

DOI

Bureau of Indian Affairs—Final Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
1210	Leasing of Osage Reservation Lands for Oil and Gas Mining	1076-AC09
1211	Buy Indian Act Contracting.....	1076-AA56

Bureau of Indian Affairs—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
1212	Federal Schools For Indians (Revision).....	1076-AB47
1213	The Indian School Equalization Program (New School Starts, Program Expansions, School Closures, Consolidations, and Program Reductions)	1076-AB48
1214	Preparation of a Roll of Alaska Natives	1076-AC12
1215	Revision of the Membership Roll of the Eastern Band of Cherokee Indians, North Carolina.....	1076-AB54
1216	Life Estates and Future Interests	1076-AC06
1217	Indian Fishing: Hoopa Valley Indian Reservation.....	1076-AA83
1218	Contracts Under Indian Self-Determination Act (Subpart H - New School Starts and Program Expansions).....	1076-AB49
1219	Small Tribes Governmental Assistance Grant Program	1076-AC10

Minerals Management Service—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1220	Processing and Transportation Allowances, Return on Capital Investment.....	1010-AB12
1221	Revision of Royalty Valuation Regulations Governing Gas Sales Under Percentage-of-Proceeds Contracts	1010-AB17
1222	Amendment of Regulations, Oil and Gas Transportation Allowances and Gas Processing Allowances.....	1010-AB18
1223	Geothermal Resources Used to Generate Electricity, Product Valuation for Royalty Purposes.....	1010-AB22
1224	Recoupments and Refunds of Excess Payments Under Federal Offshore Mineral Leases	1010-AB11
1225	Revision of Regulations Governing Appeals.....	1010-AB13
1226	Air Quality - Outer Continental Shelf Wide.....	1010-AB14
1227	Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS), Subpart O, Training.....	1010-AB21
1228	Oil and Gas and Sulphur Operations in the Outer Continental Shelf, Subpart P, Sulphur Operations	1010-AB23
1229	Air Quality - Offshore California	1010-AA61
1230	Leasing of Minerals Other than Oil, Gas, and Sulphur in the Outer Continental Shelf	1010-AA82
1231	Mining Operations for Minerals Other Than Oil, Gas, and Sulphur in the Outer Continental Shelf	1010-AA81

Minerals Management Service—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1232	Valuation of Coal for Royalty Purposes from Federal and Indian Leases	1010-AA83
1233	Amendment of Oil and Gas Royalty Valuation Regulations.....	1010-AB24
1234	Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Safety and Pollution-Prevention Equipment	1010-AB19
1235	Supplemental Sales	1010-AB05
1236	Nondiscrimination in Employment in the Outer Continental Shelf.....	1010-AA87
1237	Appeals Procedures.....	1010-AB20

DOI

Minerals Management Service—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
1238	Onshore Production Reporting and Accounting	1010-AB10
1239	Oil and Gas and Sulphur Operations on the Outer Continental Shelf (OCS)	1010-AA53
1240	Prospecting for Minerals Other than Oil, Gas, and Sulphur in the Outer Continental Shelf	1010-AA71

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1241	Surface Coal Mining and Reclamation Operations; Two Acre Exemption Repeal.....	1029-AB16
1242	Permit to Reclaim Rule	1029-AB26
1243	Permanent Regulatory Program; Requirements for Permits for Special Categories of Mining	1029-AA54
1244	Interim Program Revisions	1029-AB24
1245	Federal Lands Program	1029-AA76
1246	Definition and Criteria for Valid Existing Rights	1029-AA77
1247	Lands Unsuitable Regulations	1029-AA90
1248	Permanent Regulatory Program Definitions; Areas Unsuitable for Mining	1029-AA80
1249	Approximate Original Contour Variances.....	1029-AB27
1250	Reprocessing Coal Waste	1029-AB23
1251	Permanent Program Performance Standards; Disposal of Coal Mine Waste.....	1029-AB09
1252	Permanent Program Performance Standards; Surface Mining Activities; Contemporaneous Reclamation.....	1029-AB02
1253	Permanent Program Performance Standards; Surface and Underground Mining Activities; Backfilling and Grading	1029-AA57
1254	Disposal of Excess Spoil on Preexisting Benches	1029-AB18
1255	Assessment Conference Scheduling	1029-AB22
1256	Delinquent Abandoned Mine Land Reclamation Fees	1029-AB21
1257	Abandoned Mine Land Reclamation; State Reclamation Grants.....	1029-AB13

