

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

50 CFR Chs. I and IV

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 April 2003 and October 2003. 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 Regulatory Affairs, 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.

Date: April 10, 2003.

Richard A. Stephan,
Federal Register Liaison Officer.

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

Sequence Number	Title	Regulation Identification Number
1352	Natural Resource Damage Assessments: Type B Procedures	1090-AA29
1353	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals	1090-AA68
1354	Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division	1090-AA73
1355	Nonprocurement Suspension and Debarment; Drug-Free Workplace Grant Requirements	1090-AA79
1356	Amendment of Authority to Grant Stays of BLM Grazing Decisions	1090-AA84

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

Sequence Number	Title	Regulation Identification Number
1357	Nondiscrimination in Federally Assisted Programs of the Department of the Interior on the Basis of Race, Color, National Origin, Handicap, or Age	1090-AA77
1358	Amendment of Authority To Grant Stays of Grazing Decisions	1090-AA83

Assistant Secretary for Policy, Management and Budget—Completed Actions

Sequence Number	Title	Regulation Identification Number
1359	Records and Testimony; Freedom of Information Act	1090-AA61
1360	Department Hearings and Appeals Procedures; Procedures Applicable in Indian Probate Hearings	1090-AA81

United States Fish and Wildlife Service—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1361	Partners for Fish and Wildlife Program	1018-AH98
1362	Release of Captive-Reared Mallards	1018-AI05

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United States Fish and Wildlife Service—Prerule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1363	North American Wetlands Conservation Act Grant Administration Policies	1018-AI13
1364	Endangered and Threatened Wildlife and Plants; Conservation Education; 50 CFR 17.21	1018-AI66
1365	Fiscal Year 2004 Private Stewardship Grants Program; Program Implementation	1018-AJ01

United States Fish and Wildlife Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1366	General Provisions and General Permit Procedures—50 CFR Part 13	1018-AC57
1367	Seizure and Forfeiture Procedures — 50 CFR Part 12	1018-AC89
1368	U.S. Proposals for CITES Appendix III; American Eel	1018-AF09
1369	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AF27
1370	Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14	1018-AF46
1371	Endangered and Threatened Wildlife and Plants; Tibetan Antelope	1018-AF49
1372	Injurious Wildlife; Addition of the Asian Swamp Eel	1018-AF53
1373	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
1374	Federal Falconry Standards and Falconry Permitting	1018-AG11
1375	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
1376	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species	1018-AG64
1377	Injurious Wildlife — Addition of Black Carp	1018-AG70
1378	Endangered and Threatened Wildlife and Plants; Listing of the Miami Blue Butterfly	1018-AH30
1379	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Boulder Darter and the Spottin Chub in Shoal Creek, Alabama and Tennessee	1018-AH44
1380	Endangered and Threatened Wildlife; Removal of the San Marcos Gambusia From the List of Endangered and Threatened Species	1018-AH52
1381	Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species	1018-AH53
1382	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Gila Trout From Endangered to Threatened	1018-AH57
1383	Endangered and Threatened Plants; Reclassification of the Missouri Bladderpod From Endangered to Threatened	1018-AH59
1384	Export of Live Alligators	1018-AH65
1385	Audit Resolution Policy	1018-AH69
1386	Eagle Permits: New Definitions, Permits for Incidental Taking of Bald Eagles Necessary To Protect Other Interests in Any Particular Locality	1018-AH74
1387	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
1388	Marine Mammals: Incidental Take During Specified Activities (Beaufort Sea Polar Bear and Walrus)	1018-AH92
1389	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act	1018-AH93
1390	Civil Procedures; 50 CFR Part 11	1018-AH97
1391	Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species	1018-AI04
1392	Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations	1018-AI32
1393	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the American Crocodile From Endangered to Threatened	1018-AI41
1394	Endangered and Threatened Wildlife and Plants; Listing the Southwest Alaskan Distinct Population Segment of the Northern Sea Otter	1018-AI44
1395	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cactus Ferruginous Pygmy Owl	1018-AI48
1396	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Columbia-Klamath Distinct Population Segment of the Bull Trout	1018-AI52
1397	2003-2004 Refuge Specific Hunting and Sport Fishing Regulations	1018-AI63
1398	Migratory Bird Permits; Eiderdown From Iceland	1018-AI64
1399	Import of Polar Bear Trophies From Canada; Finding for the Gulf of Boothia Population	1018-AI65
1400	Endangered and Threatened Wildlife and Plants; Permits for Foreign Listed Species	1018-AI67

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United States Fish and Wildlife Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1401	Endangered and Threatened Wildlife and Plants; Listing the California Tiger Salamander (Rangewide)	1018-AI68
1402	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Desert Yellowhead	1018-AI69
1403	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp	1018-AI71
1404	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher	1018-AI72
1405	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 11 Mobile River Basin Fresh-water Mussels	1018-AI73
1406	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Braun's Rockcress	1018-AI74
1407	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Five Appalachian Mussels	1018-AI76
1408	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Pierson's Milkvetch	1018-AI77
1409	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Lane Mountain Milkvetch	1018-AI78
1410	Endangered and Threatened Wildlife and Plants; Delisting of a Plant, the Arizona Agave	1018-AI79
1411	Endangered and Threatened Wildlife and Plants; Endangered Status for the Dugong in the Republic of Palau	1018-AI81
1412	Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle	1018-AI82
1413	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened	1018-AI83
1414	Safe Harbor Agreements and Candidate Conservation Agreements With Assurances; Revisions to the Regulations	1018-AI85
1415	U.S. Proposals for CITES Appendix III; Black Cohosh	1018-AI91
1416	Migratory Bird Permits; Military Readiness Exemption	1018-AI92
1417	Migratory Bird Hunting; Proposed 2003-2004 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Tribal Proposals	1018-AI93
1418	Endangered and Threatened Wildlife and Plants; Removal of the Water Howellia (Howellia aquatilis) From the List of Endangered and Threatened Species	1018-AI94
1419	Endangered Species and Pesticide Regulation	1018-AI95
1420	Revision of Migratory Bird Hunting Regulations	1018-AI98
1421	Revision of Airborne Hunting Regulations	1018-AI99
1422	Revision of the Regulations Governing the Transport of Eagle Feathers	1018-AJ00
1423	Endangered Species Act Counterpart Section 7 Consultation Regulations for Implementing the National Fire Plan	1018-AJ02
1424	Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf	1018-AJ03
1425	Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf	1018-AJ04
1426	Endangered and Threatened Wildlife and Plants; Reclassification of the Cui-ui From the List of Endangered and Threatened Species and Establishment of a 4(d) Rule	1018-AJ05
1427	Endangered and Threatened Wildlife and Plants; Designation of Additional Manatee Protection Areas in Florida	1018-AJ06
1428	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Colorado Butterfly Plant	1018-AJ07
1429	Endangered and Threatened Wildlife and Plants; Prudency Determination and Designation of Critical Habitat for Eggert's Sunflower	1018-AJ08
1430	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fish Slough Milk Vetch	1018-AJ09
1431	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia and the San Jacinto Valley Crownscale	1018-AJ11
1432	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
1433	Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle	1018-AJ13
1434	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl	1018-AJ15
1435	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-legged Frog	1018-AJ16
1436	Endangered and Threatened Wildlife and Plants; Removal of the Eggert's Sunflower From the List of Endangered and Threatened Species	1018-AJ17
1437	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-Footed Ferret in Wyoming	1018-AJ18
1438	Endangered and Threatened Wildlife and Plants; Reclassification of the Uncompahgre Fritillary Butterfly From Endangered to Threatened	1018-AJ19
1439	Endangered and Threatened Wildlife and Plants; Removal of Arctic Russian Population of Spectacled Eiders From the List of Endangered and Threatened Species; Classification of U.S. Popul. as Threatened	1018-AJ20

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United States Fish and Wildlife Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1440	List of Migratory Birds	1018-AB72
1441	Convention on International Trade in Endangered Species (CITES)	1018-AD87
1442	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
1443	Endangered and Threatened Wildlife and Plants; Removal of the Douglas County, Oregon, Population of the Columbia White-Tailed Deer From the List of Endangered and Threatened Species	1018-AF43
1444	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries	1018-AF44
1445	Policy on General Conservation Permits	1018-AF63
1446	U.S. Proposals for CITES Appendix III; Certain Turtle Species	1018-AF69
1447	Endangered and Threatened Wildlife and Plants; Delisting the Hoover's Woolly-Star From the List of Endangered and Threatened Species	1018-AG41
1448	National Wildlife Refuge System; Mission, Goals, and Purposes	1018-AG46
1449	Endangered and Threatened Wildlife and Plants; Critical Habitat for Three Coastal California Plants	1018-AG88
1450	Endangered and Threatened Wildlife and Plants; Critical Habitat for 47 Plants in Hawaii	1018-AH02
1451	Endangered and Threatened Wildlife and Plants; Critical Habitat for Plants of the Northwest Islands, Hawaii	1018-AH09
1452	Endangered and Threatened Wildlife and Plants; Removal of the Truckee Barberry From the List of Endangered and Threatened Species	1018-AH47
1453	Endangered and Threatened Wildlife and Plants; Removal of the Guam Broadbill and Mariana Mallard From the List of Endangered and Threatened Species	1018-AH50
1454	Addition of the Great White Shark and the Cape Stag Beetle to Appendix III Under CITES	1018-AH66
1455	Endangered and Threatened Wildlife and Plants: Reproposed Determinations of Prudency and Proposed Designations of Critical Habitat for Plants From Maui and Kahoolawe, Hawaii	1018-AH70
1456	Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on the Threatened Status of the Sacramento Splittail (<i>Pogonichthys Macrolepidotis</i>)	1018-AH73
1457	Migratory Bird Permits; Regulations Governing Rehabilitation Activities	1018-AH87
1458	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Blackburn's Sphinx Moth	1018-AH94
1459	Public Notice for CITES Appendix III Listing of Spanish Cedar and Bigleaf Mahogany by the Government of Peru	1018-AH99
1460	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations	1018-AI07
1461	Addition by Indonesia of Ramin to Appendix III Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AI08
1462	Endangered and Threatened Wildlife and Plants; Beluga Sturgeon	1018-AI11
1463	Endangered and Threatened Wildlife and Plants; Removal of the Tinian Monarch Flycatcher From the List of Endangered and Threatened Species	1018-AI14
1464	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Topeka Shiner	1018-AI20
1465	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Ventura Marsh Milkvetch	1018-AI21
1466	Endangered and Threatened Wildlife and Plants; Critical Habitat for 103 Oahu, Hawaii, Plants	1018-AI24
1467	Endangered and Threatened Wildlife and Plants; Critical Habitat for 6 Guam Species	1018-AI25
1468	Endangered and Threatened Wildlife and Plants; Critical Habitat for Four Fairy Shrimp and 11 Plants in California	1018-AI26
1469	Migratory Bird Permits; Regulations for Managing Double-Crested Cormorant Damages	1018-AI39
1470	Endangered and Threatened Wildlife and Plants; Listing the Mountain Plover With a Special Rule	1018-AI45
1471	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Preble's Meadow Jumping Mouse	1018-AI46
1472	Endangered and Threatened Wildlife and Plants; Listing the Slickspot Peppergrass	1018-AI50
1473	Tribal Wildlife Grants Program Implementation Guidelines for Fiscal Year (FY) 2002	1018-AI58
1474	Tribal Landowner Incentive Program (T-LIP) Implementation Guidelines for Fiscal Year (FY) 2002	1018-AI59
1475	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Black-Footed Ferret in South-Central South Dakota	1018-AI60
1476	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D — 2003-2004 Subsistence Taking of Wildlife Regulations	1018-AI62
1477	Migratory Bird Subsistence Harvest in Alaska; Regulations for the Spring and Summer 2003 Season	1018-AI84
1478	Subsistence Management Regulations for Public Lands in Alaska, Subparts C and D; 2004-2005 Subsistence Taking of Fish and Shellfish	1018-AI89
1479	Changes in List of Species in Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AI90

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United States Fish and Wildlife Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1480	Migratory Bird Permits: Scientific Collecting Permits	1018-AE63
1481	Implementation of the 1994 Amendments to the Marine Mammal Protection Act	1018-AE72
1482	Taking of Marine Mammals by Level B Harassment; Issuance of General Authorization for Scientific Research and Permits for Photography, Educational, and Commercial Purposes	1018-AF26
1483	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Three Plants From the Mariana Islands and Guam	1018-AG09
1484	Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub	1018-AG16
1485	Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands	1018-AG23
1486	Endangered and Threatened Wildlife and Plants; Listing of the Sacramento Mountains Checkerspot Butterfly and Proposed Designation of Critical Habitat	1018-AH40
1487	Interagency Guidance for the Prescription of Fishways Pursuant to Section 18 of the Federal Power Act	1018-AH42
1488	Endangered and Threatened Wildlife; Reclassification of the Marianna Fruit Bat on Guam From Endangered to Threatened	1018-AH55
1489	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
1490	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana; Removal of Regulations	1018-AI03
1491	Corrections to Rights-of-Way Regulations	1018-AI12
1492	Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Three Snails and One Amphipod	1018-AI15
1493	Endangered and Threatened Wildlife and Plants; Listing of the Rota Bridled White-Eye	1018-AI16
1494	Endangered and Threatened Wildlife and Plants; Listing of the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox	1018-AI28
1495	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations	1018-AI38
1496	Endangered and Threatened Wildlife and Plants; Reclassification of the Gray Bat From Endangered to Threatened	1018-AI40
1497	Endangered and Threatened Wildlife and Plants; Proposed Nonessential Experimental Population of the Northern Aplomado Falcon	1018-AI80
1498	Migratory Bird Permits; Revisions to General Exceptions	1018-AI96
1499	Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes	1018-AI97
1500	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Munz's Onion	1018-AJ10

United States Fish and Wildlife Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1501	Endangered and Threatened Wildlife and Plants; Final Reclassification of the Gray Wolf in Certain Parts of Its Range	1018-AF20
1502	Policy for Evaluation of Conservation Efforts in Endangered Species Decisionmaking	1018-AF55
1503	Endangered and Threatened Wildlife and Plants; Final Designation or Nondesignation of Critical Habitat for 95 Plant Species From the Islands of Kauai and Niihau, HI	1018-AG71
1504	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Purple Amole	1018-AG75
1505	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Keck's Checkermallow	1018-AG93
1506	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Baker's Larkspur and the Yellow Larkspur	1018-AG96
1507	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Otay Tarplant	1018-AH00
1508	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Two Cave Invertebrates From Kauai	1018-AH01
1509	Endangered and Threatened Wildlife and Plants; Determinations of Whether Designation of Critical Habitat Is Prudent for 20 Plants and Re-Proposed Designations for 32 Plants From Molokai, Hawaii	1018-AH08
1510	Endangered and Threatened Wildlife and Plants; Determinations of Whether Designation of Critical Habitat Is Prudent for 8 Plants and Reproposed Designations for 18 Plants From Lanai, Hawaii	1018-AH10
1511	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Polygonum Hickmanii (Scotts Valley Polygonum)	1018-AH76
1512	Endangered and Threatened Wildlife and Plants; Amendment to Manatee Protection Areas in Florida	1018-AH80
1513	Marine Mammals: Incidental Take During Specified Activities (Manatees)	1018-AH86
1514	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Rio Grande Silvery Minnow	1018-AH91

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United States Fish and Wildlife Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1515	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2003 Subsistence Taking of Fish and Shellfish Regulations	1018-AI09
1516	Endangered and Threatened Wildlife and Plants; Emergency Listing of the Pygmy Rabbit	1018-AI17
1517	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Gulf Sturgeon	1018-AI23
1518	Endangered and Threatened Wildlife and Plants; Critical Habitat for Five Carbonate Plants in California	1018-AI27
1519	Subsistence Management Regulations for Public Lands in Alaska, Subpart D; Subsistence Taking of Fish, Customary Trade	1018-AI31
1520	Migratory Bird Hunting; Approval of Tungsten-Iron-Nickel-Tin Shot as Nontoxic for Hunting Waterfowl and Coots ...	1018-AI33
1521	Endangered and Threatened Wildlife and Plants; Listing of Cook's Lomatium and Large-Flowered Woolly Meadowfoam	1018-AI43
1522	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 7 Invertebrate Species in Bexar County, Texas	1018-AI47
1523	Implementation Guidelines for Fiscal Year (FY) 2002 Landowner Incentive Program (Non-Tribal Portion) for States, Territories, and the District of Columbia	1018-AI55
1524	Fiscal Year 2002 Private Stewardship Grants Program; Program Implementation	1018-AI56
1525	Endangered and Threatened Wildlife and Plants; Listing the Sonoma County Distinct Population Segment of the California Tiger Salamander as Endangered	1018-AI61
1526	Subsistence Management Regulations for Public Lands in Alaska	1018-AI88

United States Fish and Wildlife Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1018-AE17	Revisions to the Federal Aid Administrative Requirements	03/06/2003	Withdrawn
1018-AE64	Migratory Bird Permits; Introduction, General Requirements and Exceptions	03/13/2003	Withdrawn
1018-AF08	Consideration of Listing the Green Iguana (Iguana Iguana) as Injurious, Pursuant to the Lacey Act	03/28/2003	Withdrawn
1018-AF40	Endangered and Threatened Wildlife and Plants; Establishment of a Special Rule for the Canada Lynx	03/13/2003	Withdrawn
1018-AF67	Endangered and Threatened Wildlife and Plants; Delisting the Northern Population of the Tidewater Goby	11/07/2002	Withdrawn
1018-AG56	Migratory Bird Permits; Take of Migratory Birds by Federal Agencies	03/13/2003	Withdrawn
1018-AH35	Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Scaleshell Mussel	03/06/2003	Withdrawn
1018-AH49	Endangered and Threatened Wildlife; Removal of Four Ash Meadow Species From the List of Endangered and Threatened Wildlife and Plants	03/13/2003	Withdrawn
1018-AH51	Endangered and Threatened Wildlife and Plants; Reclassification of the Papyrus Whitlow-Wort, Wireweed, and Sandlace From Endangered to Threatened	03/13/2003	Withdrawn
1018-AH71	Migratory Bird Permits; Regulations Governing Education; 50 CFR 21	03/06/2003	Withdrawn
1018-AI37	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2004 Subsistence Taking of Fish and Shellfish Regulations	03/04/2003	Withdrawn
1018-AI49	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southwestern Willow Flycatcher	03/13/2003	Withdrawn
1018-AI51	Endangered and Threatened Wildlife and Plants; Listing the Flat-Tailed Horned Lizard	01/03/2003	Withdrawn
1018-AI54	Endangered and Threatened Wildlife and Plants; Proposed Establishment of a Nonessential Experimental Population for 16 Mussels, 1 Snail, and 5 Fishes in Tennessee	03/14/2003	Withdrawn
1018-AI70	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southwestern Willow Flycatcher	03/07/2003	Withdrawn
1018-AI75	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cumberland Elktoe	03/07/2003	Withdrawn
1018-AJ14	Endangered and Threatened Wildlife and Plants; Listing the Contiguous United States Distinct Population Segment of the Canada Lynx	03/18/2003	Withdrawn

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National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1527	Big Thicket National Preserve; Personal Watercraft	1024-AC92
1528	Pictured Rocks National Lakeshore; Personal Watercraft	1024-AC93
1529	Fire Island National Seashore; Personal Watercraft	1024-AC94
1530	Gateway National Recreation Area; Personal Watercraft	1024-AC95
1531	Bighorn Canyon National Recreation Area; Personal Watercraft	1024-AC96
1532	Lake Meredith Recreation Area; Personal Watercraft	1024-AC97
1533	Chickasaw Recreation Area; Personal Watercraft	1024-AC98
1534	Curecanti Recreation Area; Personal Watercraft	1024-AC99
1535	Amistad Recreation Area; Personal Watercraft	1024-AD00
1536	Lake Roosevelt Recreation Area; Personal Watercraft	1024-AD01
1537	Native American Graves Protection and Repatriation Act; Future Applicability	1024-AD05
1538	Boating and Water Use Activities	1024-AD07
1539	Saguaro National Monument Mountain Bike Special Regulations	1024-AD10
1540	Snowmobile Regulations for Yellowstone and Grand Teton National Parks and JDR Parkway	1024-AD11

National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1541	Vehicles and Traffic Safety; Operating Under the Influence of Alcohol or Drugs	1024-AC69
1542	Procedures for State, Tribal, and Local Government Historic Preservation Programs	1024-AC79
1543	Native American Graves Protection and Repatriation Act Regulations; Civil Penalties	1024-AC84
1544	Commercial Use Authorizations	1024-AC85
1545	Virgin Islands Coral Reef National Monument; Special Regulations	1024-AC89
1546	Glen Canyon National Recreation Area; Personal Watercraft	1024-AC90
1547	Assateague Island National Seashore; Personal Watercraft	1024-AD02

National Park Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1548	Special Regulations of the National Park System; Religious Ceremonial Collection of Golden Eaglets in Wupatki National Monument	1024-AC86
1549	Golden Gate National Recreation Area; Special Regulations	1024-AD03

National Park Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1550	Lake Mead National Recreation Area; Personal Watercraft	1024-AC91
1551	Yellowstone National Park, Grand Teton National Park, John D. Rockefeller Memorial Parkway Winter Use Regulations	1024-AD06

National Park Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1024-AD08 1024-AD09	Disposition of Culturally Unidentifiable Human Remains Snowmobile Regulations; Yellowstone and Grand Teton National Parks and John D. Rockefeller Memorial Parkway	03/01/2003 03/01/2003	Withdrawn Withdrawn

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Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1552	Indian Electric Power Utilities	1076-AD45
1553	Buy Indian Act Regulations	1076-AE07
1554	Tribal Revenue Allocation Plans	1076-AE24
1555	Leases and Permits on Indian Trust and Restricted Lands	1076-AE36

Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1556	Irrigation Projects and Systems	1076-AD44
1557	Certificates of Degree of Indian Blood	1076-AD97
1558	Alaska Resupply Operation	1076-AE04
1559	Protection of Products of Indian Art and Craftsmanship	1076-AE16
1560	Indian Reservation Roads Program	1076-AE17

Bureau of Indian Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1561	Indian Country Law Enforcement	1076-AE35

Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identification Number
1562	Arrangement With States, Territories, or Other Agencies for Relief of Distress and Social Welfare of Indians	1076-AD98
1563	Trust Management Reform: Repeal of Outdated Rules	1076-AE20
1564	Technical Amendments to Housing Improvement Program Regulations	1076-AE31
1565	Indian Reservation Roads — FY 2003 Funds Distribution	1076-AE34

Bureau of Indian Affairs—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1076-AD70	Indian Business Development Program	02/11/2003	Withdrawn - No further action scheduled.

Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1566	Late and Overpayment Interest	1010-AC27
1567	Takes vs. Entitlements Reporting	1010-AC29
1568	Accounting Relief for Marginal Properties	1010-AC30
1569	Prepayment of Royalties	1010-AC31
1570	Incident Reporting	1010-AC57
1571	Royalty Relief Terms	1010-AC58
1572	Appeals of Minerals Management Service Orders	1010-AC80
1573	Definition of Control	1010-AC88

DOI

Minerals Management Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1574	Reporting Amendments	1010-AC90
1575	Rights-of-Use and Easements and Pipeline Rights-of-Way	1010-AC91
1576	Blowout Prevention for Production Tree Coiled Tubing Workover Operations	1010-AC96
1577	Data Release and Definitions	1010-AC99
1578	Relief or Reduction in Royalty Rates — Deep Gas Provisions	1010-AD01
1579	Reduction to Royalty Relief in Special Circumstances	1010-AD02
1580	Federal Oil Valuation	1010-AD04
1581	Federal Gas Valuation	1010-AD05

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1582	Plans and Information	1010-AC47
1583	Proprietary Terms and Data Disclosure	1010-AC81
1584	Dealing With Sustained Casing Pressure	1010-AC83
1585	Documents Incorporated by Reference for Offshore Floating Production Facilities	1010-AC85
1586	Documents Incorporated by Reference — API RP 14F and API 510	1010-AC89
1587	Document Incorporated by Reference—API 510—Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration	1010-AC95
1588	Valuation of Oil From Indian Leases	1010-AD00
1589	Fixed Platforms — Documents Incorporated by Reference	1010-AD03

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1590	Oil and Gas Drilling Operations	1010-AC43
1591	Oil and Gas and Sulphur Operations in the Outer Continental Shelf — Safety Measures and Procedures for Pipeline Modifications and Repairs	1010-AC75
1592	Documents Incorporated by Reference — API Specification 2C	1010-AC82
1593	Outer Continental Shelf Oil and Gas Leasing — Clarifying Amendments	1010-AC94

Minerals Management Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1010-AC79	MMS Hearings and Investigations	03/03/2003	Withdrawn - No further action will be taken at this time.

