

List of Subjects in 30 CFR Part 938

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 5, 1999.

Allen D. Klein,

Regional Director, Appalachian Regional Coordinating Center.

For the reasons set out in the preamble, Title 30, Chapter VII,

Subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 938—PENNSYLVANIA

1. The authority citation for part 938 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. Section 938.15 is amended in the table by adding a new entry in chronological order by "Date of Final Publication" to read as follows:

§ 938.15 Approval of Pennsylvania regulatory program amendments.

* * * * *

Original amendment submission date	Date of final publication	Citation/description
October 8, 1998	March 26, 1999	52 P.S. §§ 1396.3, 1396.4h.

3. Section 938.16 is amended by adding new paragraphs (cccc), (dddd), (eeee) and (ffff) to read as follows:

(cccc) By May 26, 1999, Pennsylvania must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to delete the following portions of the definition of "government-financed reclamation contract", at 52 P.S. § 1396.3: in paragraph (1)(i), the phrase "including a reclamation contract where less than five hundred (500) tons is removed and the government's cost of financing reclamation will be assumed by the contractor under the terms of a no-cost contract"; and, in paragraph (1)(ii), the phrase "including where reclamation is performed by the contractor under the terms of a no-cost contract with the department, not involving any reprocessing of coal refuse on the

project area or return of any coal refuse material of the project area."

(dddd) By May 26, 1999, Pennsylvania must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to delete the definition of "no-cost reclamation contract", at 52 P.S. § 1396.3.

(eeee) By May 26, 1999, Pennsylvania must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to delete the following language contained in subsection "e" of 52 P.S. § 1396.4h:

For no-cost reclamation projects in which the reclamation schedule is shorter than two (2) years the bond amount shall be a per acre fee, which is equal to the department's average per acre cost to reclaim abandoned mines lands; provided, however, for coal refuse removal operations, the bond amount shall only apply to each acre affected by the

coal refuse removal operations. For long-term, no-cost reclamation projects in which the reclamation schedule extends beyond two (2) years, the department may establish a lesser bond amount. In these contracts, the department in the alternative establish a bond amount which reflects the cost of the proportionate amount of reclamation.

(ffff) By May 26, 1999, Pennsylvania must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to delete, in its entirety, subsection "g" of 52 P.S. § 1396.4h.

4. Section 938.25 is amended in the table by adding a new entry in chronological order by "Date of Final Publication" to read as follows:

§ 938.25 Approval of Pennsylvania abandoned mine reclamation plan amendments.

* * * * *

Original amendment submission date	Date of final publication	Citation/description
November 21, 1997	March 26, 1999	Part F—Government Financed Construction Contracts.

[FR Doc. 99-7282 Filed 3-25-99; 8:45 am]
BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 556

Private Organizations on Department of the Army Installations

AGENCY: U.S. Army Community and Family Support Center, DOD.

ACTION: Final rule.

SUMMARY: This document removes the Department of the Army's Private Organizations on Department of the Army Installations regulation codified in 32 CFR, part 556. The part has served its purpose and no longer supports other related rules currently in existence. The Army is in the process, however, of revising its policies and procedures concerning authorization and operation of private organizations operating on Army installations and will announce a future proposed rule for public comment.

EFFECTIVE DATE: March 26, 1999.

FOR FURTHER INFORMATION CONTACT:

Margaret McMullen, U.S. Army Community and Family Support Center, 4700 King Street, Alexandria, VA 22302, phone (703) 681-7434.

SUPPLEMENTARY INFORMATION:

Additionally, removal of Part 556 is based on the inconsistency of text with revised DODI 1000.15, Private Organizations on DOD Installations, and DOD 5500.7-R, Joint Ethics Regulations.

List of Subjects in 32 CFR Part 556

Federal buildings and facilities.

PART 556—[REMOVED AND RESERVED]

Accordingly, under the authority of 5 U.S.C. 301, 32 CFR Part 556 is removed.

Lloyd E. Mues,
Chief of Staff.

[FR Doc. 99-7475 Filed 3-25-99; 8:45 am]

BILLING CODE 3710-08-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[UT10-1-6700a; UT-001-0014a; UT-001-0015a; FRL-6314-8]

Approval and Promulgation of Air Quality Implementation Plans; Utah; Foreword and Definitions, Revision to Definition for Sole Source of Heat and Emissions Standards, Nonsubstantive Changes; General Requirements, Open Burning and Nonsubstantive Changes; and Foreword and Definitions, Addition of Definition for PM₁₀ Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action approving State Implementation Plan (SIP) revisions submitted by the Governor of the State of Utah. On July 11, 1994, the Governor submitted a SIP revision for the purpose of establishing a modification to the definition for "Sole Source of Heat" in UACR R307-1-1; this revision also made a change to UACR R307-1-4, "Emissions Standards." On February 6, 1996, a SIP revision to UACR R307-1-2 was submitted by the Governor of Utah which contains changes to Utah's open burning rules, requiring that the local county fire marshal has to establish a 30-day open burning window in order for open burning to be allowed in areas outside of nonattainment areas. Other minor changes are made in this revision to UACR R307-1-2.4, "General Burning" and R307-1-2.5, "Confidentiality of Information." In addition, on July 9, 1998, SIP revisions were submitted that would add a definition for "PM₁₀ Nonattainment Area" to UACR R307-1-1. This action is being taken under section 110 of the Clean Air Act.

DATES: This rule is effective on May 26, 1999 without further notice, unless EPA receives adverse comment by April 26, 1999. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal**

Register informing the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to Richard R. Long, Director, Air and Radiation Program, Mailcode 8P-AR, Environmental Protection Agency (EPA), Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202-2466. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air and Radiation Program, Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado, 80202 and copies of the Incorporation by Reference material are available at the Air and Radiation Docket and Information Center, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. Copies of the State documents relevant to this action are available for public inspection at the Utah Department of Environmental Quality, Division of Air Quality, 150 North 1950 West, Salt Lake City, Utah 84114-4820.

FOR FURTHER INFORMATION CONTACT: Cindy Rosenberg, EPA, Region VIII, (303) 312-6436.

SUPPLEMENTARY INFORMATION: On July 11, 1994, February 6, 1996, and July 9, 1998, the State of Utah submitted formal revisions to its State Implementation Plan (SIP). The July 11, 1994, SIP submittal consists of a modification to the definition for "Sole Source of Heat" in UACR R307-1-1, as well as a nonsubstantive change to UACR R307-1-4, "Emissions Standards." The February 6, 1996, submittal made revisions to UACR R307-1-2 and contains changes to Utah's open burning rules to require that the local county fire marshal establish a 30-day open burning window in order for open burning to be allowed in areas outside of nonattainment areas. Other minor changes are made in this revision to UACR R307-1-2.4, "General Burning" and R307-1-2.5, "Confidentiality of Information." The July 9, 1998, submittal adds a definition for "PM₁₀ Nonattainment Area" to UACR R307-1-1.

I. Background

On July 11, 1994, the definition for "Sole Source of Heat" was revised in UACR R307-1-1 such that households with only small portable heaters are included in the definition to allow these households to burn during mandatory no-burn periods. Revisions were also made to UACR R307-1-4 to include a new sub-section on "PM₁₀ Contingency Plans;" these plans were requested to be withdrawn by the Governor in a November 9, 1998, letter to the Regional

Administrator. EPA returned the portions of these plans with a letter to the Governor on January 29, 1999. However, a nonsubstantive change was made in this section as a result of the revision. This change moves section 4.13.3 D to section 4.13.3.E. For the purposes of ease and efficiency for the State, the revised sub-section numbering is being approved.

On February 6, 1996, the State of Utah submitted its revised open burning regulations in order to make them more consistent with Utah Code 65A-8-9. The State rules that were approved earlier in the SIP allow for more leniency with respect to open burning windows than does the Utah Code.

The following are requirements for open burning under Utah Code 65A-8-9 which pertain to the rule change addressed by the SIP:

1. June 1 through October 31 of each year is to be a closed fire season throughout the State.
2. The state forester has jurisdiction over the types of open burning allowed with a permit during the closed fire season.

The open burning requirement that was previously in the Utah SIP pertaining to this rule change is as follows:

For areas outside of Salt Lake, Davis, Weber, and Utah Counties (nonattainment areas), open burning is allowed during the periods of March 30 through May 30 and September 15 through October 30 with a permit issued by the authorized local authority.

The open burning requirement that was adopted by the Utah Air Quality Board on September 6, 1995 is as follows:

For areas outside of the designated nonattainment areas, open burning is allowed during the March 30 through May 30 period and the September 15 through October 30 period if the local county fire marshal has established a 30-day window for such open burning to occur with a permit issued by the authorized local authority and the state forester has allowed for such permit to be issued.

On July 9, 1998, the State submitted a revision to UACR R307-1-1, "Foreword and Definitions." The State of Utah's new definition is such that, "'PM₁₀ Nonattainment Area' means Salt Lake County, Utah County, or Ogden City." This definition was included in the State rules in order to ensure that all requirements for PM₁₀ nonattainment areas remain in effect after the revocation of the pre-existing NAAQS for PM₁₀.