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1258	Termination of Jurisdiction Under SMCRA.....	1029-AB07
1259	Permanent Program Performance Standards; Surface and Underground Activities; Roads	1029-AA60
1260	Permanent Regulatory Program Definition of Support Facilities	1029-AA94
1261	Exemption for Coal Extraction Incidental to the Extraction of Other Minerals	1029-AA53
1262	Requirements for Coal Exploration—Permit Requirements for Exploration Removing More than 250 Tons of Coal	1029-AA92
1263	Federal Regulatory Programs; Permit Application Fees.....	1029-AB15
1264	Surface Coal Mining and Reclamation Operations on Indian Lands	1029-AB04
1265	Surface Coal Mining and Reclamation Operations; Permanent Regulatory Program—Ownership and Control.....	1029-AA56
1266	Requirements for Permits and Permit Processing; Permit Applications Minimum Requirements for Legal Financial Civil Penalties	1029-AA66
1267	Permanent Regulatory Program - Ownership Information.....	1029-AA96
1268	Permanent Regulatory Program; Requirements for Permits, Information on Hydrologic Impacts.....	1029-AB11
1269	Surface Coal Mining Operations; Definition of "In Connection With"	1029-AB08
1270	Permanent Program Performance Standards - Surface Mining Activities, Underground Mining Activities - Revegeta- tion.....	1029-AA86
1271	Permanent Program Performance Standards - Surface Mining Activities, Underground Mining Activities - Impound- ments	1029-AA79
1272	Special Permanent Program Performance Standards; Operations on Prime Farmland	1029-AA64
1273	Improvidently Issued Permits	1029-AB20
1274	Tennessee Program Amendment; Significant Permit Revisions.....	1029-AB17

DOI

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
1275	Substantial Legal and Financial Commitment.....	1029-AB01
1276	Permit Processing.....	1029-AB14
1277	Permanent Program Performance Standards; Highwall Policy.....	1029-AB10
1278	Surface Coal Mining and Reclamation Operations; Permanent Regulatory Programs; Permanent Program Inspection and Enforcement Procedures.....	1029-AA67
1279	Ten Day Notice Review Criteria.....	1029-AB12
1280	Collection of AML Fees - Moisture Content of Coal.....	1029-AB03
1281	California Federal Program.....	1029-AB05

Bureau of Reclamation—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1282	Procedure to Process and Recover the Value of Rights-of-Use and Administrative Costs Incurred in Permitting Such Use.....	1006-AA18

Bureau of Reclamation—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1283	Acreage Limitation Rules and Regulations.....	1006-AA17

Bureau of Land Management—Proposed Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1284	Minerals (Nonmineral Entries on Mineral Lands).....	1004-AB20
1285	Exchanges - General Procedures.....	1004-AB28
1286	Indian Allotments.....	1004-AB10
1287	Rights-of-Way, Principles and Procedures.....	1004-AB50
1288	Rights-of-Way, Trespass, and Law Enforcement - Criminal.....	1004-AB46
1289	Rights-of-Way under the Mineral Leasing Act.....	1004-AA98
1290	Recreation and Public Purposes Act Leases.....	1004-AA73
1291	Onshore Oil and Gas Order No. 8 - Well Workovers, Completions, Abandonments.....	1004-AB37
1292	Onshore Oil and Gas Order No. 7 - Disposal of Produced Water.....	1004-AA66
1293	Onshore Oil and Gas Order No. 6 - Hydrogen Sulfide Operations.....	1004-AA67
1294	Onshore Oil and Gas Order No. 9 - Waste Prevention and Beneficial Use of Oil and Gas.....	1004-AB47
1295	Onshore Oil and Gas Operations - Cooperative Agreements, Delegations of Authority and Contracts for Oil and Gas Inspection and Enforcement.....	1004-AB32
1296	Geothermal Resource Operations.....	1004-AB18
1297	Sales of Forest Products; General - Preparation for Sale.....	1004-AB34
1298	Coal Exploration and Mining Operations Rules.....	1004-AB44
1299	Management of Existing Leases.....	1004-AB38
1300	Coal Exploration and Mining Operations Rules.....	1004-AB42
1301	Operating Regulations for Exploration, Development and Production.....	1004-AA68
1302	Multiple Use: Mining: Mining Claims Under the General Mining Laws.....	1004-AB04
1303	Mining Claims Under the General Mining Law - Nature and Classes of Mining Claims Assessment Work.....	1004-AB43
1304	Mining Claims Under the General Mining Laws.....	1004-AB36
1305	Sales of Forest Products; Conduct of Sales.....	1004-AB39
1306	Sales of Forest Products; Award of Contract.....	1004-AB40
1307	Award of Contract; Sales Administration.....	1004-AB49
1308	Cultural Resource Management.....	1004-AA69
1309	Paleontology.....	1004-AA27

42024

Federal Register / Vol. 53, No. 205 / Monday, October 24, 1988 / Unified Agenda

DOI

Bureau of Land Management—Proposed Rule Stage—Continued

Se- quence Number	Title	Regulation Identifier Number
1310	Recreation: General	1004-AA35
1311	Cadstral Survey	1004-AB07
1312	Unauthorized Use of Public Lands	1004-AA38
1313	Law Enforcement, Criminal	1004-AB48

Bureau of Land Management—Final Rule Stage

Se- quence Number	Title	Regulation Identifier Number
1314	Land Classification	1004-AB19
1315	Onshore Oil and Gas Operations - Onshore Oil and Gas Order Number 4 - Measurement of Crude Oil	1004-AA96
1316	Onshore Oil and Gas Order No. 2 - Drilling Operations	1004-AB21
1317	Onshore Oil and Gas Order No. 3 - Site Security	1004-AB24
1318	Onshore Oil and Gas Order No. 5 - Measurement of Natural Gas	1004-AB22
1319	Fees, Rents, and Royalties	1004-AB45
1320	Conduct of Sales (Timber)	1004-AB35
1321	Off-Road Vehicles	1004-AB26

Bureau of Land Management—Completed Actions

Se- quence Number	Title	Regulation Identifier Number
1322	Public Land Records	1004-AA77
1323	Oil and Gas Leasing and Geothermal Resource Leasing - General	1004-AA97
1324	Exploration Activity; Oil and Gas Leasing; Geothermal Resource Leasing - General	1004-AB13
1325	Oil and Gas Leasing - Fees, Rentals and Royalties	1004-AB31
1326	Oil and Gas Leasing Competitive Leases	1004-AB41
1327	Grazing Administration - Exclusive of Alaska	1004-AB23
1328	Protection of Special Status Plants	1004-AB09
1329	Use Authorizations; Special Recreation Permits	1004-AA36

DEPARTMENT OF THE INTERIOR (DOI)

Prerule Stage

Assistant Secretary for Policy, Budget, and Administration (ASPBA)

1080. NATURAL RESOURCE DAMAGE ASSESSMENTS**Significance:** Regulatory Program**Legal Authority:** 42 USC 9651(c)
CERCLA**CFR Citation:** 43 CFR 11**Legal Deadline:** Other, Statutory,
March 20, 1989.42 USC 9651(c)(3) requires biennial
review and revision as appropriate of
the regulations.**Abstract:** CERCLA allows natural
resource trustees to bring a claim
against a potentially responsible party
for resources that have been injured by

a release of a hazardous substance or, under certain circumstances, a discharge of oil. Section 301(c)(2)(A) calls for the promulgation of simplified procedures for coastal and marine environments through the use of a computer model known as the natural resource damage assessment model for coastal and marine environments (NRDAM/CMEI). Section 301(c)(3) of CERCLA requires the biennial review of these natural resource damage assessment regulations. Since type A regulations were published as a final rule with an effective date of April 20, 1987, the Department will issue an advance notice of proposed rulemaking

(ANPRM). This ANPRM will ask trustees, other interested parties, and members of the public to draw upon their experience with the type A procedures to advise the Department of areas where revisions to the type A procedures may be appropriate.

Timetable:

Action	Date	FR Cite
ANPRM	10/20/88	

Small Entities Affected: None**Government Levels Affected:**
Undetermined

DOI—BIA

Completed Actions

Government Levels Affected: None
Agency Contact: George Clark,
 Division of Self-Determination Services,

Office of Tribal Services, Department of
 the Interior, Bureau of Indian Affairs,

1951 Constitution Avenue, NW,
 Washington, DC 20245, 202 343-2727
RIN: 1076-AC10
BILLING CODE 4310-02-T

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

Proposed Rule Stage

**1220. PROCESSING AND
 TRANSPORTATION ALLOWANCES,
 RETURN ON CAPITAL INVESTMENT**

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

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: The Minerals Management Service (MMS) published new oil and gas product valuation regulations in the Federal Register on January 15, 1988 (53 FR 1184 and 53 FR 1230). If a lessee has a non-arm's-length contract or has no contract for processing or transportation of oil or gas, the new regulations provide for an allowable deduction from royalty payments based upon the lessee's reasonable actual costs during the reporting period. These actual cost deductions allow the lessee to deduct operating and maintenance expenses, overhead, and at the lessee's option, either depreciation plus a return on undepreciated capital investment in the processing plant or transportation system, or a fixed cost equal to the initial depreciable investment multiplied by a rate of return. An amendment is needed to the regulations to establish the method to be used to determine the cost of capital, i.e., rate of return, to be applied to the lessee's investment in a processing plant or transportation system.

Timetable:

Action	Date	FR Cite
--------	------	---------

Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dennis C. Whitcomb,
 Chief, Rules and Procedures,
 Department of the Interior, Minerals
 Management Service, Denver Federal

Center, MS 662, Bldg. 85, Denver, CO
 80225, 303 231-3432

RIN: 1010-AB12

**1221. ● REVISION OF ROYALTY
 VALUATION REGULATIONS
 GOVERNING GAS SALES UNDER
 PERCENTAGE-OF-PROCEEDS
 CONTRACTS**

Legal Authority: 25 USC 396 et seq; 25
 USC 396a et seq; 25 USC 2101 et seq; 30
 USC 181 et seq; 30 USC 351 et seq; 30
 USC 1001 et seq; 30 USC 1701 et seq; 30
 USC 9701; 43 USC 1301 et seq; 43 USC
 1331 et seq; 43 USC 1001 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: The Minerals Management Service (MMS) published final revised regulations governing the valuation of gas from Federal leases onshore and on the Outer Continental Shelf and from Indian Tribal and allotted leases in the Federal Register on January 15, 1988 (53 FR 1230). The proposed gas valuation provisions of section 206.153, in part, govern the determination of value in situations where the lessee's contract for the sale of gas prior to processing provides for the value to be determined based upon a percentage of the purchases proceeds resulting from processing the gas. However, the inclusion of these percentages-of-proceeds contracts under section 206.153 has created unreasonable burdens on lessees. Consequently, MMS is proposing to amend its regulations to provide for the valuation of gas under percentage-of-proceeds contracts to be under the unprocessed gas valuation standards of section 206.152, rather than section 206.153.

Timetable:

Action	Date	FR Cite
--------	------	---------

NPRM	10/00/88	
NPRM Comment	11/00/88	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dennis C. Whitcomb,
 Chief, Rules and Procedures,
 Department of the Interior, Minerals
 Management Service, Denver Federal
 Center, MS 662, Bldg. 85, Denver, CO
 80225, 303 231-3432

RIN: 1010-AB17

**1222. ● AMENDMENT OF
 REGULATIONS, OIL AND GAS
 TRANSPORTATION ALLOWANCES
 AND GAS PROCESSING
 ALLOWANCES**

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

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: The Minerals Management Service (MMS) published final revised regulations governing the valuation of oil and gas from Federal leases onshore and on the Outer Continental Shelf and from Indian Tribal and allotted leases in the Federal Register on January 15, 1988 (53 FR 1184 and 53 FR 1230). A subsequent review of the regulations disclosed that the wording of the provisions concerning the calculation of oil and gas transportation allowances and gas processing allowances was inconsistent with MMS's intent. An amendment is needed to the provisions to clarify MMS's intent.

Timetable:

Action	Date	FR Cite
--------	------	---------

NPRM	10/00/88	
NPRM Comment	11/00/88	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dennis C. Whitcomb,
 Chief, Rules and Procedures,
 Department of the Interior, Minerals
 Management Service, Denver Federal

DOI-MMS

Proposed Rule Stage

Center, MS 662, Bldg 85, Denver, CO
80225, 303 231-3432

RIN: 1010-AB18

1223. ● GEOTHERMAL RESOURCES USED TO GENERATE ELECTRICITY, PRODUCT VALUATION FOR ROYALTY PURPOSES

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

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: Existing regulations governing the valuation of geothermal resources provide insufficient guidance for the valuation of geothermal resources utilized to generate electricity in a lessee-owned power plant. Consequently, the Minerals Management Service has issued a report entitled "Valuation of Federal Geothermal Resources--Electrical Generation" which describes a "geothermal netback procedure" to value these "no sales" resources. An amendment is needed to the existing regulations to provide regulatory guidance after receipt and consideration of comments from the public to the existing geothermal netback procedure.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment	02/00/89	
Period End		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, 303 231-3432

RIN: 1010-AB22

1224. RECOUPMENTS AND REFUNDS OF EXCESS PAYMENTS UNDER FEDERAL OFFSHORE MINERAL LEASES

Significance: Regulatory Program

Legal Authority: 43 USC 1339

CFR Citation: 30 CFR 230

Legal Deadline: None

Abstract: This rulemaking is needed to add new regulations covering recoupment and refunds of excess payments made under Federal offshore mineral leases which are subject to section 10 of the Outer Continental Shelf Lands Act of 1953 (OCSLA), 43 USC 1339. This rule would establish requirements and guidelines for crediting (recouping) excess payments of royalties, rentals, bonuses, or other amounts against a current or future payment obligation or refunding such excess payment to any person lawfully entitled to receive a refund or credit for an overpayment made under an offshore lease. The new regulation is intended to lessen confusion on the part of payors, operators, and the Minerals Management Service.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment	02/00/89	
Period End		

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, 303 231-3432

RIN: 1010-AB11

1225. REVISION OF REGULATIONS GOVERNING APPEALS

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 243

Legal Deadline: None

Abstract: Payors who appeal a bill for payment of additional royalty, rents, bonuses, penalties, or other assessments, are required by the existing appeal regulations to submit payment of the billed amount or to post a bond in an amount adequate to indemnify the lessor from loss or damage. However, some bills for payment that have been appealed have been neither paid nor secured by an acceptable surety. An amendment to the existing regulations is needed to establish a requirement that payment must be made or that an acceptable

surety must be posted within a specified period of time as a condition for acceptance of the appeal for consideration by the Director, Minerals Management Service (MMS). An amendment is also needed to permit the posting of letters of credit, in addition to bonds, in accordance with current MMS practice.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment	01/00/89	
Period End		