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1594	Abandoned Coal Refuse Sites—Title I	1029-AB70
1595	Revegetation	1029-AC02
1596	Placement of Excess Spoil	1029-AC04
1597	Financial Assurances	1029-AC05
1598	Processing State Program Amendments	1029-AC06
1599	Ownership and Control Settlement Rule	1029-AC08

DOI

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1600	Indian Lands	1029-AB83
1601	Financing Abandoned Mine Land Reclamation	1029-AC07

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identification Number
1602	Abandoned Mine Land Reclamation Notices	1029-AB99

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1603	Public Conduct on Reclamation Lands and Projects	1006-AA45

Bureau of Reclamation—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1604	Public Conduct on Bureau of Reclamation Lands and Projects; Removal of Expiration Date	1006-AA46

Bureau of Reclamation—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1605	Trespass on Reclamation Lands and Facilities	1006-AA44

Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identification Number
1606	Authorization of Law Enforcement Officers at Reclamation Facilities	1006-AA42
1607	Acreage Limitation	1006-AA43

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1608	Sales—Federal Land Policy and Management Act	1004-AB77
1609	Desert Land Entries	1004-AC56
1610	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32
1611	Conservation; Helium Leasing	1004-AD35
1612	Hazardous Materials Compliance	1004-AD38
1613	Grazing Administration—Exclusive of Alaska	1004-AD42
1614	Wilderness Management	1004-AD54

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Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1615	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AC74
1616	Indian Allotments	1004-AC77
1617	Location Recording and Maintenance of Mining Claims and Sites	1004-AD31
1618	Permits for Recreation on Public Lands	1004-AD45
1619	Wilderness Management	1004-AD46
1620	Oil and Gas Leasing Operations; Bonding	1004-AD56

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1621	Leases, Permits, and Easements	1004-AB51
1622	Coalbed Methane Development	1004-AC27
1623	Disposal of Reserved Minerals Under the Stock Raising Homestead Act	1004-AC59
1624	Cost Recovery; Mineral Filings and Operations	1004-AC64
1625	Carey Act Grants	1004-AC80
1626	Oil and Gas Leasing and Operations	1004-AC94
1627	Appeals Procedures; Hearings Procedures	1004-AC99
1628	Supplementary Rules for Public Demonstrations at Grand Staircase-Escalante National Monument	1004-AD40
1629	Surface Management; Segregated or Withdrawn Lands	1004-AD51
1630	Mining Claims Under the General Mining Laws; Surface Management	1004-AD53

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
1631	Use Authorizations (Recreation)	1004-AD25
1632	Coal Management: Noncompetitive Leases; Management Provisions and Limitations	1004-AD43
1633	Disclaimers of Interest	1004-AD50
1634	Rights-of-Way Under the Mineral Leasing Act; Timing of Approvals	1004-AD55

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1635	Wild and Scenic Rivers	1093-AA08

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1352. 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 (DOI)
Bureau of Indian Affairs (BIA)
Long-Term Actions**1561. INDIAN COUNTRY LAW ENFORCEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 2802**CFR Citation:** 25 CFR 12**Legal Deadline:** None**Abstract:** BIA plans to amend its regulation governing law enforcement in Indian country by revising section

12.4 of subpart A and by adding new section 12.24 to subpart C to allow tribal law enforcement officials to travel outside Indian country to respond to incidents in another area and to transport evidence to and from locations in Indian country.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local, Tribal, Federal**Agency Contact:** Peter Maybee, Division of Law Enforcement, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4550 - MIB, Washington, DC 20240
Phone: 202 208-5787
Fax: 202 208-6170**RIN:** 1076-AE35
Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)
Completed Actions**1562. ARRANGEMENT WITH STATES, TERRITORIES, OR OTHER AGENCIES FOR RELIEF OF DISTRESS AND SOCIAL WELFARE OF INDIANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 21**Completed:**

Reason	Date
Final Action	12/19/02 67 FR 77677

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Larry R. Blair
Phone: 202 208-2721**RIN:** 1076-AD98**Government Levels Affected:** Tribal**Agency Contact:** Duncan Brown
Phone: 202 208-4582
Fax: 202 219-2100
Email: duncan_l_brown@ios.doi.gov
RIN: 1076-AE20**1564. TECHNICAL AMENDMENTS TO HOUSING IMPROVEMENT PROGRAM REGULATIONS****Priority:** Info./Admin./Other**CFR Citation:** 25 CFR 256**Completed:**

Reason	Date
Final Action	12/20/02 67 FR 77919

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** June Henkel
Phone: 202 208-3667**RIN:** 1076-AE31**1563. TRUST MANAGEMENT REFORM: REPEAL OF OUTDATED RULES****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 112; 25 CFR 116; 25 CFR 121; 25 CFR 123; 25 CFR 125; 25 CFR 154; 25 CFR 156; 25 CFR 178; 25 CFR 243**Completed:**

Reason	Date
Final Action	08/26/02 67 FR 54733

Regulatory Flexibility Analysis Required: No**1565. • INDIAN RESERVATION ROADS — FY 2003 FUNDS DISTRIBUTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 202; 25 USC 2; 25 USC 9; 25 USC 301**CFR Citation:** 25 CFR 170**Legal Deadline:** None**Abstract:** BIA issued this rule so that \$25 million of FY 2003 Indian Reservation Roads funds could be distributed to projects on or near Indian reservations using the relative need formula. This partial distribution reflects funds that the Federal Highway Administration has allocated to the Department of the Interior and is based on funding appropriated by a continuing resolution for the Department of the Interior that is in effect until September 30, 2003.**Timetable:**

Action	Date
Final Action	01/08/03 68 FR 1003

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-4359**RIN:** 1076-AE34**BILLING CODE** 4310-02-S
Department of the Interior (DOI)
Minerals Management Service (MMS)
Proposed Rule Stage**1566. 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

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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
NPRM	04/00/04
NPRM Comment	06/00/04
Period End	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211
Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov

RIN: 1010-AC27

1567. 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
NPRM	04/00/04
NPRM Comment	06/00/04
Period End	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211
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Fax: 303 231-3385
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RIN: 1010-AC29

1568. 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
NPRM	01/21/99 64 FR 3360
NPRM Comment	03/22/99
Period End	
Supplementary NPRM	05/00/03
NPRM Comment	07/00/03
Period End	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211
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RIN: 1010-AC30

1569. 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
NPRM	04/00/04
NPRM Comment	06/00/04
Period End	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211

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Email: sharron.gebhardt@mms.gov

RIN: 1010-AC31

1570. 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
NPRM	06/00/03
NPRM Comment	08/00/03
Period End	

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
Phone: 703 787-1600
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Email: kumkum.ray@mms.gov

RIN: 1010-AC57

1571. 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

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

Timetable:

Action	Date
NPRM	12/00/03
NPRM Comment	02/00/04
Period End	

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

1572. 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
NPRM	07/00/03
NPRM Comment	09/00/03
Period End	

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

1573. DEFINITION OF CONTROL

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq; 5 USC 2101 et seq; 5 USC 301 et seq; 5 USC 396 et seq; 5 USC 396a et seq

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: MMS is amending the definition of "control" in 30 CFR part 206 based upon the relevance to MMS regulations of the decision National Mining Association v. Department of the Interior, 177 F.3rd 1 (DC Cir., May 28, 1999).

