

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 Illinois program. No comments were received.

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 Illinois proposed to make in this amendment pertain to air or water quality standards. However, by letter dated March 22, 1995 (Administrative Record No. IL-1704), the EPA concurred without comment.

V. Director's Decision

Based on the above finding(s), the Director approves the proposed amendment as submitted by Illinois on March 3, 1995.

The Federal regulations at 30 CFR part 913, codifying decisions concerning the Illinois 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 Paper 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 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 30, 1995.

Ronald C. Recker,

Acting Regional Director, Appalachian Regional Coordinating 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 913—ILLINOIS

1. The authority citation for part 913 continues to read as follows:

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

2. Section 913.15 is amended by adding paragraph (r) to read as follows:

§ 913.15 Approval of regulatory program amendments.

* * * * *

(r) The following amendment, as submitted to OSM on March 3, 1995, is approved effective July 11, 1995.

Executive Order Number 2, Sections I(C), II(C), III, IV(F)—Reorganization
[FR Doc. 95-16887 Filed 7-10-95; 8:45 am]
BILLING CODE 4310-05-M

30 CFR Part 913

[IL-091]

Illinois Abandoned Mine Land Reclamation Plan

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 Illinois abandoned mine land reclamation plan (hereinafter referred to as the "Illinois plan") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Illinois proposed to merge the Abandoned Mined Lands Reclamation Council (Council) into the newly created Department of Natural Resources, Office of Mines and Minerals. The amendment is intended to improve operational efficiency and provide formal notification of this pending reorganization.

EFFECTIVE DATE: July 11, 1995.

FOR FURTHER INFORMATION CONTACT: James H. Moncrief, Acting Director, Springfield Field Office, 511 West Capitol, Suite 202, Springfield, Illinois 62704. Telephone: (217) 492-4495.

SUPPLEMENTARY INFORMATION:

- I. Background on the Illinois Plan
- 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 Illinois Plan

On June 1, 1982, the Secretary of the Interior approved the Illinois plan. Background information on the Illinois plan, including the Secretary's findings, the disposition of comments, and the approval of the plan can be found in the June 1, 1982, **Federal Register** (47 FR 23886). Subsequent actions concerning the conditions of approval and amendments to the plan can be found at 30 CFR 913.25.

II. Submission of the Proposed Amendment

By letter dated April 10, 1995 (Administrative Record No. IL-800-AML), Illinois submitted a proposed amendment to its plan pursuant to SMCRA at its own initiative. In accordance with 30 CFR 884.15, Illinois notified OSM that effective July 1, 1995, by virtue of Executive Order Number 2 (1995) signed by the Governor of Illinois on March 1, 1995, the authority and administrative responsibility for the Illinois plan will be transferred from the Council to the Illinois Department of Natural Resources, Office of Mines and Minerals, Abandoned Mined Lands Reclamation Division.

OSM announced receipt of the proposed amendment in the April 20, 1995, **Federal Register** (60 FR 19697) 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 May 22, 1995.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 884.14 and 884.15, are the Director's findings concerning the proposed amendment.

Revisions not specifically discussed below concern nonsubstantive wording changes, or revised cross-references and paragraph notations to reflect organizational changes resulting from this amendment.

A. Part I(C)—Redesignation

At Part I(C) of Executive Order Number 2, Illinois provides that the Department of Natural Resources will have within it an Office of Mines and Minerals which will be responsible for the functions previously vested in the Council and such other related functions and responsibilities as may be appropriate.

B. Part II(D)—Transfer of Powers

At Part II(D), Illinois is transferring the Abandoned Mined Lands and Water Reclamation Act (20 ILCS *et seq.*), section 6a-1-a of the Illinois Purchasing Act (30 ILCS 505/6a-1-a), section 21(r)(2) of the Environmental Protection Act (415 ILCS 5/21(r)(2)), section 2 of the Surface Coal Mining Fee Act (20 ILCS 1915/2), section 1-3 of the Build Illinois Act (30 ILCS 750/1-3), and section 67.35 of the Civil Administrative Code (20 ILCS 405/67.35) from the Council to the Department of Natural Resources along with all rights, powers, and duties incidental to these Acts.

C. Part III (A), (C)—Effect of Transfer

At Part III(A), Illinois is abolishing the Council. At Part III(C), Illinois is transferring personnel previously assigned to the Council to the Department of Natural Resources.

D. Part IV(F)—Savings Clause

At Part IV(F), Illinois states that the Executive Order will not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of the Order that have been duly adopted. It is requiring that the Department of Natural Resources (and other affected departments) propose and adopt under the Illinois Administrative Procedures Act those rules necessary to consolidate and clarify the rules that will be administered by the successor agency.

In its submittal letter dated April 10, 1995 (Administrative Record No. IL-800-AML), Illinois stated, "the new Department of Natural Resources will have full authority under State law to conduct the abandoned mined lands reclamation program in accordance with the requirements of Title IV of the Federal Act."

There are no direct Federal counterparts to the revisions contained in Executive Order Number 2. Because the proposed revisions do not affect the regulatory authority's implementation of its approved program, the Director finds the revisions not inconsistent with the requirements of SMCRA and the Federal regulations.

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 884.14(a)(2) and 884.15(a), the Director solicited comments on the proposed amendment from various other Federal agencies with an actual or potential interest in the Illinois plan. No comments were received.

