

involved. Lessees also are expected to report such thefts promptly to local law enforcement agencies and internal company security.

#### Subpart F—Penalties

##### **§ 226.67 What are the penalties for violations of lease terms?**

Violation of any of the terms or conditions of any lease or of the regulations in this part shall subject the lease to termination by the Superintendent after consultation with the Osage Minerals Council; or the lessee to a fine of not more than \$1000 per day for each day of noncompliance with the written orders of the Superintendent; or to both such fine and lease termination. The dollar amount of penalties under this section shall be adjusted as specified in § 226.70. All penalties and fines shall be paid to the Superintendent in the form of a money order, cashier's check or electronic funds transfer.

##### **§ 226.68 What are the penalties for violation of certain operating regulations?**

In lieu of the penalties provided under § 226.67, penalties may be imposed by the Superintendent for violation of certain sections of the regulations of this part as follows, with the dollar amounts in this section adjusted as specified in § 226.70:

(a) For failure to obtain permission to start operations required by § 226.34(a), \$150 per day.

(b) For failure to file records required by § 226.56, \$150 per day until compliance is met.

(c) For failure to mark wells or tank batteries as required by § 226.58, \$150 per day for each well or tank battery.

(d) For failure to construct and maintain pits as required by § 226.44(b) and (d), \$150 for each day after operations are commenced on any well until compliance is met.

(e) For failure to comply with § 226.60 regarding control of wells, \$250 per day.

(f) For failure to notify Superintendent before drilling, redrilling, deepening, plugging, or abandoning any well, as required by §§ 226.34(b) through (c) and 226.49, \$400 per day.

(g) For failure to properly care for and dispose of deleterious fluids as provided in § 226.44(e), \$1,000 per day until compliance is met.

(h) For failure to file plugging reports as required by § 226.53(d) and for failure to file reports as required by § 226.26, \$150 per day for each violation until compliance is met.

(i) For failure to perform or start an operation within 5 days after ordered by

the Superintendent in writing under authority provided in this part, if said operation is thereafter performed by or through the Superintendent, the actual cost of performance thereof, plus 25 percent.

(j) For failure to maintain adequate bonding as required by § 226.9, \$500 per day.

(k) Whenever a transporter fails to permit inspection for proper documentation by any authorized representative of the Superintendent, the transporter shall be liable for a civil penalty of up to \$1,000 per day for the violation, not to exceed a maximum of 20 days, dating from the date of notice of the failure to permit inspection and continuing until the proper documentation is provided.

##### **§ 226.69 What are the penalties for providing false, inaccurate, or misleading information; or engaging in unlawful acts?**

(a) The lessee or its authorized representative is hereby notified that criminal procedures are provided by 18 U.S.C. 1001 for knowingly filing fraudulent reports and information.

(b) Any person shall be liable for a civil penalty of up to \$25,000 per violation for each day such violation continues, not to exceed a maximum of 20 days if he/she:

(1) Knowingly or willfully prepares, maintains or submits false, inaccurate or misleading reports, notices, affidavits, records, data or other written information required by this part; or

(2) Knowingly or willfully takes or removes, transports, uses or diverts any oil or gas or other marketable product from any lease without having valid legal authority to do so; or

(3) Purchases, accepts, sells, transports or conveys to another any oil or gas or other marketable product knowing or having reason to know that such oil or gas was stolen or unlawfully removed or diverted from a lease.

(c) The dollar amount of penalties under this section shall be adjusted as specified in § 226.70.

##### **§ 226.70 How are fees and penalties scaled?**

(a) Whenever the settlement value for a barrel of oil under § 226.18 in any month is greater than \$100 in the month preceding the assessment of any dollar amount in §§ 226.14, 226.62(c), 226.67, and 226.68, the dollar amount shall be adjusted by dividing by 100 and multiplying by the Settlement Price for Oil for the preceding month.

(b) Fines and penalties under this part that are not received within 10 days after notice of the fine or penalty shall be subject to late charges at the rate of

not less than 1½ percent per month for each month or fraction thereof until paid, or such other rate as may be set by the Superintendent after consultation with the Osage Minerals Council. The Osage Minerals Council, subject to the approval of the Superintendent, may waive the late charge.

#### Subpart G—Appeals and Notices

##### **§ 226.71 Who can file an appeal?**

Any person, firm or corporation aggrieved by any decision or order issued by or under the authority of the Superintendent, by virtue of the regulations in this part, may appeal pursuant to 25 CFR part 2.

##### **§ 226.72 Are the notices by the Superintendent binding?**

Notices and orders issued by the Superintendent to the representative shall be binding on the lessee. The Superintendent may in his/her discretion increase the time allowed in his/her orders and notices.

##### **§ 226.73 Information collection.**

The collections of information in this part have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned OMB Control Number 1076–0XXX. Response is required to obtain a benefit. A Federal agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Dated: August 16, 2013.

