

applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Dated: December 21, 2007.

**Lisa J. Lierheimer,**

*Senior Permit Biologist, Branch of Permits,  
Division of Management Authority.*

[FR Doc. E8-667 Filed 1-15-08; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-130-1020-AL; GP8-0040]

#### Notice of Cancellation of Public Meeting, Eastern Washington Resource Advisory Council Meeting

**AGENCY:** Bureau of Land Management, U.S. Department of the Interior.

**ACTION:** Notice of cancellation of public meeting.

**SUMMARY:** The upcoming meeting for the U.S. Department of the Interior, Bureau of Land Management (BLM) Eastern Washington Resource Advisory Council is cancelled.

**DATES:** BLM previously scheduled the meeting for January 17, 2008, at the BLM Spokane District Office, 1103 N. Fancher Rd., Spokane Valley, WA 99212.

**SUPPLEMENTARY INFORMATION:** A notice announcing meeting was published in the **Federal Register** on December 13, 2007.

**FOR FURTHER INFORMATION CONTACT:** Scott Pavey, BLM Spokane District, 1103 N. Fancher Rd., Spokane Valley, WA, 99212 or call (509) 536-1200.

Dated: January 9, 2008.

**Robert B. Towne,**

*District Manager.*

[FR Doc. E8-632 Filed 1-15-08; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ID-300-1020-PH; DDG080001]

#### Notice of Public Meeting, Idaho Falls District Resource Advisory Council Meeting

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

**ACTION:** Notice of public meetings.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S.

Department of the Interior, Bureau of Land Management (BLM) Idaho Falls District Resource Advisory Council (RAC), will meet as indicated below.

**DATES:** The RAC will next meet in Idaho Falls, Idaho on February 19 and 20, 2008. Meeting topics include update on Pocatello Resource Management Plan and decisions on Recreation Resource Advisory Council items. Other topics will be scheduled as appropriate. All meetings are open to the public.

**SUPPLEMENTARY INFORMATION:** The 15-member Council advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in the BLM Idaho Falls District (IFD), which covers eastern Idaho.

All meetings are open to the public. The public may present written comments to the Council. Each formal Council meeting will also have time allocated for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Individuals who plan to attend and need special assistance, such as sign language interpretation, tour transportation or other reasonable accommodations, should contact the BLM as provided below.

**FOR FURTHER INFORMATION CONTACT:** Joanna Wilson, RAC Coordinator, Idaho Falls District, 1405 Hollipark Dr., Idaho Falls, ID 83401. Telephone (208) 524-7550. E-mail: [Joanna\\_Wilson@blm.gov](mailto:Joanna_Wilson@blm.gov).

Dated: January 8, 2008.

**Joanna Wilson,**

*RAC Coordinator, Public Affairs Specialist.*

[FR Doc. E8-612 Filed 1-15-08; 8:45 am]

BILLING CODE 4310-GG-P

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Royalty-in-Kind (RIK) Eligible Refiner, Determination of Need

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Solicitation of comments.

**SUMMARY:** The Minerals Management Service (MMS), an agency of the U.S. Department of the Interior, is requesting written comments from interested parties, particularly refiners who qualify under the RIK eligible refiner program, regarding their experiences in the crude oil marketplace. Specifically, we are interested in eligible 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 continue with sales of Federal Government royalty crude oil under the RIK eligible refiner program.

**DATES:** Submit written comments on or before *March 3, 2008*.

**ADDRESSES:** Submit written comments to Colin Bosworth, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 330B2, Denver, Colorado 80225. If you use an overnight courier service or wish to hand-carry your comments, our courier address is Building 85, Room A-614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225. You may also e-mail your comments to us at [mrm.comments@mms.gov](mailto:mrm.comments@mms.gov). Include the title of this **Federal Register** notice in the "Attention" line of your comment. Also include your name and return address. If you do not receive a confirmation that we have received your e-mail, contact Mr. Bosworth at (303) 231-3186.

**FOR FURTHER INFORMATION CONTACT:** Armand Southall, telephone (303) 231-3221, FAX (303) 231-3781, or e-mail [armand.southall@mms.gov](mailto:armand.southall@mms.gov).

#### SUPPLEMENTARY INFORMATION:

**Introduction:** 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 crude oil in kind, in lieu of royalty payment, and sell it to eligible refiners for use in their refineries. The sale of royalty crude oil from Federal leases by the United States to eligible refiners is governed by the regulations at 30 CFR part 208, effective December 1, 1987, published in the **Federal Register** on October 30, 1987 (52 FR 41908).

To purchase royalty crude oil under the eligible refiner program, an eligible refiner, as defined at 30 CFR 208.2, means a crude oil refiner meets the following criteria:

(1) For the purchase of royalty oil from onshore leases, it means a refiner that 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.*, except that the time period for determination contained in section 3(3)(A) would be the calendar quarter immediately preceding the date of the applicable "Notice of Availability of Royalty Oil."

The Emergency Petroleum Allocation Act of 1973 (Public Law No. 93-159; 87

Stat. 627) defines a small refiner as a refiner who:

(a) Obtained directly or indirectly more than 70 percent of its refinery input of domestic crude oil, or 70 percent of its refinery input of domestic and imported crude oil, from producers who do not control, are not controlled by, and are not under common control with, such refiner; and

(b) marketed or distributed in such quarter and continues to market or distribute a substantial volume of gasoline refined by it through branded independent marketers or non-branded independent marketers.

Additionally, the term "small refiner" means a refiner whose total refinery capacity, including the refinery capacity of any person who controls, is controlled by, or is under common control with such refiner, does not exceed 175,000 barrels per day. Crude oil received in exchange for the refiner's own production is considered to be part of the refiner's own production for purposes of this section.

In addition, 30 CFR 208.2 defines eligible refiner for the purchase of royalty oil from offshore leases as follows:

(2) For the purchase of royalty oil from leases on the Outer Continental Shelf, it means a refiner that qualifies as a small business enterprise under the rules of the Small Business Administration (13 CFR part 121).

The Small Business Administration (SBA), as updated and published in the **Federal Register** on March 28, 2003 (68 FR 15047), states the following:

The SBA standard for a small business within the Petroleum Refining Industry is a concern with a total Operable Atmospheric Crude Oil Distillation Capacity of less than or equal to 125,000 barrels per calendar day, and that has no more than 1,500 employees. Capacity includes owned or leased facilities as well as facilities under a processing agreement or an arrangement such as an exchange agreement or throughput.

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 \* \* \*.

Under its rules, the SBA draws no distinction between offshore and onshore oil purchases; thus, for a refiner to qualify as an eligible refiner, the refiner must have no more than 1,500

employees regardless of onshore or offshore oil purchases.

**Background:** The MMS established the eligible refiner program to ensure fair and equitable prices for eligible refiners as defined at 30 CFR 208.2. Historically, these eligible refiners have supplied U.S. military functions with jet fuel and other energy needs on military and naval bases. In the past, the MMS found that the eligible refiner program provided the following benefits to eligible refiners:

- Stability of supply;
- Access to domestic oil streams;
- Ease of hardship on obtaining capital.

The RIK eligible refiner program has been an important source of crude oil for eligible refiners in the past. In September 2007, there were three eligible refiners participating in the eligible refiner program. However, beginning in October 2007, the number of participating refiners was two. This decline in participation can be partially attributed to a number of eligible refiners merging, thus becoming ineligible, along with the removal of Pacific and onshore properties from the eligible refiner program.

In 1997, MMS undertook an examination of the RIK eligible refiner program and determined that it should use a "proactive, structured, and documented methodology" to conduct future RIK Determinations of Need. The MMS performed a full analysis in 1999; an update of that analysis in 2001; another full analysis in 2003; and an update to that previous analysis in 2005. These analyses supported MMS's continuation of the program, and each was followed by subsequent RIK sales to eligible refiners. The intent of the current analysis is for MMS to determine the need for the program in the market's current state and to make a recommendation concerning the program's continuation.

**Information Requested:** To assist MMS in completing this Determination of Need, please respond in writing to the following questions:

(1) Indicate your position as it relates to the domestic crude oil market:

- (a) Small/Independent Refiner
- (b) Large Refiner
- (c) Oil Producer
- (d) Oil Transporter
- (e) Oil Marketer
- (f) Other (please specify)

(2) Describe your experience with the domestic crude oil market and your perception of the need for the eligible refiner program.

(3) What is your perception of whether a benefit exists in conducting separate sales for onshore and offshore Federal lease crude oil?

(4) Under the definition criteria outlined above, are you an eligible refiner of offshore lease crude oil, onshore lease crude oil, or both?

If you answered yes to any of the categories in question (4), please address all the questions that follow. If you have multiple refineries, please respond to questions (a) through (i) for each refinery:

(a) For your immediate region or geographic area of operation, how would you characterize the general availability of crude oil?

(b) Is your refinery operating at full or near-full capacity in both summer and winter? If not, why not?

(c) What is the slate of refined products and their volumes from your refinery over each of the past 12 months?

(d) What percentage of onshore versus offshore crude oil volumes do you currently run through your refinery?

(e) What type of crude oil do you need to sustain your mix of refined products (e.g., Wyoming Sour, Heavy Louisiana Sweet, Light Louisiana Sweet, etc.)?

(f) Have you been denied access to crude oil supplies in the past 18 months? If yes, what was the basis for the denial? For example, was the denial attributable to unavailability of desired crude oil, a lack of access to the transportation pipeline, or other reasons? Please provide documentation supporting any claim of denial.

(g) Do you use exchange agreements? Why?

(h) Are the feeder stocks you purchase priced above market value for your geographic area? In other words, do you pay a bonus or premium because of your status as an eligible refiner? Please identify, by crude oil type, what you pay on the average barrel of crude oil.

(i) Have you previously participated in the Federal royalty oil program? If you left the program, why did you leave? How would you now benefit from receiving Federal royalty oil? If you have never participated in the program, what has deterred you from participating?

(j) Do you currently provide refined products (e.g., heating oil, jet fuel, etc.) to a U.S. military base or Federal installation? If yes, identify the recipient facility and how long you have been supplying refined products.

(k) Do you anticipate any near term developments that would change your access to necessary supplies of crude oil at equitable prices?

Potential respondents should note that MMS's decision to conduct a Determination of Need in no way presupposes that there will or will not be subsequent eligible refiner RIK sales.

A Determination of Need is a logical first step in identifying general marketplace conditions. However, any MMS decision to conduct additional RIK eligible refiner sales will necessarily be predicated on the regulatory criteria of "access" and "equity," *i.e.*, whether a significant number of refiners have limited or no access to the marketplace and/or have experienced difficulty in negotiating a fair price for feeder stocks.

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) requires us to inform you that this information is being collected by MMS under an approved information collection, OMB Control Number 1010-0119, titled "30 CFR Part 208—Sale of Federal Royalty Oil; Sale of Federal Royalty Gas; and Commercial Contracts." All correspondence, records, or information received, in response to this Notice and specifically in response to the questions listed above, are subject to disclosure under the Freedom of Information Act (FOIA). All information provided will be made public unless the respondent identifies which portions are proprietary. Please highlight the proprietary portions, including any supporting documentation, or mark the page(s) that contain proprietary data. Proprietary information is protected by the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1733), FOIA (5 U.S.C. 552 (b)(4)), the Indian Minerals Development Act of 1982 (25 U.S.C. 2103), and Department regulations (43 CFR 2). 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. Public reporting burden is estimated to be 4 hours per response. Comments on the accuracy of this burden estimate, or suggestions on reducing this burden, should be directed to the Information Collection Clearance Officer, MMS, MS-4230, 1849 C Street, NW., Washington, DC 20240.

Dated: January 10, 2008.

**Lucy Querques Denett,**

*Associate Director for Minerals Revenue Management.*

[FR Doc. E8-624 Filed 1-15-08; 8:45 am]

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## DEPARTMENT OF LABOR

### Proposed Information Collection Request of the ETA-9000, on Internal Fraud Activities Report; Comment Request

**AGENCY:** Employment and Training Administration.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addresses section of this notice or by accessing: <http://www.doleta.gov/OMB/OMBControlNumber.cfm>.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before March 17, 2008.

**ADDRESSES:** Send comments to Susan Hilliard, U.S. Department of Labor, Employment and Training Administration, Office of Workforce Security, 200 Constitution Avenue, NW., Frances Perkins Bldg., Room S-4519, Washington, DC 20210, telephone number (202) 693-3068 (this is not a toll-free number) or by e-mail: [hilliard.susan@dol.gov](mailto:hilliard.susan@dol.gov).

**SUPPLEMENTARY INFORMATION:** I. The ETA-9000 is the only data source available on instances of internal fraud activities within the Unemployment Insurance (UI) program and the results of safeguards that have been implemented to deter and detect instances of internal fraud. The report categorizes the major areas susceptible to internal (employee) fraud and provides actual and "estimated" (predictability or cost avoidance measures) workload. The information from this report has been used and will be used to review Internal Security (IS) operations and obtain information on composite shifting patterns of nationwide activity and effectiveness in

the area of internal fraud identification and prevention. The Employment and Training Administration (ETA) has used this report to assess the overall adequacy of Internal Security procedures in States' UI programs.

II. Desired Focus of Comments: Currently, the Employment and Training Administration, Office of Workforce Security is soliciting comments concerning the proposed extension of the collection for the ETA-9000 Report on Internal Fraud Activities.

Comments are requested to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions: Continued collection of the ETA-9000 data will provide for a comprehensive evaluation of the UI Internal Security program. The data are collected annually, and an analysis of the data received is formulated into a report summarizing internal fraud cases uncovered by the 53 SWAs.

*Type of Review:* Extension without change.  
*Agency:* Employment and Training Administration (ETA).  
*Title:* ETA-9000, Report on Internal Fraud Activities.

*OMB Number:* 1205-0187.  
*Agency Number:* ETA-9000.  
*Affected Public:* 53 State governments.

*Total Respondents:* 53.  
*Frequency:* Annually.  
*Total Responses:* 53 States.  
*Total Average Time per Response:* 3 hours.

*Estimated Total Burden Hours:* 159 hours.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$0.

Comments submitted in response to this notice will be summarized and/or