

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF THE INTERIOR

### 30 CFR Part 256

#### RIN 1010-AC18

#### Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** MMS proposes to modify regulations to allow the authorized officer to extend the time period within which we must accept or reject the high bids received on tracts offered for sale. Currently, the authorized officer must accept or reject high bids on most tracts within 90 days after the date on which the bids are opened.

**DATES:** MMS will consider all comments received by June 14, 1996. We will begin reviewing comments at that time and may not fully consider comments we receive after June 14, 1996.

**ADDRESSES:** Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; 381 Elden Street; Mail Stop 4700; Herndon, Virginia 22070-4817; Attention: Chief, Engineering and Standards Branch.

**FOR FURTHER INFORMATION CONTACT:** Dr. Marshall Rose, Chief, Economic Evaluation Branch, telephone (703) 787-1536.

**SUPPLEMENTARY INFORMATION:** We limited the comment period to 30 days to provide us with timely comments in the event that we need to extend the bid evaluation period for the lease sale held on April 24, 1996.

The time to accept or reject high bids for tracts offered at an Outer Continental Shelf (OCS) lease sale is established under the regulations at 30 CFR 256.47. The authorized officer must accept or reject the high bids within 90 days after the bid opening, except for tracts identified by the Secretary of the Interior as subject to:

(1) Another nation's claims of jurisdiction and control which conflict with the claims of the United States, or,

(2) Defense-related activities that may be incompatible with mineral exploration and/or development activities.

Any bid not accepted within that period is deemed rejected.

The 90-day period was established in 1982. Since then, we have held several sales, mainly areawide. The Outer Continental Shelf Deep Water Royalty Relief Act (Pub. L. 104-58, November 28, 1995) amended the Outer Continental Shelf Lands Act to define a new bidding system which provides for royalty suspensions. The deepwater incentive law did not amend the requirement that we obtain fair market value for tracts that are leased. Any lease sale held before November 28, 2000, must use the new bidding system for all tracts located in water depths of 200 meters or more in the Gulf of Mexico west of 87 degrees, 30 minutes west longitude. We believe that the increased workload resulting from compliance with the new statutory requirements and the potential for a large number of tracts to receive bids may exceed our ability to complete the bid review process for all tracts bid upon within 90 days as required by 30 CFR 256.47(e)(2).

We propose to remedy the situation by giving the authorized officer authority to extend the time period for 30 days or longer when circumstances warrant. Recent examples include floods and furloughs; however, other circumstances such as excessive workload may arise which could warrant a longer time for bid evaluation.

This rule addresses a housekeeping issue and will enable us to adjust the bid acceptance/rejection time period to meet changing conditions in the OCS lease market. Continuation of the 90-day review period would result in the rejection of the high bids which we fail to evaluate within 90 days. This would result in fewer leases being issued because of a failure to complete the bid review process within time and resource constraints. The Government may receive less bonus and rental monies.

Today, without authority to extend the bid review period, the 1982 90-day rule allows insufficient time and is arbitrarily rigid.

Comments to the 1982 rule objected to the proposal to extend the bid review process from 60 to 120 days because of economic losses to the bidders whose high bids were later rejected. (High bidders received no interest payments on bonus monies returned by the Government.) Today, regulations provide for the payment of interest on the bonus monies submitted with the high bids which are ultimately rejected. Thus, bidders will not suffer economic loss because of an extended time period to complete the evaluation process.

In Central Gulf of Mexico Sale 157, held April 24, 1996, we received 1,381 bids on 924 tracts—many in water depths of 200 or more. It is in the public interest to assure that adequate time is available to give all high bids a full and appropriate review, to ensure the receipt of fair market value, and ultimately to increase natural gas and oil supplies.

Author: This document was prepared by Mary Vavrina, Offshore Resource Evaluation Division, MMS.

Executive Order (E.O.) 12866

The proposed rule does not meet the criteria for a significant rule requiring review by the Office of Management and Budget under E.O. 12866.

Regulatory Flexibility Act

The Department of the Interior has determined that the proposed rule will not have a significant effect on a substantial number of small entities. In general, the entities that engage in offshore activities are not, by definition, small due to the technical complexities and financial resources and experience necessary to safely conduct such activities. The indirect effect of this rulemaking on small entities that provide support for offshore activities has also been determined to be small.

Paperwork Reduction Act

The proposed rule contains no new reporting and information collection requirements.