Environmental Protection Agency (EPA)

Pursuant to 30 CFR 732.17(h)(11)(ii), the Director is required to solicit the written concurrence of the Administrator of the EPA with respect to those provisions of the proposed plan amendment which relate to air or water quality standards promulgated under

the authority of the Clean Air Act (42 U.S.C. 7401 *et seq.*) or the Clean Water Act (33 U.S.C. 1252 *et seq.*). None of the revisions that Illinois proposed to make in its amendment pertain to air or water quality standards. Therefore, OSM did not request EPA's concurrence.

V. Director's Decision

Based on the above findings, the Director approves the proposed plan amendment as submitted by Illinois on April 10, 1995.

The Federal regulations at 30 CFR part 913, codifying decisions concerning the Illinois plan, are being amended to implement this decision. This final rule is being made effective immediately to expedite the State plan amendment process and to encourage States to bring their plans 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 and Tribal abandoned mine land reclamation plans and revisions thereof since each plan is drafted and promulgated by a specified State or Tribal, not by OSM. Decisions on proposed abandoned mine land reclamation plans and revisions thereof submitted by a State or Tribe are based on a determination of whether the submittal meets the requirements of Title IV of SMCRA (30 U.S.C. 1231-1243) and 30 CFR parts 884 and 888.

National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed State and Tribal abandoned mine land reclamation plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

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 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. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 30, 1995.

Ronald C. Recker,

Acting Regional Director, Appalachian Regional Coordinating 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 913—ILLINOIS

1. The authority citation for part 913 continues to read as follows:

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

2. Section 913.25 is amended by adding paragraph (f) to read as follows:

§ 913.25 Approval of Abandoned Mine Land Reclamation Plan Amendments.

* * * * *

(f) The Illinois Abandoned Mine Land Reclamation Plan, as submitted on April 10, 1995 is approved effective July 11, 1995.

[FR Doc. 95-16888 Filed 7-10-95; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE**Office of the Secretary****32 CFR Part 290**

[DCAA Reg. 5410.8]

Defense Contract Audit Agency (DCAA) Freedom of Information Act Program

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: The Headquarters for the Defense Contract Audit Agency of the Department of Defense is moving from its present location on Cameron Station, Alexandria, Virginia to Fort Belvoir, Virginia due to the closure of Cameron Station. This administrative amendment necessitates revisions to the Cameron Station addresses in the Freedom of Information Act regulation to reflect the new Fort Belvoir address.

EFFECTIVE DATE: July 24, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. D. Henshall 703-274-4400.

SUPPLEMENTARY INFORMATION: The Defense Contract Audit Agency published the Freedom of Information rule on October 1, 1991 (56 FR 49685), November 7, 1991 (56 FR 56932), April 27, 1992 (57 FR 15254), July 13, 1992 (57 FR 30904), and November 30, 1993 (58 FR 63084).

List of Subjects in 32 CFR Part 290

Freedom of information.

Accordingly, 32 CFR part 290 is amended to read as follows:

PART 290—[AMENDED]

1. The authority citation for part 290 continues to read as follows:

Authority: 5 U.S.C. 552.

§ 290.4 [Amended]

2. Section 290.4 is amended by revising footnote 3 to read as follows:

³Copies may be obtained from the Defense Contract Audit Agency, Attn: CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219.

§ 290.7 [Amended]

3. Section 290.7 is amended in paragraph (e), last sentence, by removing "Headquarters, DCAA, Attn: CMR, Cameron Station, Alexandria, Virginia 22304-6178" and adding in its place "Defense Contract Audit Agency, Attn: CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219." and in paragraph (f)(7)(iii), last sentence, by removing "Headquarters, DCAA, Cameron Station, Alexandria, VA 22304-6178." and adding in its

place "Defense Contract Audit Agency, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219."

Appendix A to Part 290—[Amended]

4. Appendix A to part 290, paragraph (e)(2) is amended by removing "Cameron Station, Alexandria," and adding in its place "Fort Belvoir,"

Appendix B to Part 290—[Amended]

5. Appendix B to Part 290, under VIRGINIA, the introductory text is amended by removing "Cameron Station, Alexandria, VA 22304-6178, (703) 274-4400" and adding in its place "8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219, (703) 767-1244" and in paragraph (a)(1) by removing "CMR, Cameron Station, Alexandria, VA 22304-6178, (703) 274-4400" and adding in its place "CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219, (703) 767-1244."

Appendix C to Part 290—[Amended]

6. Appendix C to Part 290 is amended by revising footnote 2 to read as follows:

²Copies may be obtained from the Defense Contract Audit Agency, Attn: CMO, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219.

Dated: June 27, 1995.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 95-16650 Filed 7-10-95; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100**

[CGD 09-95-015]

Special Local Regulation; Start of the Port Huron, MI to Mackinac Island Sailboat Race

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: A special local regulation is being adopted for portions of lower Lake Huron, St. Clair River and Black River during the festivities surrounding the beginning of the annual Port Huron to Mackinac Island Race on July 22, 1995. This regulation establishes a "Caution Area" from the lower part of the Black River to the International Boundary in the St. Clair River northward to the Lake Huron Cut Buoys 5 and 6, Lake Huron in United States Waters. Due to a dramatic increase in boating traffic, which could pose hazards to navigation