

Title 18, Code of Federal Regulations, as set forth below.

**PART 357—ANNUAL SPECIAL OR PERIODIC REPORTS: CARRIERS SUBJECT TO PART I OF THE INTERSTATE COMMERCE ACT**

1. The authority citation for Part 357 is revised to read as follows:

**Authority:** 42 U.S.C. 7101-7352; 49 U.S.C. 60502; 49 App. U.S.C. 1-85.

2. Section 357.2 is revised to read as follows:

**§ 357.2 FERC Form No. 6, Annual Report of Oil Pipeline Companies.**

Each pipeline carrier subject to the provisions of section 20 of the Interstate Commerce Act whose annual jurisdictional operating revenues has been more than \$100,000 for each of the three previous calendar years must prepare and file with the Commission copies of FERC Form No. 6, "Annual Report of Oil Pipeline Companies," pursuant to the General Instructions set out in that form. This report must be filed on or before March 31st of each year for the previous calendar year. Newly established entities must use projected data to determine whether FERC Form No. 6 must be filed. One copy of the report must be retained by the respondent in its files. The conformed copies may be produced by any legible means of reproduction. Notwithstanding the exemption provided above, those carriers exempt from filing Form No. 6 must prepare and file page 700 of FERC Form No. 6 on or before March 31st of each year for the previous calendar year, beginning with the year ending December 31, 1995, including the subscription required by § 385.2005(a) of this chapter.

**PART 382—ANNUAL CHARGES**

1. The authority citation for Part 382 continues to read as follows:

**Authority:** 5 U.S.C. 551-557; 15 U.S.C. 717-717w; 3301-3432; 16 U.S.C. 791a-825r, 2601-2645; 42 U.S.C. 7101-7352; 49 U.S.C. 60502; 49 App. U.S.C. 1-85.

2. Section 382.102(c) is revised to read as follows:

**§ 382.102 Definitions.**

\* \* \* \* \*

(c) *Oil pipeline company* means any person engaged in the transportation of crude oil and petroleum products subject to the Commission's jurisdiction under the Interstate Commerce Act with annual operating revenues greater than \$100,000 in any of the three calendar years immediately preceding the fiscal

year for which the Commission is assessing annual charges.

\* \* \* \* \*

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**DEPARTMENT OF THE INTERIOR**

**Office of Surface Mining Reclamation and Enforcement**

**30 CFR Part 950**

**Wyoming Regulatory Program**

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

**ACTION:** Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Wyoming regulatory program (hereinafter, the "Wyoming program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to the Wyoming Environmental Quality Act pertaining to procedures for providing public notice for coal mining permit applications. The amendment is intended to reduce costs to the Wyoming program and retain consistency with the corresponding Federal regulations and SMCRA.

**DATES:** Written comments must be received by 4:00 p.m., m.d.t., July 14, 1995. If requested, a public hearing on the proposed amendment will be held on July 10, 1995. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t., on June 29, 1995.

**ADDRESSES:** Written comments should be mailed or hand delivered to Guy V. Padgett, Casper Field Office Director at the address listed below.

Copies of the Wyoming program, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Casper Field Office. Guy V. Padgett, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, Federal Building, Rm. 2128, 100 East "B" Street, Casper, Wyoming 82601-1918

Dennis Hemmer, Director, Department of Environmental Quality, Herschler Building—4th Floor West, 125 West

25th Street, Cheyenne, Wyoming 82002, Telephone: (307) 777-7938

**FOR FURTHER INFORMATION CONTACT:** Guy V. Padgett, Telephone: (307) 261-5824.

**SUPPLEMENTARY INFORMATION:**

**I. Background on the Wyoming Program**

On November 26, 1980, the Secretary of the Interior conditionally approved the Wyoming program. General background information on the Wyoming program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Wyoming program can be found in the November 26, 1980, **Federal Register** (45 FR 78637). Subsequent actions concerning Wyoming's program and program amendments can be found at 30 CFR 950.11, 950.12, 950.15 and 950.16.

**II. Proposed Amendment**

By letter dated June 2, 1995, Wyoming submitted a proposed amendment to its program pursuant to SMCRA (revision to the public notice procedures, Administrative Record No. WY-30-01). Wyoming submitted the proposed amendment at its own initiative. The provision of Environmental Quality Act that Wyoming proposes to revise is section Wyoming Statute (W.S.) 35-11-406(j) [public notice procedures for permit applications].

Specifically, Wyoming proposes to revise subsection (j) as follows: (1) By adding to the beginning of the third sentence "[f]or initial applications or additions of new lands \* \* \*;" (2) by removing from the end of the third sentence the language "\* \* \* and to the operator of any oil and gas well within the permit area or, if there is no oil and gas well, to the lessee of record of any oil and gas lease within the permit area \* \* \*;" (3) by adding, prior to the last sentence, the sentence "[t]he applicant shall mail a copy of the application mining plan map within five (5) days after first publication to the Wyoming oil and gas commission;" and (4) by adding to the last sentence the language "\* \* \* sworn statement of \* \* \*."

**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 Wyoming 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 Casper Field Office 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.d.t. on June 29, 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 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 representatives 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 12550) 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 (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 950

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 8, 1995.

**Russell F. Price,**

*Acting Regional Director, Western Regional Coordinating Center.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 311

#### Privacy Program

**AGENCY:** Office of the Secretary, DOD.  
**ACTION:** Proposed rule.

**SUMMARY:** The Office of the Secretary of Defense proposes to exempt a system of records identified as DWHS 29, entitled Personnel Security Adjudications File, from certain provisions of 5 U.S.C. 552a. Exemption is needed to comply with prohibitions against disclosure of information provided the government under a promise of confidentiality and to protect privacy rights of individuals identified in the system of records.

**DATE(S):** Comments must be received no later than August 14, 1995, to be considered by the agency.

**ADDRESSES:** Send comments to the OSD Privacy Act Officer, Washington Headquarter Services, Correspondence and Directives Division, Records Management Division, 1155 Defense Pentagon, Washington, DC 20301-1155.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dan Cragg at (703) 695-0970.

**SUPPLEMENTARY INFORMATION: Executive Order 12866.** The Director, Administration and Management, Office of the Secretary of Defense has determined that this proposed Privacy Act rule for the Department of Defense does not constitute 'significant regulatory action'. Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866 (1993).

**Regulatory Flexibility Act of 1980.** The Director, Administration and