hydrochloride for treating cats for otitis externa. In a notice published elsewhere in this issue of the Federal Register, FDA if withdrawing approval of this NADA.

EFFECTIVE DATE: October 1, 1984.

FOR FURTHER INFORMATION CONTACT: John K. Augsburg, Center for Veterinary Medicine (HFV-216), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4093.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the Federal Register, FDA is withdrawing approval of Schering's NADA 12-890 for Fulvidex® Otic Suspension. This document removes the regulation that reflects approval of this NADA.

List of Subjects in 21 CFR Part 524

Animal drugs, topical.

PART 524—OPHTHALMIC AND TOPICAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

§ 524.541 [Removed]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director of the Center for Veterinary Medicine (21 CFR 5.84), Part 524 is amended by removing § 524.541 *Dexamethasone acetate, nitrofurathiazide, griseofulvin, undecylenic acid, tetracaine hydrochloride otic suspension.*

Effective date: October 1, 1984.

(Sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e)))

Dated: September 14, 1984.

Lester M. Crawford,

Director, Center for Veterinary Medicine.

[FR Doc. 84-25101 Filed 9-20-84; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 555

Chloramphenicol Drugs for Animal Use; Chloramphenicol Oral Solution; Removal of Regulation

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is removing that portion of the animal drug regulations which reflects approval of the new animal drug application (NADA) providing for prescription use of chloramphenicol oral solution in dogs for treatment of infections of the respiratory and urinary tract, and enteritis and tonsillitis caused by susceptible organisms. The sponsor International Multifoods Corp., requested withdrawal of approval.

EFFECTIVE DATE: October 1, 1984.

FOR FURTHER INFORMATION CONTACT: John K. Augsburg, Center for Veterinary Medicine (HFV-216), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4093.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the Federal Register, FDA is withdrawing approval of International Multifoods' NADA 55-003 for Tevcocin® (chloramphenicol) Oral Solution for prescription use in dogs. The sponsor voluntarily requested withdrawal of approval because the product is no longer being marketed. This document amends the animal drug regulations to remove that portion of 21 CFR 555.110c reflecting approval of the NADA.

List of Subjects in 21 CFR Part 555

Animal drugs, Antibiotics, chloramphenicol.

PART 555—CHLORAMPHENICOL DRUGS FOR ANIMAL USE

§ 555.110c [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director of the Center for Veterinary Medicine (21 CFR 5.84), Part 555 is amended in § 555.110c *Chloramphenicol oral solution* in paragraph (c)(2)(i) by removing the sponsor number "012518".

Effective date: October 1, 1984.

(Sec. 512(e), 82 Stat. 345-347 (21 U.S.C. 360b(e)))

Dated: September 14, 1984.

Lester M. Crawford, ,

Director, Center for Veterinary Medicine.

[FR Doc. 84-25099 Filed 9-20-84; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1304

Records and Reports of Registrants; Changes in Registrant Requirements

AGENCY: Department of Justice, Drug Enforcement Administration.

ACTION: Final rule.

SUMMARY: This is a Final Rule issued by the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration amending 21 CFR 1304.38(a) to include reporting requirements for categories of drugs which are listed in Schedules III and IV of the Psychotropic Convention of 1971, and Schedule IV of the Single Convention on Narcotic Drugs of 1961. An amendment to 1304.39(b) to simplify and reduce the current reporting system and the removal of reporting under 1304.40.

EFFECTIVE DATE: September 21, 1984.

FOR FURTHER INFORMATION CONTACT: Alfred A. Russell, Chief, Regulatory Support Section, Office of Diversion Controls, Drug Enforcement Administration, Department of Justice, Washington, D.C. 20537, (202-633-1570).

SUPPLEMENTARY INFORMATION: A notice was published in the Federal Register on November 8, 1983 (48 FR 51329), proposing rulemaking to include reporting requirements for categories of drugs which are listed in Schedules III and IV of the Psychotropic Convention of 1971 and Schedule IV of the Single Convention on Narcotic Drugs of 1961, simplifying the current reporting system, discontinuing a portion of the reporting burden and providing an opportunity for any interested party to submit comments or objections in writing regarding the proposal on or before January 9, 1984.

