

Bradstreet Corporation for the applicant's primary standard industry classification code.

Texas also proposes to add new criteria which applicants can meet to qualify for self-bonding as an alternative to Texas' existing criteria. This alternative method of self-bonding includes a specific requirement for net worth of at least \$100 million, a requirement for fixed assets in the United States totaling at least \$200 million, a requirement for issued and outstanding securities pursuant to the Securities Act of 1933 subject to the periodic financial reporting requirements of the Securities and Exchange Act of 1934, and a requirement that the total amount of the applicant's outstanding and proposed self-bonds for surface coal mining and reclamation operations shall not exceed 16 $\frac{2}{3}$  percent of the applicant's net worth in the United States.

### 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 Texas 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 Tulsa Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

#### Public Hearing

Persons wishing to speak at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., c.d.t., on September 27, 1995. The location and time of the hearing will be arranged with those persons requesting the hearing. Of no one requests an opportunity to speak 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 speak have been heard.

Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

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**.

#### 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. 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

#### 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).

#### 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, 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

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.

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

Intergovernmental relations, Surfacing mining, Underground mining.

Dated: August 24, 1995.

#### Russell Frum,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD11-95-003]

RIN 2115-AE47

#### Drawbridge Operation Regulations; Oakland Inner Harbor Tidal Canal, CA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of reopening of comment period; notice of public hearing.

**SUMMARY:** In response to several requests for a public hearing, the Coast Guard is reopening the comment period

and announcing a public hearing to be held October 5, 1995, on the proposed change to the drawbridge operating regulations for four drawbridges over the Oakland Inner Harbor Tidal Canal (Oakland Estuary).

**DATES:** The public hearing will be held on October 5, 1995, commencing at 7 p.m. Written comments must be received not later than October 31, 1995.

**ADDRESSES:** The hearing will be held at the Gresham Conference Center, Building 4, Coast Guard Island, Alameda, CA. Written comments should be mailed to Commander (oan-br), Eleventh Coast Guard District, Building 10, Room 214, Coast Guard Island, Alameda, CA 94501-5100, or may be delivered to Room 214 at the same address between 7:30 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jerry Olmes, Bridge Administrator, Eleventh Coast Guard District; telephone (510) 437-3514.

**SUPPLEMENTARY INFORMATION:**

**Regulatory Background**

On May 9, 1995 (60 FR 24599), the Coast Guard published a Notice of Proposed Rulemaking (NPRM), (CGD11-95-003), which proposed amending the regulation for the draws of the Alameda County vehicular bridges crossing the Oakland Inner Harbor Tidal Canal at the following locations: Park Street, mile 7.3; Fruitvale Avenue, mile 7.7; High Street, mile 8.1; and the U.S. Army Corps of Engineers railroad bridge, mile 7.7 at Fruitvale Avenue. Under the existing regulation, the draws are attended 24 hours per day, and open upon signal except during designated morning and afternoon commute periods. The proposed amendment requires attended service 16 hours per day with a four hour advance notice requirement for bridge openings during nighttime hours when an operator is not in constant attendance. The proposed amendment preserves the existing commute hour closures. This proposed amendment will allow the bridge owner to reduce operating expenses and should still provide for the reasonable needs of navigation. In addition, the identifying waterway mileage designating the location of, and the call sign for, each bridge would be revised to conform with the currently utilized standard of measurement.

**Discussion of Proposed Action**

The Coast Guard received 18 letters in response to the NPRM, six of which requested a public hearing. The Coast Guard has decided to reopen the

comment period and to hold a public hearing in order to provide all interested parties with additional opportunity to present relevant comments.

The hearing will be informal. Representatives of the Coast Guard will preside, make brief opening statements and announce the procedures to be followed at the hearing. Each person who wishes to make an oral statement should contact Mr. Jerry Olmes at (510) 437-3514 before the hearing date. Such notification should include the approximate time needed to make the presentation. Comments previously submitted on this rulemaking are a matter of record and need not be resubmitted at the hearing. Speakers are encouraged to provide written copies of their oral statement to the hearing officers at the hearing.

Interested persons who are unable to attend the hearing may also participate in the consideration of the proposed amendment by submitting their written comments to the Commander (oan-br), Eleventh Coast Guard District at the address under **ADDRESSES**.

All written comments must be received no later than October 31, 1995. Each written comment should identify the proposed amendment and clearly state the reason for any objections, comments or proposed changes, and include the name and address of the person or organization submitting the comment. Copies of all written communications will be available for review by interested persons after the hearing at the office of the Commander (oan-br), Eleventh Coast Guard District, between 7:30 a.m. and 3:30 p.m., Monday through Friday, except holidays. All comments received, whether in writing or presented orally at the public hearing, will be fully considered before final agency action is taken on the proposed amendment. The proposed amendment may be changed in light of comments received.

The hearing will be recorded and a written summary will be available for public review after October 16, 1995. All comments will be made a part of the rulemaking docket.

Dated: August 30, 1995.

**D.D. Polk,**

*Captain, U.S. Coast Guard, Commander, Eleventh Coast Guard District, Acting.*

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**BILLING CODE 4910-14-M**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[CA 153-1-7165b; FRL-5278-8]

**Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision; El Dorado County Air Pollution District**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from lumber processing and timber manufacturing.

The intended effect of proposing approval of this rule is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and 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 document. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be received in writing by October 12, 1995.

**ADDRESSES:** Written comments on this action should be addressed to: Daniel A. Meer, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule and EPA's evaluation report for the rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814.