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Monday  
April 27, 1998

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**Part X**

**Department of the  
Interior**

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Semiannual Regulatory Agenda

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 1998 and October 1998. An agenda is required by the Regulatory Flexibility Act and Executive Order 12866.

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: All comments and inquiries with regard to these rules should be directed to the appropriate agency contact. General comments relating to the agenda should be directed to the Office of Executive Secretariat and 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 have been issued or are expected to be issued and of currently effective rules that are scheduled for review.

Simultaneously, the Department meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that an agenda be published in April and October of each year identifying rules that will have significant economic effects on a substantial number of small entities. Rules that will have such effects are specifically identified in the agenda.

In addition, rules that were included in the Department's segment of The Regulatory Plan as published in the October 1997 Agenda are also specifically identified in this agenda.

Dated: March 17, 1998.

Richard A. Stephan,  
Federal Register Liaison Officer.

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

Sequence Number	Title	Regulation Identifier Number
1373	Natural Resource Damage Assessments: Type B Procedures .....	1090-AA29
1374	Records and Testimony; Freedom of Information Act .....	1090-AA61
1375	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals .....	1090-AA68
1376	Nondiscrimination on the Basis of Sex in Federally Assisted Education Programs or Activities .....	1090-AA64

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

Sequence Number	Title	Regulation Identifier Number
1377	Administrative and Audit Requirements and Cost Principles for Assistance Programs; Buy American Act .....	1090-AA66
1378	Administrative and Audit Requirements and Cost Principles for Assistance Programs, Seat Belt Usage .....	1090-AA67
1379	Principles of Ethical Conduct .....	1090-AA38
1380	General Rules Relating to Procedures and Practice; Effect of Decision Pending Appeal .....	1090-AA63

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

Sequence Number	Title	Regulation Identifier Number
1381	Revised Statute 2477 Rights-of-Way .....	1090-AA44

Assistant Secretary for Policy, Management and Budget—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1382	Administrative Requirements for Grantees To Reflect Single Audit Act Amendments .....	1090-AA62
1383	Department of the Interior Acquisition Regulation; Foreign Acquisitions .....	1090-AA65

DOI

Bureau of Indian Affairs—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1563	Certificates of Degree of Indian Blood .....	1076-AD78
1564	Tribal Reorganization Under a Federal Statute .....	1076-AD46
1565	Petitioning Procedures .....	1076-AD47

Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1566	Tribal Revenue Allocation Plans .....	1076-AD74
1567	Tribal Self-Governance .....	1076-AD20
1568	Courts of Indian Offenses .....	1076-AD76
1569	Correction of Codification Errors in 25 CFR .....	1076-AD88
1570	Navajo Partitioned Lands Grazing Regulations .....	1076-AC81
1571	Leasing and Permitting .....	1076-AA29
1572	Range Regulations .....	1076-AD04
1573	Roads of the Bureau of Indian Affairs .....	1076-AB05
1574	Irrigation Projects and Systems .....	1076-AD44
1575	Indian Electric Power Utilities .....	1076-AD45
1576	Appeals from Administrative Actions .....	1076-AD50
1577	Arrangement with States, Territories, or Other Agencies for Social Welfare and Relief of Distress of Indians .....	1076-AD61
1578	Leasing Osage Reservation Lands for Mining of Minerals Other Than Oil and Gas .....	1076-AD34
1579	Lead and Zinc Mining Operations and Leases on Quapaw Indian Lands .....	1076-AD35
1580	Use of Columbia River Fish Access Sites .....	1076-AD83
1581	Use of Columbia River In-Lieu Fishing Sites .....	1076-AD86
1582	Housing Improvement Program .....	1076-AD52
1583	Indian Business Development Program .....	1076-AD70
1584	Class III Gaming Procedures .....	1076-AD87
1585	Administration of the Indian Adult Education Programs .....	1076-AA15
1586	Preference in Employment .....	1076-AD05
1587	Indian Tribal Justice Support .....	1076-AD15

Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1588	Indian Highway Safety Program Competitive Grant Selection Criteria .....	1076-AD82
1589	Management of the Tribal Assets of the Ute Indian Tribe .....	1076-AD37

Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1590	Accounting Relief for Marginal Properties .....	1010-AC30
1591	Takes vs. Entitlements Reporting .....	1010-AC29
1592	Valuation of Oil From Federal Mineral Leases .....	1010-AC09
1593	Electronic Reporting .....	1010-AC40
1594	Chronic Erroneous Reporting .....	1010-AC34
1595	Training Lessee and Contractor Employees Engaged in Oil and Gas Operations in the Outer Continental Shelf .....	1010-AC41
1596	Reviewing Exploration Plans and Development and Production Plans for Coastal Zone Consistency .....	1010-AC42
1597	Oil and Gas Drilling Operations .....	1010-AC43
1598	Redesignation of 30 CFR Part 250 .....	1010-AC45
1599	Filing Fees for Required Records .....	1010-AC44

## DOI

## Minerals Management Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1600	Administrative Appeals Process .....	1010-AC21

## Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1601	Amendments to Standards for Reporting and Paying Royalties on Gas and the Gas Analysis Report .....	1010-AC23
1602	Valuation of Gas From Indian Leases .....	1010-AB57
1603	Valuation of Oil from Indian Leases .....	1010-AC24
1604	Refunds and Recoupment of Overpayments on OCS .....	1010-AC27
1605	Royalty Payment Liability .....	1010-AB45
1606	Suspension of Orders or Decisions Pending Appeal To Allow for Self-Bonding Based Upon Financial Solvency .....	1010-AC28
1607	Seismic Reassessment of California Outer Continental Shelf Platforms .....	1010-AC17
1608	Postlease Operations .....	1010-AC32
1609	Blowout Preventer Testing Requirements .....	1010-AC37
1610	Pipelines .....	1010-AC39
1611	Oil Spill Responsibility for Offshore Facilities .....	1010-AC33

## Minerals Management Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1612	Prepayment of Royalties .....	1010-AC31
1613	Credit Adjustments .....	1010-AB73

## Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1614	Royalty Relief for Outer Continental Shelf Leases in the Gulf of Mexico .....	1010-AC13
1615	Allowances for Transportation and Processing Costs Associated With Gas Valuation .....	1010-AC06
1616	Gas Measurement and Commingling .....	1010-AB97
1617	Oil and Gas Production Rates .....	1010-AC36
1618	Geological and Geophysical Exploration of the Outer Continental Shelf .....	1010-AC10
1619	Deep Water Royalty Relief—Tracts Offered Between November 28 1995, and November 28, 2000 .....	1010-AC14

## Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1620	Indian Lands .....	1029-AB83
1621	Applicant/Violator System Permit Information .....	1029-AB62
1622	Enhancing AML Reclamation .....	1029-AB89
1623	Ownership and Control—Redesign .....	1029-AB94
1624	Abandoned Coal Refuse Sites—Title I .....	1029-AB70
1625	Alluvial Valley Floors .....	1029-AB85
1626	Contemporaneous Reclamation .....	1029-AB79
1627	Dam Safety Rules .....	1029-AB92

DOI—BIA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Tribal Consultation	06/20/95	
NPRM	07/30/96	61 FR 39607
NPRM Comment Period End	09/30/96	

Action	Date	FR Cite
Final Action	10/00/98	
Final Action Effective	12/00/98	
<b>Small Entities Affected:</b> None		
<b>Government Levels Affected:</b> Tribal		

**Agency Contact:** Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs  
Phone: 202 208-4400  
**RIN:** 1076-AD15

DEPARTMENT OF THE INTERIOR (DOI)  
Bureau of Indian Affairs (BIA)

Completed Actions

1588. INDIAN HIGHWAY SAFETY PROGRAM COMPETITIVE GRANT SELECTION CRITERIA

**Priority:** Substantive, Nonsignificant.

**CFR Citation:** 25 CFR 181

Completed:

Reason	Date	FR Cite
Final Action	10/24/97	62 FR 55331

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Charles L. Jaynes  
Phone: 505 248-5053

