

SUPPLEMENTARY INFORMATION: The release to be deleted from the NPL is: Lackawanna Refuse Site, Old Forge, Pennsylvania.

A Notice of Intent to Delete for this Site was published on August 19, 1999 (64 FR 45222). The closing date for comments on the Notice of Intent to Delete was September 20, 1999. EPA received one comment, which is addressed in the Responsiveness Summary in the Deletion Docket.

The EPA identifies releases which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those releases. Releases on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund Response Trust Fund (Fund). Pursuant to § 300.425(e)(3) of the NCP, any release deleted from the NPL remains eligible for further Fund-financed remedial actions should further conditions at the Site warrant such action.

Deletion of a release from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 21, 1999.

W. Michael McCabe,

Regional Administrator, U.S. EPA Region III.

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for Part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 191 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Appendix B—[Amended]

2. Table 1 of Appendix B to part 300 is amended by removing the Site: Lackawanna Refuse Site, Old Forge, Pennsylvania.

[FR Doc. 99–25134 Filed 9–27–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–6446–1]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of Deletion of Northwest Transformer (Mission/Pole Road) Site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA), Region 10, announces the deletion of the Northwest Transformer (Mission/Pole Road) Site from the National Priorities List (NPL). The NPL constitutes Appendix B of 40 CFR Part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Washington Department of Ecology have determined that no further cleanup under CERCLA is appropriate and that the selected remedy has been protective of human health and the environment.

EFFECTIVE DATE: September 28, 1999.

FOR FURTHER INFORMATION CONTACT: Beverly Gaines, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Mail Stop ECL–110, Seattle, WA 98101, (206) 553–1066.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is: Northwest Transformer (Mission/Pole Road), Whatcom County, Washington.

A Notice of Intent to Delete for this site was published on August 25, 1999, (64 FR 46333). The closing date for comments was September 24, 1999. EPA received no comments.

EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund-financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425 of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 23, 1999.

Chuck Clarke,

Regional Administrator, Region 10.

For the reasons set out in the preamble, 40 CFR Part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Appendix B [Amended]

2. Table 1 of Appendix B to Part 300 is amended by removing “Northwest Transformer, Everson, Washington.”

[FR Doc. 99–25161 Filed 9–27–99; 8:45 am]

BILLING CODE 6560–50–U

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3400 and 3420

[WO–320–3420–24 1A]

RIN 1004–AD27

Public Participation in Coal Leasing

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule.

SUMMARY: This final rule clarifies terms of a settlement agreement and a March 1995 law. In the settlement agreement, we agreed to establish procedures where the public may participate in the regional coal leasing process by regulations. In addition, this final rule amends the regulations to conform to statutory changes under the Unfunded Mandates Reform Act of 1995 exempting several types of meetings from Federal Advisory Committee Act requirements. This final rule exempts Regional Coal Team Meetings from the requirements of the Federal Advisory Committee Act in accordance with this law.

EFFECTIVE DATE: This rule is effective on October 28, 1999.

FOR FURTHER INFORMATION CONTACT: Philip Allard, Solid Minerals Group,

Bureau of Land Management, Mail Stop 401LS, 1849 "C" Street, NW, Washington, DC 20240; telephone (202) 452-5195. Individuals who use a telecommunication device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, 7 days a week, 24 hours a day, except holidays, for assistance to reach the above contact.

SUPPLEMENTARY INFORMATION:

Contents

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- II. Responses to Comments
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I. Background

This final rule satisfies terms of a settlement agreement negotiated in July 1997 and a March 1995 law. The Department of the Interior's coal leasing regulations were challenged in a lawsuit, *Natural Resources Defense Council, Inc., et al. v. Jamison, et al.*, Civil No. 82-2763 (D.D.C.). In December 1992, the court decided that the Department had not complied with section 202(f) of the Federal Land Policy and Management Act, (43 U.S.C. 1712(f)).

The court held that although the Bureau of Land Management's (BLM) competitive leasing handbook describes public participation procedures, the Department should establish these procedures by regulations. During the appeal process, the parties negotiated a settlement. In July 1997, the Department and the plaintiffs entered into a settlement agreement (Civil No. 82-2763 (D.C. Circuit No. 93-5029)).

In the settlement, the Department agreed to identify in our regulations the points where the public may participate in regional coal leasing decisions. The BLM already provides this information in its competitive leasing handbook; therefore, public participation opportunities in competitive leasing are not substantially altered.

On March 22, 1995, Congress passed the Unfunded Mandates Reform Act. Section 204(b) of this law (2 U.S.C. 1534) states that the requirements of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix 1, do not apply to intergovernmental communications when:

- The meetings are exclusively between Federal officials and elected officers of State, local and tribal governments or their representatives; and
- The meetings are only to exchange views, information, or advice relating to Federal programs that share intergovernmental responsibilities.

The Office of the Solicitor of the Department of the Interior determined that these provisions exempt Regional Coal Team (RCT) meetings from the requirements of FACA. The final rule amends the reference and clarifies which portion of the FACA regulations apply to RCTs because existing regulations at subpart 3400 incorporate FACA regulations at subpart 1784.

The method BLM primarily uses to offer coal is to lease coal competitively. The two types of competitive leasing are "regional coal leasing" and "leasing-on-application." The Department of the Interior initiates the regional coal leasing process based on the demand for Federal coal, national energy needs, and other factors. BLM must determine whether to offer Federal coal lands for lease and which coal to offer. Since issues surrounding coal leasing can vary greatly from region to region, Federal coal production regions assist BLM in this determination by grouping together areas with similar issues. The leasing-on-application process is initiated by individuals or companies, unlike the regional coal leasing process which is Government initiated.

BLM must first begin the regional coal leasing process by creating a land use plan, in which BLM-managed lands are reviewed to determine, among other factors, the presence or absence of:

- Coal;
- Other resources that might preclude developing coal;
- Other uses for the land that might be preferable to coal development; and
- Any qualified surface owners who oppose or favor coal development.

This review allows BLM to identify the land that is acceptable for further consideration for coal leasing. Second, the Secretary sets the leasing level for the region after considering the land use plan, the amount of leasing interest in the region, national energy needs, and other factors. Third, BLM initiates "regional coal activity planning" during which BLM prepares environmental documents that analyze one or more combinations of tracts that equal the leasing level and other alternatives. Finally, the Secretary determines the lease sale schedule based on the environmental analysis, public comments, comments from State Governors, tribal governments, and other Federal agencies. The schedule includes the number of tracts which will be offered for lease and the timing of the lease sales.

Unlike the regional coal leasing process, the leasing-on-application process begins when an individual or company applies for a particular coal

deposit. There is no need to establish a leasing level because the amount of coal applied for provides the starting point for the amount of coal to be analyzed. There is also no leasing schedule because BLM usually offers coal tracts based on at most one or two applications in leasing-on-application lease sales. The RCT located in the applicable coal production region may review the applications and may make recommendations on the application. For a number of years, BLM has competitively leased Federal coal exclusively through the leasing-on-application process.

Regional coal teams are composed of BLM employees and State Governors or their designees in the States where the coal tracts are located. The RCTs recommend the leasing level for regional coal leasing, a target amount of coal that BLM may offer for sale, and the lease sale schedule to the BLM Director. The BLM Director makes recommendations to the Secretary of the Interior. The Secretary makes the final decision on leasing levels and a lease sale schedule, taking into account recommendations from the BLM Director, RCT, State Governors, and other interested and affected groups including members of the general public.

BLM divided Federally owned coal deposits into broad blocks called "Federal coal production regions." There are six Federal coal production regions located principally in the western United States. The Federal coal production regions are:

- The Southern Appalachian Region in northwestern Alabama;
- The Fort Union Region of eastern Montana and western North Dakota;
- The Green River-Hams Fork Region of northwestern Colorado and southern Wyoming;
- The Powder River Region of northeastern Wyoming and southeastern Montana;
- The San Juan Region of northwestern New Mexico and southwestern Colorado; and
- The Uinta-Southwestern Utah Region of eastern Utah and western Colorado.

BLM decertified the Federal coal production regions because we do not believe the demand for new Federal coal leases is sufficient to justify regional coal leasing at this time. RCTs will continue to meet on an ad hoc basis to advise BLM on lease-on-application coal sales.

II. Responses to Comments

On March 11, 1999, (64 FR 12142), BLM published the Public Participation

in Coal Leasing proposed rule in the **Federal Register**. The 60-day public comment period on the Public Participation in Coal Leasing proposed rule ended on May 10, 1999. We received no public comments on this proposed rule. However, BLM received four comment letters from its State Offices. One comment letter contained no substantive comments. We considered the other comments when finalizing this rule.

Comment: The commenter stated that some of the information in the case files studied by Regional Coal Teams (RCTs) is proprietary to various individuals and corporations and, therefore, should be withheld from disclosure.

Response: Proprietary information is protected from disclosure under the Freedom of Information Act (5 U.S.C. 552) and the regulations of the Department (43 CFR 2.13(c)). This rule makes no change to the way BLM handles proprietary data. Proprietary information submitted during the coal leasing process can still be protected from disclosure as described in 43 CFR 3420.1-2(b).

Comment: The commenter expressed concerns over whether BLM considered the requirements of the Executive Order on Environmental Justice (E.O. 12898) in finalizing these regulations.

Response: Environmental justice was one of the factors BLM considered when we evaluated the rule for compliance with the terms and conditions of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*). Environmental justice is also one of the factors we consider when we evaluate Federal lands for coal leasing. This rule makes no change to the standards BLM will use when evaluating potential coal leases. BLM complies with the Executive Order on Environmental Justice during the preparation of our environmental assessment or environmental impact statement for a proposed coal lease sale.

Comment: One commenter proposed several changes to the text of the preamble which we did not consider to be substantive. However, the commenter also pointed out that the use of the phrase "BLM will publish a notice * * * for two consecutive weeks in a newspaper * * *" could be read to require us to publish such a notice 14 times if the newspaper happened to be a daily publication.

Response: BLM's intent is to have the notices described in the rule published two times, one week apart. We have changed the final rule in three places to more precisely express our intent.

III. Final Rule as Adopted

BLM adopts the amendments to 43 CFR Parts 3400 and 3420 in the proposed rule which was published in the **Federal Register** on March 11, 1999, (64 FR 12142), as a final rule except for the changes described below for three sections.

Section 3420.3-4 Regional Tract Ranking, Selection, Environmental Analysis and Scheduling

The language in the proposed rule for § 3420.304(d) stated that we would publish a notice of the 60-day comment period and public hearing on a draft environmental impact statement for two consecutive weeks in a newspaper of general circulation in the area of the sale. One comment letter pointed out that this could be read to require the BLM to publish this notice for 14 days should the newspaper chosen for this publication be a daily paper. This is a change from our present practice of printing a notice of availability two times, one week apart, in a newspaper of general circulation in the area of the sale. We do not intend to change this practice. We have modified the language to more precisely state our intent. Instead of using the phrase "for two consecutive weeks" we now say "at least once per week for two consecutive weeks."

Section 3422.1 Fair Market Value and Maximum Economic Recovery

The language in the proposed rule for § 3422.1(a) stated that we would publish a solicitation for comments on fair market value and maximum economic recovery of coal tracts for two consecutive weeks in a newspaper of general circulation in the area of the sale. One comment letter pointed out that this could be read to require the BLM to publish this solicitation for 14 days should the newspaper chosen for this publication be a daily paper. This is a change from our present practice of printing a solicitation of availability two times, one week apart, in a newspaper of general circulation in the area of the sale. We do not intend to change this practice.

