

exportation process in order to have the bond or carnet canceled. The amendments provided that documentary evidence ordinarily submitted to Customs, which shows that the articles were exported, would be considered adequate proof of exportation.

As explained in T.D. 85-40, the procedure for allowing the submission of documentary evidence as proof of exportation was already in effect in Customs field offices by virtue of notification given the field offices on April 3, 1981. Shortly thereafter, by T.D. 81-124, published in the Customs Bulletin on May 20, 1981, the public was informed that the requirements of §§ 10.38 and 10.39, Customs Regulations, were being suspended at the importer's option of presenting documentary proof of exportation. T.D. 81-124 was not published in the Federal Register.

T.D. 85-40 provided that the amendments to §§ 10.38 and 10.39 were to become effective on April 11, 1985. However, because of concern that the changes could have compromised enforcement efforts, by notice published in the Federal Register as T.D. 85-66 on April 10, 1985 (50 FR 14093), the effective date of the amendments was delayed indefinitely.

After consideration of comments received from our field offices in regard to this change and further review of this matter, it has been determined advisable to withdraw T.D. 85-40 and the proposal published in the Federal Register on September 9, 1983 (48 FR 40738). It has also been decided to rescind T.D. 81-124 inasmuch as there is now no basis for permitting the procedures allowed by this rule.

This existing §§ 10.38 and 10.39, Customs Regulations, therefore, will remain in effect. This, the Customs Form 3495 must be filed with the district director and Customs will retain the option of examining the merchandise imported temporarily under bond or carnet, before exportation, and supervising its exportation.

Drafting Information

The principal author of this document was Susan Terranova, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Dated: April 21, 1986.

Alfred R. De Angelus,

Acting Commissioner of Customs.

[FR Doc. 86-9428 Filed 4-25-86; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 83F-0116]

Indirect Food Additives: Adjuvants, Production Aids and Sanitizers; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting the final rule that amended the food additive regulations to provide for additional safe uses of tetrakis[methylene(3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate)] methane as an antioxidant and/or stabilizer in various food-contact applications. This document corrects a numbering error in the list of limitations.

FOR FURTHER INFORMATION CONTACT: Agnes Black, Chief, Regulations Editorial Staff (HFC-222), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

SUPPLEMENTARY INFORMATION: In FR Doc. 85-13138 appearing in the issue of June 3, 1985, in the third column on page 23296, amendment "2," is corrected to read: "2. In § 178.2010(b) by adding new entries 12 through 20 to the list of limitations for 'Tetrakis-[methylene(3,5-di-*tert*-butyl-4-hydroxyhydrocinnamate)] methane' to read as follows:"

Dated: April 15, 1986.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 86-9363 Filed 4-25-86; 8:45 am]

BILLING CODE 4160-01-M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Parts 2640 and 2648

Redetermination of Withdrawal Liability Upon Mass Withdrawal

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule correction.

SUMMARY: This document corrects the final rule on the redetermination of withdrawal liability upon a mass withdrawal and the accompanying definitions that appeared in the Federal Register of Tuesday, March 25, 1986 at 51 FR 10314. This action is needed to correct typographical errors and to add

the citations for other regulations referred to in this rule and in the definitions applicable to this rule.

FOR FURTHER INFORMATION CONTACT:

Ellan H. Spring, Corporate Policy and Regulations Department (35100), 2020 K St., NW., Washington, D.C. 20006, 202-958-5051 (202-958-5059 for TTY and TDD). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: The following corrections are made in FR Doc. 86-6119, appearing at page 10314 in the issue of March 25, 1986:

1. On page 10317, column 3, the definition of "(u)nfunded vested benefits" in § 2640.7 is corrected by deleting "multiemployer" preceding "valuation regulation" and inserting in its place "mass withdrawal" and by deleting the period at the end and adding in its place "(29 CFR Part 2676)."

2. On page 10317, column 3, the heading for Part 2648 is corrected by adding "REDETERMINATION OF" immediately before "WITHDRAWAL LIABILITY".

3. On page 10318, column 3, § 2648.3(c) is corrected by removing "very" in the 13th line and replacing it with "every", and § 2648.3(c)(3) is corrected by inserting "not" immediately after "(the plan sponsor has".

4. On page 10319, column 1, § 2648.5 is corrected by changing the reference to "section 4209(c)(1)(A)(ii)" to "section 4219(c)(1)(A)(ii)".

5. On page 10321, column 3, § 2648.8(g)(6)(i) is corrected by deleting "multiemployer" preceding "valuation regulation" and inserting in its place "mass withdrawal" and by deleting the semicolon and adding in its place "(29 CFR Part 2676);".

6. On page 10322, column 1, § 2648.9(g) is corrected by changing the reference to "§ 2648.7(g)(1)-(g)(3)" to "§ 2648.8(g)(1)-(g)(3)".

Issued in Washington, D.C. this 21st day of April, 1986.

Kathleen P. Utgoff,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 86-9393 Filed 4-25-86; 8:45 am]

BILLING CODE 7700-01-M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Parts 210, 212, and 218

Information Collection; Solid Minerals

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Final rule.

SUMMARY: This final rule describes the information collection necessary to start up and operate the MMS's new Auditing and Financial System for solid minerals. The information to be collected is required from lessees, lease operators and payors to provide comprehensive sales and royalty data on coal and other solid minerals produced from leased Federal and Indian lands. The data is used to document payments, to maintain royalty accounts, and for audits.

EFFECTIVE DATE: June 20, 1985. See discussion of effective date in the Supplementary Information section.

FOR FURTHER INFORMATION CONTACT: Dennis Whitcomb, Telephone: (303) 231-3432, (FTS) 326-3432.

SUPPLEMENTARY INFORMATION: The principal authors of this final rulemaking are Mr. Geary Keeton and Mr. Billie Clark of the Minerals Management Service, Lakewood, Colorado.

I. Background

The Department of the Interior (DOI) is charged with the responsibility for the collection, analysis and distribution of royalty payments on minerals produced from leased Federal and Indian lands. The Royalty Management Program is administered by the Department's Minerals Management Service (MMS).

To fulfill its responsibilities, the MMS is using two comprehensive integrated accounting systems, the Auditing and Financial System (AFS) and the Production Accounting and Auditing System (PAAS).

The AFS is a revenue accounting system which monitors royalties and related information reported by the lessees or operators of record who are required to pay rentals and royalties. The PAAS is a production accounting system which monitors minerals production and disposition from the source to the point of royalty determination. These systems are designed to implement the 1982 recommendation of the Commission on Fiscal Accountability of the Nation's Energy Resources (Linowes Commission), and depart substantially from the previous Royalty Accounting System (RAS) they are replacing. In addition to providing the controls and capabilities of modern accounting systems, these new systems embody the "modified Internal Revenue Service (IRS) concept" of accepting royalty and sales information as correct subject to audit. The two systems operate independently, but at the same time information from AFS is compared with information from PAAS to assure that minerals produced on Federal and Indian lands are properly accounted for

and that appropriate royalties on those minerals are paid.

In concert with the MMS Royalty Management responsibilities, the Bureau of Land Management (BLM) is responsible for the verification of production upon which royalties are payable. This rule does not revise the BLM production verification responsibility.

In response to the Linowes Commission report, Congress enacted the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 *et seq.*). The Act requires the Secretary of the Interior to ". . . establish a comprehensive inspection, collection and fiscal and production accounting and auditing system to provide the capability to accurately determine oil and gas royalties, interest, fines, penalties, fees, deposits, and other payments owed, and to collect and account for such amounts in a timely manner" (30 U.S.C. 1711(a)). For solid minerals, the Act requires the Secretary to "study the question of the adequacy of royalty management for coal, uranium and other energy and nonenergy minerals . . ." (30 U.S.C. 1752(a)). Such a study was undertaken and a conclusion was reached that in order to comply with the intent of Congress to provide adequate controls to accurately determine royalties and other amounts due, the AFS and PAAS systems should be extended to cover solid minerals royalty management in addition to oil and gas. An examination of existing laws regarding solid minerals royalty management concluded that new legislation is not required to extend PAAS and AFS to cover solid minerals. MMS already has adequate authority under the mineral leasing laws to obtain from lessees the information necessary to determine and account for royalty payments.

