

**DEPARTMENT OF THE INTERIOR****Minerals Management Service****30 CFR Part 206 and 208**

RIN 1010-AC09

**Meetings on Proposed Rule—Oil Valuation Establishment; Federal Royalty and Federal Leases Royalty Oil Sales**

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of revised meeting dates.

**SUMMARY:** This notice changes the dates for public meetings in Denver, Colorado, and Houston, Texas, to discuss a proposed rulemaking regarding the valuation of crude oil and royalty oil sales produced from mineral leases on Federal land. The new dates for the Denver and Houston meetings are April 15 and 17, 1997, respectively. The proposal was published in the Federal Register on January 24, 1997, (62 FR 3741). Comments on this rule must be submitted to Minerals Management Service (MMS) by April 28, 1997. The purpose of these meetings is to explain the proposed changes to the regulations governing the valuation for royalty purposes of crude oil produced from Federal leases and allow all interested parties to discuss the proposed rulemaking. Interested parties are invited to attend and participate at these meetings.

**DATES:** Public meetings will be held in Denver, Colorado, on April 15, 1997, from 10 a.m. to 4 p.m. Mountain time; and in Houston, Texas, on April 17, 1997, from 10 a.m. to 4 p.m. Central time.

**ADDRESSES:** The Denver Meeting will be held in the Veterans Affairs Building, 155 N. Van Gordon St., Lakewood, Colorado 80228, telephone number: (303) 914-5800.

The Houston Meeting will be held in the Houston Compliance Division Office, Minerals Management Service, 4141 North Sam Houston Parkway East, Houston, Texas 77032 telephone number: (281) 987-6802.

If you will be attending a meeting, please contact Mary Kay Reynolds at telephone number: (303) 275-7259 at least 2 days prior to the meeting.

**FOR FURTHER INFORMATION CONTACT:** David S. Guzy, Chief, Rules and Publications Staff, Minerals Management Service, Royalty Management Program, P.O. Box 25165, MS 3101, Denver, Colorado 80225-0165, telephone number: (303) 231-3432, fax number (303) 231-3194, e-Mail David \_\_Guzy@smtpt.mms.gov.

**SUPPLEMENTARY INFORMATION:** The meetings will be open to the public without advance registration. Public attendance may be limited to the space available. For building security measures, each person may be required to present a picture identification to gain entry to the meeting.

The meeting will be organized into two sessions:

- MMS presentation of proposed rule, 10 a.m. to 11 a.m.
- Public commenting on proposed rule, 11 a.m. to noon, and 1 p.m. to 4 p.m.

Members of the public may make statements during the meeting and are encouraged to file written statements for consideration.

Dated: February 19, 1997.

Joan Killgore,

*Acting Associate Director for Royalty Management.*

[FR Doc. 97-4490 Filed 2-19-97; 3:15 pm]

**BILLING CODE 4310-MR-M**

**Office of Surface Mining Reclamation and Enforcement****30 CFR Part 943**

[SPATS No. TX-033-FOR]

**Texas Regulatory Program and Abandoned Mine Land Reclamation Plan**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Texas regulatory program and abandoned mine land reclamation plan (hereinafter the "Texas program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of codification of the Texas Coal Mining Regulations in the Texas Administrative Code at Part 16, Economic Regulation, Chapter 12. The amendment is intended to conform the Texas Coal Mining Regulations to Texas Administrative Code formatting syntax, to correct typographical errors, and to allow for the publication of the rules in the Texas Administrative Code in full text rather than by reference.

**DATES:** Written comments must be received by 4:00 p.m., c.s.t., March 24, 1997. If requested, a public hearing on the proposed amendment will be held on March 18, 1997. Requests to speak at the hearing must be received by 4:00 p.m., c.s.t. on March 10, 1997.

**ADDRESSES:** Written comments and requests to speak at the hearing should be mailed or hand delivered to Ervin J. Barchenger, Acting Director, Tulsa Field Office, at the address listed below.

Copies of the Texas program, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Tulsa Field Office.

Ervin J. Barchenger, Acting Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma, 74135-6547, Telephone: (918) 581-6430.

Surface Mining and Reclamation Division, Railroad Commission of Texas, 1701 North Congress Avenue, P.O. Box 12967, Austin, Texas, 78711-2967, Telephone: (512) 463-6900.

**FOR FURTHER INFORMATION CONTACT:** Ervin J. Barchenger, Acting Director, Tulsa Field Office, Telephone: (918) 581-6430.

**SUPPLEMENTARY INFORMATION:****I. Background on the Texas Program**

On February 16, 1980, the Secretary of the Interior conditionally approved the Texas program. General background information on the Texas program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the February 27, 1980, Federal Register (45 FR 12998). Subsequent actions concerning the Texas program can be found at 30 CFR 943.10, 943.15, and 943.16.

**II. Description of the Proposed Amendment**

By letter dated January 30, 1997 (Administrative Record No. TX-633), Texas submitted a proposed amendment to its program pursuant to SMCRA. Texas submitted the proposed amendment at its own initiative. Texas proposes to codify the Texas Coal Mining Regulations (TCMR) in the Texas Administrative Code (TAC) at Part 16, Economic Regulation, Chapter 12 in full text rather than by reference.

Specifically, Texas proposes to codify TCMR Parts 700 through 850, pertaining to surface coal mining and reclamation operations, at TAC §§ 12.1 through 12.710. Texas also proposes to codify TCMR §§ 051.800 through 051.817, pertaining to the Texas abandoned mine

land reclamation program, at TAC §§ 12.800 through 12.817. The codification proposal includes conforming Texas' regulations to the Texas Administrative Code formatting syntax, correcting typographical errors, and making other editorial changes.

### III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is deemed adequate, it will become part of the Texas program.

#### Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the Tulsa Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

#### Public Hearing

Persons wishing to speak at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4 p.m., c.s.t. on March 10, 1997. The location and time of the hearing will be arranged with those persons requesting the hearing. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. If no one requests an opportunity to speak at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to speak have been heard. Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

#### Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public

hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the Administrative Record.

### IV. Procedural Determinations

#### Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

#### Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, 731, and 732 have been met.

#### National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

#### Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

#### Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have

a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

#### Unfunded Mandates

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or the private sector.

#### List of Subjects in 30 CFR Part 943

Intergovernmental relations, Surface mining, Underground mining.

Dated: February 7, 1997.

Brent Wahlquist,

Regional Director, Mid-Continent Regional Coordinating Center.

[FR Doc. 97-4340 Filed 2-20-97; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 175

#### Revitalizing Base Closure Communities and Community Assistance

**AGENCY:** Department of Defense, Office of the Deputy Under Secretary of Defense (Industrial Affairs and Installations).

**ACTION:** Proposed rule.

**SUMMARY:** This part promulgates policies and procedures for implementing section 2837 of the National Defense Authorization Act for FY96 concerning the Federal agency lease back of property transferred to Local Redevelopment Authorities (LRAs) at installations approved for closure or realignment.

**DATES:** Comments must be received by April 22, 1997.

**ADDRESSES:** Comments must be forwarded to the Base Closure and Community Reinvestment Office, 400 Army-Navy Drive, Suite 200, Arlington,