

(h) You are bound by these minimum requirements whether or not they are set forth in the confidentiality agreement.

§ 243.18 May MMS require me to meet more stringent confidentiality standards in some cases?

MMS, at its discretion, may advise you in writing that it will hold you to more stringent standards. For example, MMS may require that only outside counsel review relevant proprietary information if you have breached a previous confidentiality and/or liability agreement, or if you are a direct competitor of the submitter of the third-party proprietary information.

§ 243.19 Am I relieved of the confidentiality and liability agreements and all liability after the appeals process or the ADR process is over?

You must comply with the terms of the confidentiality and liability agreements even after the appeals process or the ADR process is completed. For example, if a final decision is reached through the administrative process or ADR, or you withdraw your appeal or ADR request, you will continue to be liable for any damage resulting from your wrongful disclosure of the proprietary information.

§ 243.20 What do I do with the relevant proprietary information after the appeals process or the ADR process is over?

(a) You must return all relevant proprietary information to the MMS FOIA Officer at the address in § 243.12 (a), along with all copies, excerpts, or summaries of such information, within 60 days after:

- (1) The Department issues a final decision;
- (2) You and MMS conclude ADR with a final agreement; or
- (3) You withdraw the appeal or request for ADR.

§ 243.21 What happens if I don't return the relevant proprietary information?

You will be subject to appropriate sanctions including civil penalties under 30 CFR Part 241 if you fail to return the relevant proprietary information.

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30 CFR Parts 202 and 216

RIN 1010-AC23

Amendments to Standards for Reporting and Paying Royalties on Gas and the Gas Analysis Report

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Proposed rulemaking.

SUMMARY: The Minerals Management Service proposes to amend its regulations requiring operators in the Gulf of Mexico Region to report gas at the standard conditions of 14.73 psia (instead of 15.025 psia) and adjusted to 60 degrees Fahrenheit. This change will make the regulations consistent with proposed changes to 30 CFR Part 250.

MMS also proposes to change the requirement for submitting Form MMS-4055, Gas Analysis Report (GAR), from a semiannual basis to submitting a GAR when requested by MMS. This reduction of reporting will help satisfy the requirements of the Paperwork Reduction Act of 1995 by eliminating reports that are no longer used.

DATES: Comments must be received on or before May 5, 1997.

ADDRESSES: Comments should be sent to: David S. Guzy, Chief, Rules and Procedures Staff, Royalty Management Program, Minerals Management Service, P.O. Box 25165, MS 3101, Denver, Colorado 80225-0165; courier delivery to Building 85, Denver Federal Center, Denver, Colorado 80225; or e-Mail David_Guzy@smtp.mms.gov. Comments received will be posted on the Internet at <http://www.rmp.mms.gov>.

SUPPLEMENTARY INFORMATION: We are limiting the comment period to 30 days because this proposal is a minor wording change to the existing regulations, and it parallels the proposed offshore rule.

The intention of the amendments is to keep the regulations in parts 202 and 216 relating to royalty consistent with those relating to offshore minerals management and to reduced reporting requirements on the public.

MMS is seeking comments on the applicable industry standards and practices regarding the pressure at which gas should be measured. Please comment on whether reporting gas measurement at the standard pressure of 14.73 psia is appropriate or whether some other pressure should be adopted.

The principal author of this proposed rulemaking is Lawrence K. Barker of the Compliance Verification Division, Lakewood, Colorado.

Regulatory Flexibility Act

The Department certifies that this proposed rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. § 601 *et seq.*). This proposed rule would revise RMP's rules for reporting gas at the same standards as Offshore Minerals Management's rules.

Executive Order 12630

The Department certifies that this proposed rule does not represent a governmental action capable of interference with constitutionally protected property rights. Thus, a Takings Implication Assessment need not be prepared under Executive Order 12630, "Governmental Actions and Interference with Constitutionally Protected Property Rights."

Paperwork Reduction Act

This proposed rule has been examined under the Paperwork Reduction Act of 1995; no new reporting and information collection requirements are included. The current information collection requirements have been approved by the Office of Management and Budget (OMB) under 44 U.S.C. § 3501 *et seq.*, and assigned Clearance Number 1010-0040.

Executive Order 12866

This proposed rule does not meet the criteria for a significant rule requiring review by OMB.

Executive Order 12988

The Department has certified to OMB that this proposed rule meets the applicable reform standards in section 3 (a) and (b)(2).

Unfunded Mandate Reform Act of 1995

The Department has determined and certifies that this proposed rule will not impose a cost of \$100 million or more in any given year on local, tribal, State governments, or the private sector.

National Environmental Policy Act of 1969

We have determined that this proposed rulemaking is not a major Federal action significantly affecting the quality of the human environment, and a detailed statement under section 192(2)(c) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(c)) is not required.

