

bias in loading and resistance. Before using this method, you must obtain approval for your analysis criteria from the Regional Supervisor.

(4) Topsides and appurtenances must withstand the seismic loads from paragraphs (d)(1) or (d)(2) of this section and be in conformance with the seismic provision of API RP 2A-WSD.

(5) You must conduct a site-specific study under 30 CFR 250.139 based on soil borings and geophysical data taken on or near the platform vicinity, using the best available technology. You may use a study previously conducted. An MMS approved independent peer review panel must review the study.

(e) *Does a third party need to verify the seismic reassessment?* You must use a Certified Verification Agent (CVA) approved by the MMS using the qualification standards in § 250.132(b)(1)(ii) to verify the analyses required in paragraphs (d)(1) through (d)(4) of this section. You must submit the CVA's final report to the Regional Supervisor. It must describe the analysis process and material reviewed, summarize the findings, and include a recommendation to the Regional

Supervisor. The recommendation must advise the Regional Supervisor to either accept, request modifications, or reject the reassessment.

(f) *What if my platform does not pass the seismic reassessment?* If your structure does not meet the reassessment criteria, you must contact the Regional Supervisor for approval to initiate one or more mitigation actions. Mitigation actions are modifications to the structure or to operational procedures that reduce loads, increase capacities, or reduce consequences.

[FR Doc. 97-15088 Filed 6-9-97; 8:45 am]

BILLING CODE 4310-MR-P

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 925

[SPATS No. MO-032-FOR]

#### Missouri Regulatory Program

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

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

**SUMMARY:** OSM is announcing receipt of revisions to a previously proposed amendment to the Missouri Regulatory program (hereinafter referred to as the "Missouri program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to Missouri's revegetation success guidelines. Missouri is proposing to withdraw the portion of its proposed amendment pertaining to the use of county average yields for determining prime farmland revegetation success and to revise the portion of its proposed amendment pertaining to special requirements for ground cover density on previously mined areas reclaimed to a pasture land use. The amendment is intended to revise the Missouri program to be consistent with the corresponding Federal regulations.

**DATES:** Written comments must be received by 4:00 p.m., c.d.t., June 25, 1997.

**ADDRESSES:** Written comments should be mailed or hand delivered to Russell W. Frum, Mid-Continent Regional Coordinating Center, at the address listed below.

Copies of the Missouri 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 Mid-Continent Regional Coordinating Center.

Russell W. Frum, Mid-Continent Regional Coordinating Center, Office of Surface Mining Reclamation and Enforcement, Alton Federal Building, 501 Belle Street, Alton, Illinois, 62002, Telephone: (618) 463-6460  
Missouri Department of Natural Resources, Land Reclamation Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, Missouri 65102, Telephone: (573) 751-4041.

**FOR FURTHER INFORMATION CONTACT:**  
Russell W. Frum, Mid-Continent Regional Coordinating Center,  
Telephone: (618) 463-6460.

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Background on the Missouri Program**

On November 21, 1980, the Secretary of the Interior conditionally approved the Missouri program. General background information on the Missouri program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Missouri program can be found in the November 21, 1980, **Federal Register** (45 FR 77017). Subsequent actions concerning Missouri's program and program amendments can be found at 30 CFR 925.12, 925.15, and 925.16.

#### **II. Discussion of the Proposed Amendment**

By letter dated April 16, 1997 (Administrative Record No. MO-649), Missouri submitted a proposed amendment to its program pursuant to SMCRA. Missouri submitted the proposed amendment at its own initiative. Missouri proposed to amend its revegetation success guidelines by adding procedures to allow for the use of county average yields when determining how the production on reclaimed prime farmland compares to the production on unmined prime farmland and by referencing the special requirements for ground cover density on previously mined areas in each land use section of the guidelines.

OSM announced receipt of the proposed amendment in the April 29, 1997, **Federal Register** (62 FR 23194) and invited public comment on its adequacy. The public comment period ended May 29, 1997.

By letter dated May 29, 1997 (Administrative Record No. MO-5649.3), Missouri proposed the following revisions to its April 16, 1997, proposed amendment.

##### **1. Phase II/III Revegetation Success Standards for Prime Farmland**

Missouri proposed to withdraw the revisions to its revegetation success guidelines for phase II/III revegetation success standards for prime farmland at section II.C.5 and new Appendix N pertaining to the option and procedures for using county average yields when determining how the production on reclaimed prime farmland compares to the production on unmined prime farmland.

##### **2. Phase III Revegetation Success Standards for Pasture**

Missouri previously proposed to require the permittee to establish a minimum ground cover density of 90 percent on previously mined areas reclaimed to a land use of pasture if the premining use was not pasture or the premining ground cover density was not recorded before redisturbance. In its letter dated May 29, 1997, Missouri proposed to change the minimum ground cover density for this requirement to 70 percent.

