

Task	Number of respondents	Frequency of responses	Hours per response	Burden hours
Application Development .....	80	1	100	8,000
Award of Grant .....	23	1	24	552
Total Estimated Burden Hours: 8,552.				

Number of copies to be submitted to the Office of Lead Hazard Control for evaluation: Original and four (4) copies

*Status of the proposed information collection:* This is a new collection.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: December 2, 1998.

**David. E. Jacobs,**

*Director, Office of Lead Hazard Control.*

[FR Doc. 98-32562 Filed 12-8-98; 8:45 am]

BILLING CODE 4210-01-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Intent To Prepare a Supplement to a Final Environmental Impact Statement

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of intent to prepare a supplement to a final environmental impact statement.

**SUMMARY:** This notice advises the public that the Fish and Wildlife Service and National Marine Fisheries Service (Services) intend to prepare draft and final Supplemental Environmental Impact Statements (Supplement) pertaining to the Plum Creek Timber Company, Cascade Timberlands Habitat Conservation Plan (Plan). The Plan was accepted by the Services and an Incidental Take Permit (Permit) was originally issued in June 1996 for Plum Creek lands located in King and Kittitas Counties, Washington. The Supplement will address Plum Creek's request for HCP modification associated with a potential land exchange with the U.S. Forest Service (Forest Service). The Final Environmental Impact Statement (Statement) associated with the original Plan is not being re-opened or re-analyzed, and the decisions based on the original Statement are not being reconsidered.

The Services are furnishing this notice in order to advise other agencies and the public of our intentions. Formal public scoping will not be conducted, consistent with 40 CFR 1502.9(c)(4). However, public review and comment periods will be provided for the draft and final Supplement and their availability will be announced in the **Federal Register**.

**ADDRESSES:** Requests for information should be sent to William Vogel, Wildlife Biologist, Fish and Wildlife Service, 510 Desmond Drive, S.E., Suite 102, Lacey, Washington, 98503-1273, (telephone: 360/753-9440; facsimile: 360/534-9331); or Bob Turner, Habitat Conservation Plan Program Manager, National Marine Fisheries Service, 510 Desmond Drive, S.E., Suite 103, Lacey, Washington, 98503-1273 (telephone: 360/753-6054; facsimile: 360/753-9517).

**SUPPLEMENTARY INFORMATION:** The June 1996 Plum Creek Plan applied to a 169,177-acre Project Area located within a 418,690-acre Planning Area. The Planning Area is located within east King County and west Kittitas County, Washington, and is bisected by U.S. Interstate 90.

The potential land exchange would result in a transfer to the Forest Service of up to 54,000 acres of the 169,177-acre Project Area previously covered by Plum Creek's Permit and Plan, and the transfer of up to 12,000 acres of Forest Service lands within the 418,690-acre Planning Area to Plum Creek. If modified, the Plum Creek permit area would consist of approximately 127,000 acres.

The Permit allows Plum Creek to incidentally take threatened and endangered fish and wildlife and requires Plum Creek to implement a habitat-based, prescriptive management plan designed to minimize and mitigate such take. The 1996 Plan considered that Plum Creek lands managed under the Plan and Permit would likely change as a result of future land exchanges with the Forest Service. Consequently, the Plan and associated Implementation Agreement provide procedures and criteria to modify the Plan to accommodate the exchange of lands. The Plan describes two scenarios for land exchanges with the Forest Service whereby "the biological integrity of the Plan would be either maintained or improved."

The Supplemental Environmental Impact Statement will analyze Plum Creek's proposal in order to determine the environmental impact (beneficial or adverse) which would result from implementation of the Plan modification, as compared to the

original federal action (approval and implementation of the original Plan and issuance of an Incidental Take Permit).

Questions concerning this proposed action and the environmental review should be directed to the Fish and Wildlife Service or National Marine Fisheries Service at the address or telephone number provided above.

The environmental review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 USC 4321 *et seq.*), National Environmental Policy Act Regulations (40 CFR 1500-1508), other appropriate Federal laws and regulations, and policies and procedures of the Services for compliance with those regulations.

Dated: November 25, 1998.

**Thomas J. Dwyer,**

*Acting Regional Director, Region 1, Portland, Oregon.*

[FR Doc. 98-32054 Filed 12-8-98; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-340-1150-00]

#### Notice of Resource Advisory Council Meeting

**AGENCY:** Bureau of Land Management, Northwest California Resource Advisory Council, Kelseyville, California.

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to the authorities in the Federal Advisory Committees Act (Public Law 92-463) and the Federal Land Policy and Management Act (Public Law 94-579), the U. S. Bureau of Land Management's Northwest California Resource Advisory Council will meet Thursday and Friday, Jan. 21, and 22, 1999, at the Konocti Harbor Resort, Kelseyville, California.

**SUPPLEMENTARY INFORMATION:** The meeting begins at 10 a.m. Thursday, Jan. 21, in the Conference Room of the Konocti Harbor Resort. Agenda items include orientation matters, an update on BLM-California's Standards for Healthy Rangelands and Guidelines for Livestock Grazing, an update on

development of the BLM-California Strategic Plan, a status report on Headwaters, and a report on implementation of the Knoxville Management Plan. Managers of the BLM Arcata, Redding and Ukiah field offices will also present reports. Time will be reserved at 4 p.m. for public comments. Depending on the number of persons wishing to speak, a time limit may be established.

On Friday, Jan. 22, members will convene at 8 a.m. at the Konocti Harbor Resort lobby, and depart immediately for a tour of the Payne Ranch property which will be acquired for public use.

