

individuals is a process and that a system will evolve over time as it is implemented and periodically reevaluated. As recipients take reasonable steps to provide meaningful access to federally assisted programs and activities for LEP persons, DOI will look favorably on any intermediate steps the recipients take that are consistent with this Guidance, and that, as part of a broader implementation plan or schedule, move their service delivery system toward providing full access to LEP persons. This does not excuse noncompliance but instead recognizes that full compliance in all activities of recipients and for all potential language minority groups reasonably may require a series of implementing actions over a period of time. However, in developing any phased implementation schedule, DOI recipients should ensure that they first provide appropriate assistance for significant LEP populations and activities having a significant impact on the health, safety, legal rights, or livelihood of beneficiaries. Recipients are encouraged to document their efforts to provide LEP persons with meaningful access to federally assisted programs and activities.

Dated: December 17, 2003.

**P. Lynn Scarlett,**

*Assistant Secretary—Policy, Management, and Budget.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ES-020-03-1320-EL]

#### Notice of Availability of Draft Land Use Analysis/Environmental Assessment, Public Comment Period and Public Hearing

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The Bureau of Land Management's Eastern States, Jackson Field Office, has prepared a Draft Land Use Analysis/Environmental Assessment (LUA/EA) to address coal lease application ALES-51589.

**DATES:** Written comments must be postmarked on or before January 31, 2004 and provided to the below address.

**ADDRESSES:** Written comments must be provided to the Bureau of Land Management, Jackson Field Office, 411 Briarwood, Suite 404; Jackson, MS 39206.

**Public Hearing:** The public hearing will be held on January 8, 2004 at 7 p.m. in the Berry Community Center located at 104 Barnes Avenue, Berry, Alabama. Written comments may be provided by members of the public regardless if they attend the hearing.

**FOR FURTHER INFORMATION CONTACT:** Lars Johnson, Bureau of Land Management, Jackson, Mississippi, at (601) 977-5400.

**SUPPLEMENTARY INFORMATION:** The LUA/EA has been prepared in cooperation with the Office of Surface Mining and the Alabama Surface Mining Commission. Public comments are requested on the LUA/EA and fair market value (FMV) and maximum economic recovery (MER) of the tracts included in the lease application proposed to be offered for competitive lease sale. The coal in the tracts would be mined by underground methods. The tracts located in Sections 14, 15, 21, 22, 27, 28, 31, and 33, T 16 S, R 10 W, Huntsville Meridian in Fayette County, Alabama; encompass 2,887.2 acres.

Estimated recoverable federal reserves from the Pratt Seam are 10.789 million tons of federal coal. The proximate analysis of the coal is as follows: moisture—2.8%, ash—10%, volatiles—36.1%, fixed carbon—51.3%, Btu/lb—13,000 and sulfur—2.1%.

The public is invited to comment on the FMV and MER of the tracts proposed to be offered for lease and on factors that may affect FMV and MER. In addition, the LUA/EA is available on request from the below-listed contact person and address. A public hearing will be held on the FMV, MER and LUA/EA.

Comments that address the effect of mining the coal (underground methods) on the environment, as presented in the LUA/EA, are solicited. The public review period for the LUA/EA will be from December 23, 2003 to January 31, 2004. A public hearing will be held, as indicated below.

Procedures for leasing federal coal are provided by 43 CFR 1600 and 3400. The notice to prepare this LUA/EA was published in the **Federal Register** on June 20, 2003 (Volume 68, Number 119; pages 37017-37018). This notice of availability of the LUA/EA, public comment period and public hearing are required by 43 CFR 3422.1 and 43 CFR 3425.3.

As provided by 43 CFR 3422.1(a), proprietary data marked as confidential may be provided in response to this solicitation of public comments. Data so marked shall be treated in accordance with the laws and regulations governing the confidentiality of such information. A copy of the comments submitted by

the public on FMV and MER, except those portions identified as proprietary and meeting exemptions stated in the Freedom of Information Act, will be available for public inspection at the Bureau of Land Management office noted above.

Comments on FMV and MER should address, but are not limited to the following factors:

1. The method of mining to be employed in order to obtain MER,
2. The method of determining FMV for the coal to be offered.

If you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act (FOIA), you must state this prominently at the beginning of your written comments. Such requests will be honored to the extent allowed by FOIA. All submissions from organizations, businesses and individuals identifying themselves as representatives or officials of organizations or businesses will be available for public inspection in entirety.

Dated: October 10, 2003.

**Sid Vogelpohl,**

*Acting Field Manager, Jackson Field Office.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-060-1320-EL] WYW150210, WYW150318, WYW151134, WYW151643, WYW154001]

#### Notice of Availability of South Powder River Basin Coal Final Environmental Impact Statement, Wyoming

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Availability (NOA) of a Final Environmental Impact Statement (FEIS) on four maintenance lease applications received for five Federal coal tracts in the decertified Powder River Federal Coal Production Region, Wyoming.

**SUMMARY:** Under the National Environmental Policy Act (NEPA), implementing regulations and other applicable statutes the Bureau of Land Management (BLM) announces the availability of the South Powder River Basin Coal FEIS.

The FEIS analyzes the impacts of issuing five Federal coal leases in the Wyoming portion of the Powder River Basin. The tracts are being considered for sale as a result of coal lease applications received from existing

companies operating mines in the Wyoming Powder River Basin.

**DATES:** Written comments on the FEIS will be accepted for 30 days following the date that the Environmental Protection Agency (EPA) publishes their NOA of the FEIS in the **Federal Register**. The BLM will notify all parties on this project's mailing list of the dates when comments will be accepted.

**ADDRESSES:** Please address questions, comments, or concerns to the Casper Field Office, Bureau of Land Management, Attn: Nancy Doelger, 2987 Prospector Drive, Casper, Wyoming 82604, fax them to (307) 261-7587, or send e-mail comments to the attention of Nancy Doelger at [wymail@blm.gov](mailto:wymail@blm.gov). Copies of the FEIS are available for public inspection at the following BLM office locations: Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82009; Bureau of Land Management, Casper Field Office, 2987 Prospector Lane, Casper, Wyoming 82604.

**FOR FURTHER INFORMATION CONTACT:** Nancy Doelger or Mike Karbs at the above address, or telephone: (307) 261-7600.

**SUPPLEMENTARY INFORMATION:** The five Federal coal tracts being considered for leasing are adjacent to four mines located south and east of Wright, Wyoming. The operators of these mines applied to lease the tracts as maintenance tracts to extend the life of their existing mining operations under the provisions of the Leasing on Application regulations at 43 CFR 3425. The following paragraphs provide descriptions of the tracts as they were applied for.

On March 10, 2000, Powder River Coal Company applied for a maintenance coal lease for approximately 4,500 acres (approximately 564 million tons of recoverable coal) in two tracts adjacent to the North Antelope/Rochelle Mine Complex in Campbell County, Wyoming. The tracts, which are referred to as the NARO North Lease by Application (LBA) Tract and the NARO South LBA Tract, were assigned case numbers WYW150210 and WYW154001, respectively:

#### **NARO North—WYW150210**

T. 42 N., R. 70 W., 6th PM, Wyoming,  
Sec. 28: Lots 5 thru 16;  
Sec. 29: Lots 5 thru 16;  
Sec. 30: Lots 9 thru 20;  
T. 42 N., R. 71 W., 6th PM, Wyoming,  
Sec. 25: Lots 5 thru 15;  
Sec. 26: Lots 7 thru 10;  
Sec. 35: Lots 1, 2, 7 thru 10, 15, 16.

Containing 2,369.38 acres, more or less.

#### **NARO South—WYW 154001**

T. 41 N., R. 70 W., 6th PM, Wyoming,  
Sec. 19: Lots 6 thru 11, 12 (S½), 13 thru 20;  
Sec. 20: Lots 5 (S½), 6 (S½), 7 (S½), 6 (S½), 8 (S½), 9 thru 16;  
Sec. 21: Lots 5 (S½), 12, 13;  
Sec. 28: Lots 3 thru 6, 11, NE¼SW¼;  
Sec. 29: Lots 1 thru 12;  
Sec. 30: Lots 5 thru 12;

Containing 2,133.635 acres, more or less.

On March 23, 2000, Ark Land Company applied for a maintenance coal lease for approximately 2,799.5 acres (approximately 383.6 million in-place tons of coal) adjacent to the Black Thunder Mine in Campbell County, Wyoming. The tract, which is referred to as the Little Thunder LBA Tract, was assigned case number WYW150318. According to the application, the coal is needed to maintain existing mining operations at the Black Thunder Mine and would be used for electric power generation. On June 14, 2001, Ark Land Company filed an application to modify the Little Thunder LBA Tract. As currently filed, the tract includes approximately 3449.3 acres and 440 million tons of recoverable coal reserves.

#### **Little Thunder—WYW150318**

T. 43 N., R. 71 W., 6th PM, Wyoming,  
Sec. 2: Lots 5, 6, 11 thru 14, 19, 20;  
Sec. 11: Lots 1, 2, 7 thru 10, 15, 16;  
Sec. 12: Lots 2 (W½ & SE¼), 3 thru 16;  
Sec. 13: Lots 1 thru 16;  
Sec. 14: Lots 1, 2, 6 thru 9, 14, 15;  
Sec. 24: Lots 1 thru 16;  
Sec. 25: Lots 1, 2, 7 thru 10, 15, 16.  
T. 44 N., R. 71 W., 6th PM, Wyoming,  
Sec. 35: Lots 1, 2, 7 thru 10, 15, 16.  
Containing 3,449.317 acres, more or less.

On July 28, 2000, Triton Coal Company applied for a maintenance coal lease for approximately 1870.6 acres (approximately 173.2 million in-place tons of coal) adjacent to the North Rochelle Mine in Campbell County, Wyoming. The tract, which is referred to as the West Roundup LBA Tract, was assigned case number WYW151134.

#### **West Roundup—WYW151134**

T. 42 N., R. 70 W., 6th PM, Wyoming,  
Sec. 6: Lots 8-19, 20 (N½), 21 (N½), 22 (N½), 23 (N½);  
Sec. 7: Lots 5 (S½), 6 (S½), 7 (S½), 8 (S½), 9 thru 14;  
Sec. 8: Lots 1 (SW¼), 2 (S½), 3 (S½), 4 (S½), 5 thru 12;  
Sec. 9: Lots 5 (SW¼), 11, 12, 14;  
T. 43 N., R. 70 W., 6th PM, Wyoming,  
Sec. 31: Lots 13 thru 20.  
T. 42 N., R. 71 W., 6th PM, Wyoming,  
Sec. 1: Lots 5, 6, 11 thru 13.  
Containing 1,870.638 acres more or less.

On September 12, 2000, Antelope Coal Company applied for a

maintenance coal lease for approximately 3,500 acres (approximately 292.5 million in-place tons of coal) adjacent to the Antelope Mine in Campbell and Converse Counties, Wyoming. The tract, which is referred to as the West Antelope LBA Tract, was assigned case number WYW151643. On June 27, 2001, Antelope Coal Company filed an application to modify the West Antelope LBA Tract. As currently filed, the tract includes approximately 3,542 acres and 293.9 million tons of in place coal reserves. According to the application, mining this coal would extend the life of the existing mine and the coal would be mined for sale to electrical power generating plants.

#### **West Antelope—WYW151643**

T. 40 N., R. 71 W., 6th PM, Wyoming,  
Sec. 3: Lots 15 thru 18;  
Sec. 4: Lots 5 thru 20;  
Sec. 5: Lots 5 thru 7, 10 thru 15, 19, 20;  
Sec. 9: Lot 1;  
Sec. 10: Lots 3, 4;  
T. 41 N., R. 71 W., 6th PM, Wyoming,  
Sec. 28: Lots 1 thru 16;  
Sec. 29: Lots 1 thru 16;  
Sec. 32: Lots 1 thru 3, 6 thru 11, 14 thru 16;  
Sec. 33: Lots 1 thru 16.  
Containing 3,542.19 acres more or less.

Each of the mines adjacent to the LBA tracts described above (the North Antelope/Rochelle, Black Thunder, North Rochelle, and Antelope mines, respectively) has an approved mining and reclamation plan from the Land Quality Division of the Wyoming Department of Environmental Quality and an approved air quality permit from the Air Quality Division of the Wyoming Department of Environmental Quality. Each of these mines has previously acquired one or more maintenance coal leases using the LBA process.

The Powder River Regional Coal Team (RCT) reviewed these competitive applications at public meetings held on October 25, 2000, in Cheyenne, Wyoming, and May 30, 2002, in Casper, Wyoming. At the most recent meeting, the RCT recommended that BLM continue to process these LBAs.

The Draft Environmental Impact Statement (DEIS) was mailed to the public in February 2003. The EPA and the BLM each published a Notice of Availability in the **Federal Register** on February 7 and February 20, 2003, respectively. A formal public hearing on these applications was held, pursuant to 43 CFR 3425.4 at 7:00 P.M. MDT on March 4, 2003, at the Best Western Tower West Lodge, 109 N. U.S. Highway 14-16, Gillette, Wyoming. The

purpose of the hearing was to solicit public comments on the DEIS, the fair market value, the maximum economic recovery, and the proposed competitive sale of the coal included in each of the proposed five tracts. The 60-day comment period on the DEIS ended on April 11, 2003.