This rulemaking, therefore, serves to implement the recommendation of the solid minerals royalty management study by placing solid minerals under the AFS. A separate rulemaking would also place solid minerals under PAAS after the publication of the PAAS regulations. (See 51 FR 8168, March 7, 1986.)

Under the AFS, payors are required to report oil and gas royalty data on Form MMS-2014 and payor information on Form MMS-4025. Under the AFS, solid mineral payors would be required to submit data on Form MMS-4014 and Form MMS-4030. These two forms replace several forms previously required for the RAS. The forms replaced include forms 9-373A for coal, 9-368 for phosphate, 9-128a through 9-

128d for sodium and potassium, and 9-1148 for silica sands.

This rule requires payors to submit a Report of Sales and Royalty Remittance for Solid Minerals (Form MMS-4014) with every payment. This report includes specific information on the royalties due and being paid. The MMS will use the sales and royalty data on form MMS-4014 to identify the payor and the lease subaccounts, to maintain the lease accounts on a monthly or quarterly basis as appropriate, to reconcile or audit the accounts, to distribute payments to States and Indians, and to correlate lump sum payments with the appropriate subaccount charge entries.

At the time of conversion to AFS from RAS, payors also will be required to complete a separate Solid Minerals Payor Information Form (Form MMS-4030) for each Federal or Indian lease on which rent, production or minimum royalties are paid. This form provides specific information on who pays rent, minimum royalties, advance royalties, and production royalties; it identifies revenue sources and selling arrangements for the lease, and provides necessary information to assure that AFS covers all interests in the lease for all products. The MMS will use this information to establish a static, automated data base that reduces the amount of information payors must provide routinely. The MMS also will use the information to assign a unique Accounting Identification Number (AID) to each royalty source within the lease. The MMS will then send confirmation letters to the payors to provide the AID numbers which are needed to complete the Report on Sales and Royalty Remittance for Solid Minerals (Form MMS-4014). The information which would be required by the form corresponds with the payors' own sales and enables the payors to simply transfer figures from their own record to Form MMS-4014. A new Form MMS-4030 will be required to be submitted only when there is a change in the information previously submitted.

This rulemaking will amend 30 CFR Part 210 by revising § 210.10 of Subpart A and by adding §§ 210.200, 210.201, 210.202 and 210.203 to Subpart E. The new Subpart E Solid Minerals, General, replaces the existing Subpart E and Subpart F. Also, this rulemaking will amend 30 CFR Part 212 to apply to solid mineral leases the records maintenance requirements now applicable to oil and gas leases. Section 218.55 of 30 CFR Part 218, Subpart B will be redesignated § 218.40 of Subpart A and amended by this rulemaking. This action is being

taken so that assessments for late or incorrect reports and failure to report may be applied to both fluid and solid mineral AFS reporting.

MMS is already in the process of implementing the AFS and phasing out the RAS. In the proposed rule, we specifically proposed that the effective date of this rule would be retroactive to the date the proposed rule was published in the *Federal Register*, June 20, 1985, 50 FR 25585. It is important to the accounting requirement of solid minerals royalties and for a smoother and a more equitable transition from RAS to AFS that the Form MMS-4014 and Form MMS-4030 be used without delay. In fact, reporters already are using the forms. MMS, therefore, has determined that there is good cause, in accordance with 5 U.S.C. 553, to make this rule effective June 20, 1985.

II. Summary of Rules Adopted

The following sections summarize the most significant provisions of the regulations being adopted. The rules being adopted are essentially the same as the proposed rules. The amendments to 30 CFR Part 212 were proposed as amendments to Part 210. While the final rule places the proposed revision in a different part, the language and effect of the proposal is unchanged. The provisions are being placed in Part 212 because that part currently contains the identical requirement for oil and gas leases. Because of the similarity of the proposed and final rule, the discussion in this preamble for the proposed rules applies to the final rules. Where changes are being made to the final rules, they are discussed in this preamble except for minor clarifications.

