Community Development Act of 1992
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. * * * * * * * * * * *

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

DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement
30 CFR Part 914

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 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
current comment period and provided
opportunity for a public hearing on the
adequacy of the proposed amendment.
The comment period closed on

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

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:

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Housing Authority must have an
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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. * * * * * * * * * * *

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

[FR Doc. 95–2560 Filed 2–1–95; 8:45 am]
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)(ii), 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.


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]
BILLING CODE 4310–05–M