

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

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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 spring 2004 and fall 2004. 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.

Dated: June 7, 2004.

Richard A. Stephan,
Federal Register Liaison Officer.

Assistant Secretary for Policy, Management and Budget—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1494	Natural Resource Damage Assessments: Type B Procedures	1090-AA29
1495	Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division	1090-AA73

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

Sequence Number	Title	Regulation Identifier Number
1496	Mandatory Conditions Review Process	1090-AA91

Assistant Secretary for Policy, Management and Budget—Completed Actions

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1498	Amendment of Authority to Grant Stays of BLM Grazing Decisions	1090-AA84
1499	Special Rules Applicable to Surface Coal Mining Hearings and Appeals	1090-AA92

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Office of Hearings and Appeals—Completed Actions

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United States Fish and Wildlife Service—Prerule Stage

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1503	Endangered and Threatened Wildlife and Plants; Conservation Education; 50 CFR 17.21	1018-AI66
1504	Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes	1018-AI97
1505	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AJ24

United States Fish and Wildlife Service—Proposed Rule Stage

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1507	Convention on International Trade in Endangered Species (CITES)	1018-AD87
1508	Migratory Bird Permits: Scientific Collecting Permits	1018-AE63
1509	U.S. Proposals for CITES Appendix III; American Eel	1018-AF09
1510	Endangered and Threatened Wildlife and Plants; Removal of the Bald Eagle Throughout the Lower 48 States From the List of Endangered and Threatened Species	1018-AF21
1511	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AF27
1512	Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14	1018-AF46
1513	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Straight-Horned Markhor Population of the Torghar Region of Baluchistan, Pakistan, From Endangered to Threatened	1018-AG00
1514	Federal Falconry Standards and Falconry Permitting	1018-AG11
1515	Endangered and Threatened Wildlife and Plants; Delisting the Gulf Coast Distinct Population Segment of the Brown Pelican Population in the Southeastern United States	1018-AG40
1516	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species	1018-AG64
1517	Injurious Wildlife — Addition of Black Carp	1018-AG70
1518	Endangered and Threatened Wildlife and Plants; Listing of the Miami Blue Butterfly	1018-AH30
1519	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Boulder Darter and the Spottfin Chub in Shoal Creek, Alabama and Tennessee	1018-AH44
1520	Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout From Endangered to Threatened with a Special Rule	1018-AH57
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1522	North American Wetlands Conservation Act and Neotropical Migratory Bird Conservation Act Grant Administration Policies	1018-AI13
1523	Endangered and Threatened Wildlife and Plants; Critical Habitat for 5 Guam Species	1018-AI25
1524	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations	1018-AI38
1525	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the American Crocodile From Endangered to Threatened	1018-AI41
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1527	Endangered and Threatened Wildlife and Plants; Listing Central California Distinct Population Segment of California Tiger Salamander as Threatened; Reclassifying Sonoma County and Santa Barbara County	1018-AI68
1528	Endangered and Threatened Wildlife and Plants; Delisting of the Arizona Agave	1018-AI79
1529	Endangered and Threatened Wildlife and Plants; Proposed Nonessential Experimental Population of the Northern Aplomado Falcon	1018-AI80
1530	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened	1018-AI83
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1535	Revision of the Regulations Governing the Transport of Eagle Feathers	1018-AJ00
1536	Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf	1018-AJ03
1537	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Colorado Butterfly Plant	1018-AJ07
1538	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fish Slough Milk Vetch	1018-AJ09
1539	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Munz's Onion	1018-AJ10
1540	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia and the San Jacinto Valley Crownscale	1018-AJ11
1541	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Coastal-Puget Sound, St. Mary-Belly River, and Jarbidge River Population Segments of Bull Trout	1018-AJ12

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1544	Wild Bird Conservation Act; Review of Regulations To Allow Imports of Exotic Wild Birds	1018-AT30
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1546	Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program	1018-AT34
1547	Endangered and Threatened Wildlife and Plants; Proposed Amendment to the Nonessential Experimental Population Rule for the Mexican Gray Wolf	1018-AT36
1548	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Virginia Northern Flying Squirrel From Endangered to Threatened	1018-AT37
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1550	2004-2005 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AT40
1551	Land Conservation Planning (Refuge Manual Chapter 602 FW 2)	1018-AT41
1552	Endangered and Threatened Wildlife and Plants; Listing the Boreal Toad	1018-AT43
1553	Subsistence Management Regulations for Public Lands in Alaska, Subpart A and Subpart B	1018-AT47
1554	Marine Mammals: Revised Definition of "Authentic Native Articles of Handicrafts and Clothing"	1018-AT48
1555	Injurious Wildlife; Bighead Carp (<i>Hypophthalmichthys Nobilis</i>)	1018-AT49
1556	Revised Definition of "Destruction or Adverse Modification" for Endangered Species Act Section 7 Consultations ..	1018-AT50
1557	Listing the Miami Blue Butterfly as Endangered; Listing the Cassius Blue, Ceraunus Blue, and Nickerbean (Ammon) Blue Butterflies as Threatened Due to Similarity of Appearance to the Miami Blue	1018-AT51
1558	Migratory Bird Hunting; Proposed 2004-05 Migratory Game Bird Hunting Regulations (Preliminary) with Requests for Indian Tribal Proposals	1018-AT53
1559	Endangered and Threatened Wildlife and Plants; Special Rule to Control the Trade in Threatened Beluga Sturgeon	1018-AT54
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1561	Special Rule Reclassifying Argentinian Broad-Snouted Caiman Population From Endangered to Threatened	1018-AT56
1562	Migratory Bird Permits; Changes in Regulations Governing Raptor Propagation	1018-AT60
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1567	Endangered and Threatened Wildlife and Plants; Buena Vista Lake Shrew Critical Habitat Designation	1018-AT66
1568	Migratory Bird Hunting; Revision of Language Used in Regulations for Approving Nontoxic Shot for Use in Waterfowl Hunting	1018-AT67
1569	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Tiger Salamander, Central DPS; 50 CFR 17	1018-AT68
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1575	Endangered and Threatened Wildlife and Plants; Coachella Valley Milk-Vetch Critical Habitat Designation	1018-AT74
1576	Endangered and Threatened Wildlife and Plants; Thread-Leaved Brodiaea Critical Habitat Designation	1018-AT75
1577	Migratory Bird Hunting; 2005-2006 Migratory Game Bird Hunting Regulations	1018-AT76
1578	Migratory Bird Subsistence Harvest in Alaska; Proposed Spring/Summer Subsistence Annual Harvest Regulations for Migratory Birds in Alaska During the 2005 Subsistence Season	1018-AT77
1579	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox	1018-AT78
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United States Fish and Wildlife Service—Final Rule Stage

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1584	Endangered and Threatened Wildlife and Plants; Tibetan Antelope	1018-AF49
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1586	Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands	1018-AG23
1587	National Wildlife Refuge System; Mission, Goals, and Purposes	1018-AG46
1588	Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species	1018-AH53
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1590	Addition of the Great White Shark and the Cape Stag Beetles to Appendix III Under CITES	1018-AH66
1591	Audit Resolution Policy	1018-AH69
1592	Importation of Exotic Wild Birds Into the United States; Adding Blue-Fronted Amazon Parrots From Argentina's Approved Sustainable Use Management Plan to the Approved List of Non-Captive Bred Species	1018-AH89
1593	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act	1018-AH93
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1595	Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species	1018-AI04
1596	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations	1018-AI07
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1599	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Topeka Shiner	1018-AI20
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1602	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Columbia-Klamath Distinct Population Segment of the Bull Trout	1018-AI52
1603	Migratory Bird Permits; Eiderdown From Iceland	1018-AI64
1604	Endangered and Threatened Wildlife and Plants; Permits for Foreign Listed Species	1018-AI67
1605	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp	1018-AI71
1606	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher	1018-AI72
1607	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 11 Mobile River Basin Freshwater Mussels	1018-AI73
1608	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Five Appalachian Mussels	1018-AI76
1609	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Pierson's Milkvetch	1018-AI77
1610	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Lane Mountain Milkvetch	1018-AI78
1611	Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle	1018-AI82
1612	Changes in List of Species in Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AI90
1613	Endangered and Threatened Wildlife and Plants; Removal of Eggert's Sunflower From the List of Endangered and Threatened Species	1018-AJ08
1614	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl	1018-AJ15
1615	Endangered and Threatened Wildlife and Plants; De-designation of Manatee Protection Areas in Florida	1018-AJ23
1616	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D — 2004-2005 Subsistence Taking of Fish and Wildlife	1018-AJ25
1617	Extension of Existing Amended 4(d) Rule for Preble's Meadow Jumping Mouse in Colorado and Wyoming	1018-AJ26
1618	Migratory Bird Hunting; Approval of Hevi-Steel as a Nontoxic Shot Material for Waterfowl Hunting	1018-AT32
1619	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Arroyo Toad	1018-AT42
1620	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander Santa Barbara County Distinct Population Segment	1018-AT44
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United States Fish and Wildlife Service—Final Rule Stage (Continued)

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1623	Endangered and Threatened Wildlife and Plants; Emergency Critical Habitat Designation for Santa Ana Sucker	1018-AT57
1624	Subsistence Management Regulations for Public Lands in AK: Specifying Ratios of Interests/Qualifications of Members of Federal Subsistence Regional Advisory Councils	1018-AT58
1625	Conferring Designated Port Status on Memphis, TN, Louisville, KY, and Houston, TX	1018-AT59
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1629	Injurious Wildlife; Addition of the Asian Swamp Eel	1018-AF53
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1631	Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub	1018-AG16
1632	Endangered and Threatened Wildlife and Plants; Listing the Dolly Varden as a Threatened Species in Washington Due to Similarity of Appearance to Bull Trout	1018-AH68
1633	Release of Captive-Reared Mallards	1018-AI05
1634	Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Three Snails and One Amphipod	1018-AI15
1635	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cactus Ferruginous Pygmy Owl	1018-AI48
1636	Migratory Bird Permits; Revisions to General Exceptions	1018-AI96
1637	Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf	1018-AJ04
1638	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-legged Frog	1018-AJ16
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1640	Endangered and Threatened Wildlife and Plants; Amendment To Manatee Protection Areas in Florida (Barge Canal Exception)	1018-AT39

United States Fish and Wildlife Service—Completed Actions

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1642	Endangered and Threatened Wildlife and Plants; Delisting the Hoover's Woolly-Star From the List of Endangered and Threatened Species	1018-AG41
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1644	Endangered and Threatened Wildlife and Plants; Removal of the Truckee Barberry From the List of Endangered and Threatened Species	1018-AH47
1645	Endangered and Threatened Wildlife and Plants; Removal of the Guam Broadbill and Mariana Mallard From the List of Endangered and Threatened Species	1018-AH50
1646	Endangered and Threatened Plants; Reclassification of the Missouri Bladderpod From Endangered to Threatened	1018-AH59
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1648	Eagle Permits: New Definitions, Permits for Incidental Taking of Bald Eagles Necessary To Protect Other Interests in Any Particular Locality	1018-AH74
1649	Migratory Bird Permits; Regulations Governing Rehabilitation Activities	1018-AH87
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United States Fish and Wildlife Service—Completed Actions (Continued)

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1656	Endangered and Threatened Wildlife and Plants; Listing the Slickspot Peppergrass	1018-AI50
1657	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Desert Yellowhead	1018-AI69
1658	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Braun's Rockcress	1018-AI74
1659	Endangered and Threatened Wildlife and Plants; Endangered Status for the Dugong in the Republic of Palau	1018-AI81
1660	Safe Harbor Agreements and Candidate Conservation Agreements With Assurances; Revisions to the Regulations	1018-AI85
1661	Subsistence Management Regulations for Public Lands in Alaska, Subparts C and D; 2004-2005 Subsistence Tak- ing of Fish and Shellfish	1018-AI89
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1667	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl	1018-AT52

National Park Service—Proposed Rule Stage

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1670	Fire Island National Seashore; Personal Watercraft	1024-AC94
1671	Gateway National Recreation Area; Personal Watercraft	1024-AC95
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National Park Service—Final Rule Stage

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Bureau of Indian Affairs—Final Rule Stage

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Bureau of Indian Affairs—Final Rule Stage (Continued)

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Bureau of Indian Affairs—Completed Actions

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Minerals Management Service—Final Rule Stage

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1740	Plans and Information	1010-AC47
1741	Incident Reporting	1010-AC57
1742	Proprietary Terms and Data Disclosure	1010-AC81
1743	Documents Incorporated by Reference for Offshore Floating Production Facilities	1010-AC85
1744	Document Incorporated by Reference—API 510—Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration	1010-AC95
1745	Federal Oil Valuation	1010-AD04

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1746	Reporting Amendments	1010-AC90
1747	Rights-of-Use and Easements and Pipeline Rights-of-Way	1010-AC91
1748	Relief or Reduction in Royalty Rates— Deep Gas Provisions	1010-AD01

