

will not have a significant impact on a substantial number of small entities, the agency must analyze regulatory options that would minimize any significant impact of a rule on small entities. The agency can identify at least one company which manufactures quality assurance products which are used in the selenium batch testing process. FDA has not prohibited the use of these batch testing products. They will still be available to feed mills if the feed mills wish to test every batch of selenium premix. As this final rule does not impose any new costs on this or other firms, under the Regulatory Flexibility Act (5 U.S.C. 605(b)), the agency certifies that this final rule will not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act requires (in section 202) that agencies prepare an assessment of anticipated costs and benefits before proposing any expenditure by State, local, and tribal Governments, in the aggregate, or by the private sector of \$100 million. Because the rule does not require any expenditures by industry members or State or local governments, FDA is not required to perform a cost/benefit analysis under the Unfunded Mandates Reform Act.

**IV. Final Action**

The Commissioner has determined that the interim rule published on October 17, 1995, should be finalized without modification.

**List of Subjects in 21 CFR Part 573**

Animal feeds, Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 573 is amended as follows:

**PART 573—FOOD ADDITIVES PERMITTED IN FEED AND DRINKING WATER OF ANIMALS**

1. The authority citation for 21 CFR part 573 continues to read as follows:

**Authority:** Secs. 201, 402, 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348).

2. Accordingly, the interim rule amending 21 CFR 573.920 that was published in the **Federal Register** of October 17, 1995 (60 FR 53702), is adopted as a final rule without change.

Dated: August 8, 1997.

**William K. Hubbard,**

*Acting Deputy Commissioner for Policy.*

[FR Doc. 97-22476 Filed 8-22-97; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Office of Surface Mining Reclamation and Enforcement**

**30 CFR Part 904**

[SPATS No. AR-027-FOR]

**Arkansas Regulatory Program**

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

**ACTION:** Final rule; correction.

**SUMMARY:** OSM is correcting a final rule that appeared in the **Federal Register** of April 29, 1997 (62 FR 23129). This document amended the Arkansas regulatory program (hereinafter referred to as the "Arkansas program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). When citing the part of the regulation that Arkansas proposed to remove, OSM inadvertently omitted the letter of the paragraph that was proposed for removal. Likewise, OSM inadvertently omitted the letter of the paragraph from the Federal regulation that was a counterpart to this State regulation that was proposed for removal.

**EFFECTIVE DATE:** The amendment to 30 CFR part 904 (62 FR 23129) is effective April 29, 1997.

**FOR FURTHER INFORMATION CONTACT:**

Michael C. Wolfrom, Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6548, Telephone: (918) 581-6430.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 97-10990, appearing on page 23129 in the **Federal Register** of Tuesday, April 29, 1997, the following correction is made:

On page 23133, the second column, lines two and three, "ASCMRC 816.89" and "30 CFR 816.89" should read "ASCMRC 816.89(d)" and "30 CFR 816.89(d)", respectively.

Dated: August 7, 1997.

**Charles E. Sandberg,**

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

[FR Doc. 97-22414 Filed 8-22-97; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Office of Surface Mining Reclamation and Enforcement**

**30 CFR Part 914**

[SPATS No. IN-138-FOR; State Program Amendment No. 95-3 II]

**Indiana Regulatory Program**

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

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** OSM is approving a proposed amendment to the Indiana regulatory program (hereinafter referred to as the "Indiana program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Indiana proposed revisions to its rules pertaining to the small operator assistance program (SOAP). Topics covered in the proposed amendment are definitions for program administrator and qualified laboratory, eligibility for assistance, filing for assistance, application approval and notice, program services and data requirements, qualified laboratories, assistance funding, and applicant liability. The amendment is intended to revise the Indiana program to be consistent with the corresponding Federal regulations and to incorporate changes desired by the State.

**EFFECTIVE DATE:** August 25, 1997.

**FOR FURTHER INFORMATION CONTACT:**

Andrew R. Gilmore, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, Indiana 46204-1521, Telephone (317) 226-6700.

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Indiana Program
- II. Submission of the Proposed Amendment
- III. Director's Findings
- IV. Summary and Disposition of Comments
- V. Director's Decision
- VI. Procedural Determinations

**I. Background on the Indiana Program**

On July 29, 1982, the Secretary of the Interior conditionally approved the Indiana program. Background information on the Indiana program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the July 26, 1982, **Federal Register** (47 FR 32107). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 914.10, 914.15, and 914.16.