

supplementary documents needed to give a description of the project or production to be financed in whole or part under the grant.

**§ 505.5 Adequate assurances.**

(a) *Initial assurances.* The grantees shall give adequate initial assurances that not less than the prevailing minimum compensation determined in accordance with § 505.3 will be paid to all professional performers and related or supporting professional personnel, and that no part of the project or production will be performed under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees, by executing and filing with the Chairperson of the National Endowment for the Arts or the Chairperson of the National Endowment for the Humanities, as appropriate, Form ESA-38.

(b) *Continuing assurances.* (1) The grantee shall maintain and preserve sufficient records as an assurance of compliance with section 5(i) (1) and (2) and section 7(g) (1) and (2) of the Act and shall make such reports therefrom to the Secretary as necessary or appropriate to assure the adequacy of the assurances given. Such records shall be kept for a period of three (3) years after the end of the grant period to which they pertain. These records shall include the following information relating to each performer and related or supporting professional personnel to whom a prevailing minimum compensation determination applies pursuant to § 505.3. In addition the record required in paragraph (b)(1)(vii) of this section shall be kept for all employees engaged in the project or production assisted by the grant.

(i) Name.

(ii) Home address.

(iii) Occupation.

(iv) Basic unit of compensation (such as the amount of a weekly or monthly salary, talent or performance fee, hourly rate or other basis on which compensation is computed), including fringe benefits or amounts paid in lieu thereof.

(v) Work performed for each pay period expressed in terms of the total units of compensation fully and partially completed.

(vi) Total compensation paid each pay period, deductions made, and date of payment, including amounts paid for fringe benefits and the person to whom they were paid, and

(vii) Brief description of any injury incurred while performing under the grant and the dates and duration of disability.

(Approved by the Office of Management and Budget under control number 1215-0017)

(2) The grantees shall permit the Administrator and the Assistant Secretary or their representatives to investigate and gather data regarding the wages, hours, safety, health, and other conditions and practices of employment related to the project or production, and to enter and inspect such project or production and such records (and make such transcriptions there of interview of), such employees during normal working hours, and investigate such facts, conditions, practices, or matters as may be deemed necessary or appropriate to determine whether the grantees has violated the labor standards contemplated by section 5(i) and section 7(g) of the Act.

(c) *Determination of adequacy.* The Administrator and Assistant Secretary shall determine the adequacy of assurances given pursuant to paragraphs (a) and (b) of this section within each of their respective areas of responsibilities, and may revise any such determination at any time.

**§ 505.6 Safety and health standards.**

(a) *Standards.* Section 5(i)(2) and section 7(g)(2) of the Act provide that "no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance." \* \* \* The applicable safety and health standards shall be those set forth in 29 CFR Parts 1910 and 1926, including matters incorporated by reference therein. Evidence of compliance with State laws relating to health and sanitation will be considered prima facie evidence of compliance with the safety and health requirements of the Act, and it shall be sufficient unless rebutted or overcome by a preponderance of evidence of a failure to comply with any applicable safety and health standards set forth in 29 CFR Parts 1910 and 1926, including matters incorporated by reference therein.

(b) *Variations.* (1) Variations from standards applied under paragraph (a) of this section may be granted under the same circumstances in which variations may be granted under section 6(b)(6)(A) or 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 655). The procedures for the granting of variations and for related

relief are those published in Part 1905 of this title.

(2) Any requests for variances shall also be considered requests for variances under the Williams-Steiger Occupational Safety and Health Act of 1970, and any variance from a standard applied under paragraph (a) of this section and in Part 1910 of this title shall be deemed a variance from the standards under both the National Foundation on the Arts and Humanities Act of 1965 and the Williams-Steiger Occupational Safety and Health Act of 1970.

**§ 505.7 Failure to comply.**

The Secretary's representatives shall maintain a list of those grantees who are considered to be responsible for instances of failure to comply with the obligation of the grantees specified in section 5(i) (1) and (2) and section 7(g) (1) and (2) of the Act, which are considered to have been willful or of such nature as to cast doubt on the reliability of formal assurances subsequently given and there shall be maintained a similar list where adjustment of the violations satisfactory to the Secretary was not properly made. Assurances from persons or organizations placed on either such list or any organization in which they have a substantial interest shall be considered inadequate for purposes of receiving further grants for a period not to exceed three (3) years from the date of notification by the Secretary that they have been placed on the lists unless, by appropriate application to the Secretary, they demonstrate a current responsibility to comply with section 5(i) (1) and (2) and section 7(g) (1) and (2) of the Act, and demonstrate that correction of the violations has been made.

[FR Doc. 87-21689 Filed 9-18-87 8:45 am]

BILLING CODE 4110-27-01

**DEPARTMENT OF THE INTERIOR**

**Minerals Management Service**

30 CFR Parts 202, 203, 206, 207, 210, and 241

43 CFR Part 3160

**Revision of Oil and Gas Product Valuation Regulations and Related Topics**

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

**ACTION:** Notice of intent to issue a second further notice of proposed rulemaking.

**SUMMARY:** The Minerals Management Service (MMS) is hereby giving notice that it intends to issue a second further notice of proposed rulemaking for both the gas and oil product value regulations. The purpose of this notice is to advise lessees and other interested persons of the procedures MMS intends to follow before issuing final regulations.