DOI

Office of Surface Mining Reclamation and Enforcement—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1749	Abandoned Mine Reclamation Fees	1029-AC46

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1750	Abandoned Coal Refuse Sites	1029-AB70
1751	Revegetation	1029-AC02
1752	Financial Assurances	1029-AC05

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1753	Indian Lands	1029-AB83
1754	Placement of Excess Spoil	1029-AC04
1755	Processing State Program Amendments	1029-AC06
1756	Ownership and Control Settlement Rule	1029-AC08

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1757	Financing Abandoned Mine Land Reclamation	1029-AC07

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1758	Public Conduct on Reclamation Lands and Projects	1006-AA45
1759	Implementation of the Truckee River Operating Agreement	1006-AA48

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1760	Sales—Federal Land Policy and Management Act	1004-AB77
1761	Desert Land Entries	1004-AC56
1762	Disposal of Reserved Minerals Under the Stock Raising Homestead Act	1004-AC59
1763	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32
1764	Conservation; Helium Leasing	1004-AD35
1765	Resource Management Planning	1004-AD57
1766	Oil and Gas Onshore Order No. 1	1004-AD59
1767	Alaska Native Veteran Allotments	1004-AD60

DOI

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1768	Cost Recovery; Mineral Filings and Operations	1004-AC64
1769	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AC74
1770	Indian Allotments	1004-AC77
1771	Grazing Administration—Exclusive of Alaska	1004-AD42
1772	Wilderness Management	1004-AD46
1773	Oil and Gas Leasing Operations; Bonding	1004-AD56
1774	Location, Recording, and Maintenance of Mining Claims or Sites	1004-AD62

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1775	Leases, Permits, and Easements	1004-AB51
1776	Coalbed Methane Development	1004-AC27
1777	Carey Act Grants	1004-AC80
1778	Oil and Gas Leasing and Operations	1004-AC94
1779	Appeals Procedures; Hearings Procedures	1004-AC99
1780	Hazardous Materials Compliance	1004-AD38
1781	Supplementary Rules for Public Demonstrations at Grand Staircase-Escalante National Monument	1004-AD40
1782	Mining Claims Under the General Mining Laws; Surface Management	1004-AD53
1783	Wilderness Management	1004-AD54

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1784	Permits for Recreation on Public Lands	1004-AD45

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1494. 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

Action	Date	FR Cite
ANPRM Comment Period End	09/16/96	
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

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 NW., Washington, DC 20240
Phone: 202 208-4143

RIN: 1090-AA29

DOI—BIA

Final Rule Stage

measurement for determining that schools are providing quality education; (2) establishing separate geographic attendance areas for each Bureau-funded school; (3) establishing a formula for determining the minimum amount of funds necessary to fund each Bureau-funded school; (4) establishing a system of direct funding and support of all Bureau-funded schools under the formula established in section 1127 of the Act; (5) establishing guidelines to ensure the constitutional and civil rights of Indian students regarding the right to privacy, freedom of religion and expression, and due process in connection with disciplinary actions (suspension and expulsion); and (6) establishing a method for administering grants to tribally controlled schools.

Timetable:

Action	Date	FR Cite
NPRM	02/25/04	69 FR 8752
NPRM Comment Period End	06/24/04	
Final Action	10/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Organizations**Government Levels Affected:** Tribal

Agency Contact: Catherine Freels, Designated Federal Official, Department of the Interior, Bureau of Indian Affairs, 500 Gold Ave. SW. Room 7202, Albuquerque, NM 87102
Phone: 505 248-7240

RIN: 1076-AE49**1720. • WINNEMUCCA COURT OF INDIAN OFFENSES**

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

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13

CFR Citation: 25 CFR 11**Legal Deadline:** None

Abstract: This rule would revise part 11 to add the Winnemucca Indian tribe

to the list of Courts of Indian Offenses. The purpose of establishing a Court of Indian Offenses at the Winnemucca Tribe is to protect the persons, land, lives, and property of tribal members until the Tribe reassumes or creates a Law and Order program for the reservation.

