



# Federal Register

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**Monday,  
December 3, 2001**

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**Part X**

**Department of the  
Interior**

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**Semiannual Regulatory Agenda**

**DEPARTMENT OF THE INTERIOR (DOI)**

**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

**25 CFR Ch. I**

**30 CFR Chs. II and VII**

**36 CFR Ch. I**

**43 CFR Subtitle A, Chs. I and II**

**48 CFR Ch. 14**

**50 CFR Chs. I and IV**

**Semiannual Regulatory Agenda**

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This notice provides the semiannual agenda of rules scheduled for review or development between October 2001 and April 2002. The

Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

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

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

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

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

For this edition of the Department's regulatory agenda, we have included the most important significant regulatory actions in The Regulatory Plan, which appears in part II of today's **Federal Register**. The table of contents below lists The Regulatory Plan entries and denotes them by a bracketed bold reference that directs the reader to the appropriate sequence number in part II.

**Richard A. Stephan,**  
*Federal Register Liaison Officer.*

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

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1406	Endangered and Threatened Plants; Removal of the Papery Whitlow-Wort From the List of Endangered and Threatened Plants .....	1018-AH51
1407	Endangered and Threatened Wildlife; Removal of the San Marcos Gambusia, a Fish, From the List of Endangered and Threatened Wildlife .....	1018-AH52
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1451	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries .....	1018-AF44
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1554	Wild Bird Conservation Act: Review of Regulations To Allow Imports of Exotic Wild Birds for Personal Pets, Scientific Research, Zoological Breeding and Display and Cooperative Breeding Programs .....	1018-AG69
1555	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Stephen's Kangaroo Rat .....	1018-AG74
1556	Endangered and Threatened Wildlife and Plants; Listing the Tahoe Yellowcress .....	1018-AG76
1557	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Gentner's Fritillary .....	1018-AG78
1558	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Fender's Blue Butterfly .....	1018-AG79
1559	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Williamete Daisy .....	1018-AG80
1560	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Kincaid's Lupine .....	1018-AG81
1561	Endangered and Threatened Wildlife and Plants; Listing the Northern Wormwood .....	1018-AG83
1562	Endangered and Threatened Wildlife and Plants; Critical Habitat for the San Diego Ambrosia .....	1018-AG84
1563	Endangered and Threatened Wildlife and Plants; Listing the Washington Ground Squirrel .....	1018-AG85
1564	Endangered and Threatened Wildlife and Plants; Listing the Oregon Spotted Frog .....	1018-AG86
1565	Endangered and Threatened Wildlife and Plants; Listing the Umbtanum Desert Buckwheat .....	1018-AG87
1566	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Northern Idaho Ground Squirrel .....	1018-AG89
1567	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Riparian Brush Rabbit .....	1018-AG90
1568	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Riparian Woodrat .....	1018-AG91
1569	Endangered and Threatened Wildlife and Plants; Listing the Mardon Skipper (Polites Mardon) .....	1018-AG95
1570	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Coastal Cutthroat Trout .....	1018-AG97
1571	Endangered and Threatened Wildlife and Plants; Listing the Yellow-Billed Cuckoo .....	1018-AG98
1572	Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Wenatchee Mountains Checkermallow, a Plant .....	1018-AH05
1573	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Kootenai River White Sturgeon .....	1018-AH06
1574	Endangered and Threatened Wildlife and Plants; Listing the Northern Sea Otter .....	1018-AH12
1575	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Desert Milk-Vetch .....	1018-AH14
1576	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Mountain Plover .....	1018-AH15
1577	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Kanab Ambersnail .....	1018-AH16
1578	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Canadian Lynx .....	1018-AH17
1579	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Colorado Butterfly Plant .....	1018-AH18
1580	Endangered and Threatened Wildlife and Plants; Listing Hirst's Panic Grass .....	1018-AH19
1581	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Atlantic Salmon .....	1018-AH20
1582	Endangered and Threatened Wildlife and Plants; Critical Habitat for Three Species of Beach Mouse in Alabama and Florida .....	1018-AH21
1583	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Alabama Sturgeon .....	1018-AH22
1584	Endangered and Threatened Wildlife and Plants; Critical Habitat for 11 Mussels .....	1018-AH23
1585	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Goldline Darter and the Blue Shiner .....	1018-AH24
1586	Endangered and Threatened Wildlife and Plants; Listing and Critical Habitat for the Highlands Tiger Beetle .....	1018-AH25
1587	Endangered and Threatened Wildlife and Plants; Listing of the Florida Semaphore Cactus .....	1018-AH26
1588	Endangered and Threatened Wildlife and Plants; Listing of the Plant Species Cordia Rupicola .....	1018-AH27
1589	Endangered and Threatened Wildlife and Plants; Listing of the Plant Species Agave Eggersiana and Solanum Conocarpum .....	1018-AH28
1590	Endangered and Threatened Wildlife and Plants; Listing Two Snails in Texas .....	1018-AH38
1591	Endangered and Threatened Wildlife and Plants; Listing of the Acuna Cactus .....	1018-AH39
1592	Endangered and Threatened Wildlife and Plants; Listing the Page Springsnail .....	1018-AH41
1593	Endangered and Threatened Wildlife and Plants; Amendment to the Nonessential Experimental Population for the Red Wolf .....	1018-AH43
1594	Endangered and Threatened Wildlife; Amendment to the Nonessential Experimental Population for the Mexican Wolf .....	1018-AH45
1595	Endangered and Threatened Wildlife; Establishment of a Nonessential Experimental Population of Whooping Cranes .....	1018-AH46
1596	Endangered and Threatened Wildlife; Removal of the Arctic Russian Population of Spectacled Eider From the List of Endangered and Threatened Wildlife .....	1018-AH48
1597	Endangered and Threatened Wildlife and Plants; Changes to the Regulations for Designation of Critical Habitat .....	1018-AH60



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## United States Fish and Wildlife Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1598	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Bay Checkerspot Butterfly	1018-AH61
1599	Changes in the List of Species in Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AH63
1600	Import of Polar Bear Trophies From Canada: Change in the Finding for the M'Clintock Channel Population and Revision of Regulations in Section 18.30	1018-AH72
1601	Endangered and Threatened Wildlife and Plants; Special Rule for the Mountain Plover	1018-AH84
1602	Migratory Bird Hunting; Withdrawal of Regulations Designed To Reduce The Mid-Continent Light Goose Population	1018-AI00

## National Park Service—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1603	Golden Gate National Recreation Area; Special Regulations	1024-AD03

## National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1604	Vehicles and Traffic Safety; Operating Under the Influence of Alcohol or Drugs	1024-AC69
1605	World Heritage Convention	1024-AC74
1606	Procedures for State, Tribal, and Local Government Historic Preservation Programs	1024-AC79
1607	Commercial Use Permits	1024-AC85
1608	Special Regulations of the National Park System; Canyonlands National Park Road Closure	1024-AC87
1609	Glen Canyon National Recreation Area; Personal Watercraft	1024-AC90
1610	Lake Mead National Recreation Area; Personal Watercraft	1024-AC91
1611	Big Thicket National Preserve; Personal Watercraft	1024-AC92
1612	Pictured Rocks National Lakeshore; Personal Watercraft	1024-AC93
1613	Fire Island National Seashore; Personal Watercraft	1024-AC94
1614	Gateway National Recreation Area; Personal Watercraft	1024-AC95
1615	Bighorn Canyon National Recreation Area; Personal Watercraft	1024-AC96
1616	Lake Meredith Recreation Area; Personal Watercraft	1024-AC97
1617	Chickasaw Recreation Area; Personal Watercraft	1024-AC98
1618	Curecanti Recreation Area; Personal Watercraft	1024-AC99
1619	Amistad Recreation Area; Personal Watercraft	1024-AD00
1620	Lake Roosevelt Recreation Area; Personal Watercraft	1024-AD01
1621	Assateague Island National Seashore; Personal Watercraft	1024-AD02
1622	Dry Tortugas National Park; Special Regulations	1024-AD04
1623	Native American Graves Protection and Repatriation Act; Future Applicability	1024-AD05

## National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1624	Leasing Regulations	1024-AC78
1625	Wrangell-St. Elias National Park and Preserve Resident Zone Communities	1024-AC83
1626	Native American Graves Protection and Repatriation Act Regulations; Civil Penalties	1024-AC84
1627	Virgin Islands Coral Reef National Monument; Special Regulations	1024-AC89

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## National Park Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1628	Snowmobile Use in National Park Service Areas .....	1024-AC82
1629	Special Regulations of the National Park System; Religious Ceremonial Collection of Golden Eaglets in Wupatki National Monument .....	1024-AC86

## National Park Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1630	Rights-of-Way .....	1024-AC01
1631	Voyageurs National Park: Aircraft Operations .....	1024-AC23
1632	Applicability and Resource Protection Revisions .....	1024-AC38
1633	Non-Federal Oil and Gas Rights .....	1024-AC53
1634	Appalachian National Scenic Trail—Snowmobiles .....	1024-AC67
1635	Land and Water Conservation Fund of Assistance to States; Post-Completion Compliance Responsibilities .....	1024-AC68
1636	Solid Waste Sites in Units of the National Park System .....	1024-AC70
1637	Release of Information About National Park System Resources .....	1024-AC75
1638	National Capital Region Parks; Photo Radar Speed Enforcement .....	1024-AC80
1639	Conservation in National Parks .....	1024-AC81
1640	Concession Contracts .....	1024-AC88

## Bureau of Indian Affairs—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1641	Use or Distribution of Indian Judgment Funds .....	1076-AD94

## Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1642	Indian School Equalization Program .....	1076-AD09
1643	Leasing Restricted Lands of Members of the Five Civilized Tribes, Oklahoma, for Mining .....	1076-AD33
1644	Tribal Reorganization Under a Federal Statute .....	1076-AD46
1645	Petitioning Procedures .....	1076-AD47
1646	Appeals From Administrative Actions .....	1076-AD50
1647	Academic and Dormitory Standards .....	1076-AD55
1648	Education Contracts Under the Johnson-O'Malley Act .....	1076-AD58
1649	Loans to Indians From the Revolving Loan Fund .....	1076-AD59
1650	School Construction Contracts for Public Schools .....	1076-AD69
1651	Job Placement and Training Program .....	1076-AD75
1652	Indian Child Protection .....	1076-AD96
1653	Certificates of Degree of Indian Blood .....	1076-AD97
1654	Arrangement With States, Territories, or Other Agencies for Relief of Distress and Social Welfare of Indians .....	1076-AD98
1655	Indian Reservation Roads Program .....	1076-AE06
1656	Buy Indian Act Regulations .....	1076-AE07
1657	Indian School Equalization Program - Provisions for Exceptional Children .....	1076-AE14
1658	Indian Reservation Roads Program .....	1076-AE17
1659	Trust Management Reform: Repeal of Outdated Rules .....	1076-AE20
1660	Appeals of Administrative Actions .....	1076-AE21
1661	Trust Funds for Tribes and Individual Indians .....	1076-AE22
1662	Leases and Permits .....	1076-AE23
1663	Tribal Revenue Allocation Plans .....	1076-AE24

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## Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1664	Navajo Partitioned Lands Grazing Regulations .....	1076-AC81
1665	Preference in Employment .....	1076-AD05
1666	Grants to Tribally Controlled Community Colleges and Navajo Community College .....	1076-AD08
1667	Indian Tribal Justice Support .....	1076-AD15
1668	Leasing Osage Reservation Lands for Mining of Minerals Other Than Oil and Gas .....	1076-AD34
1669	Lead and Zinc Mining Operations and Leases on Quapaw Indian Lands .....	1076-AD35
1670	Exploration, Mining, and Reclamation of Lands .....	1076-AD36
1671	Irrigation Projects and Systems .....	1076-AD44
1672	Indian Electric Power Utilities .....	1076-AD45
1673	Indian Business Development Program .....	1076-AD70
1674	Courts of Indian Offenses .....	1076-AD76
1675	Use of Columbia River Fish Access Sites .....	1076-AD83
1676	Use of Columbia River In-Lieu Fishing Sites .....	1076-AD86
1677	Alaska Resupply Operation .....	1076-AE04
1678	Protection of Products of Indian Art and Craftsmanship .....	1076-AE16

## Bureau of Indian Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1679	Probate of Indian Estates Except for Members of the Five Civilized Tribes .....	1076-AE25

## Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identification Number
1680	Adult Vocational Training .....	1076-AD72
1681	Land Acquisitions for Gaming .....	1076-AD93
1682	Encumbrance of Indian Lands—Contract Approvals .....	1076-AE03
1683	San Carlos Apache Tribe Trust Fund and Lease Fund .....	1076-AE10
1684	Distribution of Fiscal Year 2001 Indian Reservation Roads Funds .....	1076-AE13
1685	Establishing a Court of Indian Offenses for the Santa Fe Indian School and Indian Hospital, New Mexico .....	1076-AE15
1686	Attorney Contacts with Indian Tribes .....	1076-AE18
1687	Adding the Fallon Paiute-Shoshone Indian Reservation and Colony to the Listing of Courts of Indian Offenses .....	1076-AE19

## Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1688	Refunds and Recoupment of Overpayments on OCS .....	1010-AC27
1689	Takes vs. Entitlements Reporting .....	1010-AC29
1690	Accounting Relief for Marginal Properties .....	1010-AC30
1691	Prepayment of Royalties .....	1010-AC31
1692	Plans and Information .....	1010-AC47
1693	Incident Reporting .....	1010-AC57
1694	Records and Files Maintenance .....	1010-AC64
1695	Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Safety Measures and Procedures for Pipeline Modifications and Repairs .....	1010-AC75
1696	Well Control and Production Safety Training .....	1010-AC78
1697	Appeals of Minerals Management Service Orders .....	1010-AC80
1698	Proprietary Terms and Data Disclosure .....	1010-AC81
1699	Documents Incorporated by Reference — API Specification 2C .....	1010-AC82
1700	Dealing with Sustained Casing Pressure .....	1010-AC83

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Minerals Management Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1701	Documents Incorporated by Reference for Offshore Floating Production Facilities .....	1010-AC85
1702	Documents Incorporated by Reference — API RP 14F and API 510 .....	1010-AC89
1703	Rights-of-Use and Easements and Pipeline Rights-of-Way .....	1010-AC91
1704	Suspension of Operations for Exploration Under Salt Sheets .....	1010-AC92
1705	Outer Continental Shelf Oil and Gas Leasing - Clarifying Amendments .....	1010-AC94
1706	Document Incorporated by Reference — API 510 — Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration .....	1010-AC95

