

subsection (c), Illinois specifies the conditions that must be met for acceptance of a written guarantee for an applicant's self-bond from a parent corporation guarantor or non-parent corporation guarantor. At subsection (d), Illinois specifies that the total amount of the outstanding and proposed self-bonds for either an applicant, parent corporation guarantor, or nonparent corporate guarantor shall not exceed 25 percent of the their tangible net worth in the United States. At subsection (e), Illinois is requiring an indemnity agreement be submitted with specified requirements. At subsection (f), Illinois is requiring submittal of an update of specified information within 90 days after the close of each fiscal year following issuance of the self-bond or corporate guarantee. At subsection (g), Illinois is requiring that if the financial conditions of the applicant, parent or nonparent corporate guarantor change so that specified criteria are not satisfied, the permittee shall notify Illinois immediately and post an alternate form of bond within 90 days.

### 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 Illinois 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 Indianapolis 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., e.s.t on April 15, 1996. The location and time of the hearing will be arranged with those persons requesting the hearing. If 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. 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**.

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.

#### 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 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.

#### List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 21, 1996.

Deborah Watford,

*Acting Regional Director, Mid-Continent Regional Coordinating Center.*

[FR Doc. 96-7691 Filed 3-28-96; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 170

[OPP-250115; FRL-5359-1]

#### **Pesticide Worker Protection Standard, Decontamination Requirements; Notification to the Secretary of Agriculture**

**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 a final regulation under section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The rule reduces the duration that decontamination supplies must be maintained for low toxicity pesticides. This action is required by FIFRA section 25(a)(2).

**FOR FURTHER INFORMATION CONTACT:** By mail: Linda H. Strauss, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 1121F, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703-308-3240), e-mail: strauss.linda@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Section 25(a)(2) of FIFRA provides that the Administrator shall provide the Secretary of Agriculture with a copy of any final regulation at least 30 days before signing it for publication in the Federal Register. If the Secretary comments in writing regarding the final regulation within 15 days after receiving it, the Administrator shall issue for publication in the Federal Register, with the final regulation, the comments of the Secretary, if requested by the Secretary, and the response of the Administrator concerning the Secretary's comments. If the Secretary does not comment in writing within 15 days after receiving the final regulation, the Administrator may sign the regulation for publication in the Federal Register anytime thereafter. As required by FIFRA section 25(a)(3), a copy of the final regulation has been forwarded to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

#### List of Subjects in 40 CFR Part 170

Environmental protection, Administrative practice and procedure, Labeling, Occupational safety and health, Pesticides and pests.

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 21, 1996.

Penelope A. Fenner-Crisp

*Acting Director, Office of Pesticide Programs.*

[FR Doc. 96-7742 Filed 3-28-96; 8:45 am]

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#### 40 CFR Part 170

[OPP-250116; FRL-5358-9]

#### Pesticide Worker Protection, Standard Language and Size Requirement for Warning Sign; Notification to the Secretary of Agriculture

**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 a final regulation under section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The rule amends the requirements in the worker protection standards for the posting of a warning sign at pesticide use sites. This action is required by FIFRA section 25(a)(2).

**FOR FURTHER INFORMATION CONTACT:** By mail: John R. MacDonald, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 1121F, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, (703-305-7370).

**SUPPLEMENTARY INFORMATION:** Section 25(a)(2) of FIFRA provides that the Administrator shall provide the Secretary of Agriculture with a copy of any final regulation at least 30 days before signing it for publication in the Federal Register. If the Secretary comments in writing regarding the final regulation within 15 days after receiving it, the Administrator shall issue for publication in the Federal Register, with the final regulation, the comments of the Secretary, if requested by the Secretary, and the response of the Administrator concerning the Secretary's comments. If the Secretary does not comment in writing within 15 days after receiving the final regulation, the Administrator may sign the regulation for publication in the Federal Register anytime thereafter. As required by FIFRA section 25(a)(3), a copy of the final regulation has been forwarded to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

#### List of Subjects in 40 CFR Part 170

Environmental protection, Administrative practice and procedure, Labeling, Occupational safety and health, Pesticides and pests.

Authority: 7 U.S.C. 136 *et seq.*

Dated: March 21, 1996.

Penelope A. Fenner-Crisp,

*Acting Director, Office of Pesticide Programs.*

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 2, 15 and 97

[Docket No. 94-124; RM-8308; FCC 95-499]

#### Operation Above 40 GHz

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** By this *Second Notice of Proposed Rule Making*, ("2nd NPRM"), the Commission addresses proposals: to restrict amateur usage of the 76-77 GHz band in order to protect vehicle radar systems from interference while also giving amateur operators coprimary status in the 77.5-78 GHz band; to develop a spectrum etiquette technical standard for the 59-64 GHz band to minimize interference within that band; and to further restrict emissions above 200 GHz to protect radio astronomy operations from interference.

**DATES:** Comments must be submitted on or before May 28, 1996. Reply comments must be submitted on or before June 27, 1996.

**ADDRESSES:** Comments and reply comments should be sent to the Office of Secretary, Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** John Reed, Office of Engineering and Technology, (202) 418-2455, Richard Engelman, Office of Engineering and Technology, (202) 418-2445, or Michael Marcus, Office of Engineering and Technology, (202) 418-2470, or send an electronic mail message via the Internet to mmwaves@fcc.gov.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *2nd NPRM*, ET Docket 94-124, FCC 95-499, adopted December 15, 1995, and released December 15, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1919 M Street, NW., Room 246 or 2100 M Street, NW., Suite 140, Washington, DC 20037.