We have modified the language to more precisely state our intent. Instead of using the phrase "for two consecutive weeks" we now say "at least once per week for two consecutive weeks."

Section 3425.3 Environmental Analysis

The language in the proposed rule for § 3425.3(a) stated that we would publish a notice of the availability of and public hearing for the environmental assessment or draft environmental impact statement for two consecutive

weeks in a newspaper of general circulation in the area of the sale. One comment letter pointed out that this could be read to require the BLM to publish this notice for 14 days should the newspaper chosen for this publication be a daily paper. This is a change from our present practice of printing a notice of availability two times, one week apart, in a newspaper of general circulation in the area of the sale. We do not intend to change this practice. We have modified the language to more precisely state our intent. Instead of using the phrase "for two consecutive weeks" we now say "at least once per week for two consecutive weeks."

IV. Procedural Matters

Executive Order 12866, Regulatory Planning and Review

This final rule is not a significant rule and was not subject to review by the Office of Management and Budget under Executive Order 12866. We have determined that this final rule does not have an annual economic impact of \$100 million or more; have an adverse impact in a material way on the economy, environment, public health, safety, other units of government, or sectors of the economy; pose a serious inconsistency or interfere with an action taken or planned by another agency; have novel legal or policy implications; or have material effects on budgets or rights and obligations of recipients of entitlements, fees, grants, or loans. Therefore, we do not have to assess the potential costs and benefits of the rule under section 6(a)(3) of this order and no OMB review under the order is required.

National Environmental Policy Act

BLM considers this final rule to be an administrative action to incorporate current BLM policy on public participation in the coal leasing process into the regulations. Therefore, it is categorically excluded from environmental review under section 102(2)(C) of the National Environmental Policy Act of 1969, pursuant to 516 Departmental Manual (DM), Chapter 2, Appendix 1, Item 1.10. In addition, this final rule does not meet any of the 10 criteria for exceptions to categorical exclusions listed in 516 DM, Chapter 2, Appendix 2. Pursuant to Council on Environmental Quality regulations (40 FR 1508.4) and the environmental policies and procedures of the Department of the Interior, the term "categorical exclusions" means a category of actions which individually and cumulatively do not have a

significant effect on the human environment and that has been found to have no such effect in procedures adopted by a Federal agency and for which neither an environmental assessment nor an environmental impact statement is required. This final rule does not directly affect the environment. Any coal tract considered for leasing will be subject to further NEPA analysis on a case-by-case basis.

Regulatory Flexibility Act

This final rule does not require a regulatory flexibility analysis. Congress enacted the Regulatory Flexibility Act of 1980 (RFA), as amended, 5 U.S.C. 601–612, to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule has a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. This final rule would not have significant economic impacts on small entities under the RFA, 5 U.S.C. 601 *et seq.* Small entities would not be affected adversely or beneficially by these requirements but would be given the opportunity to participate in the coal leasing process by regulations, rather than by internal agency guidance.

Small Business Regulatory Enforcement Fairness Act

This final rule is not a “major rule” as defined by the Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 804(2). This final rule will not have a significant impact on the economy or on small businesses in particular. This final rule would not substantially change BLM’s existing policy.

Unfunded Mandates Reform Act

This final rule does not impose an unfunded mandate on State, local or tribal governments or the private sector of more than \$100 million per year. This final rule does not have a significant or unique effect on State, local, or tribal governments or the private sector. This final rule places current BLM policy on public participation in the coal leasing process in the regulations. Therefore, we are not required to prepare a statement containing the information required by the Unfunded Mandates Reform Act, (2 U.S.C. 1531 *et seq.*).

Executive Order 12630, Takings

This final rule does not represent a government action capable of interfering with constitutionally protected property rights. Therefore, we have determined

that this final rule would not cause a taking of private property.

Executive Order 12612, Federalism

This final rule will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We designed the Federal Coal Management Program to allow the maximum participation of affected States in decisions about regional coal leasing and development through RCTs. RCTs make recommendations to the BLM Director for the Secretary on the regional coal leasing levels of coal to be analyzed for possible sale and on the amount of coal offered. If the Secretary does not accept their decisions, the Secretary must publicly state why. We have determined that this final rule does not have sufficient Federalism implications to warrant preparation of a Federalism assessment.

Executive Order 12988, Civil Justice Reform

The Office of the Solicitor has determined that this final rule will not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of Executive Order 12988.

Paperwork Reduction Act

This final rule does not require an information collection from 10 or more parties and a submission under the Paperwork Reduction Act is not required.

Authors

The principal author of this final rule is Philip Allard, Solid Minerals Group, assisted by Shirlean Beshir, Regulatory Affairs Group.

List of Subjects in 43 CFR Part 3400

Coal, Intergovernmental relations, Mines, Public lands-classification, Public lands-mineral resources.

List of Subjects in 43 CFR Part 3420

Administrative practice and procedure, Coal, Environmental protection, Intergovernmental relations, Mines, Public lands-mineral resources.

Dated: September 17, 1999.

Sylvia V. Baca,

Acting Assistant Secretary, Land and Minerals Management.

Accordingly, under the authority of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 *et seq.*), the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C.

351–359), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1740), and the Secretary’s enforcement powers, BLM adopts as final the amendments to 43 CFR Parts 3400 and 3420, as set forth below:

PART 3400—COAL MANAGEMENT: GENERAL

1. The authority citation for part 3400 continues to read as follows:

Authority: 30 U.S.C. 189, 359, 1211, 1251, 1266, and 1273; 43 U.S.C. 1461, 1733, and 1740.

2. Amend § 3400.4 by revising paragraph (g) to read:

§ 3400.4 Federal/state government cooperation.

* * * * *

(g) The regional coal team will function under the public participation procedures at §§ 1784.4–2, 1784.4–3, and 1784.5 of this chapter.

3. The authority citation for part 3420 continues to read as follows:

Authority: The Mineral Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 *et seq.*), the Mineral Leasing Act for Acquired Lands of 1947, as amended (30 U.S.C. 351–359), the Multiple Mineral Development Act of 1954 (30 U.S.C. 521–531 *et seq.*), the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*), the Department of Energy Organization Act of 1977 (42 U.S.C. 7101 *et seq.*), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), and the Small Business Act of 1953, as amended (15 U.S.C. 631 *et seq.*).

PART 3420—COMPETITIVE LEASING

4. Amend § 3420.1–4 by revising paragraph (a) to read:

§ 3420.1–4 General requirements for land use planning.

(a) The Secretary may not hold a lease sale under this part unless the lands containing the coal deposits are included in a comprehensive land use plan or land use analysis. The land use plan or land use analysis will be conducted with public notice and opportunity for participation at the points specified in § 1610.2(f) of this title. The sale must be compatible with, and subject to, any relevant stipulations, guidelines, and standards set out in that plan or analysis.

* * * * *

5. Amend § 3420.2 by removing the last sentence of paragraph (a)(1), and adding in its place two sentences as set forth below, revising the last sentence of paragraph (a)(4), removing “and” from the end of paragraph (c)(8), redesignating current paragraph (c)(9) as

paragraph (c)(10), and adding a new (c)(9) to read:

§ 3420.2 Regional leasing levels.

(a)(1) * * * This range of initial leasing levels must be based on information available to the State Director including: land use planning data; the results of the call for coal resource information held under § 3420.1-2 of this subpart; the results of the call for expressions of leasing interest held under § 3420.3-2 of this subpart; and other considerations. The State Director will consider comments received from the public in writing and at hearings, and input and advice from the Governors of the affected States regarding assumptions, data, and other factors pertinent to the region;

(a)(4) * * * The team also must transmit to the Secretary, without change, all comments and recommendations of the Governor and the public.

(9) Comments received from the public in writing and at public hearings; and

6. Amend § 3420.3-1 by adding a new paragraph (d) to read:

§ 3420.3-1 Area identification process.

(d) Public notice and opportunity for participation in activity planning must be appropriate to the area and the people involved. The Bureau of Land Management will make available a calendar listing of the points in the planning process at which the public may participate, including:

- (1) The regional coal team meeting to recommend initial leasing levels (see § 3420.2(a)(4));
- (2) The regional coal team meeting for tract ranking (see § 3420.3-4(a));
- (3) Publication of the regional coal lease sale environmental impact statement (see § 3420.3-4(c)); and
- (4) The regional coal team meeting to recommend specific tracts for a lease sale and a lease sale schedule (see § 3420.3-4(g)).

7. Amend § 3420.3-4 by removing the third sentence in paragraph (a)(1), and adding in its place four sentences as set forth below, adding two sentences after the first sentence in paragraph (a)(5), adding a new sentence at the end of paragraph (d), revising paragraph (f), and removing the first sentence in paragraph (g) and adding in its place two new sentences as set forth below:

§ 3420.3-4 Regional tract ranking, selection, environmental analysis and scheduling.

(a)(1) * * * The subfactors the regional coal team will consider under each category are those the regional coal team determines are appropriate for that region. The regional coal team will make its determination after publishing notice in the **Federal Register** that the public has 30 days to comment on the subfactors. The regional coal team will then consider any comments it receives in determining the subfactors. BLM will publish the subfactors in the regional lease sale environmental impact statement required by this section.* * *

(5) * * * BLM will publish the notice no later than 45 days before the meeting. The notice will list potential topics for discussion.* * *

(d) * * * BLM will publish a notice in the **Federal Register** of the 60-day comment period and the public hearing on the draft environmental impact statement. BLM also will publish the notice at least once per week for two consecutive weeks in a newspaper of general circulation in the area of the sale.

(f) When the comment period on the draft environmental impact statement closes, the regional coal team will analyze the comments and make any appropriate revisions in the tract ranking and selection. The final regional lease sale environmental impact statement will reflect such revisions and will include all comments received.

(g) When BLM completes and releases the final regional lease sale environmental impact statement, the regional coal team will meet and recommend specific tracts for lease sale and a lease sale schedule. The regional coal team will provide notice in the **Federal Register** of the date and location at least 45 days before its meeting.* * *

8. Amend § 3420.5-2 by adding two sentences at the end of paragraph (a) to read:

§ 3420.5-2 Revision.

(a) * * * BLM will publish a notice in the **Federal Register** and provide a 30-day comment period before it makes any revision increasing the number or frequency of sales, or the amount of coal offered. BLM will publish any revision in the **Federal Register**.

9. Amend § 3422.1 by adding a sentence after the first sentence in paragraph (a) to read:

§ 3422.1 Fair market value and maximum economic recovery.

(a) * * * BLM will publish the solicitation in the **Federal Register** and at least once per week for two consecutive weeks in a newspaper of general circulation in the area of the sale.* * *

10. Amend § 3422.2 by removing the third sentence in paragraph (a) and adding in its place two sentences to read as follows:

§ 3422.2 Notice of sale and detailed statement.

(a) * * * BLM will post notice of the sale in BLM State Office where the coal lands are managed. BLM will also mail notice to any surface owner of lands noticed for sale and to any other person who has requested notice of sales in the area.* * *

11. Amend § 3425.1-9 by adding a sentence at the end of this section to read:

§ 3425.1-9 Modification of application area.

* * * If an environmental assessment of the modification is required, BLM will solicit and consider public comments on the modified application.

12. Amend § 3425.3(a) by adding two sentences at the end of paragraph (a) to read:

§ 3425.3 Environmental analysis.

(a) * * * BLM will publish a notice in the **Federal Register**, and at least once per week for two consecutive weeks in a newspaper of general circulation in the area of the sale, announcing the availability of the environmental assessment or draft environmental impact statement and the hearing required by § 3425.4(a)(1). BLM also will mail to the surface owner a notice of any lands to be offered for sale and to any person who has requested notice of sales in the area.