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1707	Valuation of Oil From Indian Leases ( <b>Reg Plan Seq No. 74</b> ) .....	1010-AC24
1708	Oil and Gas Drilling Operations .....	1010-AC43
1709	Prospecting for Minerals Other Than Oil, Gas, and Sulphur in the Outer Continental Shelf .....	1010-AC48
1710	Forms and Reports .....	1010-AC63
1711	Decommissioning Activities .....	1010-AC65
1712	Requirements Governing Surety Bonds for the Outer Continental Shelf .....	1010-AC68
1713	Deep Water Royalty Relief for Outer Continental Shelf Oil and Gas Leases Issued After 2000 ( <b>Reg Plan Seq No. 75</b> ) .....	1010-AC71
1714	Solid Minerals Reporting Requirements .....	1010-AC86
1715	Technical Amendments to 30 CFR Part 218 .....	1010-AC87
1716	Technical Amendments to 30 CFR Part 206 .....	1010-AC88
1717	Technical Amendments to 30 CFR Part 216 .....	1010-AC90
1718	Documents Incorporated by Reference - API RP 14C .....	1010-AC93

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

Minerals Management Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1719	Royalty Relief Terms .....	1010-AC58
1720	MMS Hearings and Investigations .....	1010-AC79

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1721	Royalty Payment Liability .....	1010-AB45
1722	Credit Adjustments .....	1010-AB73
1723	Chronic Erroneous Reporting .....	1010-AC34
1724	Amendments to Sale of Federal Royalty Oil (Small Refiner Administrative Fee) .....	1010-AC70
1725	Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf—Definition of Affected States .....	1010-AC74
1726	Amendments to Allowance Determination Rules .....	1010-AC77

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1727	Abandoned Coal Refuse Sites—Title I .....	1029-AB70
1728	Contemporaneous Reclamation .....	1029-AB79

## DOI

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

Sequence Number	Title	Regulation Identification Number
1729	Dam Safety Rules .....	1029-AB92
1730	Prime Farmlands .....	1029-AB98
1731	Abandoned Mine Land Reclamation Notices .....	1029-AB99

## Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1732	Indian Lands .....	1029-AB83
1733	Electronic Filing of the OSM-1 Form .....	1029-AB95
1734	Civil Penalty Adjustments .....	1029-AC00

## Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1735	Sales—Federal Land Policy and Management Act .....	1004-AB77
1736	Desert Land Entries .....	1004-AC56
1737	Disposal of Reserved Minerals Under the Stock Raising Homestead Act .....	1004-AC59
1738	Geothermal Resource Unit Agreement .....	1004-AD10
1739	Conservation; Helium Leasing .....	1004-AD35
1740	Hazardous Materials Compliance .....	1004-AD38
1741	Grazing Administration—Exclusive of Alaska .....	1004-AD42
1742	Permits for Recreation on Public Lands .....	1004-AD45
1743	Wilderness Management .....	1004-AD46
1744	Onshore Oil and Gas Operations .....	1004-AD48
1745	Disclaimers of Interest .....	1004-AD50

## Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1746	Cost Recovery; Mineral Filings and Operations .....	1004-AC64
1747	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act .....	1004-AC74
1748	Indian Allotments .....	1004-AC77
1749	Oil and Gas Leasing and Operations ( <b>Reg Plan Seq No. 76</b> ) .....	1004-AC94
1750	Oil and Gas Leasing; National Petroleum Reserve, Alaska—Unit Agreements .....	1004-AD13
1751	Use Authorizations (Recreation) .....	1004-AD25
1752	Mineral Materials Disposal .....	1004-AD29
1753	Location Recording, and Maintenance of Mining Claims and Sites .....	1004-AD31
1754	Supplementary Rules for Public Demonstrations at Grand Staircase-Escalante National Monument .....	1004-AD40
1755	Coal Management: Noncompetitive Leases; Management Provisions and Limitations .....	1004-AD43

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

## Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1756	Leases, Permits, and Easements .....	1004-AB51
1757	Coalbed Methane Development .....	1004-AC27
1758	Land Withdrawals .....	1004-AC63

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Bureau of Land Management—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1759	Land Classification .....	1004-AC78
1760	Carey Act Grants .....	1004-AC80
1761	Appeals Procedures; Hearings Procedures .....	1004-AC99
1762	Color of Title and Omitted Lands .....	1004-AD00
1763	Coal Management .....	1004-AD11
1764	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts .....	1004-AD32
1765	Financial Guarantees Procedures .....	1004-AD49

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
1766	Segregation and Opening of Lands .....	1004-AC84
1767	Paleontological Resources .....	1004-AD03
1768	Timber Export and Substitution .....	1004-AD37
1769	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act .....	1004-AD39
1770	Surface Management (Locatable Minerals) .....	1004-AD44
1771	Alaska Native Veterans Allotments .....	1004-AD47

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1772	Wild and Scenic Rivers .....	1093-AA08

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

**1350. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES**

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

**Legal Authority:** 42 USC 9651(c)

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called type B procedures for

determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/16/96	61 FR 37031
ANPRM Comment	09/16/96	
Period End		
NPRM	04/00/02	
NPRM Comment	07/00/02	
Period End		

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Frank DeLuise, Assessment Program, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 4449, 1849 C Street N.W., Washington, DC 20240

Phone: 202 208-4143

**RIN:** 1090-AA29

**1351. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1201

**CFR Citation:** 43 CFR 4.401(c)(2); 43 CFR 4.403 to 4.408; 43 CFR 4.414; 43 CFR 4.415; 43 CFR 4.422(c)(2); 43 CFR 4.450-5

**Legal Deadline:** None

**Abstract:** This document proposes to amend procedural rules governing

## DOI—BIA

## Completed Actions

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** Tribal

**Agency Contact:** Ralph Gonzales, Housing Program Specialist, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240

Phone: 202 208-4401

**RIN:** 1076—AE19

**BILLING CODE** 4310—02—S

**Department of the Interior (DOI)  
Minerals Management Service (MMS)**

## Proposed Rule Stage

**1688. REFUNDS AND RECOUPMENT OF OVERPAYMENTS ON OCS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 1001 et seq; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1701 et seq; 25 USC 1735; 25 USC 1801 et seq; 25 USC 181 et seq; 25 USC 2101 et seq; 25 USC 351 et seq; 25 USC 3716; 25 USC 3720a; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 9701; 5 USC 301 et seq

**CFR Citation:** 30 CFR 206; 30 CFR 218; 30 CFR 230

**Legal Deadline:** None

**Abstract:** This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent and estimates resulting from sales of Federal onshore and offshore oil and gas production.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/02	
NPRM Comment Period End	07/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
Phone: 303 231-3151  
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Email: carol.shelby@mms.gov

**RIN:** 1010—AC27

**1689. TAKES VS. ENTITLEMENTS REPORTING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 205

**Legal Deadline:** None

**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/02	
NPRM Comment Period End	05/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010—AC29

**1690. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 204

**Legal Deadline:** None

**Abstract:** This rule allows reporters to seek accounting, reporting, and auditing relief for their marginal properties in accordance with section 117(c) of the Federal Oil and Gas Royalty Management Act of 1982 as amended by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.

**Timetable:**

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3360
NPRM Comment Period End	03/22/99	
Supplementary NPRM	06/00/02	

Action	Date	FR Cite
NPRM Comment Period End	08/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
Phone: 303 231-3151  
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**RIN:** 1010—AC30

**1691. PREPAYMENT OF ROYALTIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 204

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/02	
NPRM Comment Period End	10/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
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Fax: 303 231-3385

## DOI—MMS

## Proposed Rule Stage

Email: carol.shelby@mms.gov

RIN: 1010-AC31

### 1692. PLANS AND INFORMATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 25 CFR 250

**Legal Deadline:** None

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

#### Timetable:

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment	03/00/02	
Period End		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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RIN: 1010-AC47

### 1693. INCIDENT REPORTING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

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

#### Timetable:

Action	Date	FR Cite
NPRM	01/00/02	
NPRM Comment	04/00/02	
Period End		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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RIN: 1010-AC57

### 1694. RECORDS AND FILES MAINTENANCE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2102 et seq; 25 USC 396 et seq; 30 USC 1001 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq; 5 USC 301 et seq

**CFR Citation:** 30 CFR 212

**Legal Deadline:** None

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

#### Timetable:

Action	Date	FR Cite
NPRM	09/00/02	
NPRM Comment	11/00/02	
Period End		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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RIN: 1010-AC64

### 1695. OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF—SAFETY MEASURES AND PROCEDURES FOR PIPELINE MODIFICATIONS AND REPAIRS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The rule will address problems that arise out of the fact that eventually all pipeline valves leak internally. This is due to abrasion and deposition of operational residues on valve seats. Internal valve leakage poses a potential safety problem to offshore workers at the time pipeline repairs are performed because hydrocarbons and pressure differentials in the lines can pose a significant hazard of fire and explosion. The rule will require that lessees and operators consider and submit in writing the measures they plan to take and the procedures they plan to follow to ensure the safety of company or contract workers and to prevent pollution before beginning a pipeline modification or repair, and it will amend section 250.1006(b)(1) by requiring that a blind flange be installed at the platform end of any pipeline taken out of service to prevent seepage into the line through leaking valves.

#### Timetable:

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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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RIN: 1010-AC75

### 1696. • WELL CONTROL AND PRODUCTION SAFETY TRAINING

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

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250; 30 CFR 251



## DOI—MMS

## Proposed Rule Stage

**Legal Deadline:** None

**Abstract:** This rule would amend MMS rules governing training of lessee employees engaged in oil and gas and sulphur operations in the OCS. We are proposing to establish a third party accreditation system and implement a cost recovery process that would: (1) Accredite an independent third party either well control or safety training programs; (2) Promote innovation by encouraging third-party accreditors to serve as “think tanks” for improved training; and (3) Provide for MMS certification through the use of a cost recovery system.