Part 210

The provisions of 30 CFR Part 210 establish the reporting requirements for the Auditing and Financial System (AFS). This part indicates the types of reports which must be filed in order for the AFS to accomplish its stated goal to assure that minerals produced on Federal and Indian lands are properly accounted for and that appropriate royalties on those minerals are paid. This rulemaking will amend Part 210 to bring solid minerals reporting under the AFS.

Part 212

The provisions of Part 212 establish the records maintenance requirements for Federal and Indian leases. This final rule will subject solid mineral leases to

the same requirements now imposed on oil and gas leases.

Part 218

The provisions of Part 218 establish certain reporting requirements and assessments for late reports, incorrect reports, and failure to report. This rule being adopted will amend Part 218 so that the assessment provisions may be applied to both fluid and solid mineral AFS reporting.

III. Comments Received on Proposed Rules

The proposed rulemaking published June 20, 1985, provided for a 30-day public comment period which ended July 22, 1985, [50 FR 25585]. Two comments were received. All comments received are addressed in this section, and the text of these regulations has been changed to reflect comments as appropriate.

One commentor referenced the Solid Minerals Payor Handbook which provides detailed reporting instructions to supplement this rulemaking. The commentor stated that reporting by selling arrangement would not benefit MMS in its royalty verification efforts. Also, the commentor felt that reporting retroactive price adjustments by month is time consuming and error prone. MMS requires all payors to report by selling arrangement. It is a data element used to distinguish royalty information on a lease reported by the same payor. The selling arrangement is necessary to verify that the appropriate royalty is paid. In regard to retroactive price adjustments by month, we believe it is necessary to have detail information by month to verify proper payment on a lease and to insure corrections are made to the appropriate payment.

Regarding § 210.10 *Information Collection*, a commentor suggested that the table showing forms for MMS-4025 and MMS-2014 should state they are for reporting oil and gas information. MMS agrees with this suggestion and the information has been incorporated in the section.

IV. Procedural Matters

Executive Order 12291

The Department of the Interior has determined that this is not a major rule and does not require a regulatory analysis under Executive Order 12291.

The regulatory burden on industry due to the information collection requirements for Form MMS-4014 and

Form MMS-4030 is estimated to be approximately \$14,540. Therefore, a regulatory impact analysis is not required.

Regulatory Flexibility Act

Some portions of the approximately \$14,540 cost burden to industry would fall on the small businesses that are among the potential respondents. Since the total cost to the public is quite small, and because the MMS provides special training and assistance to small organizations, there would be no significant economic effect on small entities. Consequently, it does not require a Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) analysis.

Paperwork Reduction Act of 1980

The information collection requirements contained in §§ 210.10, 210.200, 210.201, 210.202 and 210.203 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1010-0064.

National Environmental Policy Act of 1969

The Department of Interior has determined that this final rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment; therefore, preparation of an environmental impact statement is not required.

List of Subjects

30 CFR Part 210

Continental shelf, Geothermal energy, Government contracts, Mineral royalties, Oil and gas exploration, Public lands-mineral resources, Reporting and recordkeeping requirements.

30 CFR Part 212

Coal, Government contracts, Mineral royalties, Oil and gas exploration, Public lands-mineral resources, Reporting and recordkeeping requirements.

30 CFR Part 218

Coal, Continental shelf, Electronic funds transfers, Geothermal energy, Government contracts, Indian-lands, Mineral royalties, Oil and gas exploration, Public lands-mineral resources.

Under the authority of the Secretary of the Interior contained in 30 U.S.C. 1751, 30 CFR Parts 210, 212, and 218 are amended as set forth below.

Dated: March 25, 1986.
 James E. Cason,
 Acting Assistant Secretary, Land and
 Minerals Management.

PART 210—[AMENDED]

30 CFR Part 210 is amended as follows:

1. The authority citation for Part 210 is revised to read as follows:

Authority: The Act of February 25, 1920 (30 U.S.C. 181 *et seq.*), as amended; the Act of May 21, 1930 (30 U.S.C. 301–306); the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–359), as amended; the Act of March 3, 1909 (25 U.S.C. 396); as amended; the Act of May 11, 1938 (25 U.S.C. 396a–396q) as amended; the Act of February 28, 1891 (25 U.S.C. 397), as amended; the Act of May 29, 1924 (25 U.S.C. 398); the Act of March 3, 1927 (25 U.S.C. 398a–398e); the Act of June 30, 1919 (25 U.S.C. 399) as amended; R.S. § 411 (43 U.S.C. 1457), see also Attorney General's Opinion of April 2, 1941 (40 Op. Atty. Gen. 41); the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 *et seq.*), as amended; The National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) as amended; the Act of December 12, 1960 (Pub. L. 96–514, 94 Stat. 2964); the Combined Hydrocarbon Leasing Act of 1981 (Pub. L. 97–78, 95 Stat. 1070); the Outer Continental Shelf Lands Act (43 U.S.C. 1331 *et seq.*), as amended; section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262); Secretarial Order No. 3071 of January 19, 1982, as amended; Secretarial Order 3067, as amended; the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 *et seq.*); the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 *et seq.*).

2. 30 CFR 210.10, is amended by adding Form MMS–4014 and Form MMS–4030, and deleting Form 9–361/361A and Form 9–614A, so that as revised the table reads as follows:

§ 210.10 Information collection.

Form No., Name, and Filing Date	OMB No.
MMS–4025—Oil and gas payor information form—due 30 days after issuance of a new lease or a change to an existing lease	1010–0030
MMS–2014—Report of sales and royalty remittance—oil and gas—due by the end of first month following production month for royalty payment and for rentals no later than anniversary date of the lease	1010–0022
MMS–4030—Solid minerals payor information form—due 30 days after issuance of a new lease or change to an existing account established by an earlier form	1010–0064
MMS–4014—Report of sales and royalty remittance—solid minerals—due by end of month following sales or production month (unless lease terms specify a different frequency for royalty payments) and for rentals no later than the date specified in the lease terms	1010–0064

3. Part 210 is further amended by revising the title of Subpart E, to read: "Solid Minerals, General", and by

adding §§ 210.200, 210.201, 210.202, and 210.203 to read as follows:

PART 210—FORMS AND REPORTS

Subpart E—Solid Minerals, General

- Sec.
 210.200 Required recordkeeping.
 210.201 Solid minerals payor information form.
 210.202 Report of sales and royalty remittance—solid minerals.
 210.203 Special forms and reports.

Subpart E—Solid Minerals, General

§ 210.200 Required recordkeeping.

Information required by the Minerals Management Service (MMS) shall be filed using the forms prescribed in this subpart, copies of which are available from MMS. Instructions on the completion of these forms are provided in the Payor Handbook—Solid Minerals, also available from MMS. Records and supporting data may be maintained in hardcopy, microfilm, microfiche, or other recorded media that is readily available and readable.

§ 210.201 Solid minerals payor information form.

A Solid Minerals Payor Information Form (Form MMS–4030) must be submitted to MMS for each Federal and Indian solid minerals lease on which royalties, rentals or minimum royalties are paid. This form does not change any requirement for a separate approval, if required, by the Department of the Interior. The Form MMS–4030 shall identify the payor of rent, minimum royalty, advance royalty and production royalty, and identify revenue sources and selling arrangements for all lease products. The completed form must be filed by each royalty payor no later than 30 days after MMS provides notice that the payor is converted to the Auditing and Financial System (AFS). After filing the initial form, a new Form MMS–4030 must be filed no later than 30 days after the occurrence of any of the following:

- (a) Assignment of all or any part of the lease;
- (b) Adoption of a new mining method;
- (c) Production of a new product;
- (d) A change in a selling arrangement;
- (e) Change in royalty rate;
- (f) Change of payor; or
- (g) Abandonment of a lease.

§ 210.202 Report of sales and royalty remittance—solid minerals.