Timetable:

Action	Date
NPRM	04/00/04
NPRM Comment	06/00/04
Period End	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211
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RIN: 1010-AC88

1574. REPORTING AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 2107; 25 USC 396; 30 USC 1023; 30 USC 1751(a); 30 USC 189; 30 USC 190; 30 USC 359; 31 USC 3716; 31 USC 9701; 43 USC 1334; 43 USC 1801; 44 USC 3506(a); 5 USC 301 et seq

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

Legal Deadline: None

Abstract: MMS is amending its regulations to: (1) update reporting instructions; (2) eliminate unnecessary report forms; (3) add approved information collections previously omitted; (4) remove the extended due date for production reports submitted electronically; (5) require production reporting on leases and agreements until all production has ceased and all

inventory has been disposed of; and (6) eliminate certain reporting assessments and electronic reporting options.

Timetable:

Action	Date
NPRM	01/00/04
NPRM Comment	03/00/04
Period End	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211
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RIN: 1010-AC90

1575. RIGHTS-OF-USE AND EASEMENTS AND PIPELINE RIGHTS-OF-WAY

Priority: Other Significant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: MMS is proposing to modify requirements governing rights-of-use and easement and pipeline rights-of-way in the Outer Continental Shelf. These changes will increase rental rates for pipeline rights-of-way and establish rentals for rights-of-use and easements. The proposed rule will also allow MMS to charge additional payment when the right-of-use and easement or the pipeline right-of-way prevents MMS from making the area available to other companies for exploration and possible development and production. This change is needed because of requests by lessees and pipeline right-of-way holders to use large areas outside of the area covered by their lease and pipeline right-of-way for accessory structures.

Timetable:

Action	Date
NPRM	05/00/03
NPRM Comment	07/00/03
Period End	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

DOI—MMS

Proposed Rule Stage

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Email: kumkum.ray@mms.gov

RIN: 1010-AC91

1576. 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
NPRM	09/00/03
NPRM Comment Period End	11/00/03

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-AC96

1577. DATA RELEASE AND DEFINITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331

CFR Citation: 30 CFR 250 subpart A

Legal Deadline: None

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 definition for the term "production in paying quantities" to enable us to determine how much production qualifies as lease holding production. We are specifying the submission of progress reports and final reports for suspensions of production and suspensions of operations to ensure

that the lessee/operator is diligent in pursuing performance of their lease. 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.

Timetable:

Action	Date
NPRM	06/00/03
NPRM Comment Period End	08/00/03

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-AC99

1578. RELIEF OR REDUCTION IN ROYALTY RATES — DEEP GAS PROVISIONS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 203

Legal Deadline: None

Abstract: Declines in outer continental shelf production from existing fields need to be offset by new sources to keep up with growing demand. Very little of the deep gas potential in shallow water areas of the Gulf of Mexico has yet been explored. Extensive infrastructure already exists in shallow water, unlike in deep water, so new production could reach market quickly. Because the most prospective tracts in shallow water are already under lease, most of the deep gas potential in shallow water may already have been acquired. This rule proposes temporary incentives in the form of royalty suspension volumes for deep wells (at least 15,000 feet below significant energy action level) on existing leases that explore for or produce gas.

Statement of Need: Very little of the deep gas potential in shallow water areas of the Gulf of Mexico has yet been explored. Extensive infrastructure

already exists in shallow water, unlike in deep water, so new production could reach market quickly. Because the most productive tracts in shallow water are already under lease, most of the deep gas potential in shallow water may already have been acquired. This rule would accelerate exploration and production of deep gas by providing temporary incentives in the form of royalty suspension volumes for deep wells on existing leases that explore for or produce gas.

Summary of Legal Basis: The OCS Lands Act is the basis for our regulations on suspending or lowering royalties on "producing" OCS leases. The Deep Water Royalty Relief Act, which amended the OCS Lands Act, is the basis for regulations to reduce or eliminate royalty on "non-producing" leases in the Gulf of Mexico west of 87 degrees, 30 minutes West longitude. It gives the Secretary of the Interior this authority to (1) promote development or increased production on producing and non-producing leases, or (2) encourage production of marginal resources on producing and non-producing leases.

Alternatives: There are two alternatives — providing incentives only through the lease sale process, or through an application process. Reserving the deep gas incentive only for new leases issued in future sales will not encourage exploration and production of much of the deep gas potential that underlies existing leases. Many of the best blocks have not been through a sale in decades. Also, new leases would be less able to use the existing infrastructure than existing leases so additional gas production would be delayed. Granting royalty relief on a case-by-case basis to existing leases would better protect against unnecessary royalty relief but is unlikely to encourage much additional production. The unavoidable complexity and delays in a system like we use in the discretionary deep water royalty relief program would discourage many lessees and delay the desired activity by those that would apply.

Risks: The risk of not offering royalty relief provided in this rulemaking; action is that some deep gas resources in shallow water will not be developed, at least not during a period when growing demand and declines in traditional sources for natural gas will lead to volatile prices.

DOI—MMS

Proposed Rule Stage

Timetable:

Action	Date
NPRM	03/26/03 68 FR 14867
NPRM Comment Period End	05/27/03
Final Action	03/00/04

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-AD01

1579. 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
NPRM	12/00/03
NPRM Comment Period End	02/00/04

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

1580. • 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
NPRM	05/00/03

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** State

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RIN: 1010-AD04

1581. • 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
NPRM	06/00/03

Regulatory Flexibility Analysis

Required: No

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

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RIN: 1010-AD05

**Department of the Interior (DOI)
Minerals Management Service (MMS)****Final Rule Stage****1582. 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
NPRM	05/17/02 67 FR 35372
Comment Period Extended	12/13/02 67 FR 46616
Final Action	10/00/03
Final Action Effective	11/00/03

DOI—MMS

Final Rule Stage

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

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RIN: 1010-AC47**1583. 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
NPRM	07/17/02 67 FR 46942
NPRM Comment Period End	09/18/02
Final Action	07/00/03
Final Action Effective	08/00/03

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

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RIN: 1010-AC81**1584. DEALING WITH SUSTAINED CASING PRESSURE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rule amends subpart E (Oil and Gas Well- Completion Operations) of MMS operating regulations. It describes procedures for dealing with sustained casing pressure in oil and gas wells on the Outer Continental Shelf. Currently lessees must request a departure from MMS regulations to operate a well that has sustained casing pressure. When granting a departure, MMS requires that lessees perform periodic checks and evaluations to ensure that the pressure is not a danger to personnel, equipment, or the environment. This rule will codify these procedures and ensure uniform regulatory practices among MMS regional offices. The changes will also help ensure that lessees will continue to conduct operations in a safe manner.

