

FEDERAL REGISTER: 46 FR 23924 (April 29, 1981)

DEPARTMENT OF THE INTERIOR

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

30 CFR Parts 700, 716, and 785

Surface Coal Mining and Reclamation Operations; Initial and Permanent Regulatory Program;
Deferral of Effective Dates and Reopening of Public Comment Period

ACTION: Deferral of effective dates and reopening of public comment period.

SUMMARY: The effective dates of four final rules, which were deferred at 46 FR 20211 (April 3, 1981) are further postponed until June 15, 1981, and the public comment period is reopened in response to requests for additional time to allow public comment as to whether the rules should be modified or suspended indefinitely pending the outcome of rulemaking. The four rules deal with exemptions and definitions for the prime farmland rules of OSM's initial and permanent regulatory programs and an exemption for operations which affect two acres or less.

DATES: The new due date for public comments is 5 p.m. E.S.T. May 9, 1981, (ten days from publication). The new effective date for 30 CFR 716.7 (a) and (b) as published on January 22, 1981, is June 15, 1981. The effective date of Section 716.7(a)(2) and 785.17(a) as published on January 23, 1981, and Section 700.11(b) as published on January 23, 1981, is June 16, 1981. {23925}

ADDRESSES: Written comments must be mailed or hand delivered to the Office of Surface Mining, U.S. Department of the Interior, Room 153, South Building, 1951 Constitution Avenue, N.W., Washington, D.C. 20240, (202) 343-4728.

FOR FURTHER INFORMATION CONTACT: Edward Johnson or Tom Leshendok, Office of Surface Mining, Department of the Interior, Washington, D.C. 20240, telephone: (202) 343-2601.

SUPPLEMENTARY INFORMATION:

On April 3, 1981, 46 FR 20211, the Department of the Interior extended until May 4, 1981, and May 5, 1981, the effective dates of four final rules which had not yet become effective. The four rules deal with exemptions and definitions for the prime farmland rules of OSM's initial and permanent regulatory programs and an exemption for operations which affect two acres or less. The affected rules are: 30 CFR 700.11(b), 716.7(a) and (b), 716.7(a)(2), and 785.17(a).

During the public comment period on the proposed suspension of these rules, OSM received requests to reopen the comment period which ended on April 20, 1981, to allow the public additional time to comment. OSM has agreed to grant these requests and the public comment period is thus being extended until May 9, 1981. Therefore, the effective dates of the rules must also be further postponed as set forth in the "DATES" portion of this document. This will allow time to analyze the public comments and to decide whether to suspend indefinitely these four rules pending the outcome of further rulemaking.

Dated: April 23, 1981.

Andrew Bailey. Acting Director, Office of Surface Mining Reclamation & Enforcement .

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