rather than mandatory and that neither the alien nor the regional center must create jobs through increased exports. By using the term "including" in the statute, Congress indicated its intent to specifically require that the investment in the regional center create jobs through increased exports. It should be noted that 8 CFR 204.6(m)(7)(i) of the interim regulation defines exports very broadly, by defining exports as services or goods produced directly or indirectly through revenues generated from a new commercial enterprise and which are transported outside the United States.

The commenter also recommended that a designated regional center file an Economic Impact Report, which is required by the Small Business Administration for a licensed Small Business Investment Company (SBIC). Although the Service is interested in obtaining any information on the impact of the Pilot Program, there is no authority in the statute for the Service to require an Economic Impact Report.

### Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule implements the Pilot Program under which a maximum of 300 immigrant visas may be issued annually to alien entrepreneurs and their immediate family members. This rule merely adopts as final, the interim rule which was published at 44606–44610 on August 24, 1993, without any changes.

### Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a "significant regulatory action" under Executive Order 12866, Section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

### Executive Order 12612

The regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### Executive Order 12606

The Commissioner of the Immigration and Naturalization Service certifies that she has addressed this rule in light of the criteria in Executive Order 12606 and has determined that it will have no effect on family well-being.

The information collection requirements contained in this rule have been cleared by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act. The OMB control number for this collection is 1115–0183.

### