Customs by extending the geographical limits of the port of Columbus, Ohio, to include Rickenbacker Airport which is currently operating as a user fee airport. The comment period is being extended another 30 days.

DATES: Comments are requested on or before May 31, 1996.

ADDRESSES: Comments (preferably in triplicate) may be addressed to the Regulations Branch, U.S. Customs Service, Franklin Court, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 and inspected at Franklin Court, 1099 14th Street, N.W., Suite 4000, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Harry Denning, Office of Field Operations, (202) 927-0196.

SUPPLEMENTARY INFORMATION: A document was published in the Federal Register (61 FR 8001) on March 1, 1996, proposing to amend the Customs Regulations pertaining to the field organization of Customs by extending the geographical limits of the port of Columbus, Ohio, to include Rickenbacker Airport which is currently operating as a user fee airport. The comment period is being extended another 30 days. Customs solicited comments on the proposal and comments were due by April 30, 1996.

Customs has received a request to extend the comment period to allow interested parties to have more time to consider the proposal as the long-term economic development interests of the Greater Columbus Community make it imperative that there be full consideration of the proposal. Customs believes the request has merit. Accordingly, the period of time for the submission of comments is being extended 30 days.

All comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), section 1.4, Treasury Department Regulations (31 CFR 1.4), and section 103.11(b), Customs Regulations (19 CFR 103.11(b)), between 9:00 a.m. and 4:30 p.m. on normal business days, at the address stated above.

Dated: April 30, 1996.

Marvin M. Amerrick,
Acting Assistant Commissioner, Office of Regulations and Rulings.
[FR Doc. 96-11164 Filed 5-02-96; 8:45 am]

DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement
30 CFR Part 904
[SPATS No. AR-027--FOR]
Arkansas Regulatory Program

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

ACTION: Proposed rule; public comment period and opportunity for public hearing.

SUMMARY: OSM is announcing receipt of a proposed amendment to the Arkansas regulatory program (hereinafter the “Arkansas program”) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment was submitted at the State’s own initiative and consists of revisions to and additions of regulations pertaining to remining, water replacement, subsidence damage repair/compensation, and enforcement. Arkansas also proposes to remove duplicated regulation sections for surface and underground mining permit applications pertaining to general requirements for the description of hydrology and geology, groundwater information, surface water information, alternative water supply information, and fish and wildlife resources information. The amendment is intended to incorporate the additional flexibility afforded by the revised Federal regulations, and to enhance the enforcement of the State program.

DATES: Written comments must be received by 4:00 p.m., c.d.t., June 3, 1996. If requested, a public hearing on the proposed amendment will be held on May 28, 1996. Requests to speak at the hearing must be received by 4:00 p.m., c.d.t. on May 20, 1996.

ADDRESSES: Written comments and requests to speak at the hearing should be mailed or hand delivered to Mr. Jack R. Carson, Acting Director, Tulsa Field Office, at the address listed below. Copies of the Arkansas program, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM’s Tulsa Field Office.

Jack R. Carson, Acting Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6547, Telephone: (918) 581-6430. Arkansas Department of Pollution Control and Ecology, Surface Mining and Reclamation Division, 8001 National Drive, Little Rock, Arkansas 72219-8913, Telephone (501) 682-0744.

FOR FURTHER INFORMATION CONTACT: Mr. Jack Carson, Acting Director, Tulsa Field Office, Telephone: (918) 581-6430.

SUPPLEMENTARY INFORMATION:
I. Background on the Arkansas Program

On November 21, 1980, the Secretary of the Interior conditionally approved the Arkansas program. Background information on the Arkansas program, including the Secretary’s findings, the disposition of comments, and the conditions of approval can be found in the November 21, 1980, Federal Register (45 FR 77003). Arkansas amended its program by submitting provisions that satisfied all of the conditions of the Secretary’s approval of November 21, 1980. Effective January 22, 1982, OSM removed the conditions of the approval of the Arkansas permanent regulatory program. Information on the removal of the conditions can be found in the January 22, 1982, Federal Register (47 FR 3108). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 904.12, 904.15, and 904.16.

II. Description of the Proposed Amendment

By letter dated April 2, 1996 (Administrative Record No. AR-557), Arkansas submitted a proposed amendment to its program pursuant to SMCRA. Arkansas submitted the proposed amendment at its own initiative. The provisions of the Arkansas Surface Coal Mining and Reclamation Code (ASCMRC) that Arkansas proposes to amend are:

A. Subchapter A—General
1. ASCMRC Section 700.10(b) Termination of Jurisdiction
Arkansas proposed to add this paragraph to include provisions for termination of jurisdiction.

2. ASCMRC Section 705.5 Definitions
Arkansas proposes to amend this section by adding alphabetically definitions of “drinking, domestic or residential water supply,” “material damage,”"
Arkansas proposes to amend Section 784.14 by renaming the heading, by deleting the inappropriate reference to Section 780.21(b)(3) and referencing instead Sections 780.21(e) and 780.21(f)(3)(iii) as inapplicable to underground operations, and inserting a reference to new paragraph Section 780.21(f)(3)(v).

Additionally, through an apparent typographical error, the heading for Section 784.15 had been deleted making it appear that Section 784.14 also references Section 780.23. Moreover, this reference incorrectly excluded Section 780.23(a)(2) from consideration for underground mining operations. Therefore, Section 784.14 is further amended by deleting the reference to Section 780.23 and placing the correct reference under relisted Section 784.15.

9. ASCMRC Sections 780.23 and 784.15 Land Use Information

Arkansas proposes to amend Section 780.23 by replacing it in its entirety. Additionally, through an apparent typographical error, the heading for Section 784.15 had been deleted making it appear that Section 784.14 also references Section 780.23. Moreover, this reference incorrectly excluded Section 780.23(a)(2) from consideration for underground mining operations. Therefore, Arkansas proposes to relist the heading for Section 784.15, and to place the reference to Section 780.23 under this section.

10. ASCMRC Sections 780.25 and 784.16 Ponds, Impoundments, Banks, Dams and Embankments

Arkansas proposes to amend Sections 780.25 and 784.16 by replacing the term "Pond" in the heading with "Siltation Structures." Also, Section 780.25 is proposed to be amended by replacing the terms "pond and sedimentation ponds" with "siltation structures." In paragraphs (a) and (b), by adding the phrase "and a detailed design plan" to paragraph (a), by replacing the impoundment classification criteria in paragraphs (a)(2), (a)(3), and (f), by replacing the references to now-removed Sections 816.91 through 816.93 in paragraphs (a)(3) (i) and (e) with a reference to Sections 816.81 through 816.84, by replacing the existing language in paragraph (c), and by revising the referenced sections in paragraph (d) from 816.85 to 816.84.

11. ASCMRC Section 783.22 Land Use Information

Arkansas proposes to remove this section and consolidate its provisions into amended Section 783.23.

12. ASCMRC Section 784.20 Subsidence Control

Arkansas proposes to amend this section by removing all existing language and adding new provisions for presubsidence surveys and subsidence control plans.

13. ASCMRC Section 784.25(a) Return of Coal Processing Waste to Abandoned Underground Workings

Arkansas proposes to amend this subsection by revising the reference to Section 816.88 with a reference to Section 816.81(f).

14. ASCMRC Section 785.25 Lands Eligible for Remining

Arkansas proposes to add new Section 785.25 pertaining to permitting requirements for lands eligible for remining.

15. ASCMRC Section 786.5(b) Definitions

Arkansas proposes to amend this subsection by revising the introductory text; by rearranging, alphabetically, the existing definitions; and by inserting alphabetically, definitions for "Applicant/Violator System or AVS," "Federal violation notice," "Ownership or control link," "State violation notice," and "Violation notice."

16. ASCMRC Section 786.11(c)(2) Public Notices of Filing of Permit Applications

Arkansas proposes to amend this subsection by revising the reference to Section 783.20 by replacing the reference to Section 780.16.

