

Vegas, Clark County, Nevada has been examined and found suitable for lease/conveyance for recreational or public purposes under the provisions of the Recreation and Public Purposes Act, as amended (43 U.S.C. 869 *et seq.*).

N-78101—The City of Las Vegas proposes to use the land for a public park.

Mount Diablo Meridian

T. 19S., R. 60E., Sec. 7
Government Lot 5 (E½E½).
Consist of 10 acres.

The land is not required for any federal purpose. Lease/conveyance is consistent with current Bureau planning for this area and would be in the public interest. The lease/conveyance, when issued, will be subject to the provisions of the Recreation and Public Purposes Act and applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe.

All will be subject to:

1. All valid and existing rights.

2. Those rights for public utility purposes which have been granted to the Las Vegas Valley Water District by permit No. N-62751 under Title V of the Federal Land Policy and Management Act of October 21, 1976 (FLPMA).

3. Those rights for public utility purposes which have been granted to the Las Vegas Valley Water District by permit No. N-76984 under Title V of the Federal Land Policy and Management Act of October 21, 1976 (FLPMA).

4. Those rights for roadway, sewer and drainage purposes which have been granted to the City of Las Vegas by permit No. N-76109, under Title V of the Federal Land Policy and Management Act of October 21, 1976 (FLPMA).

5. Those rights for public utility purposes which have been granted to Nevada Power Company by permit No. N-75702, under Title V of the Federal Land Policy and Management Act of October 21, 1976 (FLPMA).

6. Those rights for public utility purposes which have been granted to Southwest Gas Company by permit No. N-76691, under Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185).

7. Those rights for public utility purposes which have been granted to Southwest Gas Company by permit No. N-76705, under Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185).

8. Those rights for public utility purposes which have been granted to Central Telephone Company by permit No. N-76618, under Title V of the Federal Land Policy and Management Act of October 21, 1976 (FLPMA).

Detailed information concerning this action is available for review at the office of the Bureau of Land Management, Las Vegas Field Office at the address listed above.

On February 22, 2005, the above described land will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease/conveyance under the Recreation and Public Purposes Act, leasing under the mineral leasing laws and disposals under the mineral material disposal laws.

Classification Comments: Interested parties may submit comments involving the suitability of the land for a public park. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

Application Comments: Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for a public park facility. Any adverse comments will be reviewed by the State Director who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, these realty actions will become the final determination of the Department of the Interior. The classification of the land described in this Notice will become effective on date 60 days from the date of publication of this notice in the **Federal Register**. The lands will not be offered for lease/conveyance until after the classification becomes effective.

Dated: October 18, 2004.

Sharon DiPinto,

Assistant Field Manager, Division of Lands,
Las Vegas, NV.

[FR Doc. 05-3296 Filed 2-18-05; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Submitted for Office of Management and Budget (OMB) Review; Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

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

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), we are notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the regulations under 30 CFR 206. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements. We changed the title of this ICR to clarify the regulatory language we are covering under 30 CFR 206. The previous title of this ICR was "Request to Exceed Regulatory Allowance Limitation." The new title of this ICR is "30 CFR 206—Product Valuation, Subpart B—Indian Oil, § 206.54; Subpart C—Federal Oil, § 206.109; Subpart D—Federal Gas, §§ 206.156 and 206.158; and Subpart E—Indian Gas, § 206.177 (Form MMS-4393, Request to Exceed Regulatory Allowance Limitation)."

DATES: Submit written comments on or before March 24, 2005.

ADDRESSES: Submit written comments by either FAX (202) 395-6566 or e-mail (*OIRA_Docket@omb.eop.gov*) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (OMB Control Number 1010-0095). Mail or hand-carry a copy of your 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, e-mail *Sharron.Gebhardt@mms.gov*. You may also contact Sharron Gebhardt to obtain a copy at no cost of the form and regulations that require the subject collection of information.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR 206—Product Valuation, Subpart B—Indian Oil, § 206.54; Subpart C—Federal Oil, § 206.109; Subpart D—Federal Gas, §§ 206.156 and 206.158; and Subpart E—Indian Gas, § 206.177 (Form MMS-4393, Request to Exceed Regulatory Allowance Limitation).

OMB Control Number: 1010-0095.

Bureau Form Number: Form MMS-4393, Request to Exceed Regulatory Allowance Limitation.

Abstract: The Secretary of the U.S. Department of the Interior is responsible for matters relevant to mineral resource development on Federal and Indian lands and the Outer Continental Shelf (OCS). The Secretary under the Mineral Leasing Act (30 U.S.C. 1923) and the Outer Continental Shelf Lands Act (43 U.S.C. 1353) is responsible for managing the production of minerals from Federal and Indian lands and the OCS, collecting royalties from lessees who produce minerals, and distributing the funds collected in accordance with applicable laws.