One comment in response to the proposal was received from Hoffman-La Roche, Inc., Nutley, New Jersey. Hoffman-La Roche was concerned that the proposal was not consistent with the changes in the reporting requirements included in the ARCOS Reporting Manual (October, 1982) and that the Psychotropic Convention requires only yearly reports where the proposal sets quarterly reports. Based upon those comments, Hoffman-La Roche proposed that the rule should be more specific and the information should be collected on a yearly basis.

It appears that Hoffman-La Roche misunderstood the proposal. The amendments are consistent with the existing regulations which set the general reporting requirements with the specific reporting instructions set forth in the ARCOS Reporting Manual. Due to the complexities of the reporting system, the detailed reporting instructions cannot be set forth in the regulations; the regulations merely set the overall requirements. These amendments, though more generally stated, are consistent with the ARCOS Reporting Manual.

The yearly reporting to the International Narcotics Control Board is required under the Psychotropic Convention; however, yearly submissions have always been required under the Single Convention on Narcotic Drugs. The quarterly reporting set forth in the proposed rule is to ensure that the voluminous information can be collected, collated, input into the computer system, quality controlled and analyzed in a timely manner for submission to the international bodies each year. This activity could not be performed in a timely manner if reported only on a yearly basis. In addition, yearly reporting for only a portion of the information would be inconsistent with the quarterly reporting on the remaining information and would result in confusion for the reporting industry.

List of Subjects in 21 CFR Part 1304

Drug traffic control, Reporting and recordkeeping requirements.

No further comments nor objections were received, nor were there any requests for a hearing, and in view thereof, under the authority vested in the Attorney General by 21 U.S.C. 821 and 871(b) as delegated to the Administrator of the Drug Enforcement Administration and redelegated to the Deputy Assistant Administrator of the Office of Diversion Control, the Deputy Assistant Administrator hereby orders that Part 1304 of Title 21, Code of Federal Regulations be amended as follows:

1. Section 1304.38 is amended by revising the introductory text of the section and paragraph (a), and adding the OMB control number to the end of this section to read as follows:

§ 1304.38 Reports from manufacturers of bulk materials or dosage units.

Each person who is registered to manufacture controlled substances in bulk or dosage form shall report as follows:

(a) *Substance covered.* Reports shall include data on each controlled substance listed in Schedules I and II, on each narcotic controlled substance listed in Schedules III, IV and V, and on each psychotropic controlled substance listed in Schedules III and IV as identified below:

Schedule III

(1) Benzphetamine;
(2) Cyclobarbital;
(3) Glutethimide;
(4) Methylprylon; and
(5) Phendimetrazine.

Schedule IV

(1) Barbital;
(2) Diethylproprion (Amfepramone);
(3) Ethchlorvynol;
(4) Ethinamate;
(5) Lefetamine (SPA);
(6) Mazindol;
(7) Meprobamate;
(8) Methylphenobarbital;
(9) Phenobarbital;
(10) Phentermine; and
(11) Pipradrol.

Data shall be presented in such a manner as to identify the particular form, strength, and trade name, if any, of the product containing the controlled substance for which the report is being made. For this purpose, persons filing reports shall utilize the National Drug Code Number assigned to the product under the National Drug Code System of the Food and Drug Administration.

* * * * *

(Approved by the Office of Management and Budget under OMB Control No. 1117–0003)

2. Section 1304.39 is amended by revising paragraph (6) and adding the OMB control number to read as follows:

§ 1304.39 Reports from packagers and labelers.

* * * * *

(b) *Transactions reported.* Reports shall provide data on each acquisition to inventory (identifying whether it is, e.g., by purchase or transfer, return from a customer, or supply by the Federal Government and each reduction from inventory (identifying whether it is, e.g., by sale or transfer, sampling, theft, destruction, or seizure by Government agencies). These reports shall be filed every month not later than the 15th day of the month succeeding the month for which it is submitted; except that a registrant may be given permission to file more frequently or less frequently (but not less than quarterly), depending on the number of transactions being reported each time by that registrant.