The draft and final EIS analyze leasing each of the five tracts as applied for (described above) as a separate Proposed Action. As part of the coal leasing process, BLM has identified and is evaluating other tract configurations for these tracts which add or subtract Federal coal to avoid bypassing coal or to increase competitive interest in the unleased Federal coal in this area. The tract configurations that BLM has identified for each tract are described and analyzed as alternatives in the EIS. The EIS also analyzes the alternative of rejecting each application to lease Federal coal as the No Action Alternative for each tract.

The agency-preferred alternatives are identified in the FEIS. The agency-preferred alternative varies for each tract, depending on which tract configuration is determined to best advance the public interest in avoiding bypassing Federal coal and increasing competitive interest in obtaining the fair market value of the Federal coal. The Proposed Actions and Alternatives that are considered in the EIS are in conformance with the "Approved Resource Management Plan for Public Lands Administered by the Bureau of Land Management Buffalo Field Office" (April 2001), the USDA Forest Service "Final EIS for the Northern Great Plains Revision" (May 2001) and the BLM "Platte River Resource Area Resource Management Plan" (1985).

The USDA Forest Service (Forest Service) is a cooperating agency in the preparation of the EIS. The surface of some of the land included for consideration for leasing in three of the tracts (NARO North, Little Thunder, and West Roundup) is National Forest System land administered by the Forest Service as part of the Thunder Basin National Grasslands.

The Office of Surface Mining Reclamation and Enforcement (OSM) is a cooperating agency in the preparation of this EIS. If the tracts are leased as maintenance tracts, each new lease must be incorporated into the existing mining and reclamation plan for the adjacent mine and the Secretary of the Interior must approve each revision to the MLA (Mineral Leasing Act) mining plan for each mine before the Federal coal in each tract can be mined. OSM is the Federal agency that would be responsible for recommending approval,

approval with conditions, or disapproval of the revised MLA mining plans to the office of the Secretary of the Interior if any or all of these tracts are leased.

Eleven written comments were received during the comment period on the Draft EIS, and four were recorded at the public hearing. The issues that were identified in the comment letters and at the hearing included potential conflicts with existing conventional oil and gas coalbed methane development; potential cumulative impacts of increasing mineral development in the Powder River Basin; validity and currency of resource data; public access; potential impacts to threatened and endangered species and other species of concern; potential cumulative air quality impacts; and potential impacts of nitrogen oxide emissions resulting from blasting of coal and overburden.

A separate Record of Decision (ROD) will be prepared for each of the five LBA tracts being considered for leasing. Comments received on the FEIS will be considered during preparation of the RODs.

Comments, including names and street addresses of respondents, will be available for public review at the Bureau of Land Management, Casper Field Office, 2987 Prospector Drive, Casper, Wyoming, during regular business hours (8 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Dated: October 23, 2003.

**Alan L. Kesterke,**

*Associate State Director.*

[FR Doc. 03-31836 Filed 12-23-03; 8:45 am]

**BILLING CODE 4310-22-M**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of extension of an information collection (1010-0043).

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), MMS is inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) concerns the paperwork requirements in the regulations under 30 CFR 250, Subpart F, "Oil and Gas Well-Workover Operations."

**DATES:** Submit written comments by February 23, 2004.

**ADDRESSES:** Mail or hand carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Processing Team; Mail Stop 4024; 381 Elden Street; Herndon, Virginia 20170-4817. If you wish to e-mail comments, the address is: [rules.comments@mms.gov](mailto:rules.comments@mms.gov). Reference "Information Collection 1010-0043" in your e-mail subject line and mark your message for return receipt. Include your name and return address in your message.

**FOR FURTHER INFORMATION CONTACT:** Arlene Bajusz, Rules Processing Team at (703) 787-1600. You may also contact Arlene Bajusz to obtain a copy, at no cost, of the regulations that require the subject collection of information.

#### SUPPLEMENTARY INFORMATION:

*Title:* 30 CFR 250, Subpart F, Oil and Gas Well-Workover Operations.

*OMB Control Number:* 1010-0043.

*Abstract:* The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

Section 5(a) of the OCS Lands Act requires the Secretary to prescribe rules and regulations "to provide for the prevention of waste, and conservation of the natural resources of the Outer Continental Shelf, and the protection of correlative rights therein" and to include provisions "for the prompt and