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 1010-AC78

**1697. • APPEALS OF MINERALS MANAGEMENT SERVICE ORDERS**

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

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 242; 30 CFR 290; 43 CFR 4

**Legal Deadline:** None

**Abstract:** This rule streamlines appeals process to facilitate processing appeals within the 33-month deadline required by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA). It also implements the requirements of OMB Circular A-25, which establishes guidelines for Federal agencies to assess fees to cover the costs of Government-provided services or benefits beyond those accruing to the general public. The proposed rule will: (1) Require the Appellant to file its Notice of Appeal

and Statement of Reasons directly with the MMS Appeals Division and file copies with the office that issued the order; (2) Implement most of the recommendations made by the Royalty Policy Committee; (3) Eliminate the requirement for an MMS Field Report containing MMS's arguments; (4) Clarify the right of the States and tribes to participate in the appeals process ; and (5) Provide for settlement negotiations as required in RSFA.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Platte Clark, Acting Chief, Appeals Division, Department of the Interior, Minerals Management Service, 4230 MIB, 1849 C Street NW, Washington, DC 20240  
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**RIN:** 1010-AC80

**1698. • PROPRIETARY TERMS AND DATA DISCLOSURE**

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

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250; 30 CFR 251

**Legal Deadline:** None

**Abstract:** This rule would modify the proprietary terms for geophysical data and information and any of their derivatives that MMS acquires under 30 CFR part 251. We propose to change the beginning of the proprietary terms from the date of submission to MMS to the date MMS issues the permit. The rule would also allow selective disclosure of geological and geophysical data and information and allow selective disclosure of data and information generated on a lease to persons with a direct interest in issues concerning field determination and royalty relief eligibility.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	03/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

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**RIN:** 1010-AC81

**1699. • DOCUMENTS INCORPORATED BY REFERENCE — API SPECIFICATION 2C**

**Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** MMS is proposing to incorporate by reference the Fifth Edition of the American Petroleum Institute's Specification for Offshore Cranes into our regulations. MMS is proposing this action to establish a minimum design standard for new cranes installed on fixed platforms on the Outer Continental Shelf (OCS) and to require all existing cranes installed on OCS fixed platforms to be equipped with anti-two block safety devices. This proposed rule would ensure that OCS lessees use the best available and safest technologies for the design and construction of cranes used in the OCS.

**Timetable:**

Action	Date	FR Cite
NPRM	07/19/01	66 FR 37611
NPRM Comment Period End	10/17/01	
Final Action	06/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AC82

## DOI—MMS

## Proposed Rule Stage

**1700. • DEALING WITH SUSTAINED CASING PRESSURE**

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

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This proposed rulemaking amends subpart E (Oil and Gas Well-Completion Operations) of MMS operating regulations. It describes procedures for dealing with sustained casing pressure in oil and gas wells on the Outer Continental Shelf. Currently, lessees must request a departure from MMS regulations to operate a well that has sustained casing pressure. When granting a departure, MMS requires that lessees perform periodic checks and evaluations to ensure that the pressure is not a danger to personnel, equipment, or the environment. This proposed rule will codify these procedures and ensure uniform regulatory practices among MMS regional offices. The proposed changes will also help ensure that lessees will continue to conduct operations in a safe manner.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	03/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC83

**1701. • DOCUMENTS INCORPORATED BY REFERENCE FOR OFFSHORE FLOATING PRODUCTION FACILITIES**

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

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** We are proposing to amend our regulations to better address

floating offshore platforms that, until now, have not been expressly covered. This will require a complete rewrite of subpart I to include floating production systems. These systems are variously described as column-stabilized units; floating production, storage and offloading facilities; tension-leg platforms; spars, etc. We are also incorporating into our regulations a body of industry standards pertaining to floating production systems, and this will save the public the costs of developing Government standards.

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AC85

**1702. • DOCUMENTS INCORPORATED BY REFERENCE — API RP 14F AND API 510**

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

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** MMS is proposing to update one document incorporated by reference and add one new document incorporated by reference in our regulations governing oil and gas and sulphur operations in the Outer Continental Shelf. These revisions will ensure that lessees use the best available and safest technologies while operating in the OCS. The updated document is the Fourth Edition of the American Petroleum Institute's (API) Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Class I, Division 1 and Division 2 Locations (API RP 14F), dated June 1999. The new document is the Eighth Edition of

API's document titled "Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration" (API 510), dated June 1997, plus one addendum with approved revisions.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	03/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC89

**1703. • RIGHTS-OF-USE AND EASEMENTS AND PIPELINE RIGHTS-OF-WAY**

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

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** MMS is proposing to modify requirements governing rights-of-use and easement and pipeline rights-of-way in the Outer Continental Shelf. These changes will increase rental rates for pipeline rights-of-way and establish rentals for rights-of-use and easement. The proposed rule will also allow MMS to charge additional payment when the right-of-use and easement or the pipeline right-of-way prevents MMS from making the area available to other companies for exploration and possible development and production. This change is needed because of requests by lessees and pipeline right-of-way holders to use large areas outside of the area covered by their lease and pipeline right-of-way for accessory structures.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	
NPRM Comment Period End	03/00/02	

## DOI—MMS

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 1010-AC91**1704. • SUSPENSION OF OPERATIONS FOR EXPLORATION UNDER SALT SHEETS**

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

**Legal Authority:** Not Yet Determined**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** MMS is proposing to modify requirements governing suspensions of operations for oil and gas leases in the Outer Continental Shelf (OCS). There are instances where oil and gas companies begin to conduct timely analysis of geophysical data early in the lease term; however, this data may be inconclusive because of problems caused by the existence of salt sheets. In such cases, the proposed rule will allow companies to apply for a suspension to avoid the possibility of having to drill a well before completing the necessary geophysical analysis. In return for the consideration for additional time to analyze geophysical data under the salt sheet, the lessee must show they have made and will continue to make substantial efforts and financial commitment in the processing and reprocessing of their geophysical data.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Action**