**Kevin K. Washburn,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 2013–20764 Filed 8–27–13; 8:45 am]

BILLING CODE 4310–02–P

## DEPARTMENT OF THE TREASURY

### Alcohol and Tobacco Tax and Trade Bureau

#### 27 CFR Part 9

[Docket No. TTB–2013–0004; Notice No. 135A; Re: Notice No. 135]

RIN 1513–AB96

### Proposed Establishment of the Eagle Peak Mendocino County Viticultural Area and Realignment of the Mendocino and Redwood Valley Viticultural Areas; Comment Period Reopening

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

**ACTION:** Notice of proposed rulemaking; reopening of comment period.

**SUMMARY:** The Alcohol and Tobacco Tax and Trade Bureau is reopening the comment period for Notice No. 135, Proposed Establishment of the Eagle Peak Mendocino County Viticultural Area and Realignment of the Mendocino and Redwood Valley Viticultural Areas, a notice of proposed rulemaking published in the **Federal Register** on June 27, 2013. TTB is taking this action in response to a request from an interested party.

**DATES:** For Notice No. 135, the proposed rule published on June 27, 2013 (78 FR 38618), written comments are now due on or before October 28, 2013.

**ADDRESSES:** You may send comments on Notice No. 135 to one of the following addresses:

- <http://www.regulations.gov> (via the online comment form for Notice No. 135 as posted within Docket No. TTB-2013-0004 at "Regulations.gov," the Federal e-rulemaking portal);
- *U.S. Mail:* Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; or
- *Hand delivery/courier in lieu of mail:* Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Suite 200E, Washington, DC 20005.

See the Public Participation section of this notice for specific instructions and requirements for submitting comments, and for information on how to request a public hearing.

You may view copies of the petition, Notice No. 135, selected supporting materials, and all public comments associated with this proposal within Docket No. TTB-2013-0004 at <http://www.regulations.gov>. You also may view copies of the petition, Notice No. 135, the supporting materials, and all public comments associated with this proposal by appointment at the TTB Information Resource Center, 1310 G Street NW., Washington, DC 20005. Please call 202-453-2270 to make an appointment.

**FOR FURTHER INFORMATION CONTACT:** Karen A. Thornton, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street NW., Box 12, Washington, DC 20005; telephone 202-453-1039, ext. 175.

**SUPPLEMENTARY INFORMATION:** In Notice No. 135, a notice of proposed rulemaking published in the **Federal Register** on June 27, 2013 (78 FR 38618), the Alcohol and Tobacco Tax and Trade Bureau (TTB) requested public comment on the proposed establishment of the approximately 26,260-acre "Eagle Peak Mendocino County" American viticultural area in northern California. The same document also proposed

minor realignments of the existing "Mendocino" (27 CFR 9.93) and "Redwood Valley" (27 CFR 9.153) viticultural areas in order to eliminate any potential overlaps with the proposed Eagle Peak Mendocino County viticultural area. The 60-day comment period for Notice No. 135, originally closed on August 26, 2013.

On August 20, 2013, TTB received a letter from a Washington, DC attorney requesting a 60-day extension of the comment period for Notice No. 135 in order to review the proposal "to ensure that it does not adversely affect any interests related to the requested viticultural area." (This request is posted as Comment 7 within Docket No. TTB-2013-0004 at [www.regulations.gov](http://www.regulations.gov)).

In response to this request, TTB reopens the comment period for Notice No. 135 for an additional 60 days. Therefore, comments on Notice No. 135 are now due on or before October 28, 2013.

#### Drafting Information

Michael D. Hoover of the Regulations and Rulings Division drafted this notice.

Dated: August 22, 2013.

**John J. Manfreda,**  
*Administrator.*

[FR Doc. 2013-20950 Filed 8-27-13; 8:45 am]

**BILLING CODE 4810-31-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2013-0639]

RIN 1625-AA09

#### Drawbridge Operation Regulation; Hackensack River, Kearny and Jersey City, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to temporarily modify the operating schedule that governs the Route 1 & 9 (Lincoln Highway) Bridge across the Hackensack River, mile 2.0, between Kearny and Jersey City, New Jersey. The bridge owner, New Jersey Department of Transportation, submitted a request to restrict bridge openings during the morning and afternoon rush hour periods to alleviate traffic congestion resulting from area roadway closures. It is expected that this change to the regulations would provide relief to

vehicular traffic while continuing to meet the reasonable needs of navigation.

**DATES:** Comments and related material must be received by the Coast Guard on or before October 28, 2013.

**ADDRESSES:** You may submit comments identified by docket number USCG-2013-0639 using any one of the following methods:

(1) *Federal Rulemaking Portal:*

<http://www.regulations.gov>.

(2) *Fax:* 202-493-2251.

(3) *Mail or Delivery:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, 20590-0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. The telephone number is 202-366-9329.

See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments. To avoid duplication, please use only one of these four methods.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or email Mr. Joe Arca, Project Officer, First Coast Guard District Bridge Program, telephone 212-668-7165, email [joe.m.arca@uscg.mil](mailto:joe.m.arca@uscg.mil). If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Tables of Acronyms

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
FR	Federal Register
NPRM	Notice of Proposed Rulemaking
§	Section Symbol
U.S.C.	United States Code

#### A. Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change to <http://www.regulations.gov> and will include any personal information you have provided.

##### 1. Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG-2013-0639), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (<http://www.regulations.gov>)