

REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES AND CHANGEOVER POINTS—AMENDMENT 388 EFFECTIVE DATE, MARCH 30, 1995—Continued

From	To	MEA
<b>§ 95.6509 VOR Federal Airway 509 is Amended to Read in Part</b>		
St Petersburg, FL VORTAC. *5000—MRA **2500—MOCA	*Hulla, FL FIX ..	**5000
Hulla, FL FIX .... *1600—MOCA	Hallr, FL FIX ....	*6000
<b>§ 95.6511 VOR Federal Airway 511 is Amended by Adding</b>		
Thndr, FL FIX ... *1300—MOCA	Miami, FL VORTAC.	*3000
<b>Is Amended to Read in Part</b>		
Lakeland, FL VORTAC. *1800—MOCA	Hallr, FL FIX ....	*4000
Hallr, FL FIX .....	Thndr, FL FIX ..	*5000
<b>§ 95.6521 VOR Federal Airway 521 is Amended to Read in Part</b>		
Miami, FL VORTAC. *1300—MOCA	Hamme, FL FIX	*2000
Hamme, FL FIX *1400—MOCA	Winco, FL FIX ..	*3000
Winco, FL FIX ..	Lee County, FL VORTAC.	*3000

REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES AND CHANGEOVER POINTS—AMENDMENT 388 EFFECTIVE DATE, MARCH 30, 1995—Continued

From	To	MEA
*1500—MOCA		
<b>§ 95.6599 VOR Federal Airway 599 is Added to Read</b>		
Miami, FL VORTAC. *1300—MOCA	Thndr, FL FIX ..	*3000
Thndr, FL FIX ...	Lee County, FL VORTAC.	*3000
*1500—MOCA		
<b>§ 95.7020 Jet Route No. 20 is Amended to Read in Part</b>		
Orlando, FL VORTAC. 45000	Virginia Key, FL VOR/DME.	18000
<b>§ 95.7043 Jet Route No. 43 is Amended to Read in Part</b>		
Miami, FL VORTAC. 45000	La Belle, FL VORTAC.	18000
<b>§ 95.7045 Jet Route No. 45 is Amended to Read in Part</b>		
Virginia Key, FL VOR/DME. 45000	Vero Beach, FL VORTAC.	18000
<b>§ 95.7053 Jet Route No. 53 is Amended by Adding</b>		
Miami, FL VORTAC. 45000	Pahokee, FL VORTAC.	18000
Pahokee, FL VORTAC.	Orlando, FL VORTAC.	18000

REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES AND CHANGEOVER POINTS—AMENDMENT 388 EFFECTIVE DATE, MARCH 30, 1995—Continued

From	To	MEA
45000		
<b>§ 95.7055 Jet Route No. 55 is Amended to Read in Part</b>		
Miami, FL VORTAC. 45000	Craig, FL VORTAC.	18000
<b>§ 95.7073 Jet Route No. 73 is Amended to Read in Part</b>		
Miami, FL VORTAC. 45000	La Belle, FL VORTAC.	18000
<b>§ 95.7081 Jet Route No. 81 is Added to Read</b>		
Miami, FL VORTAC. 45000	Pahokee, FL VORTAC.	18000
Pahokee, FL VORTAC. 45000	Orlando, FL VORTAC.	18000
Orlando, FL VORTAC. 45000	Cecil, FL VOR ..	18000
Cecil, FL VOR .. 45000	Noway, GA Fix .	18000
Noway, GA Fix . 4500	Colliers, SC VORTAC.	18000
<b>§ 95.7113 Jet Route No. 113 is Added to Read</b>		
Virginia Key, FL VOR/DME. 45000	Craig, FL VORTAC.	18000

§ 95.8003 VOR FEDERAL AIRWAYS CHANGEOVER POINTS

Airway segment		Changeover points	
From	To	Distance	From
<b>V-97 is Amended by Adding</b>			
Miami, FL VORTAC .....	La Belle, FL VORTAC .....	35	Miami.
<b>V-159 is Amended to Delete</b>			
Vero Beach, FL VORTAC .....	Orlando, FL VORTAC .....	32	Vero Beach.
<b>Green Federal Airway 10 is Amended by Adding</b>			
Port Heiden, AK NDB/DME .....	Woody Island, AK NDB .....	90	Port Heiden.

