TYPE A—COASTAL AND MARINE ENVIRONMENTS

Legal Authority: 42 USC 9651(c) CERCLA

CFR Citation: 43 CFR 11

Legal Deadline: NPRM, Judicial, October 27, 1994. Final, Judicial, July 17, 1995.

Settlement agreement

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 or a discharge of oil. CERCLA calls for the promulgation of simplified "type A" assessment procedures involving minimal fieldwork for use in cases of minor releases or discharges. In 1987, the Department issued a type A procedure for coastal and marine environments that incorporated a computer model capable of calculating damages based on a small number of user-supplied data inputs. CERCLA requires that assessment procedures be reviewed, and revised as appropriate, every two years. In 1989, the Department began the biennial review of the type A

1916. PRINCIPLES OF ETHICAL CONDUCT

Legal Authority: 5 USC 7301; 5 USC app (Ethics in Government Act)

CFR Citation: 5 CFR 2635

Legal Deadline: None

Abstract: The U.S. Office of Government Ethics (OGE) has issued new standards of conduct regulations. The Department of the Interior (DOI) is preparing special conduct regulations (applies only to DOI employees) to supplement OGE's new standards of conduct. Interior's supplemental regulations, if approved by OGE, will be codified in 5 CFR Part 2635.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/94 | |

Small Entities Affected: None

Government Levels Affected: None

Additional Information: On June 10, 1993, the Department published a final rule that removed portions of 43 CFR 20 that have been superseded by Standards of Conduct regulations issued by U.S. Office of Government Ethics. The remaining regulations in 43 CFR 20 are preserved until they can be recodified in 5 CFR 2635 on or before February 3, 1994. The U.S. Office of Government Ethics recently extended this date until February 3, 1995.

Agency Contact: Mason Tsai, Deputy Ethics Program Coordinator, Department of the Interior, Assistant

DOI—BIA

Completed Actions

Small Entities Affected: None
Government Levels Affected: Tribal
Agency Contact: Holly Reckord, 202 208-3592
RIN: 1076-AC46

2119. USE OF COLUMBIA RIVER INDIAN IN-LIEU FISHING SITES

CFR Citation: 25 CFR 248

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 04/07/94 | 59 FR 16756 |

Small Entities Affected: None
Government Levels Affected: Tribal
Agency Contact: Ron Eggers, 503 231-6749
RIN: 1076-AC79

2120. ARRANGEMENTS WITH STATES, TERRITORIES, AND OTHER AGENCIES FOR SOCIAL WELFARE OF INDIANS

CFR Citation: 25 CFR 21

Completed:

| Reason | Date | FR Cite |
|---|----------|---------|
| Withdrawn - No further action will be taken at this time. | 07/07/94 | |

Small Entities Affected: None

Government Levels Affected: None
Agency Contact: David Hickman, 202 208-2649
RIN: 1076-AC94

2121. LICENSED INDIAN TRADERS

CFR Citation: 25 CFR 140

Completed:

| Reason | Date | FR Cite |
|---|----------|---------|
| Withdrawn - No further action will be taken at this time. | 07/08/94 | |

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: George Big Eagle, 703 235-3178
RIN: 1076-AC95

2122. EDUCATION CONTRACTS UNDER THE JOHNSON-O'MALLEY ACT

CFR Citation: 25 CFR 273

Completed:

| Reason | Date | FR Cite |
|---|----------|---------|
| Withdrawn - No further action will be taken at this time. | 07/08/94 | |

Small Entities Affected: None
Government Levels Affected: None

Agency Contact: Charles Geboe, 202 219-1129
RIN: 1076-AC96

2123. INDIAN CHILD PROTECTION AND FAMILY VIOLENCE PREVENTION PROGRAMS

CFR Citation: 25 CFR 63

Completed:

| Reason | Date | FR Cite |
|---|----------|---------|
| Withdrawn - No further action will be taken at this time. | 07/11/94 | |

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: David Hickman, 202 208-2721
RIN: 1076-AC97

