

freshwater mussel restoration projects within the Clinch River watershed
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Under the authority of the Comprehensive Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 et. seq., "natural resource trustees may assess damages to natural resources resulting from a discharge of oil or a release of a hazardous substance * * * and may seek to recover those damages." Natural resource damage assessments (NRDA) are separate from the cleanup actions undertaken at a hazardous waste or spill site, and provide a process whereby the natural resource trustees can determine the proper compensation to the public for injury to natural resources. The natural resource damage assessment process seeks to: (1) Determine whether injury to, or loss of, trust resources has occurred; (2) ascertain the magnitude of the injury or loss; (3) calculate the appropriate compensation for the injury, including the cost of restoration; and (4) develop a restoration plan that will restore, rehabilitate, replace, and/or acquire equivalent resources for those resources that were injured or lost.

This final RP/EA has been developed by the Trustees in order to address and evaluate restoration alternatives related to natural resource injuries within the Clinch River watershed. The purpose of this RP/EA is to implement restoration actions that will restore, rehabilitate, replace, and/or acquire natural resources and the services provided by those resources that approximate those injured as a result of the spill using funds collected as natural resource damages for injuries, pursuant to the CERCLA. This final RP/EA describes the affected environment, identifies potential restoration alternatives and their plausible environmental consequences, and describes the proposed preferred alternative.

Section 111(i) of the CERCLA requires natural resource trustees to develop a restoration plan prior to allocating recoveries to implement restoration actions, and to obtain public comment on that plan. Under the National Environmental Policy Act (NEPA), Federal agencies must identify and evaluate environmental impacts that may result from Federal actions. This final RP/EA has integrated CERCLA and NEPA requirements by summarizing the affected environment, describing the purpose and need for action, and selecting and describing the preferred restoration activities and including public comment.

This final RP/EA will be available to interested members of the public,

natural resource Trustees, other affected Federal or State agencies or Native American tribes upon request.

Author: The primary author of this notice is John Schmerfeld, U.S. Fish & Wildlife Service, Virginia Field Office, 6669 Short Lane, Gloucester, Virginia 23061.

Authority: The authority for this action is the Comprehensive Environmental Response, Compensation and Liability Act of 1980 as amended, commonly known as Superfund (42 U.S.C. 9601 et seq.), and the NRDA Regulations found at 43 CFR, part 11.

Dated: August 11, 2004.

Thomas J. Healy,

Acting Regional Director, Region 5, U.S. Fish and Wildlife Service, Department of the Interior, Designated Authorized Official.

[FR Doc. 04-18918 Filed 8-17-04; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-930-1430-ET; NVN-74668; 4-08808]

Public Land Order No. 7613; Withdrawal of Public Land for the United States Air Force; Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws 40 acres of public land from surface entry and mining, for a period of 20 years, for the United States Air Force to protect a runway safe zone at the Nellis Air Force Base.

DATES: Effective August 18, 2004.

FOR FURTHER INFORMATION CONTACT: Dennis J. Samuelson, BLM Nevada State Office, P.O. Box 12000, Reno, Nevada 89520, 775-861-6532.

Order

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000), it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. ch. 2 (2000)), for the United States Air Force to protect a runway safe zone at the Nellis Air Force Base:

Mount Diablo Meridian

T. 19 S., R. 62 E.,
Sec. 35, SE $\frac{1}{4}$ SW $\frac{1}{4}$

The area described contains 40 acres in Clark County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (2000), the Secretary determines that the withdrawal shall be extended.

Dated: August 2, 2004.

Rebecca W. Watson,

Assistant Secretary—Land and Minerals Management.

[FR Doc. 04-18859 Filed 8-17-04; 8:45 am]

BILLING CODE 4310-HC-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-920-1220-BY; WYW 34993]

Public Land Order No. 7612; Extension of Public Land Order No. 6578; Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order extends Public Land Order No. 6578 for an additional 20-year period. This extension is necessary to continue the protection of the Castle Gardens Recreation Area in Washakie County.

DATES: Effective November 23, 2004.

FOR FURTHER INFORMATION CONTACT: Janet Booth, BLM Wyoming State Office, 5353 N. Yellowstone Road, P.O. Box 1828, Cheyenne, Wyoming 82003, 307-775-6124.

Order

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000), it is ordered as follows:

1. Public Land Order No. 6578 (49 FR 46144, November 23, 1984), which withdrew 110 acres of public land from surface entry and mining to protect the Bureau of Land Management Castle Gardens Recreation Area, is hereby extended for an additional 20-year period.

2. Public Land Order No. 6578 will expire on November 22, 2024, unless, as a result of a review conducted prior to the expiration date pursuant to Section

204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

Dated: August 2, 2004.

Rebecca W. Watson,
Assistant Secretary—Land and Minerals
Management.

