

was more than the cost to perform the reclamation work. Debate focused on who would pay for costs associated with potential lawsuits should a lien be placed for more than the reclamation cost, and whether the reclamation would be authorized by a property owner if the lien for the reclamation exceeded the actual cost of the reclamation. Wyoming further stated that over 25,000 acres have been reclaimed since the start of the Wyoming AMLR program and that there had never been an instance where the cost of reclamation was less than the increase in property value.

III. Public Comment Procedures

OSM is reopening the comment period on the proposed Wyoming plan 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 884.14 and 884.15(a), OSM is seeking comments on whether the proposed amendment satisfies the applicable plan approval criteria of 30 CFR 884.14. If the amendment is deemed adequate, it will become part of the Wyoming plan.

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.

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 AMLR plans and revisions thereof since each such plan is drafted and promulgated by a specific State, not by OSM. Decisions on proposed State AMLR plans and revisions thereof submitted by a State are based on a determination of whether the submittal meets the requirements of

Title IV of SMCRA (30 U.S.C. 1231–1243) and the applicable Federal regulations at 30 CFR Parts 884 and 888.

3. National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed State AMLR plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

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 which is the subject of this rule is based upon 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 established by SMCRA or 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 in the analyses for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 950

Abandoned mine land reclamation program, Intergovernmental relations, Surface mining, Underground mining.

Dated: September 7, 1995.

Richard J. Seibel,

Regional Director, Western Regional Coordinating Center.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL–5300–1]

40 CFR Parts 64 and 70

Compliance Assurance Monitoring Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public meeting; notice of document availability.

SUMMARY: On October 22, 1993, the EPA published a notice of proposed rulemaking (58 FR 54648) that contained proposed rules to govern a new enhanced monitoring program under section 114(a)(3) and related provisions of the Clean Air Act. In light of the President's concerns regarding flexibility and cost-effectiveness, the EPA believes that it may be inappropriate to take final action on the rule as proposed and has proceeded to develop an alternative approach to meet the statutory requirement of section 114(a)(3), as well as the periodic monitoring requirements under section 503(b) of the Clean Air Act; this approach is called compliance assurance monitoring or CAM.

The EPA is planning to propose regulations on compliance assurance monitoring in December 1995. These regulations will impose new monitoring requirements on major stationary sources of air pollution. Notice is hereby given that the EPA will hold a public meeting on September 22, 1995 to provide the stakeholders potentially affected by these regulations with an opportunity to discuss the issues raised by the regulations in advance of the EPA's formal proposal. This notice also announces the public availability of a draft regulatory package for review in advance of the public meeting. In addition, the Agency will accept written comments on the draft package provided that comments are received by September 22, 1995.

DATES: Meeting: The public meeting will be held on September 22, 1995 from 8:30 a.m. to 4:30 p.m. at the address set forth below. **Comments:** Written comments may be submitted to the docket at the address provided below until September 22, 1995. **Document Availability:** The draft regulatory package will be available in early September 1995 at the address provided below.

ADDRESSES: Meeting Location: The public meeting will be held at the Sheraton Inn—University Center, 2800 Middleton Avenue, Durham, North Carolina 27705, telephone (919) 383–8575. Participants wishing to arrange for overnight accommodations should advise the hotel that they are attending the EPA CAM meeting. To assist the EPA in planning the public meeting, persons interested in attending should contact Ms. Andrea Lewis, Public Meeting Coordinator, at (804) 979–3700, telefax (804) 296–2860, Perrin Quarles Associates, Inc., 501 Faulconer Drive, Suite 2–D, Charlottesville, Virginia

22903, to give their name and affiliation. *Docket:* Supporting information related to this rulemaking, including the draft regulatory package, is contained in Docket No. A-91-52. This docket is available for public inspection and copying between 8:00 a.m. and 5:30 p.m. Monday through Friday, excluding government holidays, and is located at: EPA Air Docket (LE-131), Room M-1500, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460. A reasonable fee may be charged for copying. *Comments:* Comments must be mailed (in duplicate) to the docket at the address provided above. All comments should be marked to the attention of Docket No. A-91-52.

Document Availability: A copy of the draft regulatory package will be located in the docket at the address provided above, and will also be available via the Emission Measurement Technical Information Center Computer Bulletin Board of the EPA's Technology Transfer Network at (919) 541-5742, Internet address TELNET ttnbbs.rtpnc.epa.gov, 24 hours a day, 7 days a week (except 8 a.m.-12 a.m. EST). Contact the system operator at (919) 541-5384 if you have any questions concerning access to the Technology Transfer Network.