* * * * *

(Approved by the Office of Management and Budget under OMB Control No. 1117–0003)

§ 1304.40 [Removed]

§§ 1304.41 and 1304.42 [Redesignated §§ 1304.40 and 1304.41]

3. Section 1304.40, Reports from importers and exporters is hereby removed and existing §§ 1304.41 and 1304.42 are hereby redesignated §§ 1304.40 and 1304.41, respectively.

The Deputy Assistant Administrator hereby certifies that this final rule will have no significant impact upon small entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* This action effects an overall reduction in registrant reporting requirements.

Pursuant to sections 3(c)(3) and 3(e)(2)(B) of the Executive Order 12291, this action has been submitted for review by the Office of Management and Budget, and approval of that Office has been requested pursuant to the provisions of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501, *et seq.*

Dated: August 27, 1984.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 84-24925 Filed 9-20-84; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

26 CFR Part 601

[T.D. ATF-184]

Statement of Procedural Rules

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule reflects a functional shift within ATF for responsibility for and management of seized personal property and forfeiture regulations from ATF's regional administrative offices to its Headquarters' Office of Law Enforcement.

EFFECTIVE DATE: This final rule is effective on September 21, 1984.

FOR FURTHER INFORMATION CONTACT: Frank W. Nickell or Gayle P. Miller, Planning and Analysis Staff, Office of Law Enforcement, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, DC 20226 (202-566-7123).

SUPPLEMENTARY INFORMATION: In order to provide maximum efficiency in the processing of seized property, responsibility for the seized property and forfeiture functions has been centralized in AFT Bureau Headquarters' Office of Law Enforcement. Therefore, the regional administrative officer, who previously managed this function, no longer has this authority. The authority for administering this regulation now resides with the Director of ATF or his delegate in ATF Headquarters' Office of Law Enforcement, under a Treasury memorandum dated September 16, 1983.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a final regulatory flexibility analysis (5 U.S.C. 604) are not applicable to this final rule because the agency was not required to publish a general notice of proposed rulemaking under 5 U.S.C 553 or any other law.

Executive Order 12291

Because this document relates to agency organization and management, it is not subject to the requirements of Executive Order 12291 pursuant to section 1(a)(3) thereof.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Pub. L. 96-511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR Part 1320, do not apply to this final rule because no requirement to collect information is imposed.

Notice and Public Participation

This final notice is promulgated without notice and public procedure, as required by 5 U.S.C. 553(b), because it is a rule of procedure.

Drafting Information

The principal author of this document is Gayle P. Miller of the Planning and Analysis Staff, Office of Law Enforcement, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 26 CFR Part 601

Administrative practice and procedure, Authority delegations, Seizures and forfeitures, Surety bonds.

Authority

This regulation is issued under the authority contained in 5 U.S.C. 301, 552. Accordingly, Title 26, Code of Federal Regulations, is amended as follows:

PART 601—STATEMENT OF PROCEDURAL RULES

§ 601.327 [Amended]

1. Section 601.327(c) is amended by deleting the term "regional administrative officer" and substituting therefore "the Director or his delegate."

Signed: August 17, 1984.

Robert J. Maxwell,

Acting Director.

Approved: September 7, 1984.

John M. Walker, Jr.,

Assistant Secretary (Enforcement and Operations).

[FR Doc. 84-25049 Filed 9-20-84; 8:45 am]

BILLING CODE 4810-31-M

27 CFR Part 72

[T.D. ATF-183]

Disposition of Seized Personal Property

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule reflects a functional shift within ATF for responsibility for and management of seized personal property regulations from ATF's regional administrative offices to its Headquarters' Office of Law Enforcement.

EFFECTIVE DATE: This final rule is effective on September 21, 1984.

FOR FURTHER INFORMATION CONTACT: Frank W. Nickell or Gayle P. Miller, Planning and Analysis Staff, Office of Law Enforcement, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW., Washington, DC 20226 (202-566-7123).

SUPPLEMENTARY INFORMATION: In order to provide maximum efficiency in the processing of seized property, responsibility for the seized property function has been centralized in ATF Bureau Headquarters' Office of Law Enforecement. Therefore, the regional officials entitled regional regulatory administrator and regional administrative officer, who previously managed this function, no longer have this authority. Further, the regional director position has been abolished due to a Bureau reorganization. The authority for administering these regulations now resides with the Director of ATF or his delegate in ATF Headquarters' Office of Law Enforcement, under a Treasury memorandum dated September 16, 1983.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a final regulatory flexibility analysis (5 U.S.C. 604) are not applicable to this final rule because the agency was not required to publish a general notice of proposed rulemaking under 5 U.S.C. 553 or any other law.

Executive Order 12291

Because this document relates to agency organization and management, it is not subject to the requirements of Executive Order 12291 pursuant to section 1(a)(3) thereof.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Pub. L. 96-511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR Part 1320, do not apply to this final rule because no requirement to collect information is imposed.

Notice and Public Participation

This final notice is promulgated without notice and public procedure, as required by 5 U.S.C. 553(b), because it is a rule of procedure.

Drafting Information

The principal author of this document is Gayle P. Miller of the planning and Analysis Staff, Office of Law Enforcement, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 72

Administrative practice and procedure, Authority delegations, Seizures and forfeitures, Surety bonds.

Authority

These regulations are issued under the authority contained in 18 U.S.C. 921, 18 U.S.C. 1261, 26 U.S.C. 7805, 49 U.S.C. 788. Accordingly, Title 27, Code of Federal Regulations, is amended as follows:

PART 72—DISPOSITION OF SEIZED PERSONAL PROPERTY

§ 72.11 [Amended]

1. Section 72.11 is amended by deleting the definitions of the regional administrative officer and the regional regulatory administrator.

§§ 72.22, 72.23, 72.26, 72.36, 72.40, and 72.63 [Amended]

2. Sections 72.22(a)(3), 72.23, 72.26, 72.36, 72.40(b), and 72.63(c)(2) are amended by deleting the term "regional director" and substituting therefor "the Director or his delegate."

§§ 72.22, 72.23, 72.26, 72.39, 72.40, 72.61, 72.65, and 72.68 [Amended]

3. Sections 72.22(a) (5) and (6), 72.23, 72.26, 72.39 (a) (3) and (b), 72.40(b), 72.61, 72.65, and 72.68 are amended by deleting the term "regional administrative officer" and substituting therefor "the Director or his delegate."

§ 72.22 [Amended]

4. Section 72.22(b) is amended by deleting the term "Regional Counsel" and substituting therefor the "Chief Counsel or his delegate."

Signed: August 17, 1984.

Robert J. Maxwell,

Acting Director.

Approved: September 7, 1984.

John M. Walker Jr.,

Assistant Secretary (Enforcement and Operations).

[FR Doc. 84-25046 Filed 9-20-84; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 943

Notice of Suspension of Current Rulemaking and Extension of Deadline for Submission of Program Amendments to the Texas Program

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

ACTION: Final rule.

SUMMARY: OSM is announcing its decision to suspend current rulemaking and extend the deadline for Texas to (1) promulgate rules governing the training, examination and certification of blasters and (2) to develop and adopt a program to examine and certify all persons who are directly responsible for the use of explosives in a surface coal mining operation. On March 1, 1984, Texas submitted to OSM an amendment to its approved regulatory program which was intended to implement the Federal requirements for a blaster training, examination and certification program. In its subsequent review of the proposed amendment, OSM identified several deficiencies and pointed these out to the State. On June 25, 1984, OSM received a letter from Texas which requested a six-month extension of the deadline for submission of a blaster program in order that Texas might adequately address and respond to the issues raised by OSM. Texas requested a six-month extension in order to prepare documentation on the issues raised by OSM and to prepare any necessary revisions to the program. Texas also requested suspension of the current rulemaking on this subject. On August 2, 1984, OSM published in the **Federal Register** (49 FR 30972) a proposed suspension of rulemaking and extension of deadline for program amendment. All States with regulatory programs approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act) are required to develop and adopt a blaster certification program by March 4, 1984. Section 850.12(b) of OSM's regulations provides that the Director, OSM, may approve an extension of time for a State to develop and adopt a program upon a demonstration of good cause. In accordance with the State's request, the Director is granting the State a six-month extension of time to submit a proposed blaster certification program.

EFFECTIVE DATE: September 21, 1984.

FOR FURTHER INFORMATION CONTACT: Mr. Robert L. Markey, Director, Tulsa Field Office, Office of Surface Mining, 333 West Fourth Street, Room 3432, Tulsa, Oklahoma 74103; Telephone: (918) 581-7658.

SUPPLEMENTARY INFORMATION: On March 4, 1983, OSM issued final rules effective April 14, 1983, establishing the Federal standards for the training and certification of blasters at 30 CFR Chapter M (48 FR 9486). Section 850.12 of these regulations stipulates that the regulatory authority in each State with an approved program under SMCRA shall develop and adopt a program to examine and certify all persons who are directly responsible for the use of explosives in a surface coal mining operation within 12 months after approval of a State program or within 12 months after publication date of OSM's rule at 30 CFR Part 850, whichever is later. In the case of Texas' program, the applicable date was 12 months after the publication date of OSM's rule, or March 4, 1984.

On March 1, 1984, Texas submitted an amendment to its approved program which was intended to implement the Federal requirements for a blaster training, examination and certification program. OSM published a notice of public comment period and opportunity for public hearing in the **Federal Register** on March 23, 1984 (49 FR 10943). In its subsequent review of the proposed amendment, OSM identified several deficiencies and pointed these out to the State.

On June 25, 1984, Texas advised OSM that it would require a six-month extension of the deadline for resubmission of a blaster program in order that Texas might adequately address and respond to the issues raised by OSM. Texas requested the six-month extension in order to prepare documentation on the issues raised by OSM and to prepare any necessary revisions and additions to the program. Texas also requested suspension of the current rulemaking on this subject.

In the August 2, 1984 **Federal Register** (49 FR 30972), OSM sought comment on suspension of the current rulemaking and a six-month extension for Texas to resubmit to OSM a proposed blaster training program. Public comment on this proposal was sought for 30 days ending September 5, 1984. No comments were submitted to OSM during the comment period.

Section 850.12(b) of the Federal regulations provides that the Director, OSM, may approve an extension of time for a State to develop and adopt a program upon a demonstration of good cause.

Director's Determination

In accordance with the State's request, the Director has decided to suspend the current rulemaking and extend the deadline for Texas to submit a proposed blaster training program until March 21, 1985 to resubmit rules governing a blaster certification and training program consistent with Federal requirements.

Additional Determinations

1. Compliance With the National Environmental Policy Act

The Secretary has determined that, pursuant to Section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. Executive Order No. 12291 and the Regulatory Flexibility Act

On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.).* This rule will not impose any new requirements; rather, it will ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 943

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Authority.—Pub. L. 95-87, Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.).*

Dated: September 18, 1984.

John D. Ward

Acting Director, Office of Surface Mining.

PART 943—TEXAS

30 CFR Part 943 is amended by adding a new section 943.16 to read as follows:

§ 943.16 Required program amendments.

Pursuant to 30 CFR 732.17, Texas is required to submit for OSM's approval the following proposed program amendments by the dates specified.

(a) By March 21, 1985, Texas shall submit for OSM's approval

(1) rules governing the training, examination and certification of blasters and

(2) a program to examine and certify all persons who are directly responsible for the use of explosives in surface coal mining operation.

[FR Doc. 84-25114 Filed 9-20-84; 8:45 am]

BILLING CODE 4310-05-M

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30 CFR Part 950

Notice of Extension of Deadline for Submission of Program Amendments to the Wyoming Permanent Program

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

ACTION: Final rule.

SUMMARY: OSM is announcing its decision to extend the deadline for Wyoming to (1) promulgate rules governing the training, examination and certification of blasters and (2) to develop and adopt a program to examine and certify all persons who are directly responsible for the use of explosives in a surface coal mining operation. Wyoming requested a six month extension of time until October 14, 1984, for the development of a blaster certification program. All States with regulatory programs approved under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act) are required to develop and adopt a blaster certification program within twelve months after program approval or within twelve months after publication date of OSM's rule at 30 CFR Part 850, whichever is later. Section 850.12(b) of OSM's regulations provides that the Director, OSM, may approve an extension of time for a State to develop and adopt a program upon a demonstration of good cause. In accordance with the State's request, the Director is granting the State a six-month extension of time to submit a proposed blaster certification program.

EFFECTIVE DATE: September 21, 1984.