2124. PROTECTION OF PRODUCTS OF INDIAN ART AND CRAFTSMANSHIP

Completed:

| Reason | Date | FR Cite |
|----------------------------|----------|---------|
| Duplicate of RIN 1090-AA45 | 08/03/94 | |

RIN: 1076-AD06
BILLING CODE 4310-02-F

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

Prerule Stage

2125. VALUATION OF OIL AND GAS FROM INDIAN LEASES

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

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|---------|
| ANPRM | 11/00/94 | |
| ANPRM Comment Period End | 01/00/95 | |

Small Entities Affected: None
Government Levels Affected: None

Additional Information: This rule is being submitted as an ANPRM because of differences in Indian gas and Federal gas valuation. Recent marketing strategies dictate this change. Related rule: 1010-AC02, Federal Gas Valuation Regulation Negotiation Committee.

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

2126. • GAS MEASUREMENT AND COMMINGLING

Legal Authority: 43 USC 1334; 30 USC 1711

CFR Citation: 30 CFR 250.181; 30 CFR 250.182; 30 CFR 250.184

Legal Deadline: None

Abstract: This rule would amend and update regulations applicable to gas measurement, add a provision to an existing regulation that would clarify conditions under which surface commingling of gas would be approved, and add a new section to require measurement or estimation of gas

DOI—MMS

Prerule Stage

volumes used on the leases or otherwise not saved for sale.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Gerald Daniels, Petroleum Engineer, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070-4817, 703 787-1554

RIN: 1010-AB97

2127. • TRAINING OF LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

Legal Authority: 43 USC 1332

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

Legal Deadline: None

Abstract: MMS feels that the current regulations in 30 CFR 250 need to be

updated to provide the flexibility to use new technology and innovative programs.

Timetable: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1010-AB99

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

Proposed Rule Stage

2128. AMENDMENTS TO 30 CFR 250.67—HYDROGEN SULFIDE

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.67

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 08/15/90 | 55 FR 33326 |
| NPRM Comment Period End | 10/15/90 | 55 FR 33326 |
| NPRM | 12/00/94 | |
| NPRM Comment Period End | 02/00/95 | |

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

2129. RESPONSE PLANS FACILITIES SEAWARD OF THE COASTLINE

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 | 10/00/94 | |
| NPRM Comment Period End | 12/00/94 | |
| Final Action | 05/00/95 | |
| Final Action Effective | 07/00/95 | |

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

2130. REVISION OF REQUIREMENTS GOVERNING CORPORATE SURETY BONDS FOR OUTER CONTINENTAL SHELF LEASES

Legal Authority: 43 USC 1331 et seq

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

Legal Deadline: None

Abstract: This rule will amend current regulations requiring lessee surety bonds. The value of surety bonds required by current regulations for leases approved before November 27, 1993, is not adequate to protect the government from loss due to lessees' failure to comply with the terms of OCS leases. This rule embodies a comprehensive approach to the complex problems associated with the movement of smaller operators into the OCS. The potential costs are the increase in cost to obtain a higher level of bond coverage. Benefits would be the enhancement of smaller operators' ability to provide necessary surety, and to provide greater protection of the public interest by reducing the potential for losses to the government.

DOI—MMS

Proposed Rule Stage

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 12/00/94 | |
| NPRM Comment | 03/00/95 | |
| 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

2131. REVISION OF AUTHORIZED BIDDING SYSTEMS FOR LEASES IN THE OUTER CONTINENTAL SHELF

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 | 11/00/94 | |
| NPRM Comment | 01/00/95 | |
| 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

2132. TRANSPORTATION AND PROCESSING ALLOWANCES FOR OIL AND GAS

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 | 03/00/95 | |
| NPRM Comment | 05/00/95 | |
| 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

2133. • BURNING LIQUID HYDROCARBONS AND FLARING OR VENTING GAS

Legal Authority: 43 USC 1334(j)

CFR Citation: 30 CFR 250.175

Legal Deadline: None

Abstract: MMS regulations do not now address burning of liquid hydrocarbons. When the rules were written, liquid hydrocarbons were not burned and there was no need to address the

subject. Economic changes, coupled with an increase in well test times and distances from shore, have caused some operators to ask to burn liquid hydrocarbons. Currently, MMS is citing its mandate to conserve resources to restrict this practice. However, to have clear regulatory backing for this policy, MMS is planning to issue a proposed rulemaking. This proposed rule will give the public the opportunity to comment on the proposed restrictions on burning liquid hydrocarbons.

