

| Original amendment submission date | Date of final publication |
|------------------------------------|---------------------------|
| April 26, 1994 | Sept. 1, 1994. |
| April 18, 1994 | Sept. 16, 1994. |
| Oct. 3, 1994 | Feb. 15, 1995. |
| April 29, 1994 | June 27, 1995. |

(b) The Director is deferring his decision on the enforcement provisions of section 720 of the Act from its effective date (October 24, 1992), to the effective date of KRS 350.421 (1) and (2) (July 15, 1994).

26. Section 917.21 is revised to read as follows:

§ 917.21 Approval of Kentucky abandoned mine land reclamation plan amendments.

(a) The Kentucky Amendment, submitted to OSM on December 8, 1982, is approved. You may receive a copy from:

- (1) Commonwealth of Kentucky, Natural Resources and Environmental Protection Cabinet, Division of Abandoned Lands, 618 Teton Trail, Frankfort, Kentucky 40601; or
- (2) Office of Surface Mining Reclamation and Enforcement, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503-2922.

(b) The Kentucky Abandoned Mine Reclamation Amendment, submitted to OSM on March 25, 1985, is approved. Copies may be obtained at the addresses listed in paragraph (a).

(c) The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

| Original amendment submission date | Date of final publication |
|------------------------------------|---------------------------|
| June 24, 1992 | Dec. 17, 1992. |
| May 5, 1994 | July 29, 1994. |

PART 918—LOUISIANA

27. The authority citation for part 918 continues to read as follows:

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

28. Section 918.15 is revised to read as follows:

§ 918.15 Approval of Louisiana regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

| Original amendment submission date | Date of final publication |
|------------------------------------|---------------------------|
| Jan. 19, 1990 | May 8, 1991. |

| Original amendment submission date | Date of final publication |
|------------------------------------|---------------------------|
| Aug. 14, 1990 | May 21, 1991. |
| Nov. 12, 1991 | Oct. 28, 1992. |
| May 3, 1994 | Sept. 20, 1994. |
| Nov. 2, 1994 | Jan. 24, 1995. |

PART 920—MARYLAND

29. The authority citation for part 920 continues to read as follows:

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

30. Section 920.15 is revised to read as follows:

§ 920.15 Approval of Maryland regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

| Original amendment submission date | Date of final publication |
|--|---------------------------|
| Oct. 28, 1982 | Feb. 8, 1984. |
| May 28, 1984 and Oct. 5, 1984. | Jan. 22, 1985. |
| Jan. 30, 1985 | Sept. 10, 1985. |
| Jan. 13, 1984; June 8, 1984; Aug. 7, 1984; Oct. 10, 1984 and Nov. 9, 1984. | Nov. 18, 1985. |
| Jan. 14, 1986 and May 15, 1986. | Dec. 12, 1986. |
| March 18, 1986 and April 23, 1986. | Jan. 30, 1987. |
| July 8, 1987 and June 10, 1988. | June 5, 1990. |
| March 30, 1989 | Jan. 11, 1991. |
| June 15, 1989 | March 21, 1991. |
| Sept. 28, 1990 and Nov. 21, 1990. | April 26, 1991. |
| March 27, 1989 | May 22, 1991. |
| March 23, 1990 | June 21, 1991. |
| Oct. 31, 1989 | Aug. 9, 1991. |
| Dec. 6, 1990 | Dec. 2, 1991. |
| June 10, 1988; June 14, 1989 and June 15, 1989. | Dec. 5, 1991. |
| May 7, 1991 and May 16, 1991. | Jan. 10, 1992. |
| Jan. 23, 1992 | Sept. 24, 1992. |
| June 11, 1992 | Nov. 16, 1992. |
| July 14, 1992 | Dec. 17, 1992. |
| June 23, 1992 | Dec. 30, 1992. |
| Oct. 21, 1992 | May 17, 1993. |
| Feb. 23, 1993 | June 17, 1993. |
| Feb. 7, 1992 | June 22, 1993. |
| Feb. 5, 1993 | July 6, 1993. |
| Feb. 25, 1994 | June 30, 1994. |
| May 16, 1994 and May 31, 1994. | Nov. 14, 1994. |
| June 16, 1995 | Nov. 9, 1995. |

31. Section 920.25 is revised to read as follows:

§ 920.25 Approval of Maryland abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM

and the dates when the Director's decision approving all, or portions of these amendments, were published in the Federal Register:

| Original amendment submission date | Date of final publication |
|------------------------------------|---------------------------|
| Sept. 4, 1992 | March 22, 1993. |
| Aug. 19, 1993 | Dec. 9, 1994. |

[FR Doc. 96-11306 Filed 5-7-96; 8:45 am]

BILLING CODE 4310-05-M

30 CFR Part 950

[WY-026]

Wyoming Regulatory Program

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

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

SUMMARY: Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of a proposed amendment to the Wyoming regulatory program (hereinafter, the "Wyoming program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to statutes pertaining to in situ mining. The amendment is intended to revise the Wyoming program to be consistent with SMCRA.

DATES: Written comments must be received by 4:00 p.m., m.d.t. June 7, 1996. If requested, a public hearing on the proposed amendment will be held on June 3, 1996. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t. on May 23, 1996.

ADDRESSES: Written comments should be mailed or hand delivered to Guy Padgett at the address listed below.

Copies of the Wyoming program, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Casper Field Office.

Guy Padgett, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, Federal Building, Room 2128, 100 East "B" Street, Casper, Wyoming 82601-1918

Dennis Hemmer, Director, Department of Environmental Quality, Herschler Building—4th Floor West, 125 West

25th Street, Cheyenne, Wyoming
82002, Telephone: (307) 777-7938

FOR FURTHER INFORMATION CONTACT:
Guy Padgett, Telephone: (307) 261-
5824, Internet address:
GPADGETT@OSMRE.GOV.

SUPPLEMENTARY INFORMATION:

I. Background on the Wyoming Program

On November 26, 1980, the Secretary of the Interior conditionally approved the Wyoming program. General background information on the Wyoming program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Wyoming program can be found in the November 26, 1980, Federal Register (45 FR 78637). Subsequent actions concerning Wyoming's program and program amendments can be found at 30 CFR 950.11, 950.12, 950.15, 950.16, and 950.20.

II. Proposed Amendment

By letter dated April 18, 1996 (administrative record No. WY-32-02), Wyoming submitted a proposed amendment to its program pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). Wyoming submitted the proposed amendment in response to a January 27, 1995, letter (administrative record No. WY-32-01) that OSM sent to Wyoming in accordance with 30 CFR 732.17(c). The provisions of the Wyoming Environmental Quality Act that Wyoming proposes to revise are: Wyoming Statute (W.S.) 35-11-426, in situ mineral mining permits and testing licenses, and W.S. 35-11-431, research and development licenses, renewals, and applications.

Specifically, Wyoming proposes to revise W.S. 35-11-426 to read as follows (italicized words denote proposed additions and words enclosed in brackets denote proposed deletions):

35-11-426. In situ mineral mining permits and testing licenses.

(a) Any person desiring to engage in situ mineral mining or research and development testing is governed by this act. [Any general provisions of the act which are more stringent than the particular requirements contained in W.S. 35-11-427 through 35-11-436 shall control for purposes of the regulation of coal in situ processing activity.]

(b) *All provisions of this act applicable to a surface coal mining operation, as defined in W.S. 35-11-103(e)(xx), shall apply to coal in situ operations, regardless of whether such operations are connected with existing surface or underground coal mines, including research and development testing licenses, in addition to the requirements of W.S. 35-11-427 through 35-11-436.*

Wyoming proposes to revise W.S. 35-11-426 to read as follows:

35-11-431. Research and development license; renewal; application.

(a) A special license to conduct research and development testing may be issued by the administrator for a one (1) year period without a permit and may be renewed annually. An application for a research and development testing license shall be accompanied by a fee of twenty-five dollars (\$25.00) and shall include:

* * * * *
(vi) [Proof of notice and mailing to all persons within one half (1/2) mile of the license area having a valid legal estate of record] *All requirements of W.S. 35-11-406 (j) and (k); and*

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is deemed adequate, it will become part of the Wyoming program.

1. Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "DATES" or at locations other than the Casper Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.

2. Public Hearing

Persons wishing to testify at the public hearing should contact the persons listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., m.d.t. on May 23, 1996. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to testify at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to testify have been heard. Persons in the audience who have not been scheduled to testify, and who wish

to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to testify and persons present in the audience who wish to testify have been heard.

3. Public Meeting

If only one person requests an opportunity to testify at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under "FOR FURTHER INFORMATION CONTACT." All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under "ADDRESSES." A written summary of each meeting will be made a part of the administrative record.

IV. Procedural Determinations

1. 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).

2. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that 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.

3. 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 National Environmental Policy Act of 1969 (42 U.S.C. 4332 (2)(C)).

4. 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.*).

5. 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.

List of Subjects in 30 CFR Part 950

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 25, 1996.

Russell F. Price,

Acting Regional Director, Western Regional Coordinating Center.

[FR Doc. 96-11292 Filed 5-7-96; 8:45 am]

BILLING CODE 4310-05-M

National Park Service

36 CFR Part 7

RIN 1024-AC23

Voyageurs National Park, Aircraft Operations—Designation of Areas

AGENCY: National Park Service, Interior.

ACTION: Proposed rule; reopening of public comment period.

SUMMARY: The proposed rule would amend the special regulations for Voyageurs National Park by replacing the interim rule (60 FR 39257) that was published on August 2, 1995, designating certain areas open to aircraft use within the park. This rulemaking is necessary to comply with NPS general regulations that require special regulatory designation for areas in parks open to the operation or use by aircraft. The intended effect of this rule is to increase safety, protect resources and provide appropriate enjoyment to all park users.

The 1980 Master Plan for the park states that float planes and ski planes will be allowed upon all lakes deemed safe by the Minnesota Department of Transportation. It also stated this allowance would be subject to the findings of a wilderness study. The 1992 wilderness study. The 1992 wilderness study recommended that planes be allowed on the four major lakes (Rainy, Kabetogama, Namakan and Sand Point), as well as the following interior lakes: Locator, War Club, Quill, Loiten, Shoepack, Little Trout and Mukooda. Each year the park receives an increasing number of inquiries for permission to land float planes in the park.

Public aircraft use on park waters occurred prior to the designation of the park in 1971. This use is primarily related to fishing, camping, transportation to resorts and summer dwellings and is typical for the area. Float plane use is mainly associated with the four major lakes with use of the interior lakes constituting less than one percent of the park's use. Aircraft are currently prohibited from using about 22 small interior lakes that have been determined to be too small to use safely by the Minnesota Department of Transportation. Three other lakes that have been used periodically and are accessible by hiking trails will not be opened to float plane use by this regulation. The closing of these three interior lakes will allow the park to manage the interior lakes on an equitable basis since other motorized uses are prohibited.

DATES: Written Comments will be accepted through September 5, 1996.

ADDRESSES: Comments should be addressed to: Superintendent, Proposed Regulation Comment, Voyageurs National Park, 3131 Highway 53, International Falls, MN 56649-8904.

FOR FURTHER INFORMATION CONTACT: Chief Ranger, Voyageurs National Park, 3131 Highway 53, International Falls, MN 56649-8904. Telephone (218) 283-9821.

SUPPLEMENTARY INFORMATION:

Extended Comment Period: Voyageurs National Park—Aircraft Operations, Designation of Areas

This document announces a 120-day reopening of the comment period for the proposed rule—Voyageurs National Park—Aircraft Operations, Designation of Areas—that was published in the Federal Register on January 31, 1996 (61 FR 3360). The initial comment period expired on April 1, 1996. Comments received during the initial comment period requested additional

time to review the proposed regulation. Accordingly, the comment period for the proposed rule is hereby extended an additional 120 days.

Dated: April 25, 1996.

George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-11397 Filed 5-7-96; 8:45 am]

BILLING CODE 4310-70-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 61

[FRL-5468-4]

RIN 2060-AF04

National Emission Standards for Hazardous Air Pollutants; National Emission Standard for Radon Emissions From Phosphogypsum Stacks

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; Notice of Reconsideration.

SUMMARY: On March 24, 1994, EPA announced its decision concerning a petition by The Fertilizer Institute (TFI) seeking reconsideration of a June 3, 1992 final rule revising the National Emission Standard for Radon Emissions from Phosphogypsum Stacks, 40 CFR Part 61, Subpart R. EPA partially granted and partially denied the TFI petition for reconsideration. Pursuant to that decision, EPA is convening a rulemaking to reconsider 40 CFR 61.205, the provision of the final rule which governs distribution and use of phosphogypsum for research and development, and the methodology utilized under 40 CFR 61.207 to establish the average radium-226 concentration for phosphogypsum removed from a phosphogypsum stack. This document identifies proposed changes to be considered as part of this reconsideration and specific underlying issues on which EPA seeks further comment.

DATES: Comments concerning this proposed rule must be received by EPA on or before July 8, 1996. EPA will hold a public hearing concerning this proposed rule in Washington, D.C. if a request for a hearing is received by EPA by June 7, 1996. In the event a hearing is requested, EPA will publish a separate notice specifying the date and location of the hearing.

ADDRESSES: Comments should be submitted (in duplicate if possible) to: Air and Radiation Docket and