FOR FURTHER INFORMATION CONTACT: Mr. William Thomas, Director, Casper Field Office, Office of Surface Mining, Freden Building, 935 Pendell Boulevard, Mills, Wyoming 82644; Telephone: (307) 328-5830.

SUPPLEMENTARY INFORMATION:

On March 4, 1983, OSM issued final rules effective April 14, 1983, establishing the Federal standards for the training and certification of blasters at 30 CFR Chapter M (48 FR 9486). Section 850.12 of these regulations stipulates that the regulatory authority in each State with an approved program under SMCRA shall develop and adopt a program to examine and certify all persons who are directly responsible for the use of explosives in a surface coal mining operation within 12 months after approval of a State program or within 12 months after publication date of OSM's rule at 30 CFR Part 850, whichever is later. In the case of Wyoming, the applicable date is 12 months after publication of the Federal rules, or April 14, 1984.

Wyoming advised OSM that it would be unable to meet the April 14, 1984 deadline and requested an additional six months to develop and adopt a blaster certification program.

The Wyoming Department of Environmental Quality, Land Quality Division, the regulatory authority for Wyoming's program submitted to OSM a request for a six month extension until October 14, 1984, to submit final rules addressing the blaster certification program. Additional time was needed in order to develop the blaster certification program in conjunction with the Office of the Wyoming Mine Inspector and Western Wyoming College and to execute a "Memorandum of Understanding" with both parties.

In the August 2, 1984 **Federal Register** (49 FR 30973), OSM proposed an extension until October 14, 1984 for Wyoming to submit to OSM final rules addressing the blaster certification program. Public comment on this proposal was sought for 30 days ending September 4, 1984. No comments were submitted to OSM during the comment period.

Director's Determination

In accordance with the State's request, the Director has decided to extend the deadline for Wyoming to submit a proposed blaster certification program until October 14, 1984. This extension will allow the Wyoming Department of Environmental Quality, Land Quality Division, to develop, in conjunction with the Office of the Wyoming Mine Inspector and Western Wyoming College, an adequate blaster training and certification program.

IV. Additional Determinations

1. Compliance With the National Environmental Policy Act

The Secretary has determined that, pursuant to Section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. Executive Order No. 12291 and the Regulatory Flexibility Act

On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from Sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule will not impose any new requirements; rather, it will ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 950

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Authority.—Pub. L. 95-87, Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*).

Dated: September 18, 1984.

John D. Ward,

Acting Director, Office of Surface Mining.

PART 950—WYOMING

30 CFR Part 950 is amended by adding a new section 950.16 to read as follows:

§ 950.16 Required program amendments.

Pursuant to 30 CFR 732.17, Wyoming is required to submit for OSM's approval the following proposed program amendments by the dates specified.

(a) By October 14, 1984 Wyoming shall submit for OSM's approval

(1) rules governing the training, examination and certification of blasters and

(2) a program to examine and certify all persons who are directly responsible for the use of explosives in surface coal mining operation.

[FR Doc. 84-25115 Filed 9-20-84; 8:45 am]
BILLING CODE 4310-05-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-4-FRL-2675-6]

Prevention of Significant Deterioration (PSD) of Air Quality; Supplemental Delegation of Authority to North Carolina

AGENCY: Environmental Protection Agency.

ACTION: Delegation of Authority.

SUMMARY: On September 16, 1976, the State of North Carolina requested partial delegation of the Prevention of Significant Air Quality Deterioration (PSD) program from EPA. On November 24, 1976, EPA granted such delegation to the State. A review of the above request for partial delegation, EPA's granting of delegation, and EPA's February 23, 1982, approval of North Carolina's PSD regulation (2D .0530) at 47 FR 7836, has led us to the conclusion that further delegation of EPA's PSD authority should be delegated to the State. This notice addresses delegation of EPA's authority to issue modifications to Federally issued PSD permits. By letter dated June 8, 1984, the State of North Carolina was delegated authority to modify Federally issued PSD permits in the State.

EFFECTIVE DATE: This supplemental delegation of authority to North Carolina was effective on June 8, 1984.

ADDRESSES: Copies of the requests for the delegation of authority and EPA's letters of delegation are available for public inspection at EPA's Region IV office, 345 Courtland Street, NE., Atlanta, Georgia 30365.