**FOR FURTHER INFORMATION CONTACT:** Dennis C. Whitcomb, Minerals Management Service, Royalty Management Program, Chief, Rules and Procedures Branch, Denver Federal Center, Building 85, P.O. Box 25165, Mail Stop 628, Denver, Colorado, 80225, telephone number (303) 231-3432, (FTS) 328-3432.

**SUPPLEMENTARY INFORMATION:** The MMS earlier this year issued proposed valuation regulations for gas (52 FR 4732, February 13, 1987) and oil (52 FR 1858, January 15, 1987). Many comments were received both in written form and at the several public hearings.

Because of the complexity of the issues and the diversity of the comments, MMS issued further notices of proposed rulemaking for gas (52 FR 30776, August 17, 1987) and oil (52 FR 30820, August 17, 1987), which had attached as an appendix to each of those notices a draft of the final rules. The public comment period for these notices originally was due to close on September 2, 1987, but at the request of several persons was extended to September 11, 1987. During the comment period, MMS held separate meetings with the three principal interested constituencies, including the States, Indian lessors, and the oil and gas industry.

The MMS received many written comments during the public comment period on the further notices of proposed rulemaking. However, MMS also received several requests to further extend the comment period because of the length of the rules and the complexity of the issues, and to give representatives of the interested constituencies an opportunity to meet and consider the draft final rules.

The MMS has decided that rather than extend the comment period on the August 17 further notices of proposed rulemaking, it instead will publish a second further notice of proposed rulemaking with a second set of draft final rules for both oil and gas. It is expected that the second further notices of proposed rulemaking will be issued by the end of October.

To accommodate those persons who needed additional time to comment on the first draft final rules, MMS will

include in the rulemaking record any comments on the first draft final rules received after September 11. These comments will be considered in issuing final regulations along with comments received on the second draft final rules.

Although several modifications are being incorporated in response to the public comments, the second draft final rules will not be substantially different from the first draft final rules. Therefore, MMS intends to have only a 30-day public comment period. This should be ample time to comment since, as explained above, MMS will continue to expect comments on the first draft final rules. Moreover, MMS will not expect commenters to resubmit comments previously provided on the proposed rules and on the first further notice of proposed rulemaking, but will expect comments to focus primarily on the differences between the first and second draft final rules.

Date: September 16, 1987.

David W. Crow,

Deputy Director, Minerals Management Service.

[FR Doc. 87-21875 Filed 9-18-87; 8:45 am]

BILLS CODE 419-22-12

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[FRL-3264-3]

#### Final Authorization of State Hazardous Waste Management Program; Wisconsin

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

**SUMMARY:** Wisconsin has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The program revisions were applied for by Wisconsin through two applications. The first application is for State program revisions to attain equivalence with the following Federal regulatory changes: (1) November 21, 1984, Federal Register (FR)—Interim Status Standards Applicability, (2) January 4, 1985, FR—Definitions of Solid Waste, (3) November 8, 1984, FR—section 3006(f) of the Hazardous and Solid Waste Amendments (HSWA). Availability of Information. The second application is for a State program revision regarding public participation procedures during the modification of hazardous waste management facility permits, as required by 40 CFR 271.14 (1)

through (a). The Environmental Protection Agency (EPA) has reviewed Wisconsin's applications and has made a decision, subject to public review and comment, that Wisconsin's Hazardous Waste Program Revision Applications satisfy all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Wisconsin's hazardous waste program revisions. Wisconsin's applications are available for public review and comment.

**DATE:** Comments on the Wisconsin applications must be received by the close of business on October 21, 1987.

**ADDRESSES:** Copies of Wisconsin's applications are available from 8:30 a.m. to 4:30 p.m., at the following addresses for inspection and copying: Wisconsin Department of Natural Resources, Bureau of Solid Waste Management, 101 South Webster Street, Madison, Wisconsin 53707, Contact—St. Clair Thompson (608) 266-5376; U.S. EPA Headquarters Library, PM 211A, 401 M Street, SW., Washington, DC 20460, Phone: 202/382-5820; U.S. EPA Region V, Waste Management Division, Solid Waste Branch, 230 South Dearborn Street, Chicago, Illinois 60604, Contact—Charles Wilk (312) 886-4177.

Written comments should be sent to Mr. Charles Wilk, U.S. EPA, Region V, Waste Management Division, Solid Waste Branch, 230 South Dearborn Street, SHS-JCK-13, Chicago, Illinois 60604. Written comments must specify which of the applications is being addressed.

**FOR FURTHER INFORMATION CONTACT:** Charles Wilk, Wisconsin Regulatory Specialist, Solid Waste Branch, U.S. EPA, Region V, 230 South Dearborn, SHS-JCK-13, Chicago, Illinois 60604, (312) 886-4177 [FTS 8-886-4177].

#### SUPPLEMENTARY INFORMATION:

##### A. Background

States with final authorization under section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6929(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98-616, November 8, 1984, hereinafter "HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the