

notice closes the land to mining under the United States mining laws, subject to valid existing rights.

#### New Mexico Principal Meridian

T. 16 S., R. 25 E.,  
sec. 33, SE $\frac{1}{4}$ ;  
sec. 34, SW $\frac{1}{4}$ ;  
sec. 35, S $\frac{1}{2}$ S $\frac{1}{2}$ .

T. 17 S., R. 25 E.,  
sec. 04: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ .

Containing 640.26 acres of mineral estate underlying FLETG private surface, in Eddy County New Mexico.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the New Mexico State Director, BLM, P.O. Box 27115, Santa Fe, NM 87502-6544.

Notice is hereby given that an opportunity for public meeting is afforded in connection with the proposed withdrawal. Public meeting requests must be submitted in writing to the New Mexico State Director, BLM, within 90 days from the date of publication of this notice.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the lands will be segregated as specified above unless the application is denied, canceled, or the land withdrawal is approved prior to that date. The temporary uses which may be permitted during the segregative period are licenses, permits, cooperative agreements, and discretionary land use authorizations of a temporary nature, but only with the approval of the authorized officer of the Bureau of Land Management.

The application will be processed in accordance with the regulations set forth in 43 CFR part 2300.

Dated: December 23, 2002.

**Cathy Queen,**

*Acting Field Manager.*

[FR Doc. 03-9378 Filed 4-16-03; 8:45 am]

BILLING CODE 4310-FB-P

## 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 an extension of a currently approved information collection (OMB Control Number 1010-0126).

**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. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements. The ICR is titled "Royalty-in-Kind (RIK) Pilot Program—Directed Communications by Operators of Federal Oil and Gas Leases."

**DATES:** Submit written comments on or before May 19, 2003.

**ADDRESSES:** Submit written comments directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (OMB Control Number 1010-0126), 725 17th Street, NW., Washington, DC 20503. Mail or hand-carry a copy of your comments to Sharron L. Gebhardt, Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 320B2, 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 email your comments to us at [mrm.comments@mms.gov](mailto: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 email, contact Ms. Gebhardt at (303) 231-3211.

**FOR FURTHER INFORMATION CONTACT:** Sharron L. Gebhardt, telephone (303) 231-3211, FAX (303) 231-3781, email [Sharron.Gebhardt@mms.gov](mailto:Sharron.Gebhardt@mms.gov). You may also contact Sharron Gebhardt to obtain a copy at no cost of the regulations that require the subject collection of information.

#### SUPPLEMENTARY INFORMATION:

*Title:* "Royalty-in-Kind (RIK) Pilot Program—Directed Communications by Operators of Federal Oil and Gas Leases."

*OMB Control Number:* 1010-0126.

*Bureau Form Number:* None.

*Abstract:* The Department of the Interior (DOI) is responsible for matters relevant to mineral resource development on Federal and Indian lands and the Outer Continental Shelf (OCS). The Secretary of the Interior (Secretary) under the Mineral Leasing Act (30 U.S.C. 192) and the OCS 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. MMS performs the royalty management functions for the Secretary.

Most royalties are now paid in value. For example, when a company or individual enters into a contract to develop, produce, and dispose of minerals from Federal lands, that company or individual agrees to pay the United States a share (royalty) of the full value received for the minerals taken from leased lands. MMS has undertaken several pilot programs to study the feasibility of taking the Government's royalty in the form of production, that is, as RIK.

Collection of RIK requires communication between MMS and the operators of a lease to assure accurate and timely delivery of MMS's royalty share of production volumes.

MMS, as responsible steward of oil and gas royalties, must direct operators of affected MMS leases to carry out three types of communication to take MMS's RIK crude oil or natural gas. The types of information that operators must provide are as follows:

(1) About 8-10 days before end of the month, report initial information about the projected volumes and qualities of RIK production the operator expects to make available in the next month, and corrections to those projected volumes and qualities for the month, submitted at varying frequencies during the month;

(2) When needed, report billing information about transportation/billing arrangements for the RIK to the delivery point, and

(3) Report month-end summary information (lease imbalance statement) about total RIK volumes and qualities needed to carry over to the next month to resolve aggregated imbalances that have incurred in prior months of RIK deliveries.

