

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 935**

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 8, 1995.

**Allen D. Klein,**

*Regional Director, Appalachian Regional Coordinating Center.*

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#### **Bureau of Land Management**

##### **43 CFR Part 3100**

[WO-610-4110-02 1A]

RIN 1004-AC26

#### **Promotion of Development, Reduction of Royalty on Heavy Oil**

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

**ACTION:** Notice of proposed rulemaking; notice of reopening of comment period.

**SUMMARY:** On April 10, 1995, the Bureau of Land Management (BLM) published in the **Federal Register** (60 FR 18081) a notice of proposed rulemaking to amend the regulations related to the waiver, suspension, or reduction of rental, royalty, or minimum royalty on "heavy oil" (crude oil with a gravity of less than 20 degrees). The notice allowed a comment period of 60 days, closing on June 9, 1995.

The Department of Energy (DOE) is currently developing new information on the potential impacts of the proposed rule. DOE is focusing particularly on the effects of raising the qualifying crude oil gravity to more than 20 degrees. In order to allow all interested parties sufficient time to review the new DOE information, BLM is reopening the comment period for an additional 30 days. Information on the DOE findings is available from Dr. John Bebout, at the address shown below under **FOR FURTHER INFORMATION CONTACT**.

**DATES:** Comments should be submitted by July 17, 1995. Comments received or postmarked after the above date may not be considered in the decisionmaking process on the final rule.

**ADDRESSES:** Comments should be sent to Director (140), Bureau of Land Management, Room 5555, 1849 C Street, NW., Washington, DC 20240. Comments can also be sent to internet!WO140@attmail.com. Please include "attn: AC26" and your name and return address in your internet message. Comments will be available for public review at the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Dr. John W. Bebout, Bureau of Land Management (310), 1849 C Street, NW., Washington, DC 20240. (202) 452-0340.

**Micheal A. Ferguson,**

*Acting Assistant Director, Resource Use and Protection.*

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#### **Fish and Wildlife Service**

##### **50 CFR Part 17**

#### **Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition To List the Swift Fox as Endangered**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 12-month petition finding.

**SUMMARY:** The Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the swift fox (*Vulpes velox*) under the Endangered Species Act of 1973, as amended. After review of all available scientific and commercial information, the Service finds that listing this species is warranted but precluded by other higher priority actions to amend the List of Endangered and Threatened Wildlife and Plants.

**DATES:** The finding announced in this document was made on June 12, 1995.

**ADDRESSES:** Information, comments, or questions concerning this petition should be submitted to the Field Supervisor, Fish and Wildlife Service, Ecological Services, 420 South Garfield Avenue, Suite 400, Pierre, South Dakota 57501-5408. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Donald R. (Pete) Gober, Field Supervisor, at the above address, telephone (605) 224-8693.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Section 4(b)(3)(B) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that, for any petition to revise the List of Endangered and Threatened Wildlife and Plants that contains substantial scientific and commercial information, the Fish and Wildlife Service (Service) make a finding within 12 months of the date of the receipt of the petition on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals of higher priority. Notice of the finding is to be published promptly in the **Federal Register**. This notice meets that requirement for a 12-month finding made earlier for the petition discussed below. Information contained in this notice is a summary of the information in the 12-month finding, which is the Service's decision