Date	FR Cite
01/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC92**1705. • OUTER CONTINENTAL SHELF OIL AND GAS LEASING - CLARIFYING AMENDMENTS**

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

**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 260**Legal Deadline:** None

**Abstract:** This rule proposes clarifying amendments to regulations on OCS bidding systems in 30 CFR part 260, revised as of July 1, 2001. The proposed amendments make explicit that water depth and production timing on leases issued after 2000 and placed on a field with leases issued earlier play no role in the way we determine the royalty suspension volume applicable to eligible leases on the field.

**Timetable:**

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

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 1010-AC94**1706. • DOCUMENT INCORPORATED BY REFERENCE — API 510 — PRESSURE VESSEL INSPECTION CODE: MAINTENANCE INSPECTION, RATING, REPAIR, AND ALTERATION**

**Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rule proposes adding a document to be incorporated by reference into MMS's regulations governing oil and gas and sulphur operations in the outer continental shelf (OCS). This revision will ensure that lessees use the best available and safest technologies while operating in the OCS. The new document, API 510, is titled "Pressure Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration."

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	03/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 1010-AC95

## Department of the Interior (DOI)

## Final Rule Stage

## Minerals Management Service (MMS)

**1707. VALUATION OF OIL FROM INDIAN LEASES**

**Regulatory Plan:** This entry is Seq. No. 74 in part II of this issue of the **Federal Register**.

**RIN:** 1010-AC24**1708. OIL AND GAS DRILLING OPERATIONS****Priority:** Other Significant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** The rule will be written in plain English, substantive changes will be incorporated, and the rule will reflect the results of the blowout preventer study.

## DOI—MMS

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	06/21/00	65 FR 38453
NPRM Comment Period End	10/19/00	65 FR 46126
Final Action	02/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC43

### 1709. PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 280**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/08/99	64 FR 68649
NPRM Comment Period End	02/07/00	
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC48

### 1710. FORMS AND REPORTS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2102 et seq; 25 USC 396 et seq; 30 USC 101 et seq;

30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 3176 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq; 5 USC 301 et seq

**CFR Citation:** 30 CFR 210**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010-AC63

### 1711. DECOMMISSIONING ACTIVITIES

**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552(a)**CFR Citation:** 30 CFR 250**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/07/00	65 FR 41892
NPRM Comment Period End	10/05/00	
Final Action	01/00/02	
Final Action Effective	02/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 1010-AC65

### 1712. REQUIREMENTS GOVERNING SURETY BONDS FOR THE OUTER CONTINENTAL SHELF

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 256**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1277
NPRM Comment Period End	03/09/01	
Final Action	02/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 1010-AC68

### 1713. DEEP WATER ROYALTY RELIEF FOR OUTER CONTINENTAL SHELF OIL AND GAS LEASES ISSUED AFTER 2000

**Regulatory Plan:** This entry is Seq. No. 75 in part II of this issue of the **Federal Register**.

**RIN:** 1010-AC71

## DOI—MMS

## Final Rule Stage

**1714. • SOLID MINERALS REPORTING REQUIREMENTS**

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

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396(A) et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USE 1001 et seq; 31 USC 9701

**CFR Citation:** 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 218

**Legal Deadline:** None

**Abstract:** MMS is replacing eight existing solid minerals report forms with one form and three supplementary data submissions. The new information collection requirements will reduce the reporting burden for the solid minerals industry while more comprehensive data for use in MMS's compliance activities.

**Timetable:**

Action	Date	FR Cite
NPRM	06/05/01	66 FR 30121
NPRM Comment Period End	07/05/01	
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010-AC86

**1715. • TECHNICAL AMENDMENTS TO 30 CFR PART 218**

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

**Legal Authority:** 25 USC 396 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 USCA 3335; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 218

**Legal Deadline:** None

**Abstract:** MMS is amending its revenue collection regulations to reflect updated cross-references, organization names,

publication titles, and other administrative changes.

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010-AC87

**1716. • TECHNICAL AMENDMENTS TO 30 CFR PART 206**

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

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

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** MMS is amending its valuation regulations to reflect updated cross-references, organization names, publication titles, and other administrative changes.

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010-AC88

**1717. • TECHNICAL AMENDMENTS TO 30 CFR PART 216**

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

**Legal Authority:** 5 USC 301 et seq; 25 USC 396; 25 USC 2107; 30 USC 189; 30 USC 190; 30 USC 359; 30 USC 1023; 30 USC 1751(a); 31 USC 3716; 31 USC 9701; 43 USC 1334; 43 USC 1801; 44 USC 3506(a)

**CFR Citation:** 30 CFR 216

**Legal Deadline:** None

**Abstract:** MMS is amending its valuation regulations to reflect updated cross-references, organization names, publication titles, and other administrative changes.

