

Dated: January 17, 2006.

**John P. Lee,**

*Chief Cadastral Surveyor, Division of Support Services.*

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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 (1010-0072).

**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 part 280, "Prospecting for Minerals other than Oil, Gas, and Sulphur on the Outer Continental Shelf," and related documents. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements.

**DATES:** Submit written comments by February 22, 2006.

**ADDRESSES:** You may submit comments on this information collection directly to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior via OMB e-mail: (*OIRA\_DOCKET@omb.eop.gov*); or by fax (202) 395-6566; identify with (1010-0072).

Submit a copy of your comments to the Department of the Interior, MMS, via:

- MMS's Public Connect on-line commenting system, <https://occonnect.mms.gov>. Follow the instructions on the Web site for submitting comments.
- E-mail MMS at [rules.comments@mms.gov](mailto:rules.comments@mms.gov). Use Information Collection Number 1010-0072 in the subject line.
- Fax: 703-787-1093. Identify with Information Collection Number 1010-0072.
- Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Processing Team (RPT); 381 Elden Street, MS-4024; Herndon, Virginia

20170-4817. Please reference "Information Collection 1010-0072" in your comments.

**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 regulation and forms that require the subject collection of information.

#### SUPPLEMENTARY INFORMATION:

*Title:* 30 CFR part 280, Prospecting for Minerals other than Oil, Gas, and Sulphur on the Outer Continental Shelf. *OMB Control Number:* 1010-0072.

*Forms:* MMS-134, MMS-135, and MMS-136.

*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. Section 1337(k) of the OCS Lands Act authorizes the Secretary " \* \* \* to grant to the qualified persons offering the highest cash bonuses on a basis of competitive bidding leases of any mineral other than oil, gas, and sulphur in any area of the Outer Continental Shelf not then under lease for such mineral upon such royalty, rental, and other terms and conditions as the Secretary may prescribe at the time of offering the area for lease." An amendment to the OCS Lands Act (Pub. L. 103-426) authorizes the Secretary to negotiate agreements (in lieu of the previously required competitive bidding process) for the use of OCS sand, gravel, and shell resources for certain specified types of public uses. The specified uses will support construction of governmental projects for beach nourishment, shore protection, and wetlands enhancement; or any project authorized by the Federal Government.

Section 1340 states that " \* \* \* any person authorized by the Secretary may conduct geological and geophysical [G&G] explorations in the [O]uter Continental Shelf, which do not interfere with or endanger actual operations under any lease maintained or granted pursuant to this Act, and which are not unduly harmful to aquatic life in such area." The section further requires that permits to conduct such activities may only be issued if it is determined that: The applicant is qualified; the activities are not polluting, hazardous, or unsafe; they do not interfere with other users of the area; and do not disturb a site, structure, or object of historical or archaeological significance.

Section 1352 further requires that certain costs be reimbursed to the

parties submitting required G&G information and data. Under the Act, permittees are to be reimbursed for the costs of reproducing any G&G data required to be submitted. Permittees are to be reimbursed also for the reasonable cost of processing geophysical information required to be submitted when processing is in a form or manner required by the Director and is not used in the normal conduct of the business of the permittee.

Regulations implementing these responsibilities are under 30 CFR part 280. Responses are mandatory or required to obtain or retain a benefit. No questions of a "sensitive" nature are asked. The MMS protects information considered proprietary according to 30 CFR 280.70 and applicable sections of 30 CFR parts 250 and 252, and the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2).

MMS OCS Regions collect information required under part 280 to ensure there is no environmental degradation, personal harm or unsafe operations and conditions, damage to historical or archaeological sites, or interference with other uses; to analyze and evaluate preliminary or planned drilling activities; to monitor progress and activities in the OCS; to acquire G&G data and information collected under a Federal permit offshore; and to determine eligibility for reimbursement from the Government for certain costs. Respondents are required to submit form MMS-134 to provide the information necessary to evaluate their qualifications. The information is necessary for MMS to determine if the applicants for permits or filers of notices meet the qualifications specified by the Act. The MMS uses the information collected to understand the G&G characteristics of hard mineral-bearing physiographic regions of the OCS. It aids MMS in obtaining a proper balance among the potentials for environmental damage, the discovery of hard minerals, and adverse impacts on affected coastal States. Information from permittees is necessary to determine the propriety and amount of reimbursement.

*Frequency:* On occasion, annual; and as required in the permit.

*Estimated Number and Description of Respondents:* Approximately 1 permittee, 1 notice filer, and 1 adjacent State.

*Estimated Reporting and Recordkeeping "Hour" Burden:* The estimated annual "hour" burden for this information collection is a total of 108 hours. The following chart details the individual components and estimated hour burdens. In calculating the

burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

Citation 30 CFR 280	Reporting and recordkeeping requirement	Hour burden	Average No. annual responses	Annual burden hours
10; 11(a); 12; 13; Permit Forms ..	Apply for permit (form MMS-134) to conduct prospecting or G&G scientific research activities, including prospecting/ scientific research plan and environmental assessment or required drilling plan.	8	1 permit .....	8
11(b); 12(c) .....	File notice to conduct scientific research activities related to hard minerals, including notice to MMS prior to beginning and after concluding activities.	8	1 notice .....	8
21(a) .....	Report to MMS if hydrocarbon/other mineral occurrences or environmental hazards are detected or adverse effects occur.	1	1 report .....	1
22 .....	Request approval to modify operations .....	1	1 request .....	1
23(b) .....	Request reimbursement for expenses for MMS inspection .....	1	1 request .....	1
24 .....	Submit status and final reports quarterly or on specified schedule and final report.	8	4 reports .....	32
28 .....	Request relinquishment of permit .....	1	1 relinquish .....	1
31(b); 73(a), (b) .....	Governor(s) of adjacent State(s) submissions to MMS; comments on activities involving an environmental assessment; request for proprietary data, information, and samples; and disclosure agreement.	1	1 submission ...	1
33, 34 .....	Appeal penalty, order, or decision—burden covered under 5 CFR 1320.4.			0
40; 41; 50; 51; Permit Forms .....	Notify MMS and submit G&G data/information collected under a permit and/or processed by permittees or 3rd parties, including reports, logs or charts, results, analyses, descriptions, etc.	4	2 submissions	8
42(b); 52(b) .....	Advise 3rd party recipient of obligations. Part of licensing agreement between parties; no submission to MMS.			0
42(c), 42(d); 52(c), 52(d) .....	Notify MMS of 3rd party transactions .....	1	1 notice .....	1
60; 61(a) .....	Request reimbursement for costs of reproducing data/information & certain processing costs.	20	2 requests .....	40
72(b) .....	Submit in not less than 5 days comments on MMS intent to disclose data/information.	1	1 response .....	1
72(d) .....	Contractor submits written commitment not to sell, trade, license, or disclose data/information.	1	1 submission ...	1
Part 280 .....	General departure and alternative compliance requests not specifically covered elsewhere in part 280 regulations.	2	1 request .....	2
Permit Forms .....	Request extension of permit time period .....	1	1 extension .....	1
Permit Forms .....	Retain G&G data/information for 10 years and make available to MMS upon request.	1	1 recordkeeper	1
<b>Total Hour Burden</b> .....		<b>21</b>		<b>108</b>

*Estimated Reporting and Recordkeeping “Non-Hour Cost” Burden:* We have identified no paperwork “non-hour cost” burdens associated with the collection of information.

*Public Disclosure Statement:* The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

*Comments:* Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) 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, on May 25, 2005, we published a **Federal Register** notice (70 FR 30138) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, § 280.80 provides the OMB control number for the information collection requirements imposed by the 30 CFR part 280 regulations and forms. The regulation also informs the public that they may comment at any time on the collections of information and

provides the address to which they should send comments. We have received no comments in response to these efforts.

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 February 22, 2006.

*Public Comment Procedures:* MMS’s practice is to make comments, including names and home addresses of respondents, available for public review. If you wish your name and/or address to be withheld, you must state this prominently at the beginning of your comment. MMS will honor the request to the extent allowable by the law; however, anonymous comments will not be considered. All submissions

from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

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

Dated: August 4, 2005.

**E.P. Danenberger,**

*Chief, Office of Offshore Regulatory Programs.*

**Note:** This document was received at the Office of the Federal Register on January 18, 2006.

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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 revision of an information collection (1010-0059).

**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 part 250, "Oil and Gas Production Safety Systems," and related documents. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements.

**DATES:** Submit written comments by February 22, 2006.

**ADDRESSES:** You may submit comments on this information collection directly to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior via OMB email: [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov); or by fax (202) 395-6566; identify with (1010-0059).

Submit a copy of your comments to the Department of the Interior, MMS, via:

- Email MMS at [rules.comments@mms.gov](mailto:rules.comments@mms.gov). Use

Information Collection Number 1010-0059 in the subject line.

- Fax: 703-787-1093. Identify with Information Collection Number 1010-0059.
- Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Processing Team (RPT); 381 Elden Street, MS-4024; Herndon, Virginia 20170-4817. Please reference "Information Collection 1010-0059" in your comments.

#### 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, Oil and Gas Production Safety Systems.

*OMB Control Number:* 1010-0058.

*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 1332(6) states that "operations in the [O]uter Continental Shelf should be conducted in a safe manner by well trained personnel using technology, precautions, and other techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstructions to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property or endanger life or health."

This notice concerns the reporting and recordkeeping elements of 30 CFR 250, subpart H, Oil and Gas Production Safety Systems, and related Notices to Lessees and Operators (NTLs) that clarify and provide additional guidance on some aspects of the regulations.

Responses are mandatory. No questions of a "sensitive" nature are asked. MMS will protect proprietary information according to 30 CFR 250.196, "Data and information to be made available to the public," 30 CFR part 252, "OCS Oil and Gas Information Program," and the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR 2).

MMS OCS Regions use the information submitted under subpart H to evaluate equipment and/or procedures that lessees propose to use during production operations, including evaluation of requests for departures or use of alternative procedures. Information submitted is also used to verify the no-flow condition of wells to continue the waiver of requirements to install valves capable of preventing backflow. MMS inspectors review the records maintained to verify compliance with testing and minimum safety requirements.

The Gulf of Mexico OCS Region (GOMR) has a policy regarding approval of "new" requests to use a chemical-only fire prevention and control system in lieu of a water system. With respect to "currently-approved" departures, MMS may require additional information be submitted to maintain approval of the departure. The information is used to determine if the chemical-only system provides the equivalent protection of a water system for the egress of personnel should a fire occur.

In the Pacific OCS Region, MMS reviews copies of the Emergency Action Plans (EAP) that lessees and operators submit to their local air quality agencies to ensure that abatement procedures do not jeopardize safe platform operations.

*Frequency:* The frequency of reporting is on occasion or annual.

*Estimated Number and Description of Respondents:* Approximately 117 Federal OCS oil and gas or sulphur lessees.

*Estimated Reporting and Recordkeeping "Hour" Burden:* The estimated annual "hour" burden for this information collection is a total of 14,445 hours. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.