of eligibility from the Bureau of Indian Affairs to BLM,

• Clarify at § 2530.14 the eligibility requirements of children of living allotment applicants and orphaned children,

• Itemize at § 2530.16 the information applicants need to provide in their applications,

• Describe the requirements for obtaining a trust patent at subpart 2531, including successfully completing the 2-year settlement period on the allotment and meeting all other requirements, and

• At subpart 2533, address the requirements for getting applications approved for Indian allotments on public domain national forest lands. These include submitting applications to the District Ranger or Forest Supervisor and documentation to show one or more of the following: (1) You are not entitled to an allotment on an existing reservation, (2) you belong to a tribe without a reservation, or (3) you belong to a reservation that is insufficient in size to accommodate allotments for the members of the tribe.

Paperwork Reduction Act Requirements

The proposed regulations inadvertently stated that the information requirements in the rule were not subject to the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* and did not require approval from the Office of Management and Budget (OMB). The information requirements are in fact subject to OMB approval. We therefore request your comments on the information requirements, including any comments you may have in the following areas;

• Whether collecting the information is necessary for the proper functioning of BLM, including whether the information will have practical utility;

• The accuracy of BLM's estimate of the burden of collecting the information, including the validity of the methodology and assumptions used;

• The quality, utility, and clarity of the information to be collected; and

• How to minimize the burden of collecting the information on those who are to respond, including the use of appropriate automated electronic, mechanical, or other forms of information technology.

The information requirements in the proposed regulations and the estimated burden for complying with the requirements are as follows:

Type of information	Estimated burden (in hours)
Pre-application visit to BLM	1
Application for new allotment, including plan of development and certificate of eligibility	0.5
List of heirs and their relationship to allottee	0.25
Application for trust patent	2
Application for extension of time to meet requirements ..	1

BLM estimates that the following average annual number of respondents for each of the actions given in the table: Five pre-application visits; five applicants for new allotments filing applications with BLM; three applicants giving a list of heirs; two applicants filing for trust patents, and one applicant filing for an extension of time in which to prove the allotment. Based on the burden estimates given in the table, the total annual burden for complying with the information is 13 hours.

If you would like a copy of the proposed information collection or the proposed rule, please contact the BLM Information Collection Officer listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

Dated: June 25, 1999.

Michael Schwartz,

Manager, Regulatory Affairs Group.

[FR Doc. 99–18082 Filed 7–14–99; 8:45 am]

BILLING CODE 4310–84–M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket RSPA–99–5455]

RIN 2137–AC34

Areas Unusually Sensitive to Environmental Damage

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of initiating pilot testing.

SUMMARY: RSPA is pilot testing a model that identifies areas unusually sensitive to environmental damage from a hazardous liquid pipeline release, commonly referred to as unusually sensitive areas (USAs). The USA model was created through a series of public workshops and the work of the American Petroleum Institute (API). RSPA and API will be working together on this pilot test. Other government agencies, environmental groups, and academia will be evaluating the final results of this pilot test. The pilot test will be conducted in three states: Texas, Louisiana, and California. The purpose of the pilot testing is to determine if the model can be used to identify and locate unusually sensitive drinking water and ecological resources using available data from government agencies and environmental organizations. The pilot test will also help evaluate the USA model, determine if the model identifies the majority of unusually sensitive drinking water and ecological resources, and the appropriateness and accessibility of environmental data to support the model. RSPA will publish for public comment the results of the pilot test, technical analysis, and the proposed USA model once the pilot test and analysis are complete.

ADDRESSES: Persons interested in receiving future information, including copies of the final pilot results, should send their name, affiliation, address, and phone number to Christina Sames, U.S. Department of Transportation, Office of Pipeline Safety, 400 Seventh Street SW, DPS–11, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Christina Sames, (202) 366–4561, or e-mail *christina.sames@rspa.dot.gov,* about this document, or the Dockets Unit, U.S. Department of Transportation, Plaza 401, 400 Seventh Street, SW, Washington, DC 20590–0001, (202) 366–5046, for copies of this document or other material in the docket, including material from previous workshops. The public may also review material in the docket by accessing the Docket Management System's home page *at http://dms.dot.gov.* An electronic copy of any document published in the **Federal Register** may be downloaded from the Government Printing Office Electronic Bulletin Board Service at (202) 512–1661.

SUPPLEMENTARY INFORMATION:

Legislative History

The pipeline safety statute (49 U.S.C. 60109) requires the Secretary of Transportation to prescribe standards that establish criteria for identifying each hazardous liquid pipeline facility and gathering line, whether or not the pipeline is subject to safety regulation under 49 U.S.C. Chapter 601, located in an area that the Secretary, in consultation with the Environmental Protection Agency (EPA), describes as unusually sensitive to environmental damage in the event of a hazardous liquid pipeline accident. When describing USAs, the Secretary is to

consider areas where a pipeline rupture would likely cause permanent or long-term environmental damage. These areas are to include:

1. Locations near pipeline rights-of-way that are critical to drinking water, including intake locations for community water systems and critical sole source aquifer protection areas; and

2. Locations near pipeline rights-of-way that have been identified as critical wetlands, riverine or estuarine systems, national parks, wilderness areas, wildlife preservation areas or refuges, wild and scenic rivers, or critical habitat areas for threatened and endangered species.