**RIN:** 1076-AD82

1589. MANAGEMENT OF THE TRIBAL ASSETS OF THE UTE INDIAN TRIBE

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

**CFR Citation:** 25 CFR 217

Completed:

Reason	Date	FR Cite
Withdrawn No further action will be taken at this time.	02/02/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dave Allison  
Phone: 801 722-4300

**RIN:** 1076-AD37

BILLING CODE 4310-02-F

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

Proposed Rule Stage

1590. 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	07/00/98	
NPRM Comment Period End	09/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AC30

1591. 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	01/00/99	
NPRM Comment Period End	03/00/99	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AC29

1592. VALUATION OF OIL FROM FEDERAL MINERAL LEASES

**Priority:** Other Significant

**Legal Authority:** 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1701 et seq; 30 USC 1001 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** This rule would modify the valuation procedures for both arm's-length and non-arm's length crude oil transactions establish a new MMS form for collecting value differential data and amend the valuation procedures for the sale of Federal royalty oil. These changes would decrease reliance on oil posted prices and assign a value to crude oil that better reflects market value.

Timetable:

Action	Date	FR Cite
ANPRM	12/20/95	60 FR 65610
ANPRM Comment Period End	03/19/96	
NPRM	01/24/97	62 FR 3742
Comment Period Extended	02/18/97	62 FR 7189

## DOI—MMS

## Proposed Rule Stage

NPRM Comment 02/24/97 62 FR 19966  
 Period Extended to  
 NPRM Comment 03/25/97  
 Period End  
 Supplemental NPRM 07/03/97 62 FR 36030  
 Comment Period End 08/04/97  
 Comment Period 09/22/97 62 FR 49460  
 Extended  
 Comment Period 10/23/97 62 FR 49460  
 Extended  
 Comment Period 10/23/97 62 FR 55198  
 Extended  
 Supplementary 02/06/98 63 FR 6113  
 Proposed Rule  
 Comment Period 03/24/98 63 FR 14057  
 Extended  
 NPRM Comment 04/07/98  
 Period End  
 Final Action 04/00/98  
 Final Action Effective 07/00/98

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
 Phone: 303 231-3432

**RIN:** 1010-AC09

**1593. ELECTRONIC REPORTING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 210; 30 CFR 216

**Legal Deadline:** None

**Abstract:** This rule would modify the requirements governing forms that MMS requires for reporting sales, royalties, and production information. The revisions will specify the media required for submission of reports and broaden the use of electronic commerce reporting.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	
NPRM Comment Period End	06/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff,

Department of the Interior, Minerals Management Service  
 Phone: 303 231-3432  
**RIN:** 1010-AC40

**1594. CHRONIC ERRONEOUS REPORTING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 43 USC 1801 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq

**CFR Citation:** 30 CFR 216; 30 CFR 218

**Legal Deadline:** None

**Abstract:** This rule eliminates assessments for late reporting and failure to report and modify incorrect assessments. The new rule will define what is considered a chronic erroneous reporter and applicable assessments. Penalties for failure to report are also addressed.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/99	
NPRM Comment Period End	05/00/99	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
 Phone: 303 231-3432

**RIN:** 1010-AC34

**1595. TRAINING LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF**

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

**Legal Authority:** 43 USC 133

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would require operators and lessees to ensure that their workers (including contractors) are properly trained and can demonstrate their proficiency to MMS. Operators and lessees will determine the type of training, teaching methods, training length, and frequency. MMS will develop appropriate performance measures and indicators. These measures may include: written testing; hands-on and simulator testing; audits, interviews, or cooperative reviews; and incidence of noncompliance for civil penalty and events data.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
 Email: kumkum\_ray.mms.gov

**RIN:** 1010-AC41

**1596. ● REVIEWING EXPLORATION PLANS AND DEVELOPMENT AND PRODUCTION PLANS FOR COASTAL ZONE CONSISTENCY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule proposes to amend provisions specifying how States will review exploration plans and development and production plans for coastal zone consistency.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

## DOI—MMS

## Proposed Rule Stage

Phone: 703 787-1600  
 Fax: 703 787-1093  
 Email: kumkum\_ray.mms.gov  
 RIN: 1010-AC42