17. ASCMRC Section 786.17(c) Review of Violations

Arkansas proposes to amend Section 786.17 by revising paragraph (c)(1), by adding an additional qualifying phrase to paragraph (c)(2) regarding permits which will be conditionally issued, and by adding new paragraph (c)(4) regarding an exception to the prohibitions of paragraph (b).

18. ASCMRC Section 786.19(g)–(r) Criteria for Permit Approval or Denial

Arkansas proposes to amend this section by adding new paragraphs (q) and (r) pertaining to lands eligible for remining.

19. ASCMRC Section 786.30 Improvidently Issued Permits: General Procedures

Arkansas proposes to amend this subsection by revising paragraphs (b) and (c), by renumbering the existing subparagraphs under (b) and (c), and by adding new paragraphs (b)(2) and (c)(2)
pertaining to when an ownership and control link may be challenged under Section 786.35.

20. ASCMRC Section 786.31 Improvidently Issued Permits: Rescission Procedures
    Arkansas proposes to amend this section by replacing the reference to Section 786.30(c)(4) with Section 786.30(c)(1)(v), by adding a qualifying phrase regarding the provisions of proposed Section 786.35 to paragraph (a), and by deleting the right to appeal provisions of paragraph (c) which are now incorporated in Section 786.30.

21. ASCMRC Section 786.32 Verification of Ownership or Control Application Information
    Arkansas proposes to add new Section 786.32 pertaining to verification of ownership or control application information through manual data sources and automated data sources.

22. ASCMRC Section 786.33 Review of Ownership or Control Violation Information
    Arkansas proposes to add new Section 786.33 pertaining to the review of violation notices and ownership or control links to determine whether the application can be approved.

23. ASCMRC Section 786.34 Procedures for Challenging Ownership or Control Links Shown in AVS
    Arkansas proposes to add new Section 786.34 pertaining to procedures for challenging ownership or control links shown in the AVS.

24. ASCMRC Section 786.35 Standards for Challenging Ownership or Control Links and the Status of Violations
    Arkansas proposes to add new Section 786.35 pertaining to the standards for challenging ownership or control links shown in the AVS.

25. ASCMRC Section 788.14(a)(3) Permit Renewals: Completed Applications
    Arkansas proposes to amend this subsection by replacing the reference to Section 806.14 with a reference to Section 800.60.

C. Subchapter H—Small Operator Assistance

1. ASCMRC Section 795.12 Program Services and Data Requirements
    Arkansas proposes to revise the provisions in this section pertaining to its small operator assistance program (SOAP) and to revise the section title from “Program Services” to “Program Services and Data Requirements.” This amended section includes the provisions of former Section 795.16 Data Requirements.

2. ASCMRC Section 795.13(a)(2) Eligibility for Assistance
    Arkansas proposes to amend paragraph (a)(2) by changing the liability period and increasing the production level to 300,000 tons with respect to operator eligibility.

3. ASCMRC Section 795.16 Data Requirements
    Arkansas proposes to remove this section and combine it with amended Section 795.12 Program Services and Data Requirements.

4. ASCMRC Section 795.17 Qualified Laboratories
    Arkansas proposes to amend this section by revising the definition of “qualified laboratory” in paragraph (a)(1) and by replacing the references of Sections 795.16(b)(1) and (b)(2) in paragraph (b)(2) with Sections 795.12(b)(1) and (b)(2).

5. ASCMRC Section 795.19 Applicant Liability
    Arkansas proposes to amend this section by raising the production level to 300,000 tons and reducing the liability period, and by making other minor changes.

D. Subchapter J—Bond Insurance Requirements for Surface Coal Mining and Reclamation Operations

1. Part 800—General Requirements for Bonding of Surface Coal Mining and Reclamation Operations
    Arkansas proposes to amend Subchapter J by deleting all existing paragraphs (a)(1) through (a)(11), and existing paragraphs (c)(2) and (c)(3), by suspending paragraph (b)(2), and by revising paragraph (c)(2) regarding spillways.

2. ASCMRC Section 816.46 Hydrologic Balance: Siltation Structures
    Arkansas proposes to amend this section by expanding the definition of “other treatment facility” in paragraph (a)(3), by suspending paragraph (b)(2), and by revising paragraph (c)(2) regarding spillways.