Public Workshops

RSPA has held five public workshops on USAs. Participants at the workshops have included representatives from the EPA; the hazardous liquid pipeline industry; the Departments of Interior, Agriculture, Transportation, and Commerce; non-government agencies; academia; and the public.

The first workshop was held on June 15 and 16, 1995, and focused on criteria being considered to determine USAs (60 FR 27948, May 26, 1995; Docket PS–140(a)). A second workshop held on October 17, 1995, focused on developing a process that could be used to determine whether an area is a USA (60 FR 44824, August 29, 1995; Docket PS–140(b)). The third workshop on January 18, 1996, focused on guiding principles for determining USAs (61 FR 342, January 4, 1996; Docket PS–140(c)). The fourth workshop held April 10–11, 1996, (61 FR 13144, March 26, 1996; Docket PS–140(d)) focused on criteria, components, and parameters of terms that have been used when describing USAs and the scope and objectives of additional USA workshops.

A fifth workshop was held June 18–19, 1996, (61 FR 27323, May 31, 1996; Docket PS–140(e)) and focused on identifying critical drinking water resources and possible filtering criteria that could be used to identify drinking water resources that are unusually sensitive to a hazardous liquid pipeline release. The critical drinking water resources that were identified in that workshop include public water systems, wellhead protection areas, and sole source aquifers. Filtering criteria include the depth and geology of a drinking water resource and if the public water system has an adequate alternative drinking water supply. Transcripts of and information presented at these public workshops are in the Docket.

API Work

In addition to the five public workshops, the American Petroleum Institute (API) held two meetings with technical experts to discuss unusually sensitive ecological resources. The meetings were held on October 23–24, 1996, and June 25–26, 1997. Representatives of RSPA, EPA, the Departments of Interior, Commerce, and Agriculture, and The Nature Conservancy attended these meetings. Attendees discussed possible ecological USA candidates and filtering criteria that could be used to determine which ecological resources are unusually sensitive to damage from a hazardous liquid pipeline release. The significant ecological resources that were identified during the meetings include threatened and endangered species, critically imperiled and imperiled species, depleted marine mammals, and areas containing a large percent of the world's population of a migratory waterbird species. Filtering criteria focused on the extent to which a species is endangered, areas that are critical to multiple sensitive species, and areas where a large percent of a species population could be impacted. Notes from these technical meetings are in the Docket.

Guiding Principles

Attendees at the third public workshop identified guiding principles to be used in the process of determining USAs. Government agencies, industry, environmental groups and the public created these guiding principles to help us identify which resources we should concentrate on (areas of primary concern), determine which areas of primary concern are the most sensitive to a hazardous liquid release, decide how to collect and process resource data, and determine what happens to USAs after they are identified. The guiding principles created in the workshop discuss resources to be protected and a process for identifying USAs. The following is the list of the guiding principles that pertain to the pilot test:

- Human health and safety and serious threat of contamination are always to be considered.
- A functional definition of significant must be developed to determine USAs.
- Only areas in the trajectory of a potential spill, e.g. down gradient, should be considered.
- It is expected that no pipeline operator will be required to collect natural field resource data to determine USAs.
- USAs should be subject to a systematic review process. USAs may change through time as species migrate, change location or for other reasons. The USA definition should be explicit and practical in application.
- All phases of the USA definition process should be pilot tested for validity, practicality, and workability, to the extent practical.
- The government agencies must describe and identify USAs so that the data will be applied consistently and will not be subject to various interpretations. The standards and criteria for resource sensitivity should be uniform on a national basis such that equivalent resources receive equivalent sensitivity assessments regardless of regionally based response priorities.
- Sources of USA data must be readily available to the public and uniform in criteria and standards. The standards and criteria for resource sensitivity should be uniform on a national basis so that equivalent resources receive equivalent sensitivity assessments regardless of regionally based priorities.

In addition to the guiding principles, workshop attendees discussed the following items, but did not consider them guiding principles:

- Workshops for each phase of developing a USA definition should include technical experts, representatives, and field personnel with appropriate experience from agencies as well as from industry.
- Public workshops should be used to gather information on the criteria that will determine USAs.
- The USA definition should be complete before its use in a rulemaking.
- The implementation of resource assessment and protection under the USA definition could be phased.
- All terms in the USA definition should be defined.
- National consistency in application of the USA definition should be the goal.
- Guidelines for data quality should include consistency, accuracy, and scope.
- Encourage open communication with land or resource managers in USAs.
- The ranking of resources or adding of values of several resources to reach a threshold USA quantity, as proposed in the May 1995 workshop, is not practical for many pipeline operators.