#### **III. Public Comment Procedures**

OSM is reopening the comment period on the proposed Missouri program amendment to provide the public an opportunity to reconsider the adequacy of the proposed amendment in light of the additional materials submitted. 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 Missouri program.

##### **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 Mid-Continent Regional Coordinating Center will not necessarily be considered in the final rulemaking or included in the Administrative Record.

#### **IV. Procedural Determinations**

##### **Executive Order 12866**

This proposed rule is exempted from review by the Office of Management and Budget (OMB) 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 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 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.

##### **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 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 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.

#### *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 925**

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 2, 1997.

**Deborah Watford,**

*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 943**

[SPATS No. TX-033-FOR]

#### **Texas Regulatory Program**

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

**ACTION:** Proposed rule; withdrawal of proposed amendment.

**SUMMARY:** OSM is announcing the withdrawal of a proposed amendment to the Texas regulatory program (hereinafter the "Texas program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment concerned codification of the Texas Coal Mining Regulations in the Texas Administrative Code at Part 16, Economic Regulation, Chapter 12. Texas is withdrawing the amendment at its own initiative.

**DATES:** The proposed amendment is withdrawn June 10, 1997.

**FOR FURTHER INFORMATION CONTACT:** Michael C. Wolfrom, Director, Tulsa Field Office, Telephone: (918) 581-6430.

**SUPPLEMENTARY INFORMATION:** By letter dated January 30, 1997, (Administrative Record No. TX-633), Texas submitted a proposed amendment to its program pursuant to SMCRA. The amendment concerned codification of the Texas Coal Mining Regulations in the Texas

Administrative Code at Part 16, Economic Regulation, Chapter 12. Texas submitted the proposed amendment at its own initiative.

On February 21, 1997, OSM announced receipt of and solicited public comment on the proposed amendment in the **Federal Register** (62 FR 7965). The public comment period ended on March 24, 1997.

On May 27, 1997 (Administrative Record No. TX-633.05), Texas requested that the proposed amendment be withdrawn. Texas intends to incorporate several recently approved amendments into the withdrawn proposed amendment, and then resubmit the amendment. Therefore, the proposed amendment announced in the February 21, 1997, **Federal Register** is withdrawn.

#### **List of Subjects in 30 CFR Part 943**

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 3, 1997.

**Deborah Watford,**

*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 948**

[WV-077-FOR]

#### **West Virginia Permanent Regulatory Program**

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

**ACTION:** Proposed rule.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the West Virginia permanent regulatory program (hereinafter referred to as the West Virginia program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment revises both the West Virginia Surface Mining Reclamation Regulations and the West Virginia Surface Mining Code. The amendment mainly concerns changes to implement the standards of the Federal Energy Policy Act of 1992. The amendment is intended to revise the State program to be consistent with the counterpart Federal provisions.

**DATES:** Written comments must be received on or before 4:00 p.m. on June 25, 1997.

**ADDRESSES:** Written comments and requests to speak at the hearing should be mailed or hand delivered to Mr. Roger W. Calhoun, Director, Charleston Field Office at the address listed below.

Copies of the proposed amendment, the West Virginia program, and the administrative record on the West Virginia program are available for public review and copying at the addresses below, during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting the OSM Charleston Field Office.

Mr. Roger W. Calhoun, Director, Charleston Field Office, Office of Surface Mining Reclamation and Enforcement, 1027 Virginia Street, East, Charleston, West Virginia 25301 Telephone: (304) 347-7158

West Virginia Division of Environmental Protection, 10 McJunkin Road, Nitro, West Virginia 25143, Telephone: (304) 759-0515.

In addition, copies of the proposed amendment are available for inspection during regular business hours at the following locations:

Office of Surface Mining Reclamation and Enforcement, Morgantown Area Office, 75 High Street, Room 229, P.O. Box 886, Morgantown, West Virginia 26507, Telephone: (304) 291-4004  
Office of Surface Mining Reclamation and Enforcement, Beckley Area Office, 323 Harper Park Drive, Suite 3, Beckley, West Virginia 25801, Telephone: (304) 255-5265.

#### **FOR FURTHER INFORMATION CONTACT:**

Mr. Roger W. Calhoun, Director, Charleston Field Office; Telephone: (304) 347-7158.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background on the West Virginia Program**

On January 21, 1981, the Secretary of the Interior conditionally approved the West Virginia program. Background information on the West Virginia program, including the Secretary's findings, the disposition of comments, and the conditions of the approval can be found in the January 21, 1981, **Federal Register** (46 FR 5915-5956). Subsequent actions concerning the West Virginia program and previous amendments are codified at 30 CFR 948.10, 948.12, 948.13, 948.15, and 948.16.

##### **II. Discussion of the Proposed Amendment**

By letter dated April 28, 1997 (Administrative Record Number WV-1056), the West Virginia Division of