A completed Report of Sales and Royalty Reimittance—Solid Minerals (Form MMS–4014) must accompany all payments to MMS for rents (other than first year) and royalties for Federal and Indian solid minerals leases. On leases

where payment is remitted directly to an Indian tribe or Bureau of Indian Affairs office, the payor also must send a completed form MMS–4014 to MMS for processing in AFS. The Form MMS–4014 shall identify the payor and the lease subaccounts, contain production, sales, and royalty data, and identify the time period applicable to the data. Completed forms are due at the end of the month following the production or sales period as applicable. Unless the lease terms specify a different royalty payment frequency, all reports and payments are due monthly. If the lease terms do specify a different frequency for payment, the reporting must coincide with the payment. The Form MMS–4014 for rental payments is due no later than the rental payment date specified in the lease terms.

§ 210.203 Special forms and reports.

The MMS may require submission of additional information on special forms or reports. When special forms or reports other than those referred to in this subpart are necessary, instructions for the filing of such forms or reports will be given by MMS. Requests for the submission of such forms will be made in conformity with the requirements of the Paperwork Reduction Act of 1980 and other applicable laws.

4. Part 210 is further amended by:
- a. Removing Subpart F.
 - b. Redesignating Subparts G and H as Subparts F and G, respectively.

PART 212—[AMENDED]

30 CFR Part 212 is amended as follows:

1. The authority citation for Part 212 is revised to read as follows:

Authority: The Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 *et seq.*); the Mineral Leasing Act for Acquired Lands, as amended (30 U.S.C. 351–359); the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*); the National Historic Preservation Act of 1966 as amended (16 U.S.C. 1201 *et seq.*); the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*); the Act of March 3, 1909 as amended (25 U.S.C. 396); the Act of May 11, 1938, as amended (25 U.S.C. 396a–396q); The Act of February 28, 1891, as amended (25 U.S.C. 397); The Act of May 29, 1924 (25 U.S.C. 398); The Act of March 3, 1927, (25 U.S.C. 398a–398e); The Act of June 30, 1919, as amended (25 U.S.C. 399); R.S. § 441 (43 U.S.C. 1457); The Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 *et seq.*); the National Environmental Policy Act of 1969, as amended; (42 U.S.C. 4321 *et seq.*); the Freedom of Information Act (5 U.S.C. 552); the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 *et seq.*); the Federal Oil and

Gas Royalty Management Act of 1982 (30 U.S.C. 1701 *et seq.*).

2. Section 212.200 (a) is added to read as follows:

§ 212.200 Maintenance of and access to records.

(a) All records pertaining to Federal and Indian solid minerals leases shall be maintained by a lessee, operator, revenue payor, or other person for 6 years after the records are generated unless the record holder is notified, in writing, that records must be maintained for a longer period. When an audit or investigation is underway, records shall be maintained until the record holder is released by written notice of the obligation to maintain records.

§ 212.200 [Amended]

3. Section 212.200 (b)(1) is amended by changing the word "coal" to "products".

4. Part 212 is further amended by:

(a) Revising the title of Subpart E to read "*Solid Minerals—General*."

(b) Removing Subpart F.

(c) Redesignating Subparts G and H as Subparts F and G, respectively.

PART 218—[AMENDED]

1. The authority citation for Part 218 is revised to read as follows:

Authority: The Act of February 25, 1920 (30 U.S.C. 181 *et seq.*), as amended; the Act of May 21, 1930 (30 U.S.C. 301–306); the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–359) as amended; the Act of March 3, 1909 (25 U.S.C. 396), as amended; the Act of May 11, 1938 (25 U.S.C. 396a–396q), as amended; the Act of February 28, 1891 (25 U.S.C. 397), as amended; the Act of May 29, 1924 (25 U.S.C. 398); the Act of March 3, 1927 (25 U.S.C. 398a–398e); the Act of June 30, 1919 (25 U.S.C. 399) as amended; R.S. § 441 (43 U.S.C. 1457), see also Attorney General's Opinion of April 2, 1941 (40 Op. Atty. Gen. 41); the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 *et seq.*), as amended; The National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) as amended; the Act of December 12, 1960 (Pub. L. 96–514, 94 Stat. 2964); the Combined Hydrocarbon Leasing Act of 1981 (Pub. L. 97–78, 95 Stat. 1070); the Outer Continental Shelf Lands Act (43 U.S.C. 1331 *et seq.*), as amended; the Geothermal Act of 1970 (30 U.S.C. 1001 *et seq.*) as amended; section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262); Secretarial Order No. 3071 of January 19, 1982, as amended; Secretarial Order 3067, as amended; the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 *et seq.*); the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 *et seq.*).

2. Section 218.56 of Subpart B is redesignated as § 218.40 of Subpart A, General Provisions.

3. Paragraph (c) of newly designated § 218.40, is amended by adding, after

"Form MMS–2014" the following statement, "or Form MMS–4014."

4. Paragraph (e) of newly designated § 218.40 is redesignated as paragraph (d).

5. Section 218.57 of Subpart B is redesignated as § 218.56.

6. Part 218 is further amended by:

(a) Revising the title of Subpart E to read "*Solid Minerals—General*."

(b) Removing Subpart F.

(c) Redesignating Subparts G and H as Subparts F and G, respectively.

(FR Doc. 86–9403 Filed 4–25–86; 8:45 am)

BILLING CODE 4310-MR-M

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 936

Approval of Permanent Program Amendment From the State of Oklahoma Under the Surface Mining Control and Reclamation Act of 1977

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

ACTION: Final rule.

SUMMARY: OSMRE is announcing the approval of a program amendment submitted by the State of Oklahoma as an amendment to the State's permanent regulatory program (hereinafter referred to as the Oklahoma program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment establishes a program for blaster training, examination and certification.

Oklahoma submitted the proposed program amendment on August 8, 1985. OSMRE published a notice in the Federal Register on October 29, 1985, announcing receipt of the amendment and inviting public comment on the adequacy of the proposed amendment (50 FR 43724).

After providing opportunity for public comment and conducting a thorough review of the program amendment, the Director has determined that the amendment meets the requirements of SMCRA and the Federal regulations, and is approving it. The Federal rules at 30 CFR Part 936 codifying decisions concerning the Oklahoma program are being amended to implement this action.

This rule is being made effective immediately in order to expedite the State program amendment process and encourage States to conform their programs to the Federal standards without undue delay; consistency of the State and Federal standards is required by SMCRA.

EFFECTIVE DATE: April 28, 1986.

FOR FURTHER INFORMATION CONTACT: Mr. James Moncrief, Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, Room 2432, 333 West Fourth Street, Tulsa, Oklahoma 74103, Telephone: (918) 581-7923.

SUPPLEMENTARY INFORMATION:

I. Background

The Oklahoma program was conditionally approved by the Secretary of the Interior on January 19, 1981 (48 FR 4910). Information pertinent to the general background, revisions, modifications and amendments to the proposed permanent program submission as well as the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Oklahoma program can be found in the January 19, 1981 Federal Register (48 FR 4910), in the April 2, 1982 Federal Register (47 FR 14152), in the May 4, 1983 Federal Register (48 FR 20050) and the August 28, 1984 Federal Register (49 FR 34000). Subsequent actions on conditions of approval and program amendments are identified at 30 CFR 936.11 and 936.15.

At the time of the Secretary's approval of the Oklahoma program, OSMRE had not yet promulgated Federal rules governing the training and certification of blasters. Therefore, the State was not required to include such requirements in its program.

On March 4, 1983, OSMRE issued final rules effective April 14, 1983, establishing the Federal standards for the training and certification of blasters at 30 CFR Part 850 (48 FR 9486). The Federal rules require each State to design and implement its own blaster certification program.

Under the Federal rules, each State must develop the method of training, examining, and certifying blasters which best meets local needs within the Federal regulatory framework. The Federal rules require training, field experience, a written examination, and specify certain other requirements.

The Federal rules 30 CFR 850.12 require the State regulatory authority to develop a program and submit it to OSMRE as a proposed program amendment within 12 months after the publication date of the Federal rules. The Federal rules at 30 CFR 816.61(c) further provide that no later than 12 months after the State's blaster certification program has been approved by OSMRE all blasting operations in the State shall be conducted under the direction of a certified blaster.