List of Subjects

30 CFR Part 202

Coal, Continental shelf, Geothermal energy, Government contracts, Indian

lands, Mineral royalties, Natural gas, Petroleum, Public lands-mineral resources, Reporting and recordkeeping requirements.

30 CFR Part 216

Coal, Continental shelf, Geothermal energy, Government contracts, Indian lands, Mineral royalties, Natural gas, Penalties, Petroleum, Public lands-mineral resources, Reporting and recordkeeping requirements.

Dated: March 27, 1997.

Bob Armstrong,

Assistant Secretary—Land and Minerals Management.

For the reasons set out in the preamble, 30 CFR Parts 202 and 216 are proposed to be amended as follows:

PART 202—ROYALTIES

1. The authority citation for part 202 continues to read as follows:

Authority: 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*, 396a *et seq.*, 2101 *et seq.*; 30 U.S.C. 181 *et seq.*, 351 *et seq.*, 1001 *et seq.*, 1701 *et seq.*; 31 U.S.C. 9701; 43 U.S.C. 1301 *et seq.*, 1331 *et seq.*, 1801 *et seq.*

Subpart D—Federal and Indian Gas

2. Section 202.152(a)(1) is revised to read as follows:

§ 202.152 Standards for reporting and paying royalties on gas.

(a)(1) If you are responsible for reporting production or royalties, you must:

(A) Report gas volumes and Btu heating values, if applicable, under the same degree of water saturation as stated in your sales contract;

(B) Report gas volumes in units of 1,000 cubic feet (mcf); and

(C) Report gas volumes and Btu heating value at a standard pressure base of 14.73 psia and a standard temperature base of 60 degrees Fahrenheit.

* * * * *

PART 216—PRODUCTION ACCOUNTING

1. The authority citation for part 216 continues to read as follows:

Authority: 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*, 396a *et seq.*, 2101 *et seq.*; 30 U.S.C. 181 *et seq.*, 351 *et seq.*, 1001 *et seq.*, 1701 *et seq.*; 31 U.S.C. 3716, 3720A, 9701; 43 U.S.C. 1301 *et seq.*, 1331 *et seq.*, 1801 *et seq.*

Subpart B—Oil and Gas, General

2. Section 216.54 is revised to read as follows:

§ 216.54 Gas Analysis Report.

When requested by MMS, any operator must file a Gas Analysis Report

(GAR) (Form MMS-4055) for each sale or transfer meter. The form must contain accurate and detailed gas analysis information. This requirement applies to offshore, onshore, or Indian leases.

(a) MMS may request a GAR when you sell gas or transfer gas for processing before the point of royalty computation.

(b) When MMS first requests this report, the report is due within 30 days. If MMS requests subsequent reports, they will be due no later than 45 days after the month covered by the report.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD08-97-007]

RIN 2115-AE47

Drawbridge Operation Regulation; Lake Pontchartrain, LA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to temporarily change the regulation for the operation of the north bascule twin span drawbridges across Lake Pontchartrain between Metairie and Mandeville, Louisiana to authorize them to remain closed to navigation from June 9, 1997, until October 10, 1997, except on alternating weekends. On alternating weekends during this period when working is not being conducted, the draws will open if 3 hours notice is given. This action is necessary to facilitate cleaning and painting of the bascule structures.

DATES: Comments must be received on or before May 5, 1997.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. Commander (ob) maintains the public docket for this proposed temporary rule.

Comments may be submitted to the above address.

FOR FURTHER INFORMATION CONTACT:

Phil Johnson, Bridge Administration Branch, (504) 589-2965.

SUPPLEMENTARY INFORMATION:

Request for Comments

Interested parties are invited to participate in the proposed rulemaking by submitting written views, comments, or arguments. Persons submitting comments should include their names and addresses, identify the bridge and give reasons for concurrence with or any recommended change in this proposal. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for electronic filing. Persons desiring acknowledgement that their comments have been received should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Eighth Coast Guard District at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it is determined that the opportunity for oral presentations will aid in the implementation of this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**. Because of the need to proceed to final rule by June 1997, a 30 day comment period is being used. The affected area is a small geographic area; notice of publication will be provided in the local notice to mariners, and local business will be contacted.

The Coast Guard will evaluate all comments received and determine a course of final action on this proposal. The proposed regulation may be changed in the light of comments received.

Background and Purpose

The north bascule span of the Greater New Orleans Expressway Commission (GNOEC) across Lake Pontchartrain, Louisiana has a vertical clearance of 42 feet above mean high water in the closed to navigation position and unlimited clearance in the open to navigation position. The Lake Pontchartrain Causeway South Channel fixed span offers an alternate route with a vertical clearance of 50 feet above mean high water. Navigation on the waterway consists of small tugs with tows, fishing vessels, sailing vessels, and other recreational craft.

For protection of the environment, the cleaning and painting operation requires a fully enclosed system with negative air pressure. The special equipment used for this procedure has to be removed each time the draw span is opened. Since this process is time consuming and costly, the equipment