Timetable: Next Action Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sharon Buffington, Petroleum Engineer, Department of the Interior, Minerals Management Service, Room 4700, 381 Elden Street, Herndon, VA 22070-4817, 703 787-1147

RIN: 1010-AB96

2134. • TRANSPORTATION AND WASHING ALLOWANCES FOR COAL

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

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule is designed to improve MMS's administration of allowances and to provide incentives for payors to comply with the reporting requirements of the regulations. It will amend the current regulatory requirements for allowance forms submission, amend the allowance payback and late payment charges for forms that are not filed on time, retain the need for regulatory approval thresholds, and propose alternative approaches to administrative allowances.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 03/00/95 | |
| NPRM Comment | 05/00/95 | |
| Period End | | |

Small Entities Affected: None

Government Levels Affected: State, Tribal

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

DOI—MMS

Proposed Rule Stage

P.O.Box 25165, MS 3000, Denver, CO
80225-0165, 303 231-3058
RIN: 1010-AC00

2135. • ROYALTIES, RENTALS, BONUSES, AND OTHER MONIES

Legal Authority: 25 USC 396; 25 USC 2101; 25 USC 181; 25 USC 351; 25 USC 1701; 25 USC 9701; 25 USC 1301; 25 USC 1331; 25 USC 1801

CFR Citation: 30 CFR 218

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 02/00/95 | |
| NPRM Comment | 04/00/95 | |
| Period End | | |

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

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

RIN: 1010-AC01

2136. • VALUATION OF GAS PRODUCTION

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

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule amends regulations regarding the valuation of gas produced from Federal leases and agreements for arms-length and non arms-length contracts. Due to the variety of situations in producing and marketing

gas products, MMS's purpose is to provide a valuation procedure that closely reflects market conditions and allows royalty to be based upon information readily available to the lessee. The procedure will minimize the administrative burden on industry and MSS.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 07/00/95 | |
| NPRM Comment | 09/00/95 | |
| Period End | | |

Small Entities Affected: None

Government Levels Affected: State, Tribal

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

RIN: 1010-AC02

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

Final Rule Stage

2137. REGULATIONS GOVERNING RECOUPMENT OF OVERPAYMENTS ON INDIAN LEASES

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 |
| NPRM Comment | 03/02/90 | 55 FR 3232 |
| Period End | | |

Next Action Undetermined

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

2138. PAYOR RESPONSIBILITIES

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 | 04/13/94 | 59 FR 17504 |
| NPRM Comment Period End | 06/13/94 | 59 FR 17504 |
| Final Action | 12/00/94 | |
| Final Action Effective | 01/00/95 | |

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-AB45

2139. EXTENSION OF TIME PERIOD FOR MAINTAINING RECORDS ON OUTER CONTINENTAL SHELF NET PROFIT SHARE AND GAS LEASES

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 | 04/13/94 | |
| NPRM Comment Period End | 06/13/94 | |
| Final Action | 12/00/94 | |
| Final Action Effective | 01/00/95 | |

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-AB46

2140. 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 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 | 05/16/94 | 59 FR 25377 |
| NPRM Comment Period End | 07/15/94 | |
| 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

2141. ARCHAEOLOGICAL SURVEYS

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 | |
| Next Action | Undetermined | |

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

2142. LIMITATIONS ON CREDIT ADJUSTMENTS SUBMITTED BY LESSEES AND OTHER ROYALTY PAYORS UNDER FEDERAL AND INDIAN MINERAL LEASES