Timetable:

Action	Date
NPRM	11/09/01 66 FR 56620
Comment Period Extended 3/9/2002	01/03/02 67 FR 275
Final Action	11/00/03
Final Action Effective	01/00/04

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

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RIN: 1010-AC83**1585. 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
NPRM	12/27/01 66 FR 66851
Comment Period Extended to 3/27/2002	02/12/02 67 FR 6453
Comment Period Extended 5/28/2002	03/28/02 67 FR 14902
Final Action	11/00/03
Final Action Effective	12/00/03

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

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RIN: 1010-AC85**1586. DOCUMENTS INCORPORATED BY REFERENCE — API RP 14F AND API 510****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rule will update a document incorporated by reference and incorporate by reference a new document. Incorporation by reference makes a widely available technical document part of our regulations. The updated reference, API RP 14F, is the fourth edition of the American Petroleum Institute's (API) "Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Class 1, Division 1, and Division 2 Locations." The new document, API RP 14 FZ, is titled "Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Unclassified and Class 1, Zone 0, Zone 1 and Zone 2 Locations."

DOI—MMS

Final Rule Stage

Timetable:

Action	Date
NPRM	01/14/03 68 FR 1808
NPRM Comment Period End	03/17/03
Final Action	03/00/04
Final Action Effective	04/00/04

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

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RIN: 1010-AC89

1587. 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
NPRM	12/27/01 66 FR 66848
NPRM Comment Period End	02/25/02
Final Action	10/00/03
Final Action Effective	11/00/03

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

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RIN: 1010-AC95

1588. 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.

Statement of Need: Current oil valuation regulations rely on posted prices and prices under arm's-length sales to value oil that is not sold at arm's-length. Over time, posted prices have become increasingly suspect as a fair measure of market value. This rulemaking would modify valuation regulations to place substantial reliance on the higher of crude oil spot prices, major portion prices, or gross proceeds, and eliminate any direct reliance on posted prices. This rulemaking would also add more certainty to valuation of oil produced from Indian leases.

Summary of Legal Basis: The primary legal basis for this rulemaking is the Federal Oil and Gas Royalty Management Act of 1982, as amended, which defines the Secretary of the Interior's (1) authority to implement and maintain a royalty management system for oil and gas leases on Indian lands, and (2) trust responsibility to administer Indian oil and gas resources.

Alternatives: We considered a range of valuation alternatives such as making minor adjustments to the current gross proceeds valuation method, using futures prices, using index-based prices with fixed adjustments for production from specific geographic zones, relying on some type of field pricing other than posted prices, and taking oil in-kind. We chose the higher of the average of the high daily applicable spot prices for the month, major portion prices in the field or area, or gross proceeds received by the lessee or its affiliate. We chose spot prices as one of the three value measures because (1) they represent actual trading activity in the market, (2)

they mirror New York Mercantile Exchange futures prices, and (3) they permit use of an index price for the market center nearest the lease for oil most similar in quality to that of the lease production.

Anticipated Cost and Benefits: We estimate compliance with this rulemaking would cost the oil industry approximately \$5.4 million the first year and \$4.9 million each year thereafter. These estimates include the up-front computer programming and other administrative costs associated with processing the new form. The monetary benefits of this rulemaking are an estimated \$4.7 million increase in annual royalties collected on oil produced from Indian leases. Additional benefits include simplification and increased certainty of oil pricing, reduced audit efforts, and reduced valuation determinations and associated litigation.

Risks: The risk of not modifying current oil valuation regulations is that Indian recipients may not receive royalties based on the highest price paid or offered for the major portion of oil produced—a common requirement in most Indian leases. These modifications ensure that the Department fulfills its trust responsibilities for administering Indian oil and gas leases under governing mineral leasing laws, treaties, and lease terms.

Timetable:

Action	Date
ANPRM	12/20/95 60 FR 65610
NPRM	02/12/98 63 FR 7089
NPRM Comment Period Extended	04/09/98
NPRM Comment Period End	05/13/98
Supplementary Proposed Rule	01/05/00 65 FR 10436
ANPRM Comment Period End	03/19/00
NPRM Comment Period Extended	03/20/00
Final Action	10/00/03
Final Action Effective	01/00/04

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Tribal

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

DOI—MMS

Final Rule Stage

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Related RIN: Previously reported as
1010-AC24
RIN: 1010-AD00

CFR Citation: 30 CFR 250**Legal Deadline:** None

Abstract: This rule updates the incorporation by reference of the 21st edition of American Petroleum Institute Recommended Practice 2A (API RP 2A). The updated document will replace the 19th and 20th editions of API RP 2A. This change was published as a proposed rule under RIN 1010-AC85 on December 27, 2001.

Timetable:

Action	Date
Final Action	05/00/03

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

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RIN: 1010-AD03**1589. • FIXED PLATFORMS — DOCUMENTS INCORPORATED BY REFERENCE****Priority:** Info./Admin./Other**Legal Authority:** 43 USC 1331 et seq

Department of the Interior (DOI)

Minerals Management Service (MMS)

Completed Actions

1590. OIL AND GAS DRILLING OPERATIONS**Priority:** Other Significant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date
Final Action	02/20/03 68 FR 8402
Final Action Effective	03/24/03

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

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RIN: 1010-AC43**Completed:**

Reason	Date
Withdrawn To be addressed in another action.	02/21/03 68 FR 8480

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

Agency Contact: Kumkum Ray
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RIN: 1010-AC75**1592. DOCUMENTS INCORPORATED BY REFERENCE — API SPECIFICATION 2C****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date
Final Action	02/14/03 68 FR 7421
Final Action Effective	03/14/03

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

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RIN: 1010-AC82**1593. OUTER CONTINENTAL SHELF OIL AND GAS LEASING — CLARIFYING AMENDMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 260**Completed:**

Reason	Date
Final Action	09/12/02 67 FR 57737
Final Action Effective	10/15/02

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

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RIN: 1010-AC94

BILLING CODE 4310-MR-S

1591. OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF — SAFETY MEASURES AND PROCEDURES FOR PIPELINE MODIFICATIONS AND REPAIRS**Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250

Department of the Interior (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

Proposed Rule Stage

1594. ABANDONED COAL REFUSE SITES—TITLE I**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870**Legal Deadline:** None

Abstract: OSM intends to propose new rules governing permitting and performance standards for the recovery

of coal from abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.

DOI—OSMRE

Proposed Rule Stage

Timetable:

Action	Date
NPRM	12/00/03

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Art Abbs, Birmingham Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, AL 35209
Phone: 205 290-7282

RIN: 1029-AB70**1595. REVEGETATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816**Legal Deadline:** None

Abstract: This rule will revise the topsoil replacement and revegetation standards. The revisions will encourage species diversity on reclaimed lands, remove a possible impediment to the use of woody vegetation in revegetating mined land, and provide similar revegetation success standards in both areas of more than 26 inches of precipitation and in areas of less than 26 inches of precipitation.

Timetable:

Action	Date
NPRM	11/00/03

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

Agency Contact: Jim Fulton, Chief, Denver Field Division, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1999 Broadway, Suite 3320, Denver, CO 80202
Phone: 303 844-1400

RIN: 1029-AC02**1596. PLACEMENT OF EXCESS SPOIL****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 780; 30 CFR 781; 30 CFR 785; 30 CFR 816; 30 CFR 817**Legal Deadline:** None

Abstract: This rule will establish permit application requirements and review procedures for applications that propose to place excess spoil from surface coal mining operations into waters of the United States. In addition, it will modify the backfilling and grading regulations to minimize the creation of excess spoil and it will revise the regulations governing surface coal mining operations within 100 feet of a perennial or intermittent stream to more closely track the underlying statutory provisions.

Timetable:

Action	Date
NPRM	11/00/03

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

Agency Contact: Dave Hartos, Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Three Parkway Center, Pittsburgh, PA 15220
Phone: 412 937-2902

RIN: 1029-AC04**1597. FINANCIAL ASSURANCES****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 773; 30 CFR 780; 30 CFR 784; 30 CFR 800**Legal Deadline:** None

Abstract: We are considering rulemaking to ensure adequate funding for the treatment of unanticipated long-term pollutant discharges including acid or toxic mine drainage, that develop as a result of surface mining operations.

Timetable:

Action	Date
ANPRM	05/17/02 67 FR 35070
ANPRM Comment	10/15/02 67 FR 46617
Period End	
NPRM	12/00/03

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State

Agency Contact: Ruth Stokes, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 252 SIB, 1951 Constitution Avenue NW, Washington, DC 20240

Phone: 202 208-2611

RIN: 1029-AC05**1598. ● PROCESSING STATE PROGRAM AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 732**Legal Deadline:** None

Abstract: We are proposing revisions to our regulations governing the processing of State Program Amendments to provide additional assurances that the amendments are processed in a timely manner. An approved State Program Amendment allows a State to regulate surface coal mining operations within its borders. The existing regulations require us to take over an approved State program when the State fails to amend its program in a timely manner. This can be disruptive to the mining industry, expensive for the Federal Government, and, in many instances, unwarranted by the nature of the outstanding amendment. This rule will allow OSM to take action that is more appropriate in situations where the outstanding amendment does not impair the integrity of the approved State Program.

Timetable:

Action	Date
NPRM	06/00/03

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

Agency Contact: Andy DeVito, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10 SIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-2701

RIN: 1029-AC06**1599. ● OWNERSHIP AND CONTROL SETTLEMENT RULE****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843; 30 CFR 847**Legal Deadline:** None

Abstract: The National Mining Association (NMA) challenged the final

DOI—OSMRE

Proposed Rule Stage

ownership and control rule that we published on December 19, 2000. Under the Federal District Court's supervision, we are conducting settlement discussions with NMA on 23 issues identified for potential litigation. OSM has agreed to publish a proposed rule for public comment that addresses the issues agreed to as result of the negotiations. In addition, the rule will

address transfer, assignments, or sale of permit rights and procedures for improvidently issued State permits.

Timetable:

Action	Date
NPRM	06/00/03

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503
Phone: 303 233-2796

RIN: 1029-AC08

Department of the Interior (DOI)

Final Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1600. INDIAN LANDS

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 700; 30 CFR 740; 30 CFR 750

Legal Deadline: None

Abstract: OSM regulates mining on Indian lands and the State regulates mining on non-Indian lands. OSM proposes to amend its regulations to clarify that the definition of "Indian lands" at 30 CFR 700.5 includes individual Indian trust allotments located within an approved tribal land consolidation area. The proposed clarification was required under the terms of a settlement agreement between the Department of the Interior and the Navajo Nation and Hopi Tribe to settle the tribes' challenges to a May 1989 Indian lands rulemaking. OSM has developed a preliminary draft rule that specifies that allotted lands would qualify as Indian lands for purposes of the Surface Mining Control and Reclamation Act when OSM determines, on a case-by-case basis, that the allotments are supervised by an Indian tribe.

Timetable:

Action	Date
NPRM	02/19/99 64 FR 8464
NPRM Comment Period End	06/21/99 64 FR 18585
Final Action	08/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Stephen Sheffield, Chief, Division of Technical Support, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10 SIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-2883

RIN: 1029-AB83

1601. • FINANCING ABANDONED MINE LAND RECLAMATION

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 874

Legal Deadline: None

Abstract: We published a final rule in February 1999 that would conserve abandoned mine land (AML) funds by

allowing incidental coal recovered in AML construction projects to be sold to offset the cost of reclamation. This reduced the amount of money needed from the AML fund. The rule was challenged in court. The court upheld the rule but directed us to clarify what types of expenses could be considered in determining what qualifies as a Government-financed AML project. This rule will clarify the ambiguity created by the discussion in the preamble to the 1999 final rule.

Timetable:

Action	Date
Final Action	07/00/03

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Agency Contact: Danny Lytton, Program Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 208-2788

RIN: 1029-AC07

Department of the Interior (DOI)

Completed Actions

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1602. ABANDONED MINE LAND RECLAMATION NOTICES

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 875

Completed:

Reason	Date
Final Action	02/27/03 68 FR 9500

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Danny Lytton
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RIN: 1029-AB99
BILLING CODE 4310-05-S