FOR FURTHER INFORMATION CONTACT: Robin Segall, Office of Air Quality Planning and Standards, (919) 541-0893.

SUPPLEMENTARY INFORMATION: On May 1, 1995, the EPA received a 60-day extension of the court-ordered deadline in *Sierra Club v. Browner*, No. 93-0564 NHJ (D.D.C.) for final promulgation of enhanced monitoring rules in order for the Agency to reassess the approach it has developed and to consider other, alternative approaches. During this 60-day period, the EPA held an initial stakeholders' meeting and worked with representatives of industry, State and local agencies, and environmental groups to formulate a new approach to accomplish the substantive goals of the periodic monitoring requirements, as well as the enhanced monitoring requirements of the Clean Air Act, in a cost-effective manner. On June 30, 1995, the EPA received a further extension of the court-ordered deadline until July 1, 1996, in order to propose and, as appropriate, promulgate rules embodying the new approach to enhanced and periodic monitoring, referred to as compliance assurance monitoring or CAM.

The CAM approach has been developed in consideration of the President's regulatory reform efforts to design performance-based environmental programs that provide

industry with the flexibility to comply in cost-effective ways, while requiring accountability for achieving results. It focuses on enhancing and supplementing current operation and maintenance (O&M) monitoring requirements. The compliance assurance monitoring approach would require that a source owner document operation and maintenance of a control device or process operation in accordance with established, reliable operating and maintenance practices and implement any necessary corrective action to ensure that emissions have been reduced. The Agency has combined the enhanced and periodic monitoring requirements of Titles V and VII of the Clean Air Act Amendments of 1990 in the draft CAM rule so that all compliance-related monitoring requirements would be integrated in one set of requirements. The CAM approach also addresses the requirements for compliance certifications under Titles V and VII of the Clean Air Act Amendments of 1990. Under the draft CAM proposal, the owner or operator would certify compliance with (1) the emission limitation or standard based on the results of applying the determining and certifying compliance with that emission limitation or standard, and (2) the associated monitoring, reporting, and record keeping requirements in the permit that provide an assurance of ongoing compliance with the emission limitation or standard.

The Agency has now drafted a regulatory proposal package for CAM and will make it available to the public on or before September 1, 1995 (see "*Document Availability*" above). Following release of this draft, the Agency will hold a public meeting, as described above, to review the major elements of the draft regulatory package and to solicit opinions and suggestions from the stakeholders' on the draft document. The meeting will include a number of representative stakeholders that will sit at the main meeting table by invitation; they will include industry, State and local agencies, and environmental organizations. Additional seating is available by contacting the Public Meeting Coordinator listed in the **ADDRESSES** section above. It is important to note that the Agency will be seeking the opinions of the individuals/organizations present and *not* consensus.

Dated: August 28, 1995.
Peter R. Westlin,
Designated Federal Official.
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BILLING CODE 6560-50-P

40 CFR Part 170

[OPP-250109; FRL-4974-2]

Notification to the Secretary of Agriculture of Proposed Regulations on Worker Protection Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notification to the Secretary of Agriculture.

SUMMARY: Notice is given that the Administrator of EPA has forwarded to the Secretary of Agriculture two proposed regulations under section 25(c)(3) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The first proposed rule would revise the Worker Protection Standard (WPS) to allow the substitution of an alternate language for the Spanish portion of the warning sign and to allow the use of smaller warning signs in keeping with the nature of the agricultural operation. The second proposed rule would modify the requirements that decontamination supplies be provided to agricultural workers. The modifications would add flexibility and promote the use of less toxic pesticides, while ensuring that worker risks are not increased. This action is required by FIFRA section 25(a)(2)(A).

FOR FURTHER INFORMATION CONTACT: By mail: For the decontamination proposal Joshua First and for the sign proposal John MacDonald, Certification, Training and Occupational Safety Branch (7506C), Field Operation Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 1114, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, 703-305-7437 and 703-305-7370, respectively, e-mail: first.joshua@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Section 25(a)(2)(A) of FIFRA requires that the Administrator shall provide the Secretary of Agriculture with a copy of any proposed regulation at least 60 days before signing it for publication in the Federal Register. If within 30 days after receiving it, the Secretary comments on the proposed regulation in writing, the Administrator shall issue for publication in the Federal Register,