

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.

Unfunded Mandates

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or the private sector.

List of Subjects in 30 CFR Part 946

Intergovernmental relations, Surface mining, Underground mining.

Dated: July 17, 1996.

Tim L. Dieringer,

Acting Regional Director, Appalachian Regional Coordinating Center.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN-173-9637b; FRL-5538-1]

Approval and Promulgation of Implementation Plans—Tennessee: Approval of Source Specific Nitrogen Oxide Permits Into the Tennessee State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve two source specific permits into the Tennessee State Implementation Plan (SIP) submitted to EPA by Tennessee, through the Tennessee Department of Air Pollution Control (TDAPC) which limit nitrogen oxide (NO_x) emissions for certain engines at the Tenneco Energy Portland facility located in Sumner County, Tennessee. These permits are necessary because NO_x reductions from the Tenneco Energy Portland facility were used in calculating the NO_x emissions projections in the maintenance plan for the Middle Tennessee ozone nonattainment area. EPA is proposing approval of the ozone redesignation request in a separate action. In the final rules section of this Federal Register, the EPA is approving these permits as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: To be considered, comments must be received by August 23, 1996.

ADDRESSES: Written comments on this action should be addressed to William Denman at the Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street, NE, Atlanta, Georgia 30365. Copies of documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents

should make an appointment with the appropriate office at least 24 hours before the visiting day. Reference file TN173-01-9637. The Region 4 office may have additional background documents not available at the other locations

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street NE., Atlanta, Georgia 30365; William Denman, 404/347-3555 extension 4208

Tennessee Department of Environment and Conservation, Division of Air Pollution Control, L&C Annex, 9th Floor, 401 Church Street, Nashville, Tennessee 37243-1531; 615/532-0554.

FOR FURTHER INFORMATION CONTACT: William Denman, 404/347-3555 extension 4208.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: July 2, 1996.

A. Stanley Meiburg,

Acting Regional Administrator.

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40 CFR Part 180

[PP 4E4417/P671; FRL-5382-8]

RIN 2070-AC18

N-Acyl Sarcosines and Sodium N-Acyl Sarcosinates; Proposed Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes that residues of *N*-acyl sarcosines [*N*-oleoyl sarcosine, *N*-stearoyl sarcosine, *N*-lauroyl sarcosine, *N*-myristoyl sarcosine, *N*-cocoyl sarcosine mixture] and sodium *N*-acyl sarcosinates [*N*-methyl-*N*-(1-oxo-9-octadecenyl) glycine, *N*-methyl-*N*-(1-oxooctadecyl) glycine, *N*-methyl-*N*-(1-oxododecyl) glycine, *N*-methyl-*N*-(1-oxotetradecyl) glycine, and *N*-cocoyl sarcosine sodium salt mixture] be exempted from the requirement of a tolerance when used at levels not to exceed 10% as inert ingredients (surfactants) in pesticide formulations applied to growing crops, crops after harvest, and on animals. This proposed regulation was requested by Hampshire