

Therefore, chapter XVIII, title 7, Code of Federal Regulations is proposed to be amended as follows:

PART 1924—CONSTRUCTION AND REPAIR

1. The authority citation for part 1924 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C 1989; 42 U.S.C 1480.

Subpart A—Planning and Performing Construction And Other Development

2. Exhibit D of subpart A is amended by adding paragraph IV. G to read as follows:

Exhibit D to subpart A—Thermal Performance Construction Standards

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IV. Minimum Requirements

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G. *New Manufactured Housing*

The Uo Value Zone indicated on the "Heating Certificate" for comfort heating shall be equal to or greater than the HUD Zone listed in the following table:

RHS climate zones (winter degree days)	FMHCCS (HUD code) Uo value zones
0–1000	1
1001–2500	2
2501–4500	2
4501–6000	3
>6000	3

Example: If a manufactured home is to be located in a geographic area having between 2501 and 4500 RHS winter degree days, the Agency will accept a Uo value Zone 2 unit or Zone 3 unit constructed to the HUD FMHCCS.

If a central air conditioning system is provided by the home manufacturer a "Comfort Cooling Certificate" must be permanently affixed to an interior surface of the unit that is readily visible. This certificate may be combined with the heating certificate on the data plate.

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Dated: September 28, 1998.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 98–26761 Filed 10–5–98; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 935

[OH–243–FOR, #76]

Ohio Regulatory Program

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

ACTION: Proposed rule; reopening of public comment period.

SUMMARY: OSM is reopening the public comment period on a proposed amendment to the Ohio regulatory program (Ohio program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of changes to provisions of the Ohio rules pertaining to permitting requirements, bond release, and performance standards. The amendment is intended to revise the Ohio program to be consistent with the corresponding Federal regulations.

DATES: We will accept written comments until 4:00 p.m., [E.D.T.], October 21, 1998.

ADDRESSES: You should mail or hand deliver written comments to George Rieger, Field Branch Chief, at the address listed below.

You may review copies of the Ohio program, the proposed amendment, and all written comments received in response to this document at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the proposed amendment by contacting OSM's Appalachian Regional Coordinating Center.

George Rieger, Field Branch Chief, Appalachian Regional Coordinating Center, Office of Surface Mining Reclamation and Enforcement, 3 Parkway Center, Pittsburgh, PA 15220, Telephone: (412) 937–2153
Ohio Division of Mines and Reclamation, 1855 Fountain Square Court, Columbus, Ohio 43224, Telephone: (614) 265–1076

FOR FURTHER INFORMATION CONTACT: George Rieger, Field Branch Chief, Appalachian Regional Coordinating Center, Telephone: (412) 937–2153. Internet: grieger@escgw.osmre.gov.

SUPPLEMENTARY INFORMATION:

I. Background on the Ohio Program

On August 16, 1982, the Secretary of the Interior conditionally approved the

Ohio program. You can find background information on the Ohio program, including the Secretary's findings, the disposition of comments, and the conditions of approval in the August 10, 1982, **Federal Register** (42 FR 34688). You can find later actions concerning the Ohio program at 30 CFR 935.11, 935.12, 935.15, and 935.16.

II. Description of the Proposed Amendment

By letter dated December 30, 1997 (Administrative Record No. OH–2174–05), Ohio submitted a proposed amendment to its program in accordance with SMCRA and 30 CFR 732.17(c). Ohio proposed to amend the provisions of the Ohio Administrative Code (OAC) at: OAC 1501:13–4–05—Permit Application Requirements, OAC 1501:13–4–12—Special Categories of Mining, OAC 1501:13–4–14—Underground Permit Application Requirements, OAC 1501:13–7–05—Release of Performance Bond, and OAC 1501:13–9–04—Performance Standards. We announced receipt of the amendment in the January 23, 1998, **Federal Register** (63 FR 3507).