Members of the public are welcome on the tour, but they must provide their own transportation. The tour and meeting will conclude by noon.

**FOR ADDITIONAL INFORMATION:** Contact Joseph J. Fontana, public affairs officer, at (530) 257-5381.

**Joseph J. Fontana,**

*Public Affairs Officer.*

[FR Doc. 98-32675 Filed 12-8-98; 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 Review; Comment Request

**TITLE:** Solicitation for Comments: Royalty-in-Kind (RIK) Determination of Need.

**SUMMARY:** The Minerals Management Service (MMS), an agency of the U.S. Department of the Interior, is requesting written comments from interested parties—particularly from small and/or independent petroleum refiners—regarding their experiences in the crude oil marketplace. Specifically, we are interested in small and/or independent refiners' experiences in gaining access to adequate supplies of crude oil at equitable prices. This Determination of Need process will assist the Secretary of the Interior in deciding whether or not to conduct a sale(s) of Federal Government royalty oil under the Royalty-In-Kind (RIK) program.

**DATES:** Responses must be submitted on or before January 25, 1999.

**ADDRESSES:** Responses sent via the U.S. Postal Service should be sent to Tom Brozovich, Accounting and Reports Division, Minerals Management Service, Royalty Management Program, P.O. Box 25165, MS 3131, Denver, Colorado 80225-0165; courier address is Building 85, Room B513, Denver Federal Center,

Denver, Colorado 80225; e-mail address is [thomas.brozovich@mms.gov](mailto:thomas.brozovich@mms.gov).

**FOR FURTHER INFORMATION CONTACT:** Tom Brozovich, Accounting and Reports Division, phone 303-231-3351, FAX 303-231-3711, e-mail [thomas.brozovich@mms.gov](mailto:thomas.brozovich@mms.gov).

### Background Information

Under the provisions of the Mineral Leasing Act of 1920 (MLA), as amended (30 U.S.C. § 192), and the Outer Continental Shelf Lands Act (OCSLA) of August 7, 1953, as amended (43 U.S.C. § 1334, 1353), the Secretary of the Interior can take Federal royalty oil in kind, in lieu of royalty payment, and sell it to "eligible refiners" for use in their refineries. The oil RIK program is governed by the regulations at 30 CFR 208, effective December 1, 1987, (52 FR 41908, 10/30/1987).

An "eligible refiner," as defined at 30 CFR § 208.2, means a refiner of crude oil meeting the following criteria to purchase royalty oil:

(1) For the purchase of royalty oil from *onshore leases*, it means a refiner that has an operating refinery and qualifies as a small and independent refiner as those terms are defined in Sections 3(3) and 3(4) of the Emergency Petroleum Allocation Act, 15 U.S.C. 751 *et seq.* A refiner that, together with all persons controlled by, in control of, under common control with, or otherwise affiliated with the refiner, inputs domestic crude oil from its own production exceeding 30 percent of total refinery input is ineligible to participate in royalty sales under this part. (In other words, to be eligible under this part, the refiner must receive at least 70 percent of his feeder stock from unaffiliated sources.) Crude oil received in exchange for the refiner's own production is considered to be part of that refiner's own production for purposes of this section.

(2) For the purchase of royalty oil from *offshore leases*, it means a refiner that has an operating refinery and qualifies as a small business enterprise under the rules of the Small Business Administration (SBA) (13 CFR Part 121). The SBA standard for a small business within the Petroleum Refining Industry is less than or equal to 75,000 bbl per day, and less than or equal to 1,500 employees.

The regulation at 30 CFR § 208.4(a) governs the Determination of Need process and states that:

The Secretary may evaluate crude oil market conditions from time to time. The evaluation will include, among other things, the availability of crude oil and the crude oil requirements of the Federal Government, primarily those requirements concerning

matters of national interest and defense. The Secretary will review these items and will determine whether eligible refiners have access to adequate supplies of crude oil and whether such oil is available to eligible refiners at equitable prices. Such determinations may be made on a regional basis \* \* \*.

Given that existing RIK contracts (involving Gulf of Mexico and Pacific Region offshore leases) expire May 1, 1999, MMS has concluded that a Determination of Need would be most beneficial in any decision to hold future royalty oil sales.

**SUPPLEMENTARY INFORMATION:** While the RIK program has been an important source of crude oil for many refiners over the years, it has not been without its problems. From its heyday in the late 1970's and early to mid 1980's, the program has declined from over 60 active contracts (both onshore and offshore) to the current total of only six offshore contracts. Many factors have contributed to the diminished participation, including the following:

- The surplus of crude oil supplies on both the international and domestic markets, which has made it easier for small refiners to purchase the oil they need to run their refineries without having to rely on Federal royalty oil; and
- Complexities of the current program, which has been characterized as having burdensome reporting and administrative requirements and valuation uncertainty.

MMS has completed a study of the oil RIK program and is conducting a pilot (Eligible Refiner Oil RIK Pilot, OMB Control Number 1010-0109) to check the results of that study. The pilot is reviewing reporting and delivery issues symptomatic of the current program. This effort should be completed by the end of calendar year 1998, with formal recommendations for streamlining the program to be submitted to the Director, MMS, in early 1999. While it's premature to predict the exact nature or scope of forthcoming program changes, it's not unreasonable to expect:

- Changes to current regulations affording greater clarity and logical business practice in the areas of administrative fees, transportation allowances, operator delivery requirements, resolution of delivery imbalances and gravity bank adjustments, etc.; and
- Greater specificity and certainty with regard to RIK contract language, especially with regard to provisions addressing the valuation of RIK oil for billing purposes.

Consequently, the current program could undergo dramatic changes in the