filing when preparing documents for electronic submission.¹

In this update, several submission types have been added. First, EDGAR submission types 13F, HR, N, and N/A have been added. These submission types will accommodate the electronic submission of reports on Form 13F in the event that the Commission amends its rules to require mandatory electronic filing of Form 13F.²

Also added are EDGAR submission types U–9C–3 and U–9C–3–A. These submission types are to be used by public utility holding companies for the submission of Form U–9C–3, Report Pursuant to Rule 58.³

Finally, a new submission has been added to accommodate electronic submissions of certain filings by companies whose filings are within the purview of the Division of Corporation Finance. Submission type POS EX has been added to reflect the Commission’s recent adoption of Rule 462(d) under the Securities Act of 1933. This rule will permit automatic effectiveness of a post-effective amendment filed solely to add an exhibit.

The following submission types have been eliminated from EDGAR: 10–C, 10–C/A, 486A24E, 486A24F, 486B24E, 486B24F, 8–B12A, 8–B12A/B, 8–B12G, 8–B12G/A, 8A12BEF, 8A12BT, and 8A12BT/A.

Rule 301 of Regulation S–T also is being amended to provide for the incorporation by reference of the Filer Manual into the Code of Federal Regulations, which incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The revised Filer Manual and the amendment to Rule 301 will be effective on August 25, 1997.

Paper copies of the updated Filer Manual may be obtained at the following address: Public Reference Room, U.S. Securities and Exchange Commission, Mail Stop 1–2, 450 5th Street, NW., Washington, DC 20549. Copies of the EDGAR Filer Manual may be obtained at the following address: Public Reference Room, U.S. Securities and Exchange Commission, Mail Stop 1–2, 450 5th Street, NW., Washington, DC 20549. They also may be obtained from Disclosure Incorporated, 801 18th Street, NW., Washington, DC 20006, by calling (800) 638–8241. Electronic format copies are available through the EDGAR electronic bulletin board. Information on becoming an EDGAR E-mail/electronic bulletin board subscriber is available by calling CompuServe Inc. at (800) 576–4247.

By the Commission.


Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 97–20413 Filed 8–1–97; 8:45 am]

BILLING CODE 8010–01–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 925
[SPATS No. MO–032–FOR]

Missouri Regulatory Program

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

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is approving amendment to the Missouri regulatory program (hereinafter referred to as the “Missouri program”) under the Surface Mining Reclamation and Enforcement Act of 1977 (Surface Mining Control and Reclamation Act of 1977) (hereinafter referred to as the “Act” or “SMCRA”), 30 U.S.C. 1101 et seq., 1154 et seq., and 1155 et seq., by which OSM amends the Missouri program to reflect the changes and improvements that Missouri has made in its program to fulfill the requirements of the SMCRA.

The Office of Surface Mining Reclamation and Enforcement (OSM) is amending the Missouri program to reflect the changes and improvements that Missouri has made in its program to fulfill the requirements of the Surface Mining Control and Reclamation Act of 1977 (Surface Mining Control and Reclamation Act of 1977) (hereinafter referred to as the “Act” or “SMCRA”), 30 U.S.C. 1101 et seq., 1154 et seq., and 1155 et seq., by which OSM amends the Missouri program to reflect the changes and improvements that Missouri has made in its program to fulfill the requirements of the SMCRA.

By the Deputy Secretary of the Interior.


William B. Altig,
Deputy Secretary.

[FR Doc. 97–20413 Filed 8–1–97; 8:45 am]

BILLING CODE 4310–01–P
Mining Control and Reclamation Act of 1977 (SMCRA). Missouri proposed to amend its revegetation success guidelines by revising its special requirements for ground cover density on previously mined areas in the phase III revegetation success standards sections of its guidelines for pasture and adding special requirements for ground cover density on previously mined areas in the phase III revegetation success standards sections of its guidelines for wildlife habitat, woodland, industrial/commercial, residential, and recreation land uses. The amendment is intended to revise the Missouri program to be consistent with the corresponding Federal regulations and improve operational efficiency.

**EFFECTIVE DATE:** August 4, 1997.

**FOR FURTHER INFORMATION CONTACT:** Russell W. Frum, Office of Surface Mining, Mid-Continent Regional Coordination Center, Alton Federal Building, 501 Belle Street, Alton, Illinois 62012. Telephone: (618) 463-9293.

**SUPPLEMENTARY INFORMATION:**

I. Background on the Missouri Program

On November 21, 1980, the Secretary of Interior conditionally approved the Missouri program. General background information on the Missouri program, including the Secretary’s findings, the disposition of comments, and the conditions of approval of the Missouri program can be found in the November 21, 1980, Federal Register (45 FR 77017). Subsequent actions concerning Missouri’s program and program amendments can be found at 30 CFR 925.12, 925.15, and 925.16.

II. Submission of the Proposed Amendment

By letter dated April 16, 1997 (Administrative Record No. MO-649.3), Missouri submitted a proposed amendment to its program pursuant to SMCRA. Missouri submitted the proposed amendment at its own initiative.

OSM announced receipt of the proposed amendment in the April 29, 1997, Federal Register (62 FR 23194), and in the same document opened the public comment period and provided an opportunity for a public hearing or meeting on the adequacy of the proposed amendment. The public comment period closed on May 29, 1997. Because no one requested a public hearing or meeting, none was held.

By letter dated May 29, 1997 (Administrative Record No. MO-649.3), Missouri submitted revisions to its proposed program amendment. Missouri proposed to withdraw the portion of its proposed amendment pertaining to the optional use of county average yields for determining prime farmland revegetation success and to revise the portion of its proposed amendment pertaining to special requirements for ground cover density on previously mined areas reclaimed to a pasture land use. Missouri submitted the revisions at its own initiative.

Based upon the revisions to the proposed program amendment submitted by Missouri, OSM reopened the public comment period in the June 10, 1997, Federal Register (62 FR 31541). The public comment period closed on June 25, 1997.

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.

Missouri proposed to amend its Phase III revegetation success guidelines for pasture, wildlife habitat, woodland, industrial/commercial, residential, and recreation land uses concerning the premining and postmining use are not the same or the premining ground cover density was not recorded before the area’s redisturbance, when read in combination with the Missouri regulations at 10 CSR 40.3.120/3.270(6)(B)2.i which require that ground cover on redisturbed sites be adequate to control erosion, ensures that the 70 percent ground cover requirement is a minimum density standard that will be adjusted upward if the density is not adequate to control erosion. Therefore, the Director finds that these revisions to Missouri’s revegetation success guidelines are no less effective than the Federal regulations at 30 CFR 816.116/817.116(b)(5).

The portion of Missouri’s proposal in which the premining use and the postmining use are not the same or the premining ground cover density was not recorded before the area’s redisturbance, when read in combination with the Missouri regulations at 10 CSR 40.3.120/3.270(6)(B)2.i which require that ground cover on redisturbed sites be adequate to control erosion, ensures that the 70 percent ground cover requirement is a minimum density standard that will be adjusted upward if the density is not adequate to control erosion. Therefore, the Director finds that these proposed revisions are no less effective than the Federal regulations at 30 CFR 816.116/817.116(b)(5).

Additionally, the Director finds that the portion of Missouri’s proposal which requires that the ground cover be determined once during the last year of the five-year liability period is consistent with and no less effective than the Federal requirements at 30 CFR 816.116/817.116(c)(2)(iii).

IV. Summary and Disposition of Comments

Public Comments

OSM solicited public comments on the proposed amendment, but none were received.

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 Missouri program. No comments were received from the Federal agencies.

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 Missouri proposed to make in this amendment pertain to air or water quality standards. Therefore, OSM did not request the EPA’s concurrence.

Pursuant to 732.17(h)(11)(i), OSM solicited comments on the proposed amendment from the EPA (Administrative Record No. MO-649.1). The EPA did not respond to OSM’s request.

State Historical Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP)

Pursuant to 30 CFR 732.17(h)(4), OSM is required to solicit comments on proposed amendments which may have an effect on historic properties from the SHPO and ACHP. OSM solicited comments on the proposed amendment from the SHPO and ACHP (Administrative Record No. MO-649.1). Neither the SHPO nor ACHP responded to OSM’s request.

V. Director’s Decision

Based on the above findings, the Director approves the proposed amendment as submitted by Missouri on April 16, 1997, and as revised on May 29, 1997, concerning revisions to its revegetation success guidelines that revised or added special requirements for ground cover density on previously mined areas in the phase III revegetation success standards sections of its guidelines for pasture, wildlife habitat, woodland, industrial/commercial, residential, and recreation land uses. The Director approves the revegetation success guidelines as proposed by Missouri with the provision that they be fully implemented in identical form to those submitted to and reviewed by OSM and the public.

The Federal regulations at 30 CFR part 925, codifying decisions concerning the Missouri 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 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (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.

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 925

Intergovernmental relations, Surface mining, Underground mining.

Brent Wahlquist, Regional Director, Mid-Continent Regional Coordinating Center.

For the reasons set out in the preamble, 30 CFR part 925 is amended as set forth below:

PART 925—MISSOURI

1. The authority citation for part 925 continues to read as follows:

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

2. Section 925.15 is amended in the table by adding a new entry in chronological order by “Date of final publication” to read as follows:

<table>
<thead>
<tr>
<th>Original amendment submission date</th>
<th>Date of final publication</th>
<th>Citation/description</th>
</tr>
</thead>
</table>
DEPARTMENT OF THE INTERIOR
Office of Surface Mining Reclamation and Enforcement

30 CFR Part 944
[UT–035–FOR]

Utah Regulatory Program and Utah Abandoned Mine Land Reclamation Plan

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

ACTION: Final rule; approval of amendment.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is approving a proposed amendment to the Utah regulatory program and Utah abandoned mine land reclamation (AMLR) plan (hereinafter, the “Utah program and plan”) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Utah proposed revisions to and additions of statutes pertaining to the definition for “adjudicative proceeding”; schedule of applicant's mining law violations and reclamation operation violations resulting from unanticipated events or conditions; location of informal conferences; performance standards for all coal mining and reclamation operations and approximate original contour variances for surface coal mining operations; requirements regarding surface effects of underground coal mining, repair or compensation for damage, replacement of water, suspension of underground mining upon finding of immediate danger to inhabitants at the surface, and applicability to other chapters; contest of violation or amount of civil penalty; and lands and waters eligible for expenditure of AMLR funds. The amendment was intended to revise the Utah program and plan to be consistent with SMCRA and to improve operational efficiency.