**1597. • OIL AND GAS DRILLING OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The rule will be written in plain English, substantive changes will be incorporated, and the rule will reflect the results of the blowout preventer study.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
 Email: kumkum\_ray.mms.gov

**RIN:** 1010-AC43

**1598. • REDESIGNATION OF 30 CFR PART 250**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule will change the numbering of the entire part 250 - Oil and gas and Sulphur operations in the Outer Continental Shelf.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/98	
ANPRM Comment Period End	02/00/99	

**Small Entities Affected:** Undetermined

**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  
 Fax: 703 787-1093  
 Email: kumkum\_ray.mms.gov

**RIN:** 1010-AC45

**1599. • FILING FEES FOR REQUIRED RECORDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 256

**Legal Deadline:** None

**Abstract:** The rule will address administrative changes pertaining to the former Atlantic OCS region and will require filing fees for certain lease transfer documents.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** None

**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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**RIN:** 1010-AC44

**1600. ADMINISTRATIVE APPEALS PROCESS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 2; 25 USC 9; 30 USC 189; 30 USC 285; 30 USC 359; 30 USC 1023; 30 USC 1702 et seq; 31 USC 9701; 43 USC 1334; 43 USC 1335

**CFR Citation:** 30 CFR 290; 30 CFR 243; 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule will eliminate the current regulations for MMS appeals and replace them with new regulations for appeals to the IBLA of actions taken by MMS officials. The rule will establish requirements for developing the administrative record, holding settlement consultations, paying a filing fee, and presenting arguments and documentation for use in deciding appeals.

**Timetable:**

Action	Date	FR Cite
NPRM	10/28/96	61 FR 55607
NPRM Comment Period End	03/27/97	
Reproposed NPRM	06/00/98	
Comment Period End	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Hugh Hilliard, Chief, Appeals Division, Department of the Interior, Minerals Management Service  
 Phone: 202 208-2622

**RIN:** 1010-AC21

## DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

## Minerals Management Service (MMS)

**1601. AMENDMENTS TO STANDARDS FOR REPORTING AND PAYING ROYALTIES ON GAS AND THE GAS ANALYSIS REPORT**

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

**Legal Authority:** 30 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 3716 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 202; 30 CFR 216

**Legal Deadline:** None

**Abstract:** To make the Royalty Management Program's regulations consistent with proposed offshore regulations to require gas reporting at the standard conditions of 14.73 psia and adjusted to 60 degrees Fahrenheit.

**Timetable:**

Action	Date	FR Cite
NPRM	04/03/97	62 FR 16121
NPRM Comment Period End	05/05/97	
Final Action	05/00/98	
Final Action Effective	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AC23

**1602. VALUATION OF GAS FROM INDIAN LEASES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** The rule will amend the regulations governing the valuation of gas produced from Indian leases. The primary purpose of these amendments is to ensure that Indian mineral lessors receive maximum revenues from

mineral resources on their land consistent with the Department's trust responsibility and lease terms.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/04/94	59 FR 39712
NPRM	09/23/96	61 FR 49894
NPRM Comment Period End	04/04/97	62 FR 10247
Final Action	04/00/98	
Final Action Effective	08/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Tribal

**Additional Information:** This rule was developed using the negotiated rulemaking process which included representatives of MMS, Indian Tribes, States, and industry.

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AB57

**1603. VALUATION OF OIL FROM INDIAN LEASES**

**Priority:** Other Significant

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

**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 value 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
ANPRM Comment Period End	03/19/96	
NPRM	02/12/98	63 FR 6113
NPRM Comment Period End	03/23/98	
Final Action	12/00/98	
Final Action Effective	02/00/99	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Tribal

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff,

Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AC24

**1604. REFUNDS AND RECOUPMENT OF OVERPAYMENTS ON OCS**

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

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 25 USC 181 et seq; 25 USC 351 et seq; 25 USC 1001 et seq; 25 USC 1701 et seq; 25 USC 1735; 25 USC 3716; 25 USC 3720a; 25 USC 9701; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1801 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
Interim Final Rule	07/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AC27

**1605. ROYALTY PAYMENT LIABILITY**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 30 CFR 211

**Legal Deadline:** None

**Abstract:** Responsibilities of Minerals Management Service include the



## DOI—MMS

## Final Rule Stage

collection of royalties, bonuses, rentals, and related revenues from Federal and Indian mineral leases. These monies are, for the most part, collected from the current designated payor on the lease. However, if MMS is unable to collect from the current payor, it must pursue collections from a prior payor(s), the lessee, or an assignee of the lease. Existing regulations are unclear as to the responsibilities and liabilities of the parties involved. Therefore, MMS is amending its regulations to clarify payor, lessee, and assignee requirements and responsibilities for Indian mineral leases and Federal solid mineral and geothermal leases.

**Timetable:**

Action	Date	FR Cite
NPRM	04/13/94	59 FR 17504
NPRM	06/09/95	60 FR 30492
Comment Period Extended	08/30/95	60 FR 45112
Comment Period Extended	10/03/95	60 FR 56033
Final Action	03/00/99	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AB45

### 1606. SUSPENSION OF ORDERS OR DECISIONS PENDING APPEAL TO ALLOW FOR SELF-BONDING BASED UPON FINANCIAL SOLVENCY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 1721 et seq; 30 USC 1735 et seq; 30 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 243

**Legal Deadline:** None

**Abstract:** The Federal Oil and Gas Royalty Simplification and Fairness Act allows for self-bonding based upon financial solvency. Our proposed rule defines financial solvency and outlines the steps we will use to test for financial solvency.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/98	
Comment Period End	02/00/99	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Tribal, Federal

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AC28

### 1607. SEISMIC REASSESSMENT OF CALIFORNIA OUTER CONTINENTAL SHELF PLATFORMS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250.145

**Legal Deadline:** None

**Abstract:** MMS has been investigating the need for platform seismic reassessment guidelines since the Loma Prieta earthquake. This rule will require an operator to ascertain the safety of a platform before making major modifications or after damage to a primary member.

**Timetable:**

Action	Date	FR Cite
NPRM	06/10/97	62 FR 31538
NPRM Comment Period End	08/11/97	
Final Action	04/00/98	
Final Action Effective	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1010-AC17

### 1608. POSTLEASE OPERATIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1334

**CFR Citation:** 30 CFR 250.1 to 250.29; 30 CFR 218.154; 30 CFR 256.1; 30 CFR 256.4; 30 CFR 256.55; 30 CFR 256.73

**Legal Deadline:** None

**Abstract:** This rule is a complete rewrite in plain English and changes the current regulation by both adding and deleting language. Although some of these changes could be considered significant when compared to the current regulations, they support the policies and procedures now in place. The proposed rule is revised to be as broad and general in scope as feasible.

**Timetable:**

Action	Date	FR Cite
NPRM	02/13/98	63 FR 7335
NPRM Comment Period End	05/13/98	
Final Action	03/00/99	

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1010-AC32

### 1609. BLOWOUT PREVENTER TESTING REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1334

**CFR Citation:** 30 CFR 250.57

**Legal Deadline:** None

**Abstract:** This rule allows lessees up to 14 days between blowout preventer (BOP) pressure tests instead of the weekly tests currently required. MMS proposes this revision based upon a recently completed study of BOP performance. This study concluded that no statistical difference exists between 8- and 14-day intervals. MMS estimates that the revised testing time frame could save industry \$20 million to \$30 million per year without compromising safety.

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/97	62 FR 37819
NPRM Comment Period End	09/15/97	
Final Action	04/00/98	
Final Action Effective	05/00/98	

## DOI—MMS

## Final Rule Stage

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1010-AC37

**1610. PIPELINES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would implement the December 10, 1996, memorandum of understanding (MOU) between the Department of the Interior and the Department of Transportation. The MOU provides for the two departments to jointly regulate Outer Continental Shelf (OCS) Pipelines. MMS regulations would pertain to each OCS oil or gas pipeline located upstream of the point at which operating responsibility for

the pipeline transfers from a producing operator to a transporting operator.