[FR Doc. 95-5871 Filed 3-9-95; 8:45 am]  
BILLING CODE 4910-13-M

**DEPARTMENT OF THE INTERIOR**  
**Office of Surface Mining Reclamation and Enforcement**  
**30 CFR Part 914**  
**[IN-120, Amendment Number 94-6]**  
**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 regulatory program (hereinafter referred to as the "Indiana program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Indiana proposed revisions to the Indiana Surface Mining rules pertaining to the procedures for the application and renewal or blaster certification. The amendment is

intended to revise language which was inadvertently repealed.

**EFFECTIVE DATE:** March 10, 1995.

**FOR FURTHER INFORMATION CONTACT:** Roger W. Calhoun, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, Room 301, Indianapolis, Indiana 46202. Telephone: (317) 226-6166.

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Indiana Program.
- II. Submission of the Proposed 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 Secretary of the Interior conditionally approved the Indiana program. Background information on the Indiana program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the July 29, 1982, **Federal Register** (47 FR 32071). Subsequent actions concerning conditions of approval and program amendments can be found at 30 CFR 914.10, 914.15, and 914.16.

**II. Submission of the Proposed Amendment**

By letter dated December 7, 1994 (Administrative Record No. IND-1416), Indiana submitted a proposed amendment to its program pursuant to SMCRA to revise language that was inadvertently repealed and pertains to the procedures for the application and renewal of blaster certification. Indiana proposed to revise 310 IAC 12-8-4.1 Application for Certification and 310 IAC 12-8-8.1 Renewal.

OSM announced receipt of the proposed amendment in the December 30, 1994, **Federal Register** (59 FR 67691), and in the same document, opened the public comment period and provided an opportunity for a public hearing on the adequacy of the proposed amendment. The public comment period closed on January 30, 1995.

**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.

**310 IAC 12-8-4.1 Application for Certification.** This new section is added to provide the following. Section 4.1(a)-(c) require that an application for certification as a certified blaster be submitted to the Department of Natural Resources (Department) in writing on

forms furnished by the Department and completed in accordance with the instructions. Section 4.1(d) states that an application is incomplete if the form does not contain all required information or contains incorrect information. The applicant will be notified on any deficiencies and if the required information is not provided within 30 days of the notice, the application will be terminated. Section 4.1(e) provides for the verification by the Department of the information on the application. Section 4.1(f) states that if an application has been terminated, the person will not be considered for certification. A new application may be submitted at any time by complying with subsections (b) and (c) of this section.

There are no direct Federal counterparts. However, the Federal regulations at 30 CFR 850.15(a) pertaining to the certification of blasters require that the regulatory authority certify for a fixed period those candidates qualified to accept the responsibility for blasting operations. The Director finds that the proposed regulations at 310 IAC 12-8-4.1 are consistent with the Federal regulations at 30 CFR 850.15(a).

**310 IAC 12-8-8.1 Renewal.** Section 8.1(a) requires that a certified blaster renew his/her certification every three years. A request for renewal of certification must be in writing on a form furnished by the Department. The request must be received by the Department not later than 30 days prior to the expiration of the certificate. Section 8.1(b) specifies that the renewal will be approved if the certified blaster has worked at least 12 months of the preceding 36 months as a certified blaster and is not in violation of the provisions of 310 IAC 12-8-9 (Suspension or Revocation of Certification). Section 8.1(c) states that when a certification is not renewed for more than one year after expiration, the certification will not be renewable. If certification is sought, the person must submit an application and will be considered a new applicant. Sections 8.1 (d) and (e) state that a renewal notice will be sent to each registrant to the last address given by the registrant not less than two months prior to the expiration date of the certification. Failure to receive a renewal notice does not relieve the certified blaster of the obligation to obtain a renewal of the certification as required.

The Federal regulations at 30 CFR 850.15(c) pertaining to recertification permit the regulatory authority to require the periodic re-examination, training, or other demonstration of

continued blaster competency. As described above, Indiana requires a periodic demonstration of continued blaster competency when a blaster must triennially demonstrate that he/she has worked as a certified blaster for at least 12 out of the last 36 months and is not in violation of 310 IAC 12-8-9, which section lists prohibited activities that are causes for the suspension/revocation of a blaster's certification. Therefore, the Director finds that the proposed regulations at 310 IAC 12-8-8.1 are no less effective than the Federal regulations at 30 CFR 850.15(c).

**IV. Summary and Disposition of Comments**

*Public Comments*

The Director solicited public comments and provided an opportunity for a public hearing on the proposed amendment. No public comments were received, and because no one requested an opportunity to speak at a public hearing, no hearing was held.

*Federal Agency Comments*

Pursuant to 30 CFR 732.17(h)(11)(i), the Director solicited comments on the proposed amendment from various Federal agencies with an actual or potential interest in the Indiana program. The U.S. Department of the Interior, Bureau of Mines, concurred without comment.

*Environmental Protection Agency (EPA)*

Pursuant to 30 CFR 732.17(h)(11)(ii), OSM is required to obtain the written concurrence of the EPA with respect to those provisions of the proposed 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.*).

None of the revisions that Indiana proposed to make in this amendment pertain to air or water quality standards. Therefore, OSM did not request EPA's concurrence.

**V. Director's Decision**

Based on the above finding(s), the Director approves the proposed amendment as submitted by Indiana on December 7, 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 corresponding 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 corresponding Federal regulations.

### List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 3, 1995.

**Richard J. Seibel,**

*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. Section 914.15 is amended by adding paragraph (fff) to read as follows:

#### § 914.15 Approval of regulatory program amendments.

\* \* \* \* \*

(fff) The following amendment (Program Amendment Number 94-6) submitted to OSM on December 7, 1994, is approved effective March 10, 1995. 310 IAC 12-8-4.1 concerning application for blaster certification and 310 IAC 12-8-8.1 concerning renewal of blaster certification.

[FR Doc. 95-5920 Filed 3-9-95; 8:45 am]

BILLING CODE 4310-05-M

### 30 CFR Part 936

#### Oklahoma 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 Oklahoma regulatory program (hereinafter referred to as the "Oklahoma program") under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*) (SMCRA). The proposed amendment consists of revisions to Oklahoma's coal mining rules concerning its Small Operator Assistance Program (SOAP). The amendment revises the Oklahoma

program to be consistent with SMCRA and the corresponding Federal regulation.

**EFFECTIVE DATE:** March 10, 1995.

**FOR FURTHER INFORMATION CONTACT:** James H. Moncrief, Telephone: (918) 581-6430.

#### SUPPLEMENTARY INFORMATION:

##### I. Background on the Oklahoma Program

On January 19, 1981, the Secretary of the Interior conditionally approved the Oklahoma program. General background information on the Oklahoma program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Oklahoma program can be found in the January 19, 1981, **Federal Register** (46 FR 4902). Subsequent actions concerning Oklahoma's program and program amendments can be found at 30 CFR 936.15, 936.16, and 936.30.

##### II. Submission of Amendment

By letter dated September 14, 1994, Oklahoma submitted a proposed amendment to its program pursuant to SMCRA (administrative record No. OK-964). Oklahoma submitted the proposed amendment at its own initiative with the intent of revising the Oklahoma program to be consistent with the corresponding Federal regulations.

Oklahoma proposed to revise its SOAP rules at Oklahoma Administrative Code (OAC) sections 460:20-35-3, eligibility for assistance; 460:20-35-6, program services and data requirements; and 460:20-35-7, applicant liability. Here and herein after, OSM refers to these revised rules by their new codified numbers because Oklahoma proposed in a different amendment recodification of its coal mining rules in accordance with the standards set forth by the Oklahoma State Legislature and the Office of Administrative Code (See proposed rule **Federal Register** notice, 59 FR 49223, September 27, 1994).

OSM announced receipt of the proposed amendment in the September 27, 1994 **Federal Register** (59 FR 49225), provided an opportunity for a public hearing or meeting on its substantive adequacy, and invited public comment on its adequacy (administrative record No. OK-964.03). Because no one requested a public hearing or meeting, none was held. The public comment period ended on October 27, 1994.

During its review of the amendment, OSM identified concerns relating to the provisions of Oklahoma's rules at OAC 460:20-35-3(a)(2), percentage of ownership and control of the SOAP