Timetable:

Action	Date	FR Cite
ACTION	07/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

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

Phone: 202 513-7629

RIN: 1076-AE52
**Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)**

Completed Actions

1721. • PARTIAL DISTRIBUTION OF FY 2004 INDIAN RESERVATION ROADS FUNDS

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

Legal Authority: 25 USC 47; 42 USC 2000e(b); 42 USCe(2)(i); 23 USC 101(a); 23 USC 202; 23 USC 204

CFR Citation: 25 CFR 170**Legal Deadline:** None

Abstract: This rule will provide the formula need to immediately distribute \$25 million of FY 2004 roads funds to projects on or near Indian Reservations using the relative need formula.

Timetable:

Action	Date	FR Cite
Final Action	12/05/03	68 FR 67941

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB1849 C Street NW, Washington, DC 20240

Phone: 202 208-4359

RIN: 1076-AE50

BILLING CODE 4310-02-S

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

Proposed Rule Stage

1722. LATE AND OVERPAYMENT INTEREST**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	09/00/04	
NPRM Comment Period End	12/00/04	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management

DOI—MMS

Proposed Rule Stage

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RIN: 1010-AC27

1723. 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	10/00/04	
NPRM Comment Period End	12/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

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RIN: 1010-AC29

1724. 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	10/00/04	
NPRM Comment Period End	12/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2PO Box 25165, Denver, CO 80225-3211
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RIN: 1010-AC31

1725. 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 oil and gas leases and also introduces a categorical royalty relief program for deep gas drilling on existing shallow water tracts.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
NPRM Comment Period End	01/00/05	

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-AC58

1726. APPEALS OF MINERALS MANAGEMENT SERVICE ORDERS

Priority: Substantive, Nonsignificant

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 the 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.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	
END	09/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Platte Clark, Senior Appeals Specialist, Department of the Interior, Minerals Management Service, 4230 MIB 1849 C Street NW, Washington, DC 20240
Phone: 202 208-2394
RIN: 1010-AC80

1727. BLOWOUT PREVENTION FOR PRODUCTION TREE COILED TUBING WORKOVER OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: The rule would upgrade blowout prevention requirements for well workover operations conducted using coiled tubing while the well-head production tree is in place.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	
NPRM Comment Period End	10/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC96

1728. DATA RELEASE AND DEFINITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331

CFR Citation: 30 CFR 250 subpart A

Legal Deadline: None

DOI—MMS

Proposed Rule Stage

Abstract: This rule will amend 30 CFR part 250 by adding a new definition revising the existing definition, clarifying or expanding certain requirements, and making administrative changes. We are adding a new section pertaining to notifying MMS on production status. We are reorganizing the forms data release table and adding entries for three new forms. We are expanding the requirements pertaining to submitting digital data. The proposed rule will provide additional time for exploration and development activities through the use of suspensions of operations for qualified leases in Alaska.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
NPRM Comment Period End	01/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC99

1729. VALUATION OF OIL FROM INDIAN LEASES

Priority: Other Significant

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

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule would modify the regulations that establish royalty value for oil produced from Indian leases and create a new form for collecting value and differential data. These changes would decrease reliance on oil posted prices and make Indian oil royalty valuation more consistent with the terms of Indian leases.

Timetable:

Action	Date	FR Cite
ANPRM	12/20/95	60 FR 65610
NPRM	02/12/98	63 FR 7089
NPRM Comment Period Extended	04/09/98	

Action	Date	FR Cite
NPRM Comment Period End	05/13/98	
Comment Period Extended to 03/20/2000	02/28/00	65 FR 10436
Supplemental NPRM	08/00/04	
Supplemental NPRM Comment Period End	10/00/04	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

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Related RIN: Previously reported as 1010-AC24

RIN: 1010-AD00

1730. REDUCTION TO ROYALTY RELIEF IN SPECIAL CIRCUMSTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 203

Legal Deadline: None

Abstract: The recently published final rule 1010-AC71 created a process for certain leases (those that are inadequately helped by our formal relief systems) to seek special royalty relief. However overly restrictive eligibility criteria may exclude some leases that fulfill statutory purposes while redundant criteria may include other leases that do not fit statutory purposes. This rule will refine the eligibility criteria to include marginal discoveries in the shallow water part of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits. The revision will also disallow a royalty relief request by a lease or project that does not promote wider program goals or is only temporarily unable to benefit from a formal royalty relief program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
NPRM Comment Period End	02/00/05	

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-AD02

1731. FEDERAL GAS VALUATION

Priority: Other Significant

Legal Authority: 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2102 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule would amend the existing rules governing valuation for royalty purposes of natural gas produced from Federal leases. In evaluating these rules, MMS has identified several issues that warrant further public comment. MMS is therefore proposing these amendments in an effort to improve the current rule and to correct some technical problems.

Timetable:

Action	Date	FR Cite
Notice of Public Meetings	04/10/03	68 FR 17565
NPRM	07/00/04	
Final Action	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1010-AD05

1732. LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF

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

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

DOI—MMS

Proposed Rule Stage

Legal Deadline: None

Abstract: This rulemaking will rewrite the existing rules at 30 CFR part 256 to make them clearer. The rule has been reorganized and streamlined to better reflect the 5-year and lease sale processes as they have evolved since the last rewrite in the 1980's. There are few substantive changes to the rule.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
NPRM Comment Period End	03/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Jane A. Roberts, Paralegal Specialist, Department of the Interior, Minerals Management Service, MS 623, 381 Elden Street, Herndon, VA 22070
Phone: 703 787-1275

RIN: 1010-AD06

1733. • TEMPORARY ABANDONED WELLS

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: This rule would change Subpart Q to require operators to submit annual reports on all temporary abandoned wells, not just those in less than 300 feet of water, as the regulations currently require. This requirement was published as part of an NPRM for subpart Q (RIN 1010-AC65) on July 7, 2000; however, it was inadvertently moved to another paragraph when the final rule was published. This change has already been published for public comment as part of 1010-AC65.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior,

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RIN: 1010-AD08

1734. • SUSPENSION OF OPERATIONS FOR ULTRA-DEEP DRILLING

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: This rule would allow suspension of operations for leases in less than 800 meters of water on geologic structures targeted by an ultra-deep well that has commenced drilling. The high cost and complexity of drilling an ultra-deep well discourage companies from drilling without sufficient expectation of using the information as part of a larger drilling program. This proposed rule allows companies that drill an ultra-deep well to use the information gained to analyze geologically related leases and provides additional time to drill those leases.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	
NPRM Comment Period End	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1010-AD09

1735. • PROTECTION OF MARINE MAMMALS AND ENDANGERED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would revise subpart B to incorporate the general Endangered Species Act (ESA) reporting requirements for which MMS has recently received OMB approval. Because ESA restrictions on take for listed marine mammals cannot be lifted without prior Marine Mammal Protection Act (MMPA) authorization, MMS needs to ensure MMPA authorization in those situations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	
NPRM Comment Period End	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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-AD10

1736. • PIPELINE SAFETY RULE PHASE I

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

Legal Authority: 30 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: Subpart J Safety regulations are 20 years old and technically and administratively out of date with MMS policies, practices, and safety requirements issued elsewhere in regional notices to lessees (NTLs) and letters to lessees (LTLs). This proposed rule is the first phase of a planned two-phase update of the regulations. This phase I will incorporate the NTLs and LTLs and give the requirements the force and weight of law. Additionally, the rule will be rewritten and reformatted for added clarity and will incorporate several new pipeline design standards to technically update the design information included in the current regulation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

DOI—MMS

Proposed Rule Stage

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 1010-AD11

1737. • OIL AND GAS PRODUCTION RATES

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: This rule would eliminate the
requirements for setting maximum
efficient rates (MER) for most
reservoirs. This will eliminate
burdensome recordkeeping and

reporting requirements. Also, this
rewrite will amend sections on oil and
natural gas burning, flaring and
venting. These amendments will clarify
when an operator may burn oil or flare
or vent natural gas; it also sets clear
limits on the amounts that may be
burned, flared, or vented

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
END	02/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray,
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RIN: 1010-AD12

1738. • RIGHTS OF USE AND EASEMENT

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: This rule would extend
existing bonding requirements of Rights
of Use and Easement holders to cover
decommissioning. Most Rights of Use
and Easement holders need bonding to
cover their obligations, so this will not
increase the cost for them. This rule
changes the length of time that the
bond must be kept in place. The other
changes clarify existing provisions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	
NPRM Comment Period End	01/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 1010-AD13

Department of the Interior (DOI)

Final Rule Stage

Minerals Management Service (MMS)

1739. 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	
Supplemental NPRM	03/31/03	68 FR 15390

Action	Date	FR Cite
Supplemental NPRM Comment Period End	05/30/03	
Final Action	07/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

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RIN: 1010-AC30**1740. 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	05/17/02	67 FR 35372