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, 303 231-3432

RIN: 1010-AB13

1226. AIR QUALITY - OUTER CONTINENTAL SHELF WIDE

Significance: Regulatory Program

Legal Authority: 30 USC 1334

CFR Citation: 30 CFR 250.44; 30 CFR 250.45; 30 CFR 250.46; 30 CFR 250.57

Legal Deadline: None

Abstract: Amendments to the Department of the Interior (DOI) Air Quality regulation for oil and gas operations will be proposed for all Outer Continental Shelf (OCS) areas. The changes would update requirements and consider the need for current information collection burdens, and provide additional safeguards for those pollutants which could be critical to air quality in areas adjoining the OCS. A determination of potential costs and benefits cannot be made until the final rulemaking has been prepared for RIN 1010-AA61, dealing with amendments to the DOI Air Quality regulation for oil and gas operations adjacent to the State of California. Considerable information has been developed during the negotiations conducted to implement that rulemaking. There have also been revisions to the related Environmental Protection Agency regulations which will affect both of these rulemakings. Timing, content, and format for this rulemaking for all OCS areas will not

DOI—MMS

Proposed Rule Stage

be determined until completion of the rulemaking RIN 1010-AA61.

Timetable:

Action	Date	FR Cite
NPRM	03/00/89	
NPRM Comment Period End	05/00/89	
Final Action	08/00/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: William S. Cook, Petroleum Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7818

RIN: 1010-AB14

1227. ● OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF (OCS), SUBPART O, TRAINING

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.210

Legal Deadline: None

Abstract: The rules at 30 CFR Part 250 which govern oil and gas and sulphur operations in the OCS will be revised to address in greater specificity training requirements for personnel engaged in oil, gas, and sulphur drilling, development, and production operations in the OCS. Training requirements were addressed in a proposed rule to consolidate into one document the rules governing oil and gas and sulphur operations in the OCS which was published on March 18, 1986 (51 FR 9316). The training provisions of that proposed rule have been revised, updated, and consolidated under a new Subpart O, Training. Other alternatives considered were not revising the regulations and revising only those regulations identified by industry. Promulgation of the regulation is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	01/00/89	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gerald D. Rhodes, Chief, Rules, Orders, and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7818

RIN: 1010-AB21

1228. ● OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF, SUBPART P, SULPHUR OPERATIONS

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.250

Legal Deadline: None

Abstract: The rules at 30 CFR 250 which govern oil and gas and sulphur operations in the Outer Continental Shelf (OCS) will be revised to address sulphur exploration, development, and production operations with more specificity. Sulphur operations are currently addressed through rules applicable to oil, gas, and sulphur and through OCS Order No. 10, Sulphur Drilling Procedures, issued by the Gulf of Mexico OCS Region. Comments received as the result of the publication on March 18, 1986 (51 FR 9316), of a proposed rule to consolidate rules governing oil, gas, and sulphur operations in the OCS included recommendations for the development of regulations which treat sulphur operations in the OCS with greater specificity. Other alternatives considered were not revising the regulations. Promulgation of the regulation is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	01/00/89	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gerald D. Rhodes, Chief, Rules, Orders, and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7818

RIN: 1010-AB23

1229. AIR QUALITY - OFFSHORE CALIFORNIA

Significance: Regulatory Program

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.47

Legal Deadline: None

Abstract: Amendments to the DOI Air Quality regulation for oil and gas operations will be proposed for Outer Continental Shelf areas adjacent to California. The changes would provide additional safeguards for those pollutants which could be critical to air quality in the region. The costs have been determined to have a net present value of approximately \$25M to the regulated industry; the net benefits have not been quantified but would be a reduction in any effect of emissions from OCS operations on the ozone levels in adjacent onshore areas. This may be expected to yield cost reductions in health services and other related areas. The DOI has conducted a conflict assessment to determine the likelihood of the interested and affected parties being able to reach an agreement on an air quality regulatory program. If the affected parties involved can develop a mutually agreeable set of requirements, then DOI will initiate rulemaking based on that agreement.

Timetable:

Action	Date	FR Cite
ANPRM	01/07/85	50 FR 838
ANPRM Comment Period End	03/08/85	
Begin conflict assessment phase of negotiated rulemaking process	04/15/86	
Determine potential for negotiated agreement	07/30/86	
Complete Determination of Effects of Rules	05/18/88	
Reach agreement on a negotiated rule or begin developmnt of rule through std process	07/31/88	
NPRM	10/00/88	
NPRM Comment Period End	12/00/88	
Final Action	03/00/89	

DOI—MMS

Proposed Rule Stage

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: William S. Cook, Petroleum Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, 703 648-7818
RIN: 1010-AA61

1230. LEASING OF MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Significance: Regulatory Program
Legal Authority: 43 USC 1334
CFR Citation: 30 CFR 281
Legal Deadline: None

Abstract: Proposes the desirability of new regulations to govern lease issuance on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to not have leasing requirements in regulations. Promulgation of regulation for leasing of hard mineral resources is not expected to add to the cost to industry. Regulations will ensure uniform leasing policy for all interested parties.

