

Community Development Act of 1992 (Pub. L. 102-550, approved Oct. 28, 1992). Section 132 establishes a demonstration program to facilitate self-sufficiency and to permit the homeownership sale of single family homes administered by the Housing Authority of the City of Omaha in the State of Nebraska. The purpose of the demonstration is to exhibit the effectiveness of promoting homeownership and providing support services.

This document corrects § 907.8(d) of that final rule, to include certain amendatory language that was described in the preamble to the final rule, but inadvertently omitted from the rule text. On page 4345 of the final rule (60 FR 4345), in paragraph II.2., in the second column, the preamble states: "Additionally, in response to the Housing Authority's comment above, the final rule includes as eligible homebuyers both current residents and applicants for public housing. Since HUD has changed the rule in this manner, the Housing Authority must comply with §§ 907.7(b), 907.8(d), and 907.20(n)." However, while the preamble indicated that § 907.8(d) would be amended to recognize that applicants for public housing could also be eligible homebuyers, this amendment was inadvertently omitted from the rule text.

Accordingly, FR Doc. 95-1414, a final rule published in the **Federal Register** on January 20, 1995 (60 FR 4344) is corrected to read as follows:

1. Section 907.8 is corrected by revising the second sentence in paragraph (d) to read as follows:

§ 907.8 Purchaser eligibility and selection.
* * * * *

(d) *Procedures/Affirmative Fair Housing Marketing Strategy.* * * * The Housing Authority must have an affirmative fair housing marketing strategy that applies to all transactions undertaken through this program and that stresses equal access to the program for both current residents and applicants for public housing. * * *

Dated: January 27, 1995.

Michael B. Janis,
General Deputy Assistant Secretary for Public and Indian Housing.

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 914

[IN-118, Amendment Number 94-4]

Indiana Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is approving a proposed amendment to the Indiana permanent regulatory program (hereinafter referred to as the Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment consists of miscellaneous revisions to Indiana's Surface Coal Mining and Reclamation Rules. The amendment is intended to revise the Indiana program to eliminate typographical, clerical, and spelling errors and to amend those instances where the word "commission" should be changed to "director" in accordance with Indiana Senate Enrolled Act (SEA) 362.

EFFECTIVE DATE: February 2, 1994.

FOR FURTHER INFORMATION CONTACT:

Mr. Roger W. Calhoun, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, IN 46204, Telephone (317) 226-6166.

SUPPLEMENTARY INFORMATION:

- I. Background on the Indiana Program.
- II. Submission of the Amendment.
- III. Director's Findings.
- IV. Summary and Disposition of Comments.
- V. Director's Decision.
- VI. Procedural Determinations.

I. Background on the Indiana Program

On July 29, 1982, the Indiana program was made effective by the conditional approval of the Secretary of the Interior. Information pertinent to the general background on the Indiana program, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Indiana program can be found in the July 26, 1982 **Federal Register** (47 FR 32107). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 914.10, 914.15, and 914.16.

II. Submission of the Amendment

By letter dated September 26, 1994 (Administrative Record No. IND-1400), Indiana submitted program amendment No. 94-4 concerning miscellaneous revisions to the Indiana rules to eliminate typographical, clerical, and spelling errors and to amend those instances where the word "commission" should be changed to "director" in accordance with Indiana SEA 362. OSM approved SEA 362 as a program amendment on August 2, 1991 (56 FR 37016).

OSM announced receipt of the proposed amendment in the October 20, 1994, **Federal Register** (59 FR 52941), and, in the same notice, opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendment. The comment period closed on November 21, 1994.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Director's findings concerning the proposed amendment to the Indiana program.

In amendment No. 94-4, Indiana corrected numerous typographical, clerical, or spelling errors and made numerous changes from the word "commission" to "director." The Director finds that the numerous typographical, clerical, and spelling changes are nonsubstantive changes or changes which improve the clarity or accuracy of the Indiana rules.

The Director finds that the changes from "commission" to "director" more accurately reflect the responsibilities within the Indiana program as provided by SEA 362 which was approved by OSM on August 2, 1991 (56 FR 37016), and that the changes do not render the Indiana program less effective than Federal regulations.

IV. Summary and Disposition of Comments

Federal Agency Comments

Pursuant to section 503(b) of SMCRA and 30 CFR 732.17(h)(11)(i), comments were solicited from various interested Federal agencies. No comments were received.

Public Comments

A public comment period and opportunity to request a public hearing was announced in the October 20, 1994, **Federal Register** (59 FR 52941). The comment period closed on November 21, 1994. No one commented and no one requested an opportunity to testify

at the scheduled public hearing so no hearing was held.

Environmental Protection Agency (EPA)

Under 30 CFR 732.17(h)(11)(ii), the Director is required to obtain the written concurrence of the Administrator of the EPA with respect to any provisions of a State program amendment that relate to air or water quality standards promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*) The Director has determined that this amendment contains no provisions in these categories and that EPA's concurrence is not required.

Pursuant to 732.17(h)(11)(i), OSM solicited comments on the proposed amendment from EPA (Administrative Record No. IND-1403). EPA responded on October 18, 1994 (Administrative Record No. IND-1409), and stated that the amendment is acceptable.

V. Director's Decision

Based on the findings above, the Director is approving Indiana's program amendment No. 94-4, concerning miscellaneous revisions to the Indiana rules as submitted by Indiana on September 26, 1994.

The Federal regulations at 30 CFR Part 914 codifying decisions concerning the Indiana program are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage States to bring their programs into conformity with the Federal standards without undue delay. Consistency of State and Federal standards is required by SMCRA.

VI. Procedural Determinations

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15 and 732.17(h)(10),

decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA [30 U.S.C. 1292(d)] provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: January 27, 1995.

Tim L. Dieringer,

Acting Assistant Director, Eastern Support Center.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 914—INDIANA

1. The authority citation for part 914 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. In section 914.15, paragraph (eee) is added to read as follows:

§ 914.15 Approval of regulatory program amendments.

* * * * *

(eee) Amendment #94-4 to the Indiana program concerning miscellaneous revisions to the Indiana rules as submitted to OSM on September 26, 1994, is approved effective February 2, 1995.

[FR Doc. 95-2547 Filed 2-1-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 95-8-6858b; FRL-5148-6]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Interim Final Determination That State Has Corrected Deficiencies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule.

SUMMARY: Elsewhere in today's **Federal Register**, EPA has published a notice proposing to fully approve revisions to the California State Implementation Plan. The revisions concern Rule 8-43 from the Bay Area Air Quality Management District (BAAQMD), Rule 212 from the Placer County Air Pollution Control District (PCAPCD), Rules 67.16 and 67.18 from the San Diego County Air Pollution Control District (SDCAPCD), and Rule 4607 from the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). The notice of proposed rulemaking published elsewhere in today's **Federal Register** provides the public with an opportunity to comment on EPA's action. If a person submits adverse comments on EPA's proposed action within 30 days of publication of the proposed action, EPA will consider these comments and respond before taking final action on the State's submittal. Based on the proposed full approval, EPA is making an interim final determination by this action that the State has corrected the deficiencies for which sanctions clocks began on August 11, 1993, and September 29, 1993. This action will defer the