

Olefin polymers	Density	Melting point (MP) or softening point (SP) (Degrees Centigrade)	Maximum extractable fraction (expressed as percent by weight of polymer) in <i>N</i> -hexane at specified temperatures	Maximum soluble fraction (expressed as percent by weight of polymer) in xylene at specified temperatures
3.1a Olefin copolymers described in paragraph (a)(3)(i) of this section for use in articles that contact food except for articles used for packing or holding food during cooking; except olefin copolymers described in paragraph (a)(3)(i)(a)(3) of this section and listed in item 3.1c of this table and olefin copolymers described in paragraph (a)(3)(i)(e) of this section and listed in item 3.1b of this table.	0.85–1.00	.....	5.5 pct at 50 °C .....	30 pct at 25 °C
3.1c Olefin copolymers described in paragraph (a)(3)(i)(a)(3) of this section for use in contact with food only under conditions of use B, C, D, E, F, G, and H described in § 176.170(c) of this chapter, Table 2; except that such copolymers when used in contact with food of the types identified in § 176.170(c), Table 1, under types III, IVA, V, VIIA, and IX, shall be used only under conditions of use D, E, F, and G described in § 176.170(c) of this chapter, Table 2.	Not less than 0.92	.....	.....	

\* \* \* \* \*

Dated: November 18, 1996.

Fred R. Shank,

*Director, Center for Food Safety and Applied Nutrition.*

[FR Doc. 96–29874 Filed 11–21–96; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 250

#### RIN 1076–AD68

Indian Fishing—Hoopa Valley Indian Reservation

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Indian Affairs is eliminating 25 CFR Part 250 as mandated by Executive Order 12866 to streamline the regulatory process and enhance the planning and coordination of new and existing regulations. The necessity for this rule no longer exists.

**EFFECTIVE DATE:** November 22, 1996.

**FOR FURTHER INFORMATION CONTACT:** Gary Rankel, Chief, Branch of Fish, Wildlife

and Recreation, Office of Trust Responsibilities, Bureau of Indian Affairs, Department of the Interior, 1849 C St. NW, Mail Stop 4513–MIB, Washington, DC 20240, Telephone (202) 208–4088.

**SUPPLEMENTARY INFORMATION:** On May 2, 1996, at 61 FR 19600, the Bureau published a proposed rule to eliminate 25 CFR Part 250, Indian Fishing—Hoopa Valley Indian Reservation. The purpose for which this rule was promulgated has been fulfilled and the rule is no longer required. Both the Hoopa Valley Tribe and the Yurok Tribe have established regulations to protect the fishery resources and fishing rights of Indians of the Hoopa Valley and Yurok Indian Reservations. With tribal fishing regulations now in place, 25 CFR Part 250 is no longer necessary. We received no comments in response to the proposed rule.

#### Evaluation and Certification

The Department has certified to the Office of Management and Budget (OMB) that this rule meets the applicable standards provided in Sections 2(a) and 2(b)(2) of Executive Order 12778.

The Office of Management and Budget has determined that this rule is not a

significant regulatory action under Executive Order 12866.

There will be no economic effect on each tribal government and tribal organization under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) and no additional outlays will be required of tribal governments, tribal organizations, and the Federal Government.

In accordance with Executive Order 12630, the Department has determined that this rule does not have significant “takings” implications. The rule does not pertain to “taking” of private property interests, nor does it affect private property.

The Department has determined that this rule will not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to the National Environmental Policy Act of 1969.

This rule has been examined under the Paperwork Reduction Act of 1995 and has been found to contain no information collection documents.

#### Drafting Information

The primary author of this document is Gary Rankel, Bureau of Indian Affairs.

List of Subjects in 25 CFR Part 250

Indians, Indian-fishing rights.

Under the authority of Executive Order 12866, 3 CFR; 1993. Comp., P. 638, and for the reasons stated above, Part 250 is removed from 25 CFR.

Dated: November 5, 1996.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 96-29506 Filed 11-21-96; 8:45 am]

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## Office of Surface Mining Reclamation and Enforcement

### 30 CFR Part 906

[SPATS No. CO-030-FOR]

### Colorado Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.  
**ACTION:** Final rule; approval of amendment.

**SUMMARY:** Office of Surface Mining Reclamation and Enforcement (OSM) is approving a proposed amendment to the Colorado regulatory program (hereinafter referred to as the "Colorado program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Colorado proposed revisions to and additions of statutes pertaining to definitions, development of rules no more stringent than SMCRA, requirements for permit applications, material damage resulting from subsidence caused by underground coal mining operations, imprudently issued permits, release of performance bonds, entitles and operations subject to the requirements of the Colorado Surface Coal Mining Reclamation Act, authority to apply for funds for the administration and fulfillment of the requirements of an abandoned mine reclamation program, and creation of a Colorado mine subsidence protection program. The amendment revised the State program to clarify ambiguities and improve operational efficiency.

**EFFECTIVE DATE:** November 22, 1996.

**FOR FURTHER INFORMATION CONTACT:** James F. Fulton, Telephone: (303) 844-1424.

### SUPPLEMENTARY INFORMATION:

#### I. Background on the Colorado Program

On December 15, 1980, the Secretary of the Interior conditionally approved the Colorado program. General background information on the Colorado program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Colorado program can be found in the December 15, 1980, Federal Register (45 FR 82173).

Subsequent actions concerning Colorado's program and program amendments can be found at 30 CFR 906.15, 906.16, and 906.30.

#### II. Proposed Amendment

By letters dated August 13 and 27, 1996, Colorado submitted a proposed amendment (administrative record No. CO-680) to its program pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). Colorado submitted the proposed amendment at its own initiative.

OSM announced receipt of the proposed amendment in the September 10, 1996, Federal Register (61 FR 47722), provided an opportunity for a public hearing or meeting on its substantive adequacy, and invited public comment on its adequacy (administrative record No. CO-680-2). Because no one requested a public hearing or meeting, none was held. The public comment period ended on October 10, 1996.

#### III. Director's Findings

As discussed below, the Director, in accordance with SMCRA and 30 CFR 732.15 and 732.17, finds that the proposed program amendment submitted by Colorado on August 13 and 27, 1996, is no less stringent than SMCRA. Accordingly, the Director approves the proposed amendment.

#### 1. Substantive Revisions to the Colorado Revised Statutes (C.R.S.) That Are Substantively Identical to the Corresponding Provisions of SMCRA

Colorado proposed revisions to the Colorado Surface Coal Mining Reclamation Act, C.R.S., that are substantive in nature and contain language that is substantively identical to the requirements of the corresponding Federal SMCRA provisions (listed in parentheses).

C.R.S. 34-33-127 (section 534 of SMCRA), concerning public agencies, public utilities, and public corporations which are subject to the requirements of Colorado's Act, and

C.R.S. 34-33-129(1)(a) (section 528(1) of SMCRA), concerning the exemption from the requirements of Colorado's Act for the extraction of coal by a landowner for his own use.

Because these proposed Colorado statutes are substantively identical to the corresponding provisions of SMCRA, the Director finds that they are no less stringent than SMCRA. The Director approves these proposed statutes.

#### 2. C.R.S. 34-33-103 (1), (7), and (13.5), Definitions of "Administrator," "Division," and "Office"

Colorado revised the definitions of "Administrator" and "Division" at C.R.S. 34-33-103 (1) and (7) to mean, respectively, the "head of the Office of Mined Land Reclamation in the Division of Minerals and Geology" and "Division of Minerals and Geology." Colorado added the definition of "Office" at C.R.S. 34-33-1-3 (13.5) to mean the "Office of Mined Land Reclamation." In addition, Colorado proposed editorial revisions throughout C.R.S. 34-33-104 through 126 to (1) replace the term "Division" with the term "Office" and (2) replace the terms "he" and "his" with gender neutral terms. Colorado proposed these revisions in accordance with a May 1992 reorganization of the regulatory authority, which did not result in significant changes in staffing and resources.

The Federal definition of "State regulatory authority" at section 701(26) of SMCRA means "the department or agency in each State which has primary responsibility at the State level for administering this Act."

Because the proposed Colorado definition clearly defines the agency and positions responsible at the State level for implementing the State counterpart to SMCRA, the Director finds that Colorado's proposed definitions of "Administrator," "Division," and "Office" at C.R.S. 34-33-103(1), (7), and (13.5), and related editorial revisions are consistent with and no less stringent than the definition of "State regulatory authority" at section 701(26) of SMCRA. Therefore, the Director approves the proposed definitions and other editorial revisions.

#### 3. C.R.S. 34-33-103(14), (21), and (26), Definitions of "Operator," "Person," and "Surface Coal Mining Operations"

a. C.R.S. 34-33-103(14) and (26), Definitions of "Operator," and "Surface Coal Mining Operations"

Colorado revised, at C.R.S. 34-33-103(14) and (26), respectively, the definitions of "Operator" and "Surface coal mining operations" to include removal of coal from "coal mine waste." Colorado revised the definition of "Surface coal mining operations" to delete the exemption for the extraction of coal incidental to the extraction of other minerals. Colorado also proposed deletion of an extraneous use of the term "removal" from the definition for "Surface coal mining operations." Colorado's proposed definitions of "Operator" and "Surface coal mining