Experience with the Wyoming and Texas 8(g) Pilots demonstrate directed communication requirements differed according to the needs of each pilot situation. For example, in the Wyoming Pilot, RIK was delivered to the purchasers at the lease. Therefore, the direction to make transportation arrangements was included in "Dear Operator" letters issued to those operators. For these reasons, we are not requesting OMB approval of specific "Dear Operator" letters to operators but, instead, requesting OMB approval to continue collecting the three kinds of reporting requirements concerning

communications between operators and MMS. By obtaining continued approval for these three kinds of reporting requirements, MMS will be able to select the types of directed communications needed for each situation and include only those types in a "Dear Operator" letter appropriate to the operation.

The types of communication and the supporting data MMS will require operators to use in setting up the monthly delivery of RIK to the purchaser are standard business practices in the oil and gas industry. The information in the directed communication is essential to the delivery and acceptance of verifiable quantities and qualities of oil and gas and is exchanged as a normal part of the conduct of those business activities, even when the operators are not directed to do so.

In addition, due to their similarity, we are merging this ICR with OMB Control Number 1010-0130, Directed Communications between Operators of Federal RIK Leases and Deliverers of Equivalent Oil Production to the Strategic Petroleum Reserve (SPR).

On February 11, 1999, DOI announced that it would assist in an initiative to refill the SPR. This initiative involved collecting RIK oil production from Federal lessees in the Gulf of Mexico and transferring it to the Department of Energy (DOE). DOE issued contracts to companies to take

Federal RIK crude oil delivered by MMS's operators and, in exchange, to deliver to DOE's SPR an equivalent volume and quality of crude oil. DOE was projected to use 28 million barrels of RIK oil to refill the SPR.

On November 6, 2001, President Bush announced an initiative to refill the SPR. MMS, in coordination with DOE, entered into a joint, 3-year initiative to fill the remaining capacity of the SPR. Operators of Federal leases in the Gulf of Mexico will deliver MMS's royalty oil to MMS's exchange partner at or near the lease. MMS's exchange partner will then deliver similar quantities of crude oil to MMS or its designated agent at Gulf Coast market centers. MMS's designated agent will be either DOE or its exchange contractor. DOE will then contract for the exchange or direct movement of exchange oil to the SPR.

MMS, as responsible steward of oil royalties, must direct operators of affected MMS leases to carry out three types of communication with MMS. The types of information operators must provide are as stated previously.

These types of information are necessary so that DOE's exchange contractors can arrange to timely accept accurate amounts and qualities of royalty oil that will be delivered by MMS's exchange partner and for MMS to verify timely fulfillment of operators' and lessees' royalty obligations to the Federal Government.

MMS received OMB approval for the three types of communications between MMS operators and MMS rather than approval of a single "Dear Operator" letter directing these communications. By obtaining approval for these kinds of reporting requirements, MMS is able to draft situation-specific "Dear Operator" letters—that is, letters addressing only the types of directed communications and other issues relevant to the specific situation.

MMS is requesting OMB's approval to continue to collect this information. Not collecting this information would limit the Secretary's ability to discharge her duties. No proprietary information will be submitted to MMS under this collection. No items of a sensitive nature are collected. The requirement to respond is mandatory.

*Frequency:* Intra-Monthly (variable).

*Estimated Number and Description of Respondents:* 145 lessees or operators of Federal oil and gas leases participating in RIK.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 4,050 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. Therefore, we consider these to be usual and customary and took that into account in estimating the burden.

RESPONDENT ANNUAL BURDEN HOUR CHART

| Reporting requirement   | Burden hour per response | Annual number of responses | Annual burden hours |
|---|--------------------------|----------------------------|---------------------|
| Wyoming Oil (OMB Control Number 1010-0126) .....                    | 1                        | 100                        | 100                 |
| Natural Gas (Texas 8G and GOM) (OMB Control Number 1010-0126) ..... | 1                        | 3,600                      | 3,600               |
| GOM Oil (OMB Control Number 1010-0126) .....                        | 1                        | 50                         | 50                  |
| SPR Fill Initiative (OMB Control Number 1010-0130) .....            | 1                        | 300                        | 300                 |
| Totals .....  | .....                    | 4,050                      | 4,050               |

*Estimated Annual Reporting and Recordkeeping "Non-Hour Cost" Burden:* We have identified no cost burdens for this collection.

*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 December 21, 2002 (67 FR 79142), 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 this 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 May 19, 2003.

**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](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. Individual respondents may request that we withhold their home address from the public record, which we will honor to the extent 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 this 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:** Jo Ann Lauterbach, (202) 208-7744.

Dated: March 31, 2003.

**Lucy Querques Denett,**

*Associate Director for Minerals Revenue Management.*

[FR Doc. 03-9417 Filed 4-16-03; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act, the Clean Water Act, and the Clean Air Act

Notice is hereby given that on March 25, 2003, a proposed Settlement Agreement (the "Agreement") in *In re: Farmland Industries, Inc., et al.*, Case No. 02-50557, was lodged with the United States Bankruptcy Court for the Western District of Missouri.

In this settlement the United States resolves all but one <sup>1</sup> of the Environmental Protection Agency's pre-petition (presently known and outstanding) claims for cost recovery and civil penalties under CERCLA, the

Clean Water Act, and the Clean Air Act against Farmland Industries, Inc. The Settlement Agreement resolves EPA's claims for civil penalties in connection with three oil spills from pipelines owned and operated by Farmland, violations of "mobile source" regulations, 42 U.S.C. 7545(h) and (k), 40 CFR 105(a)(5)(v), 105(a)(6), 80.101(i), and 80.46(b) and (f), at Farmland's Coffeyville, Kansas refinery, and for cost recovery at six CERCLA sites at which Farmland Industries has been identified as a responsible party. The Settlement Agreement provides that the United States will have an allowed general unsecured claim totaling \$2,693,882.60, in settlement of the above-described claims.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Settlement Agreement. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *In re: Farmland Industries, Inc., et al.*, Case No. 02-50557, Bankruptcy Court for Western District of Missouri, D.J. Ref. # 90-5-1-1-06976/2,3.

The Settlement Agreement may be examined at the Office of the United States Attorney, 400 E. 9th Street, Kansas City, MO, 64106, and at U.S. EPA Region 7, 901 N. 5th Street, Kansas City, Kansas, 66101. During the public comment period, the Settlement Agreement may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/open.html>. A copy of the Settlement Agreement may also be obtained by mail from the Consent Decree Library, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$8.50 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Robert E. Maher, Jr.,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 03-9404 Filed 4-16-03; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended

Notice is hereby given that, on March 27, 2003, the United States lodged with the United States District Court for the District of Rhode Island a proposed Consent Decree with Kayser-Roth corporation ("Kayser-Roth") in *United States v. Kayser-Roth Corp.*, Civil Action No. 98-160ML (D.R.I.). In the action, which was filed in March, 1998, the United States brought a claim against Kayser-Roth, pursuant to section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9607(a), seeking to recover past unreimbursed costs and prejudgment interest incurred with respect to the Stamina Mills, Inc. Superfund Site located in North Smithfield, Rhode Island (the "Site").

Pursuant to the terms of the proposed Consent Decree, Kayser-Roth has agreed to pay the United States, within 30 days of entry of the Decree, an amount equal to the sum of (a) \$7,169,432, plus interest accruing from September 30, 2002 and (b) \$45,211, plus interest accruing from October 17, 2002. The United States has agreed to provide Kayser-Roth with a covenant not to sue, pursuant to section 107(a) of CERCLA, 42 U.S.C. 9607(a), for Past Response Costs, which are defined as all costs that the Environmental Protection Agency paid at or in connection with the site through May 31, 2002 or that the Department of Justice, on behalf of the environmental Protection Agency, paid at or in connection with the Site through May 31, 2002, plus accrued interest on such costs. The United States has also agreed to extend the covenant to Collins & Aikman Products Co., Inc., which has provided an indemnity to Kayser-Roth in connection with the Site.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, PO Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Kayser-Roth Corp.*, Civil Action No. 98-160ML (D.R.I.), DOJ No. 90-11-2-356B. A copy of the comments should also be sent to Donald G. Frankel, Trial Attorney, Environmental Enforcement Section, Environment and Natural Resources Division, U.S. Department of Justice, One Gateway Center, Suite 616, Newton, Massachusetts 02458.

The proposed Consent Decree may be examined at EPA Region 1, One

<sup>1</sup> The one known EPA claim against Debtors not resolved by the subject settlement agreement arises in connection with violations of Clean Air Act regulations at Debtor's Coffeyville, Kansas refinery. EPA has filed a Proof of Claim in the bankruptcy reserving the right to pursue Debtor for this claim.