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 | 04/00/95 | |
| Final Action Effective | 05/00/95 | |

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

2143. COLLECTION OF ROYALTIES, INTEREST, AND OTHER AMOUNTS DUE UNDER FEDERAL AND INDIAN MINERAL LEASES BY ADMINISTRATIVE OFFSET

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 DCS, 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 | 04/00/95 | |
| Final Action Effective | 05/00/95 | |

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

2144. AMENDMENT OF REGULATIONS GOVERNING ASSESSMENTS FOR INCORRECT REPORTS

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; 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 | 10/00/94 | |
| Final Action Effective | 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, Royalty Management Program, P.O. Box 25165, MS 3000, Denver, CO 80225-0165, 303 231-3058

RIN: 1010-AB82

2145. OFFSETS, RECOUPMENTS, AND REFUNDS OF EXCESS PAYMENTS OF ROYALTIES, RENTALS, BONUSES, OR OTHER AMOUNTS UNDER FEDERAL OFFSHORE MINERAL LEASES

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 |

DOI—MMS

Final Rule Stage

| Action | Date | FR Cite | Government Levels Affected: None | Interior, Minerals Management Service, P.O. Box 25165, MS 3000, Denver, CO 80225-0165, 303 231-3058 |
|--------------------------------------|----------|---------|--|---|
| Final Action | 10/00/94 | | Agency Contact: James W. Shaw, Associate Director for Royalty Management, Department of the | RIN: 1010-AB90 |
| Final Action Effective | 11/00/94 | | | |
| Small Entities Affected: None | | | | |

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Minerals Management Service (MMS)

| | | |
|---|---|--|
| 2146. AUDIT PROCEDURES AND PAYOR REQUIREMENTS AND RESPONSIBILITIES DURING AUDITS | Government Levels Affected: None | Completed: |
| CFR Citation: 30 CFR 217 | Agency Contact: James W. Shaw, 303 231-3058 | Reason |
| Completed: | RIN: 1010-AB44 | Date |
| Reason | 2147. AMENDMENT OF REGULATIONS GOVERNING LATE PAYMENT INTEREST CHARGES ON SOLID MINERALS AND GEOTHERMAL RESOURCES LEASES | FR Cite |
| Date | CFR Citation: 30 CFR 218 | Final Action |
| FR Cite | | 03/29/94 59 FR 14557 |
| Withdrawn A manual will be issued rather than a regulation. | | Small Entities Affected: None |
| Small Entities Affected: None | | Government Levels Affected: None |
| | | Agency Contact: James W. Shaw, 303 231-3058 |
| | | RIN: 1010-AB83 |
| | | BILLING CODE 4310-MR-F |

DEPARTMENT OF THE INTERIOR (DOI)

Prerule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

| | | |
|---|--|--|
| 2148. ABANDONED COAL REFUSE SITES | of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240, 202 028-7841 | 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. |
| Legal Authority: 30 USC 1201 | RIN: 1029-AB70 | |
| CFR Citation: 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870 | 2149. AFFECTED AREA (HAUL ROADS) | Timetable: Next Action Undetermined |
| Legal Deadline: NPRM, Statutory, October 24, 1993. | Legal Authority: 30 USC 1201 et seq | Small Entities Affected: Undetermined |
| 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. | CFR Citation: 30 CFR 701 | Government Levels Affected: Undetermined |
| Timetable: Next Action Undetermined | Legal Deadline: None | Government Levels Affected: Undetermined |
| Small Entities Affected: Undetermined | 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 | 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 |
| Government Levels Affected: Undetermined | | RIN: 1029-AB76 |
| Agency Contact: Annetta Cheek, Chief, Applicant Violator Office, Department | | |

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

| | | |
|--|--|---|
| 2150. COAL MOISTURE | 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 |
| Legal Authority: 30 USC 1201 et seq | | |
| CFR Citation: 30 CFR 870 | | |
| Legal Deadline: None | | |