All requests for modifications to Federally issued PSD permits in the State of North Carolina should be submitted to: Mr. Fin Johnson, Chief, Air Quality Section, Division of Environmental Management, North Carlina Department of Natural Resources and Community Development, P.O. Box 27687, Raleigh, North Carolina 27611-7687.

SUPPLEMENTARY INFORMATION: On September 16, 1976, the State of North Carolina requested partial delegation of the Prevention of Significant Air Quality Deterioration (PSD) program from EPA. On November 24, 1976, EPA granted such delegation to the State. On February 23, 1982, EPA approved North Carolina's PSD regulation, 2D .0530, at 47 FR 7836. Our review of the aforementioned has led us to the conclusion that further delegation of part of EPA's PSD authority should be made to the State. This notice addresses delegation of EPA's authority to issue modifications to Federally issued PSD permits.

In the State of North Carolina's original request for PSD authority, they asked that a condition be included to make it clear that PSD permits issued by EPA to sources in North Carolina would continue to rest within the authority of EPA.

In EPA's November 26, 1976, response, the Agency reserved "authority under 40 CFR 52.21(e)(1)(v) (1977) to take final action on an application," i.e., to issue the permit. (Since there are no different formal procedures for issuing modifications to PSD permits set forth in the PSD regulations, EPA looks generally to the procedures for original issuance in modifying permits.)

Furthermore, EPA's November 1976 delegation reserved "its authority to take enforcement action under 40 CFR 52.21(e)(2) (1977)," in a related response to North Carolina's September 1976 concerns, and EPA also reserved ultimate authority "on any matter involving interpretation of 40 CFR 52.01 and 52.21 . . ."

The North Carolina PSD regulation (2D .5530) which EPA approved on February 23, 1982, at 47 FR 7836, is silent on the issue of authority to modify EPA-issued permits and the notice itself implies that the State's PSD permitting authority under that regulation is *prospective only:* EPA's approval of these regulations means that the State of North Carolina will *now* have authority to issue PSD permits to sources *locating* in the State." (Emphasis added.)

Significantly, even this authority is not completely transferred to the State since, as the notice explains, under certain contingencies having to do with the State's 90-day processing requirements, the authority to issue (or modify) PSD permits in the State—even to modify those the State originally issued—will revert to EPA.

On February 7, 1984 the State of North Carolina submitted a preliminary determination and proposed to approve a modification to a Federally issued PSD permit (PSD-NC-058) for the Diamond Shamrock Corporation located in Castle Hayne, North Carolina. Since the original partial delegation of authority and subsequent adoption of PSD regulations as part of the State Implementation Plan (SIP) were silent on the issue of whether the State has legal authority to modify Federally issued permits, EPA concluded that the State should be the lead agency for issuing modifications to Federally issued PSD permits.

By letter dated June 8, 1984, EPA notified the State of North Carolina of its decision to delegate authority to the State to modify Federally issued PSD permits within the State, subject to the limitations set forth immediately herein above.

This supplemental delegation was effective immediately and there was no requirement that the State notify EPA of its acceptance. The June 1984 letter indicated that unless EPA received from the State written notice of objections within ten (10) days of the date of receipt of that letter, the State would be deemed to have accepted all terms of the delegation. No objections were received by EPA from the State.

The Office of Management and Budget has exempted this delegation from the requirements of Section 3 of Executive Order 12291.

This notice is issued under the authority of sections 101, 110, and 301 of the Clean Air Act, as amended (42 U.S.C. 7401, 7410, and 7601).

Dated: September 12, 1984.

Charles R. Jeter,

Regional Administrator.

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40 CFR Parts 60 and 61

[Docket No. ACB-NY 8401; A-2-FRL-2675-7]

Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS); Delegation of Authority to the State of New York

AGENCY: Environmental Protection Agency.

ACTION: Delegation of Authority.

SUMMARY: Section 111(c) of the Clean Air Act permits EPA to delegate to the States the authority to implement and enforce the standards set out in 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS) and 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAPS). On March 8, 1984, in accordance with the agreement set out in EPA's previous delegation letter of July 14, 1983 (48 FR 46535, October 13,