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
Phone: 303 231-3151  
Fax: 303 231-3385  
Email: carol.shelby@mms.gov

**RIN:** 1010-AC90

**1718. • DOCUMENTS INCORPORATED BY REFERENCE - API RP 14C**

**Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** MMS is updating one document incorporated by reference in regulations governing oil, gas, and sulphur operations in the Outer Continental Shelf (OCS). This final rule revises the American Petroleum Institute (API) Recommended Practice (RP) 14C (API RP 14C), Sixth Edition, March 1998, currently incorporated by reference into our regulations. We are updating the API RP 14C document to the Seventh Edition, March 2001. The new edition will allow lessees to use updated industry standard technologies while operating in the OCS.

## DOI—MMS

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior,

Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
 Email: kumkum.ray@mms.gov  
**RIN:** 1010-AC93

**Department of the Interior (DOI)**  
**Minerals Management Service (MMS)**

## Long-Term Actions

**1719. ROYALTY RELIEF TERMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 396 et seq**CFR Citation:** 30 CFR 203**Legal Deadline:** None

**Abstract:** This rule amends the circumstances that discontinue the existing royalty relief for end-of-life leases and also introduces a categorical royalty relief program for deep gas drilling on existing shallow water tracts.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/02	
NPRM Comment Period End	12/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
 Email: kumkum.ray@mms.gov  
**RIN:** 1010-AC58

**1720. • MMS HEARINGS AND INVESTIGATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1717**CFR Citation:** 30 CFR 240**Legal Deadline:** None

**Abstract:** This rule will explain how the Minerals Management Service will conduct hearings and investigations necessary and appropriate to carrying

out the Secretary's duties under the Federal Oil and Gas Royalty Management Act of 1982.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/02	
NPRM Comment Period End	12/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Carol Shelby, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-0165  
 Phone: 303 231-3151  
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**RIN:** 1010-AC79

**Department of the Interior (DOI)**  
**Minerals Management Service (MMS)**

## Completed Actions

**1721. ROYALTY PAYMENT LIABILITY****Priority:** Other Significant**CFR Citation:** 30 CFR 211**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	10/01/01	

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** None

**Agency Contact:** Carol Shelby  
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 Fax: 303 231-3385  
 Email: carol.shelby@mms.gov  
**RIN:** 1010-AB45

**1722. CREDIT ADJUSTMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 218**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	10/01/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Carol Shelby  
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 Fax: 303 231-3385  
 Email: carol.shelby@mms.gov  
**RIN:** 1010-AB73

**1723. CHRONIC ERRONEOUS REPORTING****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 216; 30 CFR 218**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	10/01/01	

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** State

**Agency Contact:** Carol Shelby  
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 Email: carol.shelby@mms.gov  
**RIN:** 1010-AC34

## DOI—MMS

## Completed Actions

**1724. AMENDMENTS TO SALE OF FEDERAL ROYALTY OIL (SMALL REFINER ADMINISTRATIVE FEE)****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 208**Completed:**

Reason	Date	FR Cite
Final Action	05/24/01	66 FR 28655
Final Action Effective	06/26/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Carol Shelby

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Fax: 303 231-3385

Email: carol.shelby@mms.gov

**RIN:** 1010-AC70**1725. LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF—DEFINITION OF AFFECTED STATES****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 256**Completed:**

Reason	Date	FR Cite
Final Action	06/19/01	66 FR 32902
Final Action Effective	06/19/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Federal**Agency Contact:** Kumkum Ray

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**RIN:** 1010-AC74**1726. AMENDMENTS TO ALLOWANCE DETERMINATION RULES****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 206**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	10/01/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Undetermined**Agency Contact:** Carol Shelby

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Email: carol.shelby@mms.gov

**RIN:** 1010-AC77**BILLING CODE** 4310-MR-S

## Department of the Interior (DOI)

## Proposed Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1727. ABANDONED COAL REFUSE SITES—TITLE I****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870**Legal Deadline:** None**Abstract:** OSM will propose new regulations governing permitting and performance standards for on-site processing of abandoned coal refuse piles and operations for removal of abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Inhi Hong, Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, MS 120-SIB, Washington, DC 20240

Phone: 202 208-2628

**RIN:** 1029-AB70**1728. CONTEMPORANEOUS RECLAMATION****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 773; 30 CFR 780; 30 CFR 816**Legal Deadline:** None**Abstract:** This rule will amend our regulations to ensure that coal mine operators reclaim their operations in a contemporaneous manner.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

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

Undetermined

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

Phone: 202 208-2866

**RIN:** 1029-AB79**1729. DAM SAFETY RULES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816; 30 CFR 817**Legal Deadline:** None**Abstract:** This rule will require the surface coal mining permittee to have an emergency action plan (EAP) when a dam is placed in service. This would bring OSM's regulations on EAPs into compliance with the Federal guidelines for dam safety and the Departmental Manual. It would ensure that EAPs are in place for all Class B and Class C hazard structures that may not necessarily be regulated by the Mine Safety and Health Administration but for which OSM is responsible.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** State**Agency Contact:** Larry Trainor, Mining Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240