**Timetable:**

Action	Date	FR Cite
NPRM	10/02/97	62 FR 51613
NPRM Comment Period End	12/01/97	
Final Action	06/00/98	
Final Action Effective	07/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

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**RIN:** 1010-AC39

**1611. OIL SPILL RESPONSIBILITY FOR OFFSHORE FACILITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 2701

**CFR Citation:** 30 CFR 253

**Legal Deadline:** None

**Abstract:** This rule requires responsible parties of offshore oil and gas facilities to provide evidence of oil spill financial responsibility.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/25/93	58 FR 44797
ANPRM Comment Period End	02/25/94	
NPRM	03/25/97	62 FR 14052
NPRM Comment Period End	08/22/97	62 FR 24375
Final Action	04/00/98	
Final Action Effective	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1010-AC33

## DEPARTMENT OF THE INTERIOR (DOI)

## Long-Term Actions

## Minerals Management Service (MMS)

**1612. 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	05/00/99	
NPRM Comment Period End	07/00/99	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AC31

**1613. CREDIT ADJUSTMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 218

**Legal Deadline:** None

**Abstract:** This rule will limit adjustments on royalty payments and determine the use of administrative offset for certain collections. This rule was expanded to include post-Federal

Oil and Gas Royalty Simplification and Fairness Act of 1996 impacts on credit adjustments and administrative offsets after the initial proposed rule was published, so a new proposed rule will be issued.

**Timetable:**

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service  
Phone: 303 231-3432

**RIN:** 1010-AB73

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

**Completed Actions**

**1614. ROYALTY RELIEF FOR OUTER CONTINENTAL SHELF LEASES IN THE GULF OF MEXICO**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 202; 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 217; 30 CFR 218; 30 CFR 250.175; 30 CFR 256.32; 30 CFR 260

**Completed:**

Reason	Date	FR Cite
Final Action	01/16/98	63 FR 2626

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1010-AC13

**1615. ALLOWANCES FOR TRANSPORTATION AND PROCESSING COSTS ASSOCIATED WITH GAS VALUATION**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 206

**Completed:**

Reason	Date	FR Cite
Final Action	02/16/97	62 FR 65753

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal

**Agency Contact:** David S. Guzy  
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**RIN:** 1010-AC06

**1616. GAS MEASUREMENT AND COMMINGLING**

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

**CFR Citation:** 30 CFR 250.181; 30 CFR 250.182; 30 CFR 250.184; 30 CFR 250.183; 30 CFR 250.180

**Completed:**

Reason	Date	FR Cite
Withdrawn Combined with RIN 1010-AC23.	02/02/98	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Kumkum Ray  
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**RIN:** 1010-AB97

**1617. OIL AND GAS PRODUCTION RATES**

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

**CFR Citation:** 30 CFR 250

**Completed:**

Reason	Date	FR Cite
Withdrawn No further action will be taken at this time.	02/02/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
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**RIN:** 1010-AC36

**1618. GEOLOGICAL AND GEOPHYSICAL EXPLORATION OF THE OUTER CONTINENTAL SHELF**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 251

**Completed:**

Reason	Date	FR Cite
Final Action	12/24/97	62 FR 67278

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1010-AC10

**1619. DEEP WATER ROYALTY RELIEF—TRACTS OFFERED BETWEEN NOVEMBER 28 1995, AND NOVEMBER 28, 2000**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 260

**Completed:**

Reason	Date	FR Cite
Final Action	01/16/98	63 FR 12022

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1010-AC14

BILLING CODE 4310-MR-F

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Office of Surface Mining Reclamation and Enforcement (OSMRE)**

**Proposed Rule Stage**

**1620. INDIAN LANDS**

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

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 25 CFR 200; 30 CFR 700

**Legal Deadline:** None

**Abstract:** This rule will amend regulations to allow OSM to contract

to the Navajo and Hopi Tribes certain functions relating to permitting mine plan review, bonding, and other functions authorized by the Indian land provisions of SMCRA. The rule is being proposed pursuant to a settlement agreement.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/99	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Suzy Hudak, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement  
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**RIN:** 1029-AB83