

Nuclear Reactor Regulation, that a comprehensive documented maintenance program is being maintained and implemented, which addresses all elements and activities in paragraph (b) of this section including measures to monitor the effectiveness of the maintenance program and to improve the program where appropriate. In addition, each licensee shall develop (insert a date 3 months after the effective date of the amendment) a timely and expeditious plan and schedule (including Key Milestones) for meeting the requirements of this section.

Dated at Rockville, Maryland, this 21st day of November, 1988.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 88-27331 Filed 11-25-88; 8:45 am]

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**FEDERAL TRADE COMMISSION**

16 CFR Parts 801, 802 and 803

Proposed Premerger Notification Rules; Extension of Time for Filing Comments

AGENCY: Federal Trade Commission.

ACTION: Proposed rulemaking; extension of time.

**SUMMARY:** On September 22, 1988 the Federal Trade Commission published proposed changes to its premerger notification rules (53 FR 36831). The Federal Trade Commission requested comments on the proposed changes be submitted on or before November 21, 1988. The Federal Trade Commission believes an extended period for such comments might provide valuable additional information and is therefore extending the deadline for comments on the proposed changes by thirty two days, or until December 23, 1988.

**DATE:** Comments on the proposed rule changes must now be received on or before December 23, 1988.

**ADDRESSES:** Written comments should be submitted to both (1) the Secretary, Federal Trade Commission, Room 172, Washington, DC 20580, and (2) the Assistant Attorney General, Antitrust Division, Department of Justice, Room 3214, Washington, DC 20530.

**FOR FURTHER INFORMATION CONTACT:** Roberta S. Baruch, Acting Assistant Director, Bureau of Competition, Federal Trade Commission, Washington, DC 20580. Telephone: (202) 326-3300.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 88-27335 Filed 11-25-88; 8:45 am]

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**DEPARTMENT OF LABOR**

Employment Standards Administration, Office of Workers' Compensation Programs

20 CFR Part 10

Claims for Compensation Under the Federal Employees' Compensation Act

AGENCY: Office of Workers' Compensation Programs, Employment Standards Administration, Labor.

ACTION: Withdrawal of Proposed rule.

**SUMMARY:** On April 7, 1988 (53 FR 11596), the Employment Standards Administration issued for comment a proposed change to 20 CFR 10.125(b) and 10.321(a), which would have provided for recoupment of compensation forfeited under 5 U.S.C. 8106 at the rate of 100% of continuing compensation. The proposed rule is withdrawn. After a review of the comments received, which all opposed this rule on the ground that there was no basis for singling out recoupment of forfeited compensation from any other overpayment situation, the Department has decided that the existing rules are most consistent with the Federal Employees' Compensation Act, 5 U.S.C. 8101, *et seq.*

The proposed rule was a republication of a final rule published April 1, 1987. In republishing the rule as a proposal, the Department also reinstated (as an interim final rule) the provisions dealing with recoupment of forfeited compensation which existed before April 1, 1987 (53 FR 11594; April 7, 1988). By withdrawing the proposed rule, therefore, that interim final rule remains in effect.

**EFFECTIVE DATE:** November 28, 1988.

**FOR FURTHER INFORMATION CONTACT:** Mr. Thomas M. Markey, Associate Director, Division of Federal Employees' Compensation, Office of Workers' Compensation Programs, Employment Standards Administration, U.S. Department of Labor, Room S-3229, Francis Perkins Building, 200 Constitution Avenue, NW., Washington, DC 20210; Telephone (202) 523-7552.

Signed at Washington, DC, this 21st day of November 1988.

Fred W. Alvarez,

Assistant Secretary for Employment Standards.

[FR Doc. 88-27281 Filed 11-25-88; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

Minerals Management Service

30 CFR Part 206

Allowances for Extraordinary Costs, Transportation and Gas Processing

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of request for comments.

**SUMMARY:** On January 15, 1988, the Minerals Management Service (MMS) published in the Federal Register final rules revising oil and gas royalty valuation regulations (53 FR 1184, Oil; 53 FR 1230, Gas). The gas royalty valuation regulations at 30 CFR 206.158(d)(2)(i) state that an allowance for extraordinary costs of processing may be granted if the lessee can demonstrate that the costs are, by reference to standard industry conditions and practice, extraordinary, unusual, or unconventional. The MMS intends to further develop the criteria for assessing when a project qualifies for an extraordinary cost allowance. The MMS is not only interested in comments on gas regulations but also comments concerning whether extraordinary cost allowance provisions should be developed for its oil, coal, and geothermal product value regulations. In addition, MMS is soliciting comments on its thresholds for transportation and processing allowances of 50 percent and 66% percent, respectively.

**DATE:** Comments must be received by January 27, 1989.

**ADDRESS:** Written suggestions may be mailed to Minerals Management Service, Royalty Management Program, Rules and Procedures Branch, Denver Federal Center, Building 85, P.O. Box 25165, Mail Stop 662, Denver, Colorado 80225, Attention: Dennis C. Whitcomb.

**FOR FURTHER INFORMATION CONTACT:** Dennis C. Whitcomb, Chief, Rules and Procedures Branch, (303) 231-3432, (FTS) 326-3432.

**SUPPLEMENTARY INFORMATION:**

Background

The preamble to the gas valuation regulations published on January 15,

1988, at 53 FR 1287, pertaining to comments received on § 206.158(d) referred to industry commenters expressing their view that certain extraordinary costs should be deductible from royalty. One industry trade group stated that the costs related to the manufacture and sale of separately marketable products are extraordinary and should be allowed. Another industry commenter stated that other off-lease costs and certain "extraordinary" on-lease costs should be deductible. The MMS responded to these comments by stating that costs for the services of gathering, separation, measurement, dehydration, compression, and sweetening are considered to be a requirement to place the lease production into "marketable condition, at no cost to the lessor, and cannot, therefore, be included in a processing allowance. The MMS did, however, include in the final regulations a new § 206.158(d)(2) which states:

If the lessee incurs extraordinary costs for processing gas production from a gas production operation, it may apply to MMS for an allowance for those costs which shall be in addition to any other processing allowances to which the lessee is entitled pursuant to this section. Such an allowance may be granted only if the lessee can demonstrate that the costs are, by reference to standard industry conditions and practice, extraordinary, unusual, or unconventional.

This provision was intended to apply to advanced processing technologies or unusual conditions that are outside of normal industry operational standards. To process applications for allowances, under this provision of the regulations, MMS must define the standard industry conditions and practices, and by reference to the standard, develop rationale and criteria for classifying a project and related costs as extraordinary, unusual, or unconventional. These criteria can then be uniformly applied to all extraordinary costs allowance requests. To fully develop the criteria, MMS is soliciting comments from all interested parties. Following the comment process, MMS will evaluate all suggestions received and will develop draft criteria which, in turn, will be submitted to the Royalty Management Advisory Committee for its review and recommendations.

During the oil and gas product valuation rulemaking process, MMS received many comments concerning the allowances for transportation and gas processing. Most of the comments centered upon whether the provisions limiting the allowances should be

eliminated, retained, or changed. Some comments from industry and trade group representatives stated that MMS " . . . should abolish the 50 percent limitation for one or more of the following reasons: . . . " (They then listed five reasons which ranged from [it was arbitrary and unjust] to [it could impose a serious economic deterrent to the development of frontier areas.]) State and Indian comments varied from one State representative saying that the limitation " . . . keep(s) costs under control while allowing some relief for legitimate hardship conditions," to three Indians and one Congressman recommending that the standard for determining whether the allowance should exceed the threshold is whether or not it " . . . is in the best interest of the lessor."

#### Comments Requested

(a) *Extraordinary Cost—Gas Processing.* The MMS is seeking comments on what factors should comprise the criteria which must be met before any extraordinary cost allowance would be approved. The MMS is receptive to all suggestions but is specifically requesting comments on the following: (1) What conditions, i.e., processes utilized, range of feed gas steam compositions, range of processing costs (\$/mcf throughput), and range of capital costs (\$/mcf per day), are standard for the gas processing industry? (2) What should be the standard for classifying a processing technology and the cost of that technology is extraordinary? (3) Should the extraordinary cost allowance apply only to the costs of processing which exceed normal industry standards or should it apply to all costs of processing? (4) should the extraordinary cost allowance apply only to new projects, or should it apply to existing projects?

(b) *Extraordinary Cost—Other than Gas Processing.* Except for gas processing, MMS's current product value regulations for other minerals, such as oil, coal, and geothermal, do not contain any provision for extraordinary cost allowances. The MMS would like comments as to whether provisions should be available for these or any other minerals where advance technology is used or where other than normal production conditions are encountered. Some examples of these situations might be clean coal technology, tertiary oil recovery, offshore arctic production and offshore deepwater (over 400 meter) production. Comments concerning these products

and situations should address the same general questions cited above, i.e., what conditions are standard in the industry; what conditions or criteria should qualify as extraordinary; what allowances, if any, should be provided; and should the age of the project be a factor?

(c) *Transportation and Processing Allowances—Oil and Gas.* The MMS currently has allowance provisions in its oil and gas product value regulations for transportation and processing costs (30 CFR 206.104, 206.157, 206.158, and 206.159). Allowances are limited to "reasonable, actual costs" with an MMS approval threshold. Allowances for transportation costs may not exceed 50 percent and allowances for processing costs may not exceed 66⅔ percent without MMS approval. These thresholds were established with the intent of keeping a balance between the burden of processing paperwork-administrative oversight, with the risks of claiming excessive allowances without administrative review and intervention.

During its recent rulemaking process, MMS received many comments on these thresholds. With almost 8 months of actual experience using these thresholds, MMS would like to reexamine them to see whether they are appropriate or whether they should be raised, lowered, or abandoned. The MMS is interested in your comments, on this subject, and please provide the rationale or data to support your recommendations.

Date: November 21, 1988.

James E. Cason,

Deputy Assistant Secretary—Land and Minerals Management.

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## POSTAL SERVICE

### 39 CFR Part 111

#### Use of International Air Mail Envelopes, Cards, and Postal Stationery for Domestic Mail Service

AGENCY: Postal Service.

ACTION: Withdrawal of proposed rule.

**SUMMARY:** On the basis of comments received, which are summarized in the Supplementary Information, and for other reasons, the Postal Service is withdrawing the proposed rule that