During our review of the amendment, we identified concerns with Ohio's rules at OAC 1501 at subsections 13–4–12, 13–4–05, 13–4–14, and 13–9–04. We notified Ohio of our concerns via electronic mail on May 5, 1998 (Administrative Record No. OH–2174–11). By letter dated June 2, 1998 (Administrative Record No. OH–2174–12), Ohio submitted revisions at OAC: 1501:13–4–05(H)(1)(c), (H)(2)(c), (H)(6) 1501:13–4–14(H)(1)(c), (H)(2)(c), (H)(6) 1501:13–9–04(H)(1)(c)(ii), (H)(1)(d) to reference the criteria in Natural Resources Conservation Service's Technical Release No. 60 (TR 60), "Earth Dams and Reservoirs."

During a conference call on July 16, 1998 (Administrative Record No. OH–2174–13), we informed Ohio that one issue remained at OAC 1501:13–4–12. On September 4, 1998, Ohio telefaxed us revisions to subsection 13–4–12(E) (Administrative Record No. OH–2174–16). The revised language is: "The aggregate total prime farmland acreage will not be decreased from that which existed prior to mining. Permanent water bodies, if any, to be constructed during mining and reclamation operations will be located within the post-reclamation non-prime farmland portions of the permit area. If the prime farmland acreage is to be restored in a location other than the premining location, the relocation must be approved by the Chief and the permittee must obtain the consent of all affected surface owner(s)."

III. Public Comment Procedures

According to the provisions of 30 CFR 732.17(h), we are seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is approved, it will become part of the Ohio program.

Written Comments

Your written comments should be specific and pertain only to the issues proposed in this rulemaking. You should explain the reason for any recommended change. We may not consider comments received after the time indicated under **DATES** or at locations other than the Appalachian Regional Coordinating Center in the final rulemaking or include them in the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

The Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review) exempts this rule from review.

Executive Order 12988

The Department of the Interior conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and 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

We have analyzed this rule in accordance with the criteria of the national Environmental Policy Act and 526DM. This rule does not constitute a major Federal action significantly affecting the quality of the human environment.

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.*). The information collection is not covered by an existing OMB approval. An OMB form 83-I has not been prepared and has not been approved by the Office of Policy Analysis.

Regulatory Flexibility Act

The Department of the Interior 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 Reform Act

In accordance with the Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*), this rule will not produce a Federal mandate of \$100 million or greater in any year, i.e., it is not a "significant regulatory action" under the Unfunded Mandates Reform Act.

List of Subjects in 30 CFR Part 935

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 25, 1998.

Allen D. Klein,

Regional Director, Appalachian Regional Coordinating Center.

[FR Doc. 98-26701 Filed 10-5-98; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

[FCC 98-217]

1998 Biennial Regulatory Review

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission has adopted a Notice of Proposed Rulemaking (NPRM) to revise its rules to eliminate the Wireless Telecommunications

Bureau's reference facility in Gettysburg, Pennsylvania. The demand to review application and licensing records will be met by the Commission's public access capabilities, particularly as the use of electronic filing increases. The NPRM also proposes to update the Commission's rules to accurately reflect the location and availability of license application information within the Wireless Telecommunications Bureau.

DATES: Comments are due November 5, 1998 and reply comments are due November 20, 1998.

ADDRESSES: Parties should file an original and five copies of all comments, reply comments, and supporting comments with the Office of the Secretary, 1919 M Street, NW, Suite 222, Washington, DC 20554. Parties submitting diskettes should send them to the Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, 2100 M Street, NW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Walter Boswell, 717-338-2601.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking. The full text of this NPRM is available for inspection and copying during normal business hours at the FCC Dockets Branch, Room 230, 1919 M Street NW, Washington, DC. The text of the NPRM may also be purchased by calling International Transcription Service at 202-857-3800.

Given the readily available electronic access to information concerning applications and licenses for wireless telecommunications services, this NPRM proposes to close the Commission's Gettysburg reference facility. Due to its location outside the Washington, DC area, the Gettysburg reference facility is not as well used as those at Commission headquarters. The demand to review materials will be easily met by the Commission's public access capabilities, particularly as the use of electronic filing expands to the point where the Commission receives little or no paper from applicants. The Wireless Telecommunications Bureau staff in Gettysburg will accept requests at their front counter to review paper documents, and the Commission's duplication services contractor will provide copies of applications upon request for their usual research and copying fees.

List of Subjects in 47 CFR Part 0

Public information and Inspection of records.