

withdrawing the amendment at its own initiative.

FOR FURTHER INFORMATION CONTACT: John W. Coleman, Mid-Continent Regional Coordinating Center, Office of Surface Mining, Alton Federal Building, 501 Belle Street, Alton, Illinois 62002. Telephone: (618) 463-6460. Internet: jcoleman@mcrgw.osmre.gov.

SUPPLEMENTARY INFORMATION: By letter dated July 12, 1999 (Administrative Record No. KS-616), Kansas sent us an amendment to its program under SMCRA. Kansas proposed to amend the Kansas Revegetation Guidelines.

We announced receipt of the amendment in the July 26, 1999, **Federal Register** (64 FR 40323) and invited public comment on its adequacy. The public comment period ended August 25, 1999.

On September 8, 1999 (Administrative Record No. KS-616.4), we notified Kansas of deficiencies in its amendment. On October 5, 1999 (Administrative Record No. KS-616.5), Kansas requested that the amendment be withdrawn. Kansas intends to revise the amendment and submit it at a later date. Therefore, the proposed amendment announced in the July 26, 1999, **Federal Register** is withdrawn.

List of Subjects in 30 CFR Part 916

Intergovernmental relations, Surface mining, Underground mining.

Dated: October 14, 1999.

Richard J. Seibel,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 936

[SPATS No. OK-026-FOR]

Oklahoma Regulatory Program

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

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

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of additional information and documentation to support provisions in a previously proposed amendment to the Oklahoma regulatory program (Oklahoma program) under the Surface Mining Control and

Reclamation Act of 1977 (SMCRA). Oklahoma provided a policy statement for its bond release guidelines relating to revegetation success standards for diversity on lands reclaimed for use as pastureland and grazingland. Oklahoma also submitted evidence of consultation with the U. S. Soil Conservation Service (SCS) regarding the use of test plots as a statistically valid sampling technique for demonstrating success of productivity on prime farmland. Oklahoma intends to revise its program to be consistent with the corresponding Federal regulations.

This document gives the times and locations that the Oklahoma program and the additional information and supporting documentation for its previous amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we will follow for the public hearing, if one is requested.

DATES: We will accept written comments until 4:00 p.m., c.s.t., November 22, 1999. If requested, we will hold a public hearing on the amendment on November 16, 1999. We will accept requests to speak at the hearing until 4:00 p.m., c.s.t. on November 8, 1999.

ADDRESSES: You should mail or hand deliver written comments and requests to speak at the hearing to Michael C. Wolfrom, Director, Tulsa Field Office, at the address listed below.

You may review copies of the Oklahoma program, the amendment, a listing of any scheduled public hearings, 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 amendment by contacting OSM's Tulsa Field Office.

Michael C. Wolfrom, Director, Tulsa Field Office, Office of Surface Mining, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6547, Telephone: (918) 581-6430.

Oklahoma Department of Mines, 4040 N. Lincoln Blvd., Suite 107, Oklahoma City, Oklahoma 73105, Telephone: (405) 521-3859.

FOR FURTHER INFORMATION CONTACT: Michael C. Wolfrom, Director, Tulsa Field Office. Telephone: (918) 581-6430. Internet: mwolfrom@tokgw.osmre.gov.

SUPPLEMENTARY INFORMATION:

I. Background on the Oklahoma Program

On January 19, 1981, the Secretary of the Interior conditionally approved the Oklahoma program. You can find background information on the Oklahoma program, including the Secretary's findings, the disposition of comments, and the conditions of approval in the January 19, 1981, **Federal Register** (46 FR 4902). You can find later actions concerning the Oklahoma program at 30 CFR 936.15 and 936.16.

II. Description of the Proposed Amendment

On February 17, 1994, Oklahoma proposed to amend its program by revising its Bond Release Guidelines (Administrative Record No. OK-959.01). We approved this amendment, with additional requirements, on January 10, 1995 (60 FR 2512). By letter dated September 30, 1999 (Administrative Record No. OK-984), Oklahoma sent us additional information and documentation to support the provisions in its previously proposed amendment that we had approved with additional requirements. In the January 10, 1995, **Federal Register**, we approved sections II., III., and V.B.2.d and e of Oklahoma's bond release guidelines with the following required amendments codified at 30 CFR 936.16(c) and (g):

(c) By March 13, 1995, Oklahoma shall revise sections II.B and III.B in the Bond Release Guidelines to identify the method it will use in developing a phase III revegetation success standard for diversity on lands reclaimed for use as pastureland and grazingland.

(g) By March 13, 1995, Oklahoma must submit, before Oklahoma allows the use of test plots as proposed at subsections V.B.2.d and V.B.2.e in the Bond Release Guidelines, evidence of consultation with the U.S. Soil Conservation Service regarding the use of test plots as a statistically valid sampling technique for demonstrating success of productivity on prime farmlands.

In response to 30 CFR 936.16(c), Oklahoma provided a policy statement relating to its bond release guidelines for pastureland and grazingland. In response to 30 CFR 936.16(g), Oklahoma submitted evidence of consultation with the SCS regarding the use of test plots as a statistically valid sampling technique for demonstrating success of productivity on prime farmland. Following is a summary of the additional information and documentation.

A. II. Pastureland and III. Grazingland—Subsections A.1.g.; 30 CFR 936.16(c)

In its letter dated September 30, 1999, Oklahoma included a policy statement that identifies the method it will use in developing a revegetation success standard for diversity on lands reclaimed for use as pastureland and grazingland. Oklahoma indicated that the currently approved provisions in its Bond Release Guidelines under II.A.1.g. and III.A.1.g. contain the required diversity standards:

g. Perennial species that are not listed in the approved reclamation plan but which the Department approves as being desirable and compatible with the postmining land use can make up to 20% of total ground cover not to exceed 5% ground cover by any one of these species.

Oklahoma stated that the above Bond Release Guidelines ensure that 80% of the ground cover is composed of the species listed in the approved reclamation plan and that it is comprised of vegetation that meets the requirement for seasonality, permanence, and regeneration on both pastureland and grazingland. In a letter dated May 21, 1996 (Administrative Record OK-960.04), Oklahoma stated that the above diversity standard is based primarily on the seed mix and the comparison of this seed mix to the stand established after reclamation.

B. V. Prime Farmland Cropland—Subsections V.B.2.d and e; 30 CFR 936.16(g)

Oklahoma submitted a letter from the SCS dated March 2, 1993, as evidence of consultation with the SCS regarding the use of test plots as a statistically valid sampling technique for demonstrating success of productivity on prime farmland. In this letter, the SCS stated that it had reviewed Oklahoma's proposal on sampling techniques for row crops on prime farmland. The SCS also referred Oklahoma to Dr. James Stiegler at the Oklahoma State University for technical evaluation of its statistical methods of sampling. Oklahoma submitted a letter from the Dr. James Stiegler dated April 24, 1996. In this letter, Dr. Stiegler stated:

I have looked over the material that you have provided to me regarding the statistical adequacy of using test plots to prove the productivity of reclaimed soils. The method of selecting and sampling of the test plots as described will result in valid data to support soil productivity.

III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are requesting comments on whether the additional information

and documentation satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the Oklahoma program.

Written Comments

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the administrative record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from administrative record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

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. In the final rulemaking, we will not necessarily consider or include in the Administrative Record any comments received after the time indicated under **DATES** or at locations other than the Tulsa Field Office.

Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include "Attn: SPATS No. OK-026-FOR" and your name and return address in your Internet message. If you do not receive a confirmation that we have received your Internet message, contact the Tulsa Field Office at (918) 581-6430.

Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., c.s.t. on November 8, 1999. We will arrange the location and time of the hearing with those persons requesting the hearing. If you are disabled and need special accommodation to attend a public hearing, contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The hearing will not be held if no one requests an opportunity to speak at the public hearing.

To assist the transcriber and ensure an accurate record, we request that you

provide us with a written copy of your testimony. The public hearing will continue on the specified date until all persons scheduled to speak have been heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. If you wish to meet with us to discuss the amendment, request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We also make a written summary of each meeting a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

The Office of Management and Budget (OMB) exempts this rule from review 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 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 State regulatory programs and program amendments 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

This rule does not require an environmental impact statement since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on 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. Therefore, this rule will ensure that existing requirements previously published 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

OSM has determined and certifies under the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 936

Intergovernmental relations, Surface mining, Underground mining.

Dated: October 15, 1999.

Richard J. Seibel,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 85 and 86

[AMS-FRL-6462-6]

RIN 2060-A112, 2060-AI23

Control of Emissions of Air Pollution From 2004 and Later Model Year Highway Engines and Vehicles; Revision of Light-duty Truck Definition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public hearing.

SUMMARY: This document announces the time and place for a public hearing regarding EPA's proposed rule to implement new emission standards for highway vehicles and engines. The proposed rule was signed by the EPA Administrator on October 6, 1999, and will be published in the **Federal Register** prior to the hearing. See **ADDRESSES** for availability of the proposed rule.

DATES: EPA will conduct a public hearing on the proposed rule on November 2, 1999, in Philadelphia, PA beginning at 10:00 a.m. We must receive your comments on this NPRM by December 2, 1999. EPA requests that parties who want to testify notify the contact person listed in the **ADDRESSES** section of this document one week before the date of the hearing.

ADDRESSES: The public hearing will be held at Top of the Tower, 1717 Arch Street, 51st Floor, Philadelphia, PA 19103, telephone: 215-567-8787, fax: 215-557-5171. Materials relevant to the proposal have been placed in Docket Nos. A-98-32 and A-95-27. The docket is located at the Air Docket Section, Mail Code 6102, U.S. Environmental Protection Agency, 401 M Street, SW, Washington DC 20460, in room M-1500 Waterside Mall. Documents may be inspected Monday through Friday from 8:00 a.m. to 5:30 p.m. The telephone number is (202) 260-7548 and the facsimile number is (202) 260-4400. A reasonable fee may be charged by EPA for copying docket materials.

The proposed rule is available in the public docket for review, and was also made available on the EPA web page on October 6, 1999. See: <http://www.epa.gov/oms/hd-hwy.htm>.

Written comments should be submitted (in duplicate, if possible) to: EPA Air and Radiation Docket, Attn: Docket No. A-98-32, Room M-1500 (Mail Code 6102), 401 M Street SW, Washington, DC 20460. EPA requests that a copy of the comments also be sent to the contact person listed below.

FOR FURTHER INFORMATION CONTACT: Margaret Borushko, U.S. Environmental Protection Agency, Engine Programs and Compliance Division, 2000 Traverwood Drive, Ann Arbor, MI, 48105-2498. Telephone (734) 214-4334; Fax (734) 214-4816; e-mail borushko.margaret@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Procedures for Public Participation

A. Comments and the Public Docket

The Agency encourages all parties that have an interest in this proposal to

offer comment on various topics. The most useful comments are those supported by appropriate and detailed rationales, data, and analyses. The Agency also encourages commenters that disagree with elements of the proposal to suggest and analyze alternate approaches to meeting the air quality goals of this proposal. All comments, with the exception of proprietary information, should be directed to the EPA Air Docket Section, Docket No. A-98-32 before the date specified above. Information related to this rulemaking is also found in dockets A-95-27 and A-97-10.

Commenters who wish to submit proprietary information for consideration should clearly separate such information from other comments by (1) labeling proprietary information "Confidential Business Information" and (2) sending proprietary information directly to the contact person listed (see **FOR FURTHER INFORMATION CONTACT**) and not to the public docket. This will help ensure that proprietary information is not inadvertently placed in the docket. If a commenter wants EPA to use a submission of confidential information as part of the basis for the final rule, then a non-confidential version of the document that summarizes the key data or information should be sent to the docket. Any information or data that constitutes, in whole or in part, a basis of EPA's regulatory actions will be made public.

Information covered by a claim of confidentiality will be disclosed by EPA only to the extent allowed and in accordance with the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies the submission when it is received by EPA, it will be made available to the public without further notice to the commenter.

B. Public Hearing

The Agency will hold a public hearing as noted in the **DATES** section above. Any person desiring to present testimony at the public hearing is asked to notify the contact person listed above at least one week prior to the date of the hearing. This notification should include an estimate of the time required for the presentation of the testimony and any need for audio/visual equipment. EPA suggests that sufficient copies of the statement or material to be presented be available to the audience. In addition, it is helpful if the contact person receives a copy of the testimony or material prior to the hearing.

The hearing will be conducted informally, and technical rules of evidence will not apply. A sign-up sheet