

and less interference with other uses and users.

Because the rule will result in no taking of private property and no impairment of property rights, the Department certifies that this rule does not represent a governmental action capable of interference with constitutionally protected property rights, as required by Executive Order 12630.

The Department has certified to the Office of Management and Budget that these regulations meet the applicable standards provided in sections 2(a) and 2(b)(2) of Executive Order 12778.

The information collection requirement(s) contained in part 2920 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1004-0009.

#### List of Subjects for 43 CFR Part 2920

Public lands, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, and under the authority of 43 U.S.C. 1740, the proposed rule published at 55 FR 48810, November 21, 1990, which would amend part 2920, group 2900, subchapter B, chapter II, Subtitle B, Title 43 of the Code of Federal Regulations, is proposed to be amended as follows:

#### PART 2920—PERMITS AND LEASES, PRINCIPLES AND PROCEDURES

1. The authority citation for part 2920 is revised to read as follows:

**Authority:** 43 U.S.C. 1740.

2. Section 2920.0-5 in the proposed rule is further amended by adding in alphabetical order definitions to read as follows:

##### § 2920.0-5 Definitions.

\* \* \* \* \*

*Full permit* means an authorization for an activity that would result in more than minimal impacts on public lands, or their resources or improvements, as measured by the criteria set forth in § 2921.7, or for which reclamation or restoration requires more than minimal effort.

*Hazardous material* means any substance that is listed as hazardous, toxic, or dangerous, or defined as nuclear or byproduct material, under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 *et seq.*, the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6901 *et seq.*, the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 *et seq.*, or the regulations issued under

those laws. The term does not include petroleum, including crude oil or any fraction thereof, unless the substance is specifically listed or designated as a hazardous substance under 42 U.S.C. 9601(14), nor does it include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

*Location* means each place on public lands used for film production purposes.

*Minimum impact permit* means an authorization for an activity that would likely result in little or no damage to public lands, or their resources or improvements, as measured by the criteria set forth in § 2921.7, and which damaged resources can be easily reclaimed or restored.

*Staging area* means each place on public lands used for parking, catering, and off-set construction associated with film production.

*Wetlands* means areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support and which, under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions.

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3. Section 2920.0-5 in the proposed rule is further amended by revising the definition of "casual use" to read as follows:

##### § 2920.0-5 Definitions.

\* \* \* \* \*

*Casual use* means noncommercial activities occurring on an occasional or irregular basis that ordinarily result in negligible disturbance of public lands, or their resources or improvements, and require no reclamation or restoration.

4. Section 2921.2 in the proposed rule is further amended by adding paragraph (c) to read as follows:

##### § 2921.2 Terms and conditions.

\* \* \* \* \*

(c)(1) The lessee or permittee must furnish to the authorized officer a copy of any report required or requested by any Federal, State, or local government agency regarding any release of hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 *et seq.* (CERCLA) in excess of the reportable quantity established by 40 CFR part 117.

(2) The lessee or permittee must report any release of a hazardous substance as defined in CERCLA in excess of the reportable quantity

established by 40 CFR part 117, or any oil spill, as required under CERCLA and the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300), and must send copies of such reports to the authorized officer within 5 days.

(3) The lessee or permittee must notify the authorized officer within 5 days if there is a significant variation from the authorized use with respect to hazardous materials and their use, generation, or storage.

5. Section 2921.4 of the proposed rule is redesignated as section 2921.5.

6. Section 2921.3 of the proposed rule is further amended by redesignating paragraph (f) as section 2921.4, redesignating paragraph (e) as paragraph (f), and adding paragraph (e) to read as follows:

##### § 2921.3 Prohibited acts.

\* \* \* \* \*

(e) Additional prohibited acts not related to trespass include but are not limited to:

(1) Failure to comply with any of the terms and conditions imposed under § 2921.2 of this part;

(2) Failure to comply with any permit or lease stipulations required by the authorized officer;

(3) Transfer of a lease to another party prior to written approval by the authorized officer;

(4) Use of a permit after the expiration date or for purposes other than those specified in the permit;

(5) Use of a lease after the expiration date or for purposes other than those specified in the lease without the written approval of the authorized officer;

(6) Failure to comply with any Bureau of Land Management notice or temporary suspension order;

(7) Failure to pay any required fee or payment;

(8) Failure to comply with requirements for restoration, revegetation, and curtailment of erosion of the land surface, or any other reclamation measure determined necessary by the authorized officer.

(9) Subleasing lands leased under this part.

(10) Treatment or disposal of hazardous materials on leased or permitted lands.

(11) Disposal of solid wastes as defined in the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6901 *et seq.*, and the regulations issued under that Act.

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7. Section 2921.3(f) of the original proposed rule is redesignated as section 2921.4 and revised to read as follows: