

decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Docket No. 95-ACE-3." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRMs

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3484.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2A, which describes the application procedures.

#### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to provide additional controlled airspace for a new Instrument Flight Rules (IFR) procedure at the Fremont Municipal Airport. The additional airspace would segregate aircraft operating under VFR conditions from aircraft operating under IFR procedures. The area would be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the area or otherwise comply with IFR procedures. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9C, dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR

71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

#### **PART 71—[AMENDED]**

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

*Paragraph 6005 Class E Airspace Areas Extending From 700 Feet or More Above the Surface of the Earth*

\* \* \* \* \*

ACE NE E5 Fremont, NE [Revised]

Fremont Municipal Airport, NE.

(Lat. 41°26'49"N, long. 96°31'03"W)

Fremont NDB

(Lat. 41°27'01"N, long. 96°31'05"W)

Scribner VOR

(Lat. 41°36'19"N, long. 96°37'44"W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Fremont Municipal Airport and within 2.6 miles each side of the 306° bearing from the Fremont NDB extending from the

6.4-mile radius to 7 miles northwest of the airport, and within 2 miles each side of the Scribner VOR 153° radial extending from the Scribner VOR to the 6.4-mile radius of the Fremont Municipal Airport.

\* \* \* \* \*

Issued in Kansas City, MO, on October 4, 1995.

Herman J. Lyons, Jr.,

*Manager, Air Traffic Division, Central Region.*

[FR Doc. 95-27347 Filed 11-2-95; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 764 and 942

#### Receipt of a Petition To Designate Lands Unsuitable for Mining and To Prepare a Petition Evaluation Document and Environmental Impact Statement

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

**ACTION:** Notice of intent to prepare a combined petition evaluation document/environmental impact statement, and notice of scoping meeting and scoping comment period for the petition.

**SUMMARY:** Notice is hereby given that the Office of Surface Mining Reclamation and Enforcement (OSM) intends to prepare a combined petition evaluation document/environmental impact statement (PED/EIS) for the decision on a petition to designate certain lands within the watershed and viewshed of Fall Creek Falls State Park and Natural Area in Van Buren and Bledsoe Counties, Tennessee, as unsuitable for surface coal mining and reclamation operations in accordance with Section 522 of the Surface Mining Control and Reclamation Act (SMCRA) of 1977. OSM has identified four alternatives that the combined PED/EIS would evaluate as described in the supplementary information of this notice. OSM requests that other Federal and state agencies and the public submit written comments or statements on the need for an EIS on the petition and the scope of the issues which should be analyzed in the combined document.

**DATES:** Written comments must be received by 5 p.m. (est), December 18, 1995. Oral comments may be presented at the scoping meeting to be held on Thursday, November 16, 1995, at 7 p.m. (CST).

**ADDRESSES:** Written comments must be mailed or hand delivered to the Office

of Surface Mining, Permitting Team, 530 Gay Street SW., Suite 500, Knoxville, Tennessee 37902, Attn. Willis Gainer. Copies of the petition are available upon request from the Office of Surface Mining at the above address. The public record on the petition is available for review during normal working hours (8 a.m. to 4:30 p.m.) at the OSM office listed above. The November 16 scoping meeting will be held at the Fall Creek Falls State Park Inn, Rt. 3, Pikeville, Tennessee.

**FOR FURTHER INFORMATION CONTACT:** Willis L. Gainer, at the OSM office listed above (telephone: 615-545-4065).

**SUPPLEMENTARY INFORMATION:** On July 14, 1995, 49 citizens, Save Our Cumberland Mountains, and Tennessee Citizens for Wilderness Planning petitioned OSM to designate the watershed and viewshed of Fall Creek Falls State Park and Natural Area in Van Buren and Bledsoe Counties, Tennessee, as unsuitable for surface coal mining operations pursuant to SMCRA. The petition was amended on August 18 and September 5, 1995, and determined administratively complete and accepted for processing on October 5, 1995. The petition as accepted is an 80 page document with 55 exhibits and amendments. The Federal Program for Tennessee, as administered by OSM, applies to all surface coal mining operations in Tennessee including the processing of lands unsuitable for mining petitions (49 FR 38874, October 1, 1984).

The petition area covers approximately 83,740 acres of the watershed and viewshed in Van Buren and Bledsoe Counties. The petition boundary is as follows: beginning at the Park boundary due north of Bradden Knob lookout tower, roughly paralleling Highway 30 northwesterly to a point on Cane Creek just south of the Highway 30 crossing, then extending due west with the boundary of the Park's new addition and extending westward to a point approximately at the city limits of the town of Spencer, from that point southward roughly following the path of Highway 111 to Pine Grove school, then south-southwest to the community of Welchland, then southeast to the peak of Smartt Mountain, then extending southeasterly following the Tennessee Valley Divide, and following the Divide as it curves back to the northeast to a point approximately 2 miles north of Basin Mountain, then following a divide between Flat Creek and Pole Bridge Creek in a northwesterly direction to the beginning.

The major allegations of the petition can be summarized as follows:

1. Surface coal mining operations would affect fragile or historic lands, in which such operations could result in significant damage to important historic, cultural, scientific, or esthetic values.

2. Surface coal mining operations would affect renewable resource lands in which the operations could result in a substantial loss or reduction in the long-range productivity of water supply or of food or fiber products.

3. Surface coal mining operations would affect natural hazard lands in which such operations could substantially endanger life and property.

4. Surface coal mining operations would be incompatible with existing state and local land use plans or programs.

5. Reclamation is not technologically and economically feasible.

OSM has identified four possible alternatives that the combined PED/EIS would evaluate:

Alternative 1—Designate the entire petition area as unsuitable for surface coal mining operations if OSM determines that reclamation is not technologically and economically feasible.

Alternative 2—Not designate any of the area as unsuitable for surface coal mining operations.

Alternative 3—Designate parts of the petition area as unsuitable for all surface coal mining operations:

A. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would affect fragile or historic lands and result in significant damage to important historic, cultural, scientific, or esthetic values.

B. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would result in a substantial loss or a reduction in the long-range productivity of water supply or food or fiber products.

C. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would affect natural hazard lands and could substantially endanger life and property.

D. Designate as unsuitable for all or certain types of surface coal mining operations, including the designation of selected reserves, those parts of the petition area in which such operations would be incompatible with existing local land use plans and programs.

Alternative 4—Designate the entire petition area as unsuitable for surface coal mining but allow underground mining with or without certain restrictions.

A scoping comment period is intended to raise the relevant issues to be addressed by the combined document. OSM seeks public comments in relation to the scope of issues to be addressed by the impact evaluation, including impacts and alternatives that should be addressed. Written comments should be specific and confined to issues pertinent to the petition. The public comments received during the scoping period will assist OSM in making decisions on the petition evaluation and in preparing the PED/EIS. OSM believes that the proposed action is a major Federal action that may significantly affect the quality of the human environment and may require the preparation of an EIS. OSM additionally gives notice here that should information or analysis show that the proposed action does not require an EIS, it will terminate the environmental impact statement process through an appropriate notice in the Federal Register, prepare an environmental assessment, and continue processing of the petition under 30 CFR Part 764 and 942 regulations.

Dated: October 31, 1995.  
Mary Josie Blanchard,  
*Director, Program Support.*  
[FR Doc. 95-27338 Filed 11-2-95; 8:45 am]  
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## DEPARTMENT OF DEFENSE

### Department of the Army

#### 32 CFR Part 552

[USAARMC Reg 210-1]

#### Control of Firearms and Weapons on the Installation of Fort Knox, KY

**AGENCY:** Department of the Army, DoD.  
**ACTION:** Proposed rule.

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**SUMMARY:** This action establishes 32 CFR Part 552, Subpart O, Control of Firearms and Weapons, and authenticates Fort Knox regulation, USAARMC Reg 210-1. This subpart establishes weapons authorized, prohibited, and restricted on the Fort Knox military reservation, and the conditions applicable to the use, possession, sale, purchase, loss, registration, storage, and disposal of weapons authorized on the reservation. This regulation is applicable to all