[FR Doc. 04-18838 Filed 8-17-04; 8:45 am]

BILLING CODE 4310-22-P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Proposed Collection, Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of an extension of a currently approved information collection (OMB Control Number 1010-0095).

SUMMARY: To comply with the Paperwork Reduction Act (PRA) of 1995, we are inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. We changed the title of this information collection request (ICR) to clarify the regulatory language we are covering under 30 CFR Part 206. The previous title of this ICR was "Request to Exceed Regulatory Allowance Limitation." The new title of this ICR is "30 CFR Part 206—Product Valuation (Request to Exceed Transportation and Processing Allowance Limitation), Subpart B—Indian Oil, § 206.54(b)(2); Subpart C—Federal Oil, § 206.109(c)(2); Subpart D—Federal Gas, § 206.156(c)(3), 206.158(c)(3), and 206.158(d)(2)(i); and Subpart E—Indian Gas, § 206.177(c)(2) and 206.177(c)(3)."

DATES: Submit written comments on or before October 18, 2004.

ADDRESSES: Submit written comments to Sharron L. Gebhardt, Lead Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225. If you use an overnight courier service, our courier address is Building 85, Room A-614, Denver Federal Center, Denver, Colorado 80225. You may also e-mail your comments to us at mrm.comments@mms.gov. Include the title of the information collection

and the OMB control number in the "Attention" line of your comment. Also include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your e-mail, contact Ms. Gebhardt at (303) 231-3211.

FOR FURTHER INFORMATION CONTACT: Sharron L. Gebhardt, telephone (303) 231-3211, FAX (303) 231-3781, or e-mail sharron.gebhardt@mms.gov.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR Part 206—Product Valuation (Request to Exceed Transportation and Processing Allowance Limitation), Subpart B—Indian Oil, § 206.54(b)(2); Subpart C—Federal Oil, § 206.109(c)(2); Subpart D—Federal Gas, § 206.156(c)(3), 206.158(c)(3), and 206.158(d)(2)(i); and Subpart E—Indian Gas, § 206.177(c)(2) and 206.177(c)(3).

OMB Control Number: 1010-0095.

Bureau Form Number: Form MMS-4393.

Abstract: The Secretary of the U.S. Department of the Interior is responsible for collecting royalties from lessees who produce minerals from leased Federal and Indian lands. The Secretary is required by various laws to manage mineral resources production on Federal and Indian lands, collect the royalties due, and distribute the funds in accordance with those laws.

The Secretary also has an Indian trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. The MMS performs the royalty management functions and assists the Secretary in carrying out the Department's Indian trust responsibility. Applicable citations of the laws pertaining to mineral leases include 5 U.S.C. 301, *et seq.*; 25 U.S.C. 396a, *et seq.*, 2101, *et seq.*; 30 U.S.C. 185, 351, *et seq.*, 1001, *et seq.*, 1701, *et seq.*; 31 U.S.C. 9701; and 43 U.S.C. 1301, *et seq.*, 1331, *et seq.*, and 1801, *et seq.*

When a company or an individual enters into a lease to explore, develop, produce, and dispose of minerals from Federal or Indian lands, that company or individual agrees to pay the lessor a share (royalty) of the value received from production from the leased lands. The lease creates a business relationship between the lessor and the lessee. The lessee is required to report various kinds of information to the lessor relative to the disposition of the leased minerals.

Such information is similar to data reported to private and public mineral interest owners and is generally available within the records of the lessee or others involved in developing, transporting, processing, purchasing, or selling of such minerals. The information collected includes data necessary to ensure that the royalties are paid appropriately.

Proprietary information submitted to MMS under this collection is protected, and no items of a sensitive nature are collected. A response is required to obtain the benefit of exceeding a regulatory allowance limitation.

Under certain circumstances, lessees are authorized to deduct from royalty payments the reasonable actual costs of transporting the royalty portion of produced oil and gas from the lease to a processing or sales point not in the immediate lease area. When gas is processed for the recovery of gas plant products, lessees may claim a processing allowance. Transportation and processing allowances are a part of the product valuation process that MMS uses to determine if the lessee is reporting and paying the proper royalty amount.

To request permission to exceed an allowance limit, royalty payors must write a letter to MMS explaining why a higher allowance limit is necessary and provide supporting documentation. The MMS developed Form MMS-4393, Request to Exceed Regulatory Allowance Limitation, to accompany the payor's letter requesting approval to exceed the allowance limit. The form provides MMS the data necessary to make a decision on the request and track deductions on royalty reports. Data reported on Form MMS-4393 is also subject to subsequent audit and adjustment.

Frequency of Response: Annually.

Estimated Number and Description of Respondents: 26 lessees.

Estimated Annual Reporting and Recordkeeping "Hour" Burden: 121 hours.

Since the previous renewal of this ICR, we have obtained more accurate estimates of the number of respondents and the time required to provide the information requested, and we have adjusted the burden hours accordingly. The following chart shows the estimated burden hours by CFR section and paragraph: