

showing the maximum peak particle velocity in blasting operations.

### 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 Colorado program.

#### 1. 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 Denver Field Division will not necessarily be considered in the final rulemaking or included in the administrative record.

#### 2. Public Hearing

Persons wishing to testify at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., m.s.t., on December 22, 1995. 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 location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to testify 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.

The public hearing will continue on the specified date until all persons scheduled to testify have been heard. Persons in the audience who have not been scheduled to testify, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to testify and persons present in the audience who wish to testify have been heard.

#### 3. Public Meeting

If only one person requests an opportunity to testify at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representative 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

#### 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 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 the Federal regulations at 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.

#### 3. 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 of 1969 (42 U.S.C. 4332(2)(C)).

#### 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

that 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 906

Intergovernmental relations, Surface mining, Underground mining.

Dated: November 30, 1995.

James F. Fulton,

*Acting Regional Director, Western Regional Coordinating Center.*

[FR Doc. 95-29875 Filed 12-6-95; 8:45 am]

BILLING CODE 4310-05-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 52 and 81

[Region II Docket No. 146, SIPTRAX NJ23-1-7243(b); FRL-5322-3]

### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of New Jersey; Revised Policy Regarding Applicability of Oxygenated Fuels Requirements

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a request made by the New Jersey Department of Environmental Protection (NJDEP) to redesignate Camden County and nine not-classified areas, which includes the City of Atlantic City, the City of Burlington, the Borough of Freehold, the City of Morristown, the Borough of Penns Grove (part), the City of Perth Amboy, the Borough of Somerville, the City of Toms River, and the City of Trenton, from nonattainment to attainment for carbon monoxide (CO). EPA's determination to approve New Jersey's request is based on the fact that New Jersey demonstrates compliance with the requirements of section 107(d)(3)(E) of the Clean Air Act (CAA) for redesignation. EPA is also proposing to approve the Camden County and the nine not-classified CO maintenance plans submitted by NJDEP because EPA

finds that New Jersey's submittal meets the requirements of section 175(A) of the CAA. In addition, EPA is proposing approval of New Jersey's 1990 base year CO emissions inventory for Camden County and the nine not-classified areas. In the Final Rules Section of this Federal Register, EPA is approving New Jersey's redesignation request, maintenance plan, and emission inventory as identified therein, as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this proposed rule. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing on or before January 8, 1996.

**ADDRESSES:** All comments should be addressed to: William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 290 Broadway, 20th Floor, New York, New York, 10007-1866.

Copies of the State submittal(s) are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency,  
Region II Office, Library 16th Floor,  
290 Broadway, New York, New York  
10007-1866

New Jersey Department of  
Environmental Protection, Office of  
Air Quality Management, Bureau of  
Air Quality Planning, 401 East State  
Street, CN418, Trenton, New Jersey  
08625.

**FOR FURTHER INFORMATION CONTACT:**  
William S. Baker, Chief, Air Programs  
Branch, Environmental Protection  
Agency, 290 Broadway, New York, New  
York 10007-1866, (212) 637-4249.

**SUPPLEMENTARY INFORMATION:** For  
additional information see the direct  
final rule which is published in the  
rules section of this Federal Register.

Dated: October 24, 1995.

William J. Muszynski,  
*Deputy Regional Administrator.*

[FR Doc. 95-29819 Filed 12-6-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Parts 52 and 81

[FL63-1-7143b;FRL-5340-8]

#### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Florida

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Florida for the purpose of redesignating the Tampa Florida ozone O<sub>3</sub> nonattainment area to attainment. In the final rules section of this Federal Register, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments  
must be received by January 8, 1996.

**ADDRESSEES:** Written comments should  
be addressed to: Joey LeVasseur,  
Regulatory Planning and Development  
Section, Air Programs Branch, Air,  
Pesticides & Toxics Management  
Division, Region 4 Environmental  
Protection Agency, 345 Courtland  
Street, NE, Atlanta, Georgia 30365.

Copies of the material submitted by  
the State of Florida may be examined  
during normal business hours at the  
following locations:

Air and Radiation Docket and  
Information Center (Air Docket 6102),  
U.S. Environmental Protection  
Agency, 401 M Street, SW,  
Washington, DC 20460.

Environmental Protection Agency,  
Region 4 Air Programs Branch, 345  
Courtland Street, NE, Atlanta, Georgia  
30365.

Air Resources Management Division,  
Florida Department of Environmental  
Protection, Twin Towers Office  
Building, 2600 Blair Stone Road,  
Tallahassee, Florida 32399-2400.

Hillsborough County Environmental  
Protection Commission, 1410 North  
21st Street, Tampa, Florida 33605.  
Pinellas County Department of  
Environmental Management, Division  
of Air Quality, 300 S. Garden Avenue,  
Clearwater, Florida 34616.

**FURTHER INFORMATION CONTACT:** Joey  
LeVasseur, Regulatory Planning and  
Development Section, Air Programs  
Branch, Air, Pesticides & Toxics  
Management Division, Region 4  
Environmental Protection Agency, 345  
Courtland Street, NE, Atlanta, Georgia  
30365. The telephone number is 404/  
347-3555, ext. 4215. Reference file  
FL63-1-7143b.

**SUPPLEMENTARY INFORMATION:** For  
additional information see the direct  
final rule which is published in the  
rules section of this Federal Register.

Dated: October 19, 1995.

Patrick M. Tobin,

*Acting Regional Administrator.*

[FR Doc. 95-29824 Filed 12-6-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 70

[AD-FRL-5341-8]

#### Clean Air Act Proposed Interim Approval of Operating Permits Program; Mariposa Air Pollution Control District, California

**AGENCY:** Environmental Protection  
Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA proposes interim  
approval of the title V operating permits  
program submitted by the Mariposa Air  
Pollution Control District (Mariposa or  
District) for the purpose of complying  
with federal requirements that mandate  
that states develop, and submit to EPA,  
programs for issuing operating permits  
to all major stationary sources and to  
certain other sources. Today's action  
also proposes approval of Mariposa's  
mechanism for receiving delegation of  
section 112 standards as promulgated.

In the final rules section of this  
Federal Register, EPA is promulgating  
interim approval of Mariposa's title V  
program as a direct final rule without  
prior proposal because EPA views this  
submittal as noncontroversial and  
anticipates no adverse comments. A  
detailed rationale for this approval is set  
forth in the direct final rule. If no  
adverse comments are received in  
response to this proposed rule, no  
further activity is contemplated in  
relation to this rulemaking. If EPA  
receives adverse comments, the direct  
final rule will be withdrawn and all