Takings Implication Assessment

The DOI certifies that the proposed rule does not represent a governmental action capable of interference with constitutionally protected property rights. A Takings Implication Assessment prepared under E.O. 12630, Government Action and Interference with Constitutionally Protected Property Rights, is not required.

E.O. 12988

The DOI has certified to the Office of Management and Budget that the proposed rule meets the applicable reform standards provided in Section 3(b)(2) of E.O. 12988.

## National Environmental Policy Act

The DOI has determined that the proposed rule does not constitute a major Federal action significantly affecting the quality of the human environment; therefore, an environmental impact statement is not required.

## Unfunded Mandate Reform Act of 1995

This rule does not contain any unfunded mandates to State, local, or tribal governments or the private sector.

## List of Subjects in 30 CFR Part 256

Administrative practices and procedures, Continental shelf, Government contracts, Incorporation by reference, Oil and gas exploration, Public lands—mineral resources, Reporting and recordkeeping requirements, Surety bonds.

Dated: May 2, 1996.

Sylvia V. Baca,

*Assistant Secretary, Land and Minerals Management.*

For the reasons set forth in the preamble, we propose to amend 30 CFR part 256 as follows:

#### **PART 256—LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF**

1. The Authority citation for part 256 continues to read as follows:

Authority: 43 U.S.C. 1331 *et seq.*

2. Section 256.47(e)(2) is revised to read as follows:

##### **§ 256.47 Award of leases.**

\* \* \* \* \*

(e) \* \* \*

(2) The authorized officer must accept or reject the bid within 90 days. The authorized officer may extend the time period for acceptance or rejection of a bid for 30 days or longer, if circumstances warrant. Any bid not accepted within the prescribed time period, including any extension thereof, shall be deemed rejected.

\* \* \* \* \*

[FR Doc. 96-12167 Filed 5-14-96; 8:45 am]

BILLING CODE 4310-MR-M

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

[OH16-3-7264b; FRL-5439-5]

#### **Approval and Promulgation of Implementation Plans; Ohio**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The United States Environmental Protection Agency (USEPA) proposes to approve a State revision to the Ohio sulfur dioxide State Implementation Plan (SO<sub>2</sub> SIP), submitted on October 16, 1991, and supplemented on March 17, 1993. This revision revises the SO<sub>2</sub> emission limitations applicable to Hamilton County. The SIP revision was conditionally approved on August 23, 1994 (59 FR 43287), and the condition has been satisfied.

In the final rules section of this Federal Register, the USEPA is publishing a full approval of the State's SIP revision request as a direct final rule without prior proposal, because USEPA views this action as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to these actions, no further activity is contemplated in relation to this proposed rule.

If USEPA receives timely comments adverse to or critical of the approval, which have not been addressed by the State or USEPA, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be received on or before June 14, 1996.

**ADDRESSES:** Written comments should be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal and USEPA's analysis of it are available for inspection at: Air and Radiation Division, Air Programs Branch, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Mary Onischak, Environmental

Engineer, Air Programs Branch, (AR-18J), United States Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 353-5954.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule published in the rules section of this Federal Register.

Dated: February 14, 1996.

David A. Ullrich,

*Acting Regional Administrator.*

[FR Doc. 96-12120 Filed 5-14-96; 8:45 am]

BILLING CODE 6560-50-P

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Administration for Children and Families**

#### **45 CFR Part 1311**

RIN 0970-AB56

#### **Head Start Program**

**AGENCY:** Administration on Children, Youth and Families (ACYF), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Administration on Children, Youth and Families is issuing this Notice of Proposed Rulemaking to implement a new statutory provision authorizing the Secretary to create a Head Start Fellows Program for staff in local Head Start programs or other individuals working in the field of child development, child care, early childhood education, health, and family services.

**DATES:** In order to be considered, comments on this proposed rule must be received on or before July 15, 1996.

**ADDRESSES:** Please address comments to the Associate Commissioner, Head Start Bureau, Administration on Children, Youth and Families, P.O. Box 1182, Washington, D.C. 20013. Beginning 14 days after close of the comment period, comments will be available for public inspection in Room 2222, 330 C Street, S.W., Washington, D.C. 20201, Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m.

Comments that concern information collection requirements must be sent to the Office of Management and Budget at the address listed in the Paperwork Reduction Act section of this preamble. A copy of these comments may also be sent to the Department cited above.

**FOR FURTHER INFORMATION CONTACT:** Dennis Gray, Head Start Bureau,