3. ASCMRC Section 816.49 Impoundments
    Arkansas proposes to amend this section by redesigning paragraphs (a)(1) through (a)(8) as paragraphs (a)(1) through (a)(9), respectively, and paragraphs (a)(9) through (a)(11) as paragraphs (a)(11) through (a)(13), respectively; by replacing the language of paragraph (a)(1) with language pertaining to impoundments meeting the Class B or C criteria for dams in the U.S. Department of Agriculture, Soil Conservation Service (SCS) Technical Release No. 60; by adding new paragraph (a)(10) pertaining to high walls; by revising newly redesignated paragraphs (a)(4), (a)(5), (a)(6)(i), and (a)(11), and existing paragraphs (c)(2) (i) and (ii) by inserting references to the SCS criteria for dam classification; and by replacing the existing language of a newly redesignated paragraph (a)(9) with language pertaining to spillways.

4. ASCMRC Section 816.81 Coal Mine Waste: General Requirements
    Arkansas proposes to amend this section by replacing the introductory text in paragraph (a); by replacing existing language in paragraph (c)(2) with language pertaining to design criteria for a disposal facility; and by deleting paragraphs (c)(3) and (c)(4).

5. ASCMRC Section 816.82 Coal Processing Waste Banks: Site Inspection
    Arkansas proposes to amend this section pertaining to inspections of coal processing waste banks.

6. ASCMRC Section 816.85 Coal Processing Waste Banks: Construction Requirements
    Arkansas proposes to amend this section pertaining to the construction of coal processing waste banks.

7. ASCMRC Section 816.86 Coal Processing Waste: Burning
    Arkansas proposes to remove this section pertaining to extinguishing coal processing waste fires.
Arkansas proposes to remove sections pertaining to the return of coal processing waste to underground mine workings.

Arkansas proposes to amend this section by removing paragraph (d) pertaining to the handling of hazardous noncoal mine waste.

Arkansas proposes to remove Sections 816.91, 816.92, and 816.93 and incorporate their provisions into Section 816.84. Sections 816.91, 816.92, and 816.93 pertain to obtaining State approval, site preparation, and design and construction standards, respectively, before using coal processing waste to construct dams and embankments.

Arkansas proposes to remove Sections 816.121—816.93 Coal Processing Waste: Dams and Embankments

Arkansas proposes to amend Section 816.112 Revegetation, Use of Introduced Species

Arkansas proposes to replace references to the handling of hazardous noncoal mine waste.

Arkansas proposes to amend this section by revising paragraph (d) by deleting the precipitation qualifier and by adding new subparagraphs (c)(2)(i) and (c)(2)(ii) pertaining to success standards for lands eligible for reining, by deleting paragraph (c)(3) pertaining to an average annual precipitation criterion, and by redesignating paragraph (c)(4) as (c)(3).

Arkansas proposes to amend this section by combining the provisions of Sections 816.121—U General requirements, 816.124—U Subsidence Control: Public Notice

Arkansas proposes to remove the first sentence of the introductory paragraph and paragraphs (b) and (c) and insert language pertaining to notifying landowners of proposed underground mining operations.
I. Background on the Virginia Program

On December 15, 1981, the Secretary of the Interior conditionally approved the Virginia program. Background information on the Virginia program, including the Secretary’s findings, the disposition of comments, and the conditions of approval can be found in the December 15, 1981, Federal Register (46 FR 61085–61115). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 946.12, 946.13, 946.15, and 946.16.

II. Discussion of the Proposed Amendment


The proposed amendments are as follows:

A. The Director’s regulations shall require that permit applicants submit hydrologic reclamation plans that include measures that will be utilized to prevent the sudden release of

B. The Director’s regulations shall require that permit applicants submit hydrologic reclamation plans that include measures that will be utilized to prevent the sudden release of

C. The Director’s regulations shall require that permit applicants submit hydrologic reclamation plans that include measures that will be utilized to prevent the sudden release of