FOR FURTHER INFORMATION CONTACT: James F. Fulton, Chief, Denver Field Division; telephone: (303) 844–1424; Internet address: WWW.JFULTONOSMRE.GOV.

SUPPLEMENTARY INFORMATION:

I. Background on the Utah Program and Plan

On January 21, 1981, the Secretary of the Interior conditionally approved the Utah program; on June 3, 1983, the Secretary approved the Utah plan. General background information on the Utah program and plan, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Utah program can be found in the January 21, 1981, and June 3, 1983, publications of the Federal Register (46 FR 5899 and 48 FR 24876). Subsequent actions concerning Utah's program and program amendments can be found at 30 CFR 944.15, 944.16, and 944.30. Subsequent actions concerning Utah's plan amendments can be found at 30 CFR 944.25.

II. Proposed Amendment

By letter dated May 27, 1997, Utah submitted a proposed amendment to its program and plan (administrative record No. UT–1090) pursuant to SMCRA (30 U.S.C. 1201 et seq.). Utah submitted the proposed amendment in response to required program amendments at 30 CFR 944.16 (e) through (i), in response to a June 5, 1996, letter (administrative record No. UT–1083) that OSM sent to Utah in accordance with 30 CFR 732.17(c), and at its own initiative. The provisions of the Utah coal mining and reclamation statute that Utah proposed to revise or add were: Utah Code Annotated (UCA) 40–10–3(1), definition for “adjudicative proceeding”; UCA 40–10–11(3) and (5), schedule of applicant's mining law violations and reclamation operation violations resulting from unanticipated events or conditions; UCA 40–10–13(2), location of informal conferences; UCA 40–10–17 (2), (3), and (4), performance standards for all coal mining and reclamation operations and approximate original contour variances for surface coal mining operations; UCA 40–10–18 (1) through (15), 18.1, and 18.2, requirements regarding surface effects of underground coal mining, repair or compensation for damage, replacement of water, suspension of underground mining upon finding of immediate danger to inhabitants at the surface, and applicability to other chapters; contest of violation or amount of civil penalty; and lands and waters eligible for expenditure of AMLR funds.

III. Director's Findings

As discussed below, the Director, in accordance with SMCRA, 30 CFR 732.15 and 732.17, and 30 CFR 884.14 and 884.15, finds that the proposed program and plan amendment submitted by Utah on May 27, 1997, is no less stringent than SMCRA and consistent with SMCRA. Accordingly, the Director approves the proposed amendment.

1. Nonsubstantive Revisions to Utah's Statutes

Utah proposed revisions to the following previously-approved statutes concerning underground mining that are nonsubstantive in nature and consist of minor editorial, punctuation, grammatical, and reformatting changes (corresponding SMCRA provisions are listed in parentheses):

UCA 40–10–17 (2) (i)(i)(B), (p) (ii) and (iii); (3) (a) and (c); and (4), (4) (a) and (d), performance standards for all coal mining and reclamation operations, and approximate original contour variances for surface coal mining operations (sections 515 (b) (10)(B)(ii), (16) (B) and (C); (c) (2) and (6); and (d), (1) (1) and (4) of SMCRA),

UCA 40–10–18(1), adoption of rules for control of surface effects of underground coal mining operations (section 516(a) of SMCRA),

UCA 40–10–18(2), requirements for underground coal mining permits (section 516(b) of SMCRA),

UCA 40–10–18(3) (a), (a) (i) through (iii), and (b), prevention of subsidence effects (section 516(b)(1) of SMCRA),

UCA 40–10–18(4), filling or sealing of portals, entryways, drifts, shafts, or other openings (section 516(b)(2) of SMCRA),

UCA 40–10–18(5), sealing of exploratory holes and return of mine waste to mine workings or excavations (section 516(b)(3) of SMCRA),

UCA 40–10–18(6) (a), (b), and (b) (i) through (iii), surface disposal of mine waste (section 516(b)(4) of SMCRA),

UCA 40–10–18(7), dams or embankments constructed of coal mine waste (section 516(b)(5) of SMCRA),

UCA 40–10–18(8), (8) (a) and (b), revegetation (section 516(b)(6) of SMCRA),

UCA 40–10–18(9), protection of offsite areas from damage (section 516(b)(7) of SMCRA),

UCA 40–10–18(10), elimination of fire hazards and public health and safety hazards (section 516(b)(8) of SMCRA),

UCA 40–10–18 (11), (11)(a), and (11)(b)(i–iii), minimization of disturbances of the premining hydrologic balance (section 516(b)(9)(A) of SMCRA),