DOI—MMS

Final Rule Stage

Action	Date	FR Cite
Comment Period Extended	12/13/02	67 FR 46616
Final Action	08/00/04	

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

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RIN: 1010-AC47**1741. 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	07/08/03	68 FR 40585
NPRM Comment Period End	12/05/03	
Final Action	12/00/04	
Final Action Effective	01/00/05	

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

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RIN: 1010-AC57**1742. PROPRIETARY TERMS AND DATA DISCLOSURE****Priority:** Substantive, Nonsignificant**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	07/17/02	67 FR 46942
NPRM Comment Period End	09/18/02	
Final Action	08/00/04	

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

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RIN: 1010-AC81**1743. DOCUMENTS INCORPORATED BY REFERENCE FOR OFFSHORE FLOATING PRODUCTION FACILITIES****Priority:** Substantive, Nonsignificant**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 productions systems, and this will save the public the costs of developing government standards.

Timetable:

Action	Date	FR Cite
NPRM	12/27/01	66 FR 66851
NPRM Comment Period End	02/12/02	
Comment Period Extended	03/28/02	67 FR 14902
Final Action	12/00/04	
Final Action Effective	02/00/05	

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

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RIN: 1010-AC85**1744. DOCUMENT INCORPORATED BY REFERENCE—API 510—PRESSURE VESSEL INSPECTION CODE: MAINTENANCE INSPECTION, RATING, REPAIR, AND ALTERATION****Priority:** Substantive, Nonsignificant**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	12/27/01	66 FR 66848
NPRM Comment Period End	02/25/02	
Final Action	12/00/04	

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

DOI—MMS

Final Rule Stage

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RIN: 1010-AC95

1745. FEDERAL OIL VALUATION

Priority: Other Significant

Legal Authority: 5 USC 301 et seq; 25
USC 396 et seq; 25 USC 396a et seq;
30 USC 181 et seq; 30 USC 1001 et
seq

CFR Citation: 30 CFR 206; 30 CFR 210

Legal Deadline: None

Abstract: This rule would amend the
existing rule governing valuation for
royalty purposes of crude oil produced
from Federal leases. These changes
would refine several technical aspects
of this rule relating to which published
market prices are most appropriate to
value crude oil not sold at arm's length
and what transportation deductions
should be allowed.

Timetable:

Action	Date	FR Cite
NPRM	08/20/03	68 FR 50087
NPRM Comment Period End	09/19/03	
NPRM Comment Period Reopened	09/26/03	68 FR 55556

Action	Date	FR Cite
NPRM Comment Period End	11/10/03	
Final Action	07/00/04	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: State

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

Completed Actions

1746. REPORTING AMENDMENTS

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Withdrawn	04/01/04	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

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RIN: 1010-AC90

**1747. RIGHTS-OF-USE AND
EASEMENTS AND PIPELINE
RIGHTS-OF-WAY**

Priority: Other Significant

CFR Citation: 30 CFR 250

Completed:

Reason	Date	FR Cite
Final Action	12/12/03	68 FR 69308
Final Action Effective	01/12/04	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

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RIN: 1010-AC91

**1748. RELIEF OR REDUCTION IN
ROYALTY RATES— DEEP GAS
PROVISIONS**

Priority: Economically Significant.
Major under 5 USC 801.

CFR Citation: 30 CFR 203

Completed:

Reason	Date	FR Cite
Final Action	01/26/04	69 FR 3492

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1010-AD01

BILLING CODE 4310-MR-S

**Department of the Interior (DOI)
Office of Surface Mining Reclamation and Enforcement (OSMRE)**

Prerule Stage

**1749. ABANDONED MINE
RECLAMATION FEES**

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

Legal Authority: 30 USC 1232(b)

CFR Citation: 30 CFR 870

Legal Deadline: Final, Statutory,
September 30, 2004, -.

Expiring rates expire on that date; by
law, new rates must be established by
then.

Abstract: The Surface Mining Control
and Reclamation Act (SMCRA) created
an abandoned mine land reclamation
program funded by a fee assessed on
each ton of coal produced. The fees are
placed into a fund that is used to
reclaim lands and waters adversely

impacted by coal mining before
enactment of SMCRA. The Energy
Policy Act of 1992 requires OSM to
transfer interest accumulating on the
fund to the United Mine Workers of
America Combined Benefit Fund for
use in paying health care benefits for
former coal miners unassigned to a
specific company. The Energy Policy
Act extended the collection of