Pilot Test

RSPA and API will be working together on this pilot test. Other Federal and state government agencies, environmental organizations, and academia will be evaluating the final results of this pilot in a technical

review. The purpose of the pilot test is to determine if the model can be used to identify and locate unusually sensitive drinking water and ecological resources using available data from government agencies and environmental organizations.

RSPA and API will conduct the pilot test in the states of Texas, California, and Louisiana. These states were chosen because of the large number of liquid pipelines and drinking water and ecological resources within these states. API will use the results of the pilot test to create a voluntary industry guidance document on USAs. RSPA will use the pilot results to verify that the model identifies the majority of unusually sensitive areas, the accessibility and appropriateness of environmental data to support the model, and to move toward completing a definition of unusually sensitive areas.

The USA pilot test will include the following tasks:

- Identify pertinent drinking water data that have been created and maintained by Federal or state government agencies, environmental groups, or private organizations. This includes data on public drinking water systems, aquifers, sole source aquifers, wellhead protection areas, alternative drinking water resources, and aquifer vulnerabilities.
- Identify pertinent ecological data that have been created and maintained by Federal or state government agencies, environmental groups, or private organizations. This includes data on threatened and endangered species, critically imperilled and imperilled species, depleted marine mammal species, and areas containing a large percentage of the world's population of a migratory waterbird species.
- Identify data on land features, such as the location of wetlands, rivers, transportation networks, and water routes (including flow direction).
- Obtain, where possible, all pertinent drinking water, ecological, and land feature data. Document all problems encountered in gathering the data.
- Determine if the obtained data can be used with the draft USA model to identify and locate USAs. This would include reviewing the data for accuracy, attributes, format, restrictions on use, and determining if the resources and features were mapped with sufficient precision.
- Process the data, using a geographic information system (GIS), according to the draft USA model. Identify all problems encountered in processing the data.
- Compare the USA pilot results to other preservation area identification efforts, where possible, and to all threatened and endangered specie areas.
- Provide the final USA pilot results to other drinking water and ecological resource experts within Federal and state government agencies (e.g., the Departments of Interior, Agriculture, Commerce, Environmental Protection Agency, state drinking water agencies), academia, environmental organizations (e.g., The Nature Conservancy, state heritage programs), and private industry for review of whether the model results identify the majority of ''unusually'' sensitive areas within the three states.
- Modify, if necessary, the USA model based on the pilot test and comments received from drinking water and ecological resource experts.
- Publish the results of the pilot test, the technical review, and the draft USA model for public comment.

Technical Review

Drinking water and ecological resource experts will conduct a technical review of the pilot test to determine whether the model results identify the majority of ''unusually'' sensitive areas within the three states. These experts include the Department of Interior's Office of the Secretary, Fish and Wildlife Service, and National Park Service; the Department of Agriculture's Forest Service; the Department of Commerce's National Marine Fisheries Service; the Environmental Protection Agency's Office of Groundwater and Drinking Water, Office of Solid Waste and Emergency Response, and regional offices; state nature conservancies and heritage programs; state drinking water resource agencies; academia and other environmental experts.

These peer reviewers will help to identify other data sets that might be utilized and other resources that might be considered, and to improve the model's capability to identify the majority of ''unusually'' sensitive areas within the three states. The technical review will include experts that have not been directly involved in drafting the USA model.

RSPA will publish for public comment the final pilot test results and the USA model, including the criteria for defining unusually sensitive drinking water and ecological resources. Persons interested in receiving and reviewing this information should send their name, affiliation, address, and phone number to Christina Sames, U.S. Department of Transportation, Office of Pipeline Safety, 400 Seventh Street SW, DPS–11, Washington, DC 20590–0001. RSPA will also publish the final results of the USA pilot on the Office of Pipeline Safety's Web page: *http://ops.dot.gov*. RSPA will use the final pilot results and comments received to move toward completing a USA model and definition through publication of a NPRM. RSPA intends to publish the NPRM by the end of this year.

RSPA will also present the USA pilot project and its results to the Technical Hazardous Liquid Pipeline Safety Standards Committee (THLPSSC). The THLPSSC is responsible for reviewing proposed federal hazardous liquid pipeline safety standards and reporting on their feasibility, reasonableness, and practicability. Representatives on the THLPSSC include the Minerals Management Service, City of Fredericksburg Virginia, U.S. Department of Agriculture, U.S. Department of Commerce, Virginia State Corporation Commission, Environmental Defense Fund, The Nature Conservancy, Kenai Peninsula, Atlantic Consultants, Southwest Research Institute, Buckeye Pipe Line, Lakehead Pipe Line, Kinder Morgan Energy Partners, and Mobil Pipe Line.

Issued in Washington, DC.

Stacey L. Gerard,

Director, Policy, Regulations and Training.

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