The Secretary 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.* and 2101 *et seq.*; 30 U.S.C. 185, 351 *et seq.*, 1001 *et seq.*, and 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 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 claim a transportation allowance for 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. In addition, 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.

The regulations establish a limit on transportation allowance deductions for oil and gas at 50 percent of the value of the oil and gas at the point of sale. The MMS may approve a transportation allowance in excess of 50 percent upon proper application from the lessee.

Similarly, the regulations establish a limit of 66⅔ percent of the value of each gas plant product as an allowable gas processing deduction. The MMS may also approve a processing allowance in excess of 66⅔ percent upon proper application from the lessee.

To request permission to exceed a regulatory allowance limit, lessees 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 lessee's letter requesting approval to exceed the regulatory allowance limit. This form provides MMS with the data necessary to make a decision and track deductions on royalty reports. Data reported on the form is also subject to subsequent audit and adjustment.

The MMS is requesting OMB's approval to continue to collect this information. Not collecting this information would limit the Secretary's ability to discharge his/her duties and may also result in loss of royalty payments.

Frequency: Annually.

Estimated Number and Description of Respondents: 26 lessees.

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

Through customer contact and analysis of historical data, we obtained more accurate estimates of the number of respondents and the time required to provide the information requested, and we adjusted the burden hours accordingly. We also included 30 CFR 206.158 (d)(2)(i) and 206.177 (c)(2), which were not included in the previous renewal. We do not include in our estimates certain requirements performed in the normal course of business and considered usual and customary. The following chart shows the estimated burden hours by CFR section and paragraph:

RESPONDENTS' ESTIMATED ANNUAL BURDEN HOURS

30 CFR section	Reporting requirement	Burden hours per response	Annual number of responses	Annual burden hours
Subpart B—Indian Oil				
§ 206.54 Transportation allowances—general.				
206.54(b)(2)	Upon request of a lessee, MMS may approve a transportation allowance deduction in excess of the limitation prescribed by paragraph (b)(1) of this section. * * * An application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) shall contain all relevant and supporting documentation necessary for MMS to make a determination. * * *	4.25	1	4.25

RESPONDENTS' ESTIMATED ANNUAL BURDEN HOURS—Continued

30 CFR section	Reporting requirement	Burden hours per response	Annual number of responses	Annual burden hours
Subpart C—Federal Oil				
§ 206.109 When may I take a transportation allowance in determining value?				
206.109(c)(2)	(c) Limits on transportation allowances. * * * (2) You may ask MMS to approve a transportation allowance in excess of the limitation in paragraph (c)(1) of this section. * * * Your application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) must contain all relevant and supporting documentation for MMS to make a determination. * * *	4.25	1	4.25
Subpart D—Federal Gas				
§ 206.156 Transportation allowances—general.				
206.156(c)(3)	Upon request of a lessee, MMS may approve a transportation allowance deduction in excess of the limitation prescribed by paragraphs (c)(1) and (c)(2) of this section. * * * An application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) shall contain all relevant and supporting documentation necessary for MMS to make a determination. * * *	4.25	2	8.5
Subpart D—Federal Gas				
§ 206.158 Processing allowances—general.				
206.158(c)(3)	Upon request of a lessee, MMS may approve a processing allowance in excess of the limitation prescribed by paragraph (c)(2) of this section. * * * An application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) shall contain all relevant and supporting documentation for MMS to make a determination. * * *	4.25	19	80.75
206.158(d)(2)(i)	If the lessee incurs extraordinary costs for processing gas production from a gas production operation, it may apply to MMS for an allowance for those costs which shall be in addition to any other processing allowance. * * *	9.5	2	19
Subpart E—Indian Gas				
§ 206.177 What general requirements regarding transportation allowances apply to me?				
206.177(c)(2) and (c)(3)	(c)(2) If you ask MMS, MMS may approve a transportation allowance deduction in excess of the limitations in paragraph (c)(1) of this section. * * * (c)(3) Your application for exception (using Form MMS-4393, Request to Exceed Regulatory Allowance Limitation) must contain all relevant and supporting documentation necessary for MMS to make a determination.	4.25	1	4.25
Total Burden	26	121

Estimated Annual Reporting and Recordkeeping “Non-hour” Cost Burden: We have identified no “non-hour” cost burdens.