Timetable:

Action	Date	FR Cite
ANPRM	04/19/85	50 FR 15590
ANPRM	08/19/85	
Comment Period End		
NPRM	10/00/88	
Final Action	12/00/88	
Final Action Effective	01/00/89	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Gerald D. Rhodes, Chief, Rules, Orders, and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7816
RIN: 1010-AA82

1231. MINING OPERATIONS FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Significance: Regulatory Program
Legal Authority: 43 USC 1334
CFR Citation: 30 CFR 282
Legal Deadline: None

Abstract: Proposes the desirability of new regulations to govern Production and Development Operations on the Outer Continental Shelf (OCS) for

minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to specify requirements in a lease document. Promulgation of regulation is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices. The regulation will require that hard mineral operations are conducted in a manner that will ensure safety and protection of the environment.

Timetable:

Action	Date	FR Cite
ANPRM	04/09/86	51 FR 12163
ANPRM	08/07/86	
Comment Period End		
NPRM	11/00/88	
Final Action	12/00/88	
Final Action Effective	01/00/89	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Gerald D. Rhodes, Chief, Rules, Orders, and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7816
RIN: 1010-AA81

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

Final Rule Stage

1232. VALUATION OF COAL FOR ROYALTY PURPOSES FROM FEDERAL AND INDIAN LEASES

Significance: Regulatory Program
Legal Authority: 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 192 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq
CFR Citation: 30 CFR 202; 30 CFR 203; 30 CFR 206; 30 CFR 212
Legal Deadline: None

Abstract: This regulation will provide consistent valuation procedures for coal for the purpose of royalty computations. It is being prepared in response to a Linowes Commission recommendation for a detailed definitive product

valuation regulation which contains clear terms and procedures.

Timetable:

Action	Date	FR Cite
ANPRM	02/05/86	51 FR 4507
ANPRM	04/07/86	
Comment Period End		
NPRM	01/15/87	52 FR 1840
NPRM Comment Period End	04/15/87	
Reopen Public Comment Period	07/09/87	52 FR 25887
Reopened Public Comment Period End	07/23/87	
Reopened Public Comment Period	08/12/87	52 FR 29868

Action	Date	FR Cite
Notice of Intent to Issue NPRM	11/17/87	52 FR 43919
Further NPRM	07/15/88	53 FR 26942
Further NPRM Public Comment Period End	09/13/88	
Final Action	12/00/88	
Final Action Effective	01/00/89	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Dennis Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal

Center, MS 662, Bldg. 85, Denver, CO
80225, 303 231-3432

RIN: 1010-AA83

1233. ● AMENDMENT OF OIL AND GAS ROYALTY VALUATION REGULATIONS

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

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: The Minerals Management Service (MMS) published final revised regulations governing the valuation of oil and gas from Federal leases onshore and on the Outer Continental Shelf, and from Indian Tribal and allotted leases in the Federal Register on January 15, 1988 (53 FR 1184 and 53 FR 1230). A subsequent review of the regulations disclosed that the wording of several provisions was inconsistent with MMS's intent as discussed in the preamble to the final rules. An amendment is needed to the provisions to clarify MMS's intent.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	
Final Action Effective	11/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, 303 231-3432

RIN: 1010-AB24

1234. ● OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF; SAFETY AND POLLUTION-PREVENTION EQUIPMENT

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.1; 30 CFR 250.126

Legal Deadline: None

Abstract: The rules at 30 CFR 250.126 on the manufacture of safety and pollution-prevention equipment (i.e.,

surface and subsurface safety valves) are being amended. The amendment would update the American National Standards Institute/American Society of Mechanical Engineers (ANSI/ASME) SPPE-1 standard from the 1985 edition to the 1988 edition and allow compliance with either the updated version of the ANSI/ASME SPPE-1 quality assurance (QA) program (1988 edition) or the proposed American Petroleum Institute (API) QA program (API Spec Q1 in combination with API Specs 14A and 14b). Other alternatives considered were not to amend the rule and to continue using ANSI/ASME SPPE-1 as the only type of certification for the QA program. The costs to lessees under the API program or the updated ANSI/ASME SPPE-1 program are not expected to be significantly different than the costs under the current program. If there is any cost difference, it is expected to be a reduction in cost since the use of the API program is an option to the use of the ANSI/ASME SPPE-1 program. Lessees would not be expected to choose the use of the more expensive of the approved QA programs.

Timetable:

Action	Date	FR Cite
NPRM	07/05/88	53 FR 25349
NPRM Comment Period End	08/05/88	
Final Action	12/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: M. L. Courtois, Chief, Offshore Inspection and Enforcement Division, Department of the Interior, Minerals Management Service, Mail Stop 647, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7750

RIN: 1010-AB19

1235. SUPPLEMENTAL SALES

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 256.12; 30 CFR 256.26

Legal Deadline: None

Abstract: The rules at 30 CFR Part 256 will be revised to provide for supplemental sales and to establish limits on those supplemental sales. This rule is intended to allow the offering of rejected bid blocks, drainage blocks, and development blocks. The alternative is to operate under the

current regulation and delay the leasing of certain blocks which may be critical to the development of an area or may be susceptible to loss of hydrocarbons.

Timetable:

Action	Date	FR Cite
NPRM	03/26/87	52 FR 9672
NPRM Comment Period End	04/27/87	
Comment Period Reopened	08/06/87	52 FR 29222
Final Action	10/00/88	
Final Action Effective	11/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mary McDonald, Program Analyst, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7820

RIN: 1010-AB05

1236. NONDISCRIMINATION IN EMPLOYMENT IN THE OUTER CONTINENTAL SHELF

Legal Authority: 43 USC 1863; 43 USC 1331 et seq; 42 USC 2000d to 2000e

CFR Citation: 30 CFR 271

Legal Deadline: None

Abstract: There are no provisions in current Minerals Management Service regulations which provide a mechanism for remedy of unlawful discrimination in Outer Continental Shelf (OCS) employment. Rules would be developed to provide a process whereby persons who believed they had been denied employment because of unlawful discrimination would have a forum. These rules would implement the purposes of section 604 of the OCS Lands Act Amendment of 1978. Alternatives considered are no action, issuance of a policy statement and no rules, and proposal of extensive affirmative action rules similar to those rescinded in the past. Very few complaints are expected to arise as there has been no evidence of discrimination to date. Therefore, costs are expected to be minimal. Benefits would be the assurance that the requirements of section 604 are being fully carried out.

DOI—MMS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/12/87	52 FR 17770
NPRM Comment Period End	06/11/87	
Final Action	10/00/88	
Final Action Effective	12/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mary McDonald,
Program Analyst, Department of the
Interior, Minerals Management Service.

Mail Stop 646, 12203 Sunrise Valley
Drive, Reston, VA 22091, 703 648-7817

RIN: 1010-AA87

1237. ● APPEALS PROCEDURES

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 290

Legal Deadline: None

Abstract: Appeals are required to be filed within 30 days of the issuance of an order or decision by a Minerals Management Service official. The rule will create a "grace period" for determining whether notices of appeals have been filed in a timely manner. Appeals will be considered timely if

they are received within 10 days after the end of the initial 30 days and there is evidence of transmittal within the initial 30 days (e.g., a postmark).

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jane A. Roberts,
Paralegal Specialist, Department of the
Interior, Minerals Management Service,
1951 Kidwell Drive, MS 623, Vienna,
VA 22180, 703 285-2990

RIN: 1010-AB20

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Minerals Management Service (MMS)

1238. ONSHORE PRODUCTION REPORTING AND ACCOUNTING

Significance: Regulatory Program

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 216; 43 CFR 3160

Legal Deadline: None

Abstract: This rulemaking is needed to redesignate the Bureau of Land Management regulations at 43 CFR 3160 applicable to production reporting and accounting to Minerals Management Service regulations at 30 CFR 216 to reflect the transfer in functions. Also, a requirement will be added for unique information needed to report information by oil and gas well.

Timetable:

Action	Date	FR Cite
NPRM	01/15/88	53 FR 1039
NPRM Comment Period End	02/16/88	
Final Action	05/09/88	53 FR 16408
Final Action Effective	06/01/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Dennis C. Whitcomb,
Chief, Rules and Procedures,
Department of the Interior, Minerals
Management Service, Denver Federal
Center, MS 662, Bldg. 85, Denver, CO
80225, 303 231-3432

RIN: 1010-AB10

1239. OIL AND GAS AND SULPHUR OPERATIONS ON THE OUTER CONTINENTAL SHELF (OCS)

Significance: Regulatory Program

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250, (Revision)

Legal Deadline: None

Abstract: The rules at 30 CFR 250 will be revised by consolidating regulations, OCS Orders, Notices to Lessees, and related offshore operating requirements into a unified body of regulations; eliminating burdensome and counterproductive requirements; adding performance standards; and simplifying and streamlining these rules to the maximum extent practicable. Other alternatives considered were not revising the regulations and revising only those regulations identified by industry.

Timetable:

Action	Date	FR Cite
NPRM	03/18/86	51 FR 9316
NPRM Comment Period End	11/25/86	51 FR 40819
Complete Initial Review of public comments	09/16/87	
Further NPRM : 30 CFR 250.1	09/22/87	52 FR 35559
Complete draft of Final Rule	12/04/87	
Final Action	04/01/88	53 FR 10596
Final Action Effective	05/31/88	

