

FEDERAL REGISTER: 51 FR 9006 (March 17, 1986)

DEPARTMENT OF THE INTERIOR

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM)

30 CFR Part 785

Requirements for Permits for Special Categories of Mining

ACTION: Final rule; technical amendment.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSMRE) is amending regulatory cross-references contained in the final regulations concerning requirements for permits for special categories of surface mining and reclamation operations subject to the provisions of the Surface Mining and Reclamation Act of 1977. In a May 24, 1983 Federal Register document, 30 CFR Part 826 was removed and the provisions thereof moved to new Sections 816.107 and 817.107. Paragraphs (b) and (c) of 30 CFR 785.15 continue to reference 30 CFR 826.12. The paragraphs are corrected in this rulemaking to cite the proper section references.

EFFECTIVE DATE: March 17, 1986.

FOR FURTHER INFORMATION CONTACT: Ralph Blumer, Regulatory Development and Issues Management, Office of the Director, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240, (202) 343-5981.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Discussion of Amendment
- III. Procedural Matters

I. BACKGROUND

OSMRE published final rules relating to backfilling and grading requirements for surface and underground mining activities on May 24, 1983 (*48 FR 23356*). Part 826 governing mining of steep slopes, was removed and those requirements were moved to Parts 816 and 817 as new Sections 816.107 and 817.107. Paragraphs (b) and (c) of 30 CFR 785.15 contains references to 30 CFR 826.12. This rulemaking will correct this reference. The correction is considered a technical amendment and no change in meaning or application is intended. The main purpose of this technical amendment is to assure that 30 CFR Chapter VII, due for update in July 1986 is accurate.

II. DISCUSSION OF AMENDMENT

This amendment is to correct section references in 30 CFR 785.15(b) and (c) to correspond with the redesignation and/or removal of 30 CFR Part 826.

III. PROCEDURAL MATTERS

Executive Order 12291 and the Regulatory Flexibility Act

OSMRE has determined that this document is not a major rule and does not require a regulatory impact analysis under Executive Order 12291 because the rule is procedural and has no economic effect on the public. The Department has also determined that this document will not have a significant economic effect on a substantial number of small entities and does not require a regulatory flexibility analysis under the Regulatory Flexibility Act.

National Environmental Policy Act

This rulemaking is not a major Federal action, but a procedural rule covered under previous rulemakings. Therefore, an environmental assessment is not required for this rulemaking, which is covered under the environmental assessment and environmental impact statements prepared for the previous rulemakings.

Federal Paperwork Reduction Act

It has been determined that the information collection requirements do not change due to the corrections of this rulemaking, and therefore, it is exempt from the requirements of the Paperwork Reduction Act (*44 U.S.C. 3501 et seq.*) and does not require clearance by the Office of Management and Budget.

LIST OF SUBJECTS IN 30 CFR PART 785

Coal mining, Reporting and recordkeeping requirements, Surface mining, Underground mining.

Accordingly, the Office of Surface Mining Reclamation and Enforcement is amending 30 CFR Part 785 as set forth herein.

Dated: March 7, 1986.

James E. Cason, Deputy Assistant Secretary for Land and Minerals Management.

PART 785 -- REQUIREMENTS FOR PERMITS FOR SPECIAL CATEGORIES OF MINING

1. The authority citation for Part 785 continues to read as follows:

Authority: Sections 102, 201, 501(b), 503, 504, 506, 507, 508, 509, 510, 511, 513, 514, 515, 516, 517, 519, 527, 529, 701, and 711, Pub. L. 95-87, 91 Stat. 445 (*30 U.S.C. 1202, 1211, 1251, 1253, 1254, 1256, 1257, 1259, 1260, 1261, 1263, 1264, 1265, 1266, 1267, 1269, 1277, 1279, 1291, 1301*), unless otherwise noted.

SECTION 785.15 [Amended]

2. Paragraphs (b) and (c) of Section 785.15 are amended by removing the words "30 CFR Part 826.12" and adding in their place the words "Sections 816.107 or 817.107 of this chapter."

[FR Doc. 86-5741 Filed 3-14-86; 8:45 am]

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