Public Disclosure Statement: The PRA (44 U.S.C. 3501 *et seq.*) provides that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Comments: Section 3506(c)(2)(A) of the PRA requires each agency “* * * to provide notice * * * and otherwise consult with members of the public and affected agencies concerning each proposed collection of information

* * *.” Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

To comply with the public consultation process, we published a

notice in the **Federal Register** on August 18, 2004 (69 FR 51321), announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. We received no comments in response to the notice.

If you wish to comment in response to this notice, you may send your comments to the offices listed under the **ADDRESSES** section of this notice. OMB has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore, to ensure maximum consideration, OMB should receive public comments by March 24, 2005.

Public Comment Policy: We will post all comments in response to this notice on our Web site at http://www.mrm.mms.gov/Laws_R_D/InfoColl/InfoColCom.htm. We will also make copies of the comments available for public review, including names and addresses of respondents, during regular business hours at our offices in Lakewood, Colorado. Upon request, we will withhold an individual respondent's home address from the public record, as allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you request that we withhold your name and/or address, state your request prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

MMS Information Collection Clearance Officer: Arlene Bajusz (202) 208-7744.

Dated: December 9, 2004.

Janice Bigelow,

Acting Associate Director for Minerals Revenue Management.

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Submitted for Office of Management and Budget (OMB) Review; Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of extension of an information collection (1010-0149).

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), we are notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the rulemaking for regulations under 30 CFR 250, subparts J, H, and I, Fixed and Floating Platforms and Structures. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements.

DATES: Submit written comments by March 24, 2005.

ADDRESSES: You may submit comments either by fax (202) 395-6566 or e-mail (OIRA_DOCKET@omb.eop.gov) directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1010-0149). Mail or hand carry a copy of your comments to the Department of the Interior, Minerals Management Service, Attention: Rules Processing Team, Mail Stop 4024, 381 Elden Street, Herndon, Virginia 20170-4817. Interested parties may submit a copy of their comments online to MMS, the address is: <https://occonnect.mms.gov>. From the Public Connect "Welcome" screen, you will be able to either search for Information Collection 1010-0149 or select it from the "Projects Open for Comment" menu.

FOR FURTHER INFORMATION CONTACT: Cheryl Blundon, Rules Processing Team, (703) 787-1600. You may also contact Cheryl Blundon to obtain a copy, at no cost, of the regulations that require the subject collection of information.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR 250, subparts J, H, and I, Fixed and Floating Platforms and Structures.

OMB Control Number: 1010-0149.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

Section 43 U.S.C. 1356 requires the issuance of " * * * regulations which require that any vessel, rig, platform, or other vehicle or structure * * * (2) which is used for activities pursuant to this subchapter, comply * * * with such minimum standards of design, construction, alteration, and repair as the Secretary * * * establishes * * *." Section 43 U.S.C. 1332(6) also states, "operations in the [O]uter Continental Shelf should be conducted in a safe manner * * * to prevent or minimize the likelihood of * * * physical obstruction to other users of the water

or subsoil and seabed, or other occurrences which may cause damage to the environment or to property, or endanger life or health." These authorities and responsibilities are among those delegated to the MMS to ensure that operations in the OCS will meet statutory requirements; provide for safety and protection of the environment; and result in diligent exploration, development, and production of OCS leases.

On December 27, 2001, a Notice of Proposed Rulemaking (NPR) (66 FR 66851), provided the initial 60-day review and comment process. This notice is a renewal of the information requirements for the rulemaking and for what we expect to be in our final rulemaking.

The industry standards incorporated into our regulations through this rulemaking:

- Result in a complete rewrite and re-titling of our current regulations at 30 CFR part 250, subpart I, Platforms and Structures. The currently approved information collection for this subpart (1010-0058) will be superseded by this collection when final regulations take effect.

- Revise regulations at 30 CFR part 250, subpart H, Oil and Gas Production Safety Systems (1010-0059); and subpart J, Pipelines and Pipeline Rights-of-Way (1010-0050). When final regulations take effect, we will add the new requirements and hour burdens to the respective information collections currently approved for these subparts.

- Make changes to definitions, documents incorporated by reference, and other minor revisions to regulations at 30 CFR part 250, subpart A, General (1010-0114); and subpart B, Exploration and Development and Production Plans (1010-0049). However, the proposed changes do not add any new information collection requirements, nor affect those currently approved.

MMS will use the information collected and records maintained under subpart I to determine the structural integrity of all offshore platforms and floating production facilities and to ensure that such integrity will be maintained throughout the useful life of these structures. The information is necessary to determine that fixed and floating platforms and structures are sound and safe for their intended purpose and for the safety of personnel and pollution prevention. MMS will use the information collected under subparts H and J to ensure proper construction of production safety systems and pipelines.

Although the revised regulations would specifically cover floating