

fittings, in accordance with Airbus Service Bulletin A300-57-6053, Revision 1, dated October 31, 1995, or Revision 02, dated June 2, 1999.

(2) For Model A300 series airplanes listed in Airbus Service Bulletin A300-53-0297, Revision 2, dated October 31, 1995: Replace the angle fittings with new, larger fittings, in accordance with the service bulletin.

(3) For all airplanes: Perform a detailed visual, high frequency eddy current (HFEC), or liquid penetrant inspection, as applicable, to detect cracking in the frame 40 forward fitting in accordance with Airbus Service Bulletin A300-57-6052, Revision 02, dated April 4, 1997 (for Model A300-600 series airplanes), or Airbus Service Bulletin A300-53-0268, Revision 4, dated August 16, 1995 (for Model A300 series airplanes); as applicable.

(i) If no crack is found: No further action is required by this AD.

(ii) Except as provided by paragraph (d)(3)(iii) of this AD: If any crack is found, during an inspection required by paragraph (d)(3) of this AD, prior to further flight, repair per the applicable service bulletin.

(iii) If any crack is detected during any inspection required by paragraph (d)(3) of this AD, and the applicable service bulletin specifies to contact the manufacturer for an appropriate action. Prior to further flight, repair in accordance with a method approved by the Manager, International Branch, ANM-116, FAA, Transport Airplane Directorate; or the Direction Gonorale de l'Aviation Civile (DGAC) (or its delegated agent). For a repair method to be approved by the Manager, International Branch, ANM-116, as required by this paragraph, the Manager's approval letter must specifically reference this AD.

#### Alternative Methods of Compliance

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM-116. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM-116.

**Note 6:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM-116.

#### Special Flight Permits

(f) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

**Note 7:** The subject of this AD is addressed in French airworthiness directive 1998-481-270(B) R1, dated July 12, 2000.

Issued in Renton, Washington, on January 3, 2001.

**Dorenda D. Baker,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 01-511 Filed 1-8-01; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 944

[SPATS No. UT-038-FOR]

#### Utah Regulatory Program

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

**ACTION:** Proposed rule; reopening and extension of public comment period on proposed amendment.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is reopening the public comment period for revisions to a proposed amendment to the Utah regulatory program (hereinafter, the "Utah program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Utah proposes to revise its amendment to change design requirements for temporary impoundments that function as sedimentation ponds. The State also proposes one minor editorial change. Utah intends to revise its program to make it consistent with the corresponding Federal regulations. We are reopening the comment period to allow for public review of Utah's revisions to its amendment.

**DATES:** We will accept written comments on this amendment until 4:00 p.m., mountain standard time January 24, 2001.

**ADDRESSES:** You should mail, hand deliver or e-mail your written comments to James F. Fulton, Denver Field Division Chief, at the address listed below.

You may review copies of the Utah program, this 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 amendment by contacting OSM's Denver Field Division.

James F. Fulton, Denver Field Division Chief, Office of Surface Mining, Western Regional Coordinating Center, 1999 Broadway, Suite 3320, Denver, Colorado, 80202-5733, telephone (303)844-1400, extension 1424.

Lowell P. Braxton, Director, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, P.O. Box 14581, Salt Lake City, Utah 84114-5801, telephone (801)538-5370.

#### FOR FURTHER INFORMATION CONTACT:

James F. Fulton, Denver Field Division Chief, telephone (303)844-1400, extension 1424; e-mail address [jfulton@osmre.gov](mailto:jfulton@osmre.gov).

#### SUPPLEMENTARY INFORMATION:

- I. Background on the Utah Program.
- II. Description of the Proposed Amendment.
- III. Public Comment Procedures.
- IV. Procedural Determinations.

#### I. Background on the Utah Program

On January 21, 1981, the Secretary of the Interior conditionally approved the Utah program. You can find background information on the Utah program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Utah program in the January 21, 1981, **Federal Register** (46 FR 5899). You can also find later actions concerning Utah's program and program amendments at 30 CFR 944.15 and 944.30.

#### II. Description of Proposed Amendment

By letter dated December 23, 1999 (administrative record No. 1133), Utah sent to us a proposed amendment (UT-038-FOR) to its program under SMCRA (30 U.S.C. 1201 *et seq.*). It sent the proposed Utah Administrative (Utah Admin. R.) amendment in response to a June 18, 1997, letter (administrative record No. UT-1093) that we sent to the State under 30 CFR 732.17(c). Utah originally proposed to change its rules pertaining to: Definitions of "abandoned site," "other treatment facilities," "previously mined area," "qualified laboratory," and "significant recreational, timber, economic, or other values incompatible with coal mining and reclamation operations," engineering requirements for impoundments and for backfilling and grading; hydrologic requirements for impoundments; requirements for bond release applications; prime farmland acreage; inspection frequency for abandoned sites; and the period in which to pay a penalty when requesting a formal hearing.

We announced receipt of the proposed amendment in the January 14, 2000, **Federal Register** (65 FR 2364; administrative record No. UT-1136), provided an opportunity for a public hearing or meeting, and invited public comment on its adequacy. We did not hold a public hearing or meeting because nobody requested either one. The public comment period ended on February 14, 2000.

During our review of the amendment, we identified a concern relating to the provision of Utah Admin. R. 645-301-742.225.2, which is part of the State's hydrology requirements for sedimentation ponds. Utah intended this proposed rule to provide an exception to the location guidance for certain temporary impoundments functioning as sedimentation ponds that *do not* meet the design criteria of the Natural Resources Conservation Service's Technical Release Number 60 or the size or other criteria of 30 CFR 77.216(a). However, the proposed rule repeated the same wording the State proposed at Utah Admin. R. 645-301-742.224.1, which applies to temporary impoundments that do meet the criteria of TR-60 or the size or other criteria of 30 CFR 77.216(a). We notified Utah of our concern by letter dated April 17, 2000 (administrative record No. UT-1142). The State formally responded to our concern in a letter dated November 27, 2000, by submitting a proposed revision (administrative record No. UT-1147).

The State now proposes two specific changes. First, it proposes an editorial change by adding the word "where" at the end of the clause in Utah Admin. R. 645-301-752.225 to read "An exception to the sediment pond location guidance in R645-301-742.224 may be allowed *where: \* \* \**" (emphasis added). Second, Utah proposes to delete wording of Utah Admin. R. 645-301-742.225.2 that repeated the preceding rule at R.646-301-742.225.1 and replace it with the following sentence: "Impoundments not included in R645-301-742.225.1 shall be designed to control the precipitation of the 100-year 6-hour event, or greater event if specified by the Division."

### III. Public Comment Procedures

We are reopening the comment period on the proposed amendment at Utah Admin. R. 645-301-742.225 to give you an opportunity to consider the revision we received.

### Written Comments

Send your written comments to OSM at the address given above. Your written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of your recommendations. 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 Denver Field Division.

### Electronic Comments

Please submit Internet comments as an ASCII file and do not use special characters or any form of encryption. Please also include "Attn: SPATS No. UT-038-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 Denver Field Division at telephone number (303) 884-1400, extension 1424.

### Availability of Comments

We will make comments, including names and addresses of respondents, available for public review during normal business hours. We will not consider anonymous comments. If individual respondents request confidentiality, we will honor their request to the extent allowable by law. Individual respondents who wish to withhold their name or address from public review, except for the city or town, must state this prominently at the beginning of their 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 review in their entirety.

### IV. Procedural Determinations

#### *Executive Order 12630—Takings*

This rule does not have takings implications. This determination is based on the analysis performed for the counterpart Federal regulations.

#### *Executive Order 12866—Regulatory Planning and Review*

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866.

#### *Executive Order 12988—Civil Justice Reform*

The Department of the Interior conducted the reviews required by section 3 of Executive Order 12988 and determined that, to the extent allowable 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 the Federal regulations at 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.

#### *Executive Order 13132—Federalism*

This rule does not have Federalism implications. SMCRA delineates the roles of the Federal and State governments with regard to the regulation of surface coal mining and reclamation operations. One of the purposes of SMCRA is to "establish a nationwide program to protect society and the environment from the adverse effects of surface coal mining operations." Section 503(a)(1) of SMCRA requires that State laws regulating surface coal mining and reclamation operations be "in accordance with" the requirements of SMCRA. Section 503(a)(7) requires that State programs contain rules and regulations "consistent with" regulations issued by the Secretary pursuant to SMCRA. This rule does not have Federalism implications.

#### *National Environmental Policy Act*

Section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that a decision on a proposed State regulatory program provision does not constitute a major Federal action within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)). A determination has been made that such decisions are categorically excluded from the NEPA process (516 DM 8.4.A).

#### *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 that 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.

*Small Business Regulatory Enforcement Fairness Act.*

This rule is not a major rule under 5 U.S.C.804(2), the Small Business Regulatory enforcement Fairness Act. This rule: (a) Does not have an annual effect on the economy of \$100 million; (b) will not cause a major increase in costs or prices for consumers, individual industries, geographic regions, or Federal State or local governmental agencies; and (c) does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S. based enterprises to compete with foreign-based enterprises. this determination is based on the fact that the State submittal which is the subject of this rule is based on counterpart Federal regulations for which an analysis was prepared and a determination made that the Federal regulation was not considered a major rule.

*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 944**

Intergovernmental relations, Surface mining, Underground mining.

Dated: December 14, 2000.

**James F. Fulton,**

*Acting Regional Director, Western Regional Coordinating Center.*

[FR Doc. 01-558 Filed 1-8-01; 8:45 am]

**BILLING CODE 4310-05-M**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 63**

[FRL-6928-5]

**Approval of the Clean Air Act, Section 112(l) Program and Delegation of Authority to the State of Oklahoma**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to take direct final action on section 112(l) program approval and delegation of authority to Oklahoma. The Oklahoma Department of Environmental Quality (ODEQ) has requested delegation of

certain Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) found in 40 CFR parts 61 and 63.

In the "Rules and Regulations" section of this **Federal Register**, the EPA is approving ODEQ's program of authorities and resources to implement and enforce NESHAPs in 40 CFR parts 61 and 63 and General Provisions as they apply to these sources and the mechanism for receiving future delegation of unchanged NESHAPs as they apply to non-part 70 sources. The EPA is granting ODEQ the authority to implement and enforce specified NESHAPs adopted by reference by ODEQ. The EPA is taking direct final action without prior proposal because EPA views this as a noncontroversial action and anticipates no adverse comments. A detailed rationale for this approval is set forth in the preamble to the direct final rule. If no adverse comments are received, the EPA will not take further action on this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and it will not take effect. 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 action. Any parties interested in commenting must do so at this time.

**DATES:** Written comments must be received by February 8, 2001.

**ADDRESSES:** Comments must be submitted to Mr. Robert M. Todd at the Region 6 office listed below. Copies of the requests for delegation and other supporting documentation are available for public inspection at the following location: U.S. Environmental Protection Agency, Region 6, Multimedia Planning and Permitting Division (6PD), 1445 Ross Avenue, Dallas, TX 75202-2733. Anyone wanting to examine these documents should make an appointment at least two working days in advance.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert M. Todd, U.S. EPA, Region 6, Multimedia Planning and Permitting Division (6PD), 1445 Ross Avenue, Dallas, TX 75202-2733, (214) 665-2156.

**SUPPLEMENTARY INFORMATION:** This document concerns delegation of unchanged NESHAPs and Maximum Achievable Control Technology standards to ODEQ. For additional information, see the direct final rule which is published in the Rules section of this **Federal Register**.

**Authority:** This action is issued under the authority of section 112 of the Clean Air Act, as amended, 42 U.S.C. 7412.

Dated: December 21, 2000.

**Lynda F. Carroll,**

*Acting Regional Administrator, Region 6.*

[FR Doc. 01-111 Filed 1-8-01; 8:45 am]

**BILLING CODE 6560-50-P**

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

[Docket No. FEMA-B-7408]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) matt.miller@fema.gov.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that