Small Entities Affected: None

Government Levels Affected: None

Additional Information: Merged in whole or in part into one rulemaking: 1010-AA11, 30 CFR 250.70 and .80. Penalties: 1010-AA13, 30 CFR 250.3. Disclosure of Information: 1010-AA25, OCS Order No. 2, para. 8, Safety Requirements for Drilling Operations in an H2S Environment: 1010-AA26, OCS Order No. 6, Well Completion of Oil & Gas Wells: 1010-AA28, OCS Order No. 11, Oil & Gas Production Rates, Prevention Waste, & Protection of Correlative Rights: 1010-AA32, 30 CFR 250.45, Reports of Accidents & Malfunctions: 1010-AA34, 30 CFR 250.75, Self-Inspection: 1010-AA47, 30 CFR 250.80-2, Remedies & Penalties: 1010-AA48, 30 CFR 250, Environmental Reports: 1010-AA49, 30 CFR 250, Protection of Cultural Resources: 1010-AA50, 30 CFR 250.35, Effects of Drilling & Reworking on Lease Term: 1010-AA51, OCS Order No. 5, Production Safety Systems: 1010-AA52, OCS Order No. 9, Pipelines: 1010-AA98, 30 CFR 250.44, Borehole Abandonment.

Agency Contact: Gerald D. Rhoder,
Chief, Rules, Orders, and Standards
Branch, Department of the Interior,
Minerals Management Service, Mail
Stop 646, Reston, VA 22091, 703 648-
7818

RIN: 1010-AA53

42064

Federal Register / Vol. 53, No. 205 / Monday, October 24, 1988 / Unified Agenda

DOI-MMS

Completed Actions

1240. PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF**Significance:** Regulatory Program**Legal Authority:** 43 USC 1334**CFR Citation:** 30 CFR 280**Legal Deadline:** None

Abstract: Proposes the desirability of new regulations to govern exploration on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to specify requirements in a permitting document

rather than in regulations. Promulgation of regulations is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices. The rules will require that hard mineral operations will be conducted in a manner which will ensure safety and protection of the environment.

Timetable:

Action	Date	FR Cite
ANPRM	12/07/84	49 FR 47871
ANPRM Comment Period End	04/08/85	
NPRM	03/26/87	52 FR 9758
NPRM Comment Period End	06/24/87	

Action	Date	FR Cite
Final Action	07/05/88	53 FR 25242
Final Action Effective	08/04/88	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Gerald D. Rhodes, Chief, Rules, Orders, and Standard Branch, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7616

RIN: 1010-AA71

BILLING CODE 4310-MR-T

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)**1241. SURFACE COAL MINING AND RECLAMATION OPERATIONS; TWO ACRE EXEMPTION REPEAL****Legal Authority:** 30 USC 1201 et seq; PL 100-34**CFR Citation:** 30 CFR 700.11; 30 CFR 870.11**Legal Deadline:** None

Abstract: Section 528(2) of the Surface Mining Control and Reclamation Act of 1977, exempted from the requirements of the Act "the extraction of coal for commercial purposes where the surface mining operation affects two acres or less." On May 7, 1967, the President signed PL 100-34 which repealed the exemption. The rule action would remove the exemption provision from the regulations at 30 CFR 700 and 30 CFR 870.

Timetable:

Action	Date	FR Cite
Notice of Suspension: Two-Acre Exemption Repeal	06/04/87	52 FR 21228
NPRM	03/00/89	

Small Entities Affected: Undetermined**Government Levels Affected:** State, Federal

Agency Contact: Arthur Abbs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave.,

NW, Washington, DC 20240, 202 343-5351

RIN: 1029-AB16

1242. ● PERMIT TO RECLAIM RULE**Significance:** Agency Priority**Legal Authority:** 30 USC 1201 et seq; PL 100-34**CFR Citation:** 30 CFR 701; 30 CFR 740; 30 CFR 750; 30 CFR 773; 30 CFR 843**Legal Deadline:** None

Abstract: The Office of Surface Mining Reclamation and Enforcement (OSMRE) proposes to amend its rules to provide for specific situations where a coal mine operator may be required to obtain a permit to conduct reclamation activities on a location where no coal extraction is taking place. The proposed rule would remove requirements to obtain or renew a permit when only reclamation activities must be performed.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entities Affected: None**Government Levels Affected:** State, Federal

Agency Contact: Dr. Fred Block, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave.,

NW, Washington, DC 20240, 202 343-4533

RIN: 1029-AB26

1243. PERMANENT REGULATORY PROGRAM REQUIREMENTS FOR PERMITS FOR SPECIAL CATEGORIES OF MINING**Significance:** Regulatory Program**Legal Authority:** 30 USC 1201 et seq; PL 100-34**CFR Citation:** 30 CFR 701.5; 30 CFR 785.19(d)**Legal Deadline:** None

Abstract: This proposed rule would respond to a ruling by the District Court for the District of Columbia which stated that the definition of farming and agricultural activities was not equal as it related to Alluvial Valley Floors as defined in OSM's regulations. The Court ordered that the definition be repromulgated in a manner consistent with Congressional intent. Pursuant to the Court ruling, additional guidance would be provided as to what the "essential hydrologic functions" are of AVFs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entities Affected: None**Government Levels Affected:** State, Federal