

Signed: December 15, 1999.

John W. Magaw,
Director.

Approved: January 21, 2000.

John P. Simpson,
Deputy Assistant Secretary (Regulatory, Tariff
& Trade Enforcement)

[FR Doc. 00-5769 Filed 3-8-00; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 914

[SPATS No. IN-147-FOR]

Indiana Regulatory Program

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

ACTION: Proposed rule; public comment
period and opportunity for public
hearing.

SUMMARY: The Office of Surface Mining
Reclamation and Enforcement (OSM) is
announcing receipt of a proposed
amendment to the Indiana regulatory
program (Indiana program) under the
Surface Mining Control and
Reclamation Act of 1977 (SMCRA).
Indiana proposes revisions to its statutes
that would allow the use of money from
its post-1977 abandoned mine
reclamation fund, under specified
circumstances, to replace domestic
water supplies disrupted or affected by
surface coal mining and reclamation
operations. Indiana intends to revise its
program in order to provide additional
protection to society and the
environment from the adverse effects of
surface coal mining operations.

This document gives the times and
locations that the Indiana program and
amendment to that program are
available for your inspection, the
comment period during which you may
submit written comments on the
amendment, and the procedures that we
will follow for the public hearing, if one
is requested.

DATES: We will accept written
comments until 4:00 p.m., e.s.t., April
10, 2000. If requested, we will hold a
public hearing on the amendment on
April 3, 2000. We will accept requests
to speak at the hearing until 4:00 p.m.,
e.s.t. on March 24, 2000.

ADDRESSES: You should mail or hand
deliver written comments and requests
to speak at the hearing to Andrew R.
Gilmore, Director, Indianapolis Field
Office, at the address listed below.

You may review copies of the Indiana
program, the amendment, a listing of
any scheduled public hearings, and all
written comments received in response
to this document at the addresses listed
below during normal business hours,
Monday through Friday, excluding
holidays. You may receive one free copy
of the amendment by contacting OSM's
Indianapolis Field Office.

Andrew R. Gilmore, Director,
Indianapolis Field Office, Office of
Surface Mining Reclamation and
Enforcement, Minton-Capehart
Federal Building, 575 North
Pennsylvania Street, Room 301,
Indianapolis, IN 46204, Telephone:
(317) 226-6700.

Indiana Department of Natural
Resources, Bureau of Mine
Reclamation, 402 West Washington
Street, Room W-295, Indianapolis,
Indiana 46204, Telephone: (317) 232-
1291.

Indiana Department of Natural
Resources, Division of Reclamation,
R.R. 2, Box 129, Jasonville, Indiana
47438-9517, Telephone: (812) 665-
2207.

FOR FURTHER INFORMATION CONTACT:

Andrew R. Gilmore, Director,
Indianapolis Field Office. Telephone:
(317) 226-6700. Internet:
INFOMAIL@indgw.osmre.gov.

SUPPLEMENTARY INFORMATION:

I. Background on the Indiana Program

On July 29, 1982, the Secretary of the
Interior conditionally approved the
Indiana program. You can find
background information on the Indiana
program, including the Secretary's
findings, the disposition of comments,
and the conditions of approval in the
July 26, 1982, **Federal Register** (47 FR
32107). You can find later actions on the
Indiana program at 30 CFR 914.10,
914.15, and 914.16.

II. Description of the Proposed Amendment

By letter dated February 25, 2000
(Administrative Record No. IND-1686),
Indiana sent us an amendment to its
program under SMCRA. Indiana sent
the amendment at its own initiative.
Indiana proposes to revise the Indiana
Surface Coal Mining and Reclamation
Act at Indiana Code (IC) 14-34. The
Indiana General Assembly amended IC
14-34-6-15, effective July 1, 1999
(House Enrolled Act No. 1568).

IC 14-34-6-15, Abandoned Mine Reclamation Fund

1. Indiana revised IC 14-34-6-15(b)
by adding a new provision at
subdivision (2) and reformatting the

existing provisions. The revised
subsection reads as follows:

(b) The post-1977 abandoned mine
reclamation fund is established. The fund
consists of bond forfeiture money collected
under section 16 of this chapter and the civil
penalties described in IC 14-34-16-9. The
fund may be used as follows:

(1) To effect the restoration of land not
otherwise eligible for federal funding on
which there has been surface mining activity
after August 3, 1977.

(2) To replace domestic water supplies
disrupted or affected by a surface coal mining
and reclamation operation, including the
disposal of coal combustion waste (as
defined in IC 13-19-3-3), where the surface
coal mining and reclamation operation has
been completed and is no longer subject to
IC 14-34.

The money held for this purpose may not
exceed an amount established by the
department that is sufficient to enable the
director to cover the anticipated cost of
restoration.

2. Indiana revised subsection (c) by
adding the language "or replacement of
water." The revised subsection reads as
follows:

(c) At least five hundred thousand dollars
(\$500,000) in the fund is dedicated as
collateral for the bond pool under IC 14-34-
8 and may not be used for the restoration of
land or replacement of water described in
subsection (b).

III. Public Comment Procedures

Under the provisions of 30 CFR
732.17(h), we are requesting comments
on whether the amendment satisfies the
applicable program approval criteria of
30 CFR 732.15. If we approve the
amendment, it will become part of the
Indiana program.

Written Comments

Our practice is to make comments,
including names and home addresses of
respondents, available for public review
during regular business hours.
Individual respondents may request that
we withhold their home address from
the administrative record, which we
will honor to the extent allowable by
law. There also may be circumstances in
which we would withhold from the
administrative record a respondent's
identity, as allowable by law. If you
wish us to withhold your name and/or
address, you must state this
prominently at the beginning of your
comment. However, we will not
consider anonymous comments. We
will make all submissions from
organizations or businesses, and from
individuals identifying themselves as
representatives or officials of
organizations or businesses, available
for public inspection in their entirety.

Your written comments should be
specific and pertain only to the issues

proposed in this rulemaking. You should explain the reason for any recommended change. In the final rulemaking, we will not necessarily consider or include in the Administrative Record any comments received after the time indicated under **DATES** or at locations other than the Indianapolis Field Office.

Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include "Attn: SPATS No. IN-147-FOR" and your name and return address in your Internet message. If you do not receive a confirmation that we have received your Internet message, contact the Indianapolis Field Office at (317) 226-6700.

Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., e.s.t. on March 24, 2000. We will arrange the location and time of the hearing with those persons requesting the hearing. If you are disabled and need special accommodations to attend a public hearing, contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The hearing will not be held if no one requests an opportunity to speak at the public hearing.

To assist the transcriber and ensure an accurate record, we request that you provide us with a written copy of your testimony. The public hearing will continue on the specified date until all persons scheduled to speak have been heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. If you wish to meet with us to discuss the amendment, request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We also make a written summary of each meeting a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

The Office of Management and Budget (OMB) exempts this rule from review

under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and has determined that, to the extent allowed by law, 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 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 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on State regulatory programs and program amendments 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.

National Environmental Policy Act

This rule does not require an environmental impact statement since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on 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)).

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.*).

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 which is the subject of this rule is based upon corresponding 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. Therefore, this rule will ensure that existing requirements previously published 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 corresponding Federal regulations.

Unfunded Mandates

OSM has determined and certifies under the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 1, 2000.

John W. Coleman,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

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ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Parts 1190 and 1191

[Docket No. 99-1]

RIN 3014-AA20

Americans With Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities; Architectural Barriers Act (ABA) Accessibility Guidelines; Extension of Comment Period

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: On November 16, 1999, the Architectural and Transportation Barriers Compliance Board (Access Board) published a Notice of Proposed Rulemaking to revise and update its accessibility guidelines for buildings and facilities covered by the Americans with Disabilities Act of 1990 (ADA) and the Architectural Barriers Act of 1968 (ABA). The comment period was scheduled to close on March 15, 2000. The Access Board is extending the comment period until May 15, 2000 to allow the public additional time to prepare comments on the proposed rule.

DATES: Comments should be received by May 15, 2000.

ADDRESSES: Comments should be sent to the Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street NW., Suite 1000, Washington, DC 20004-1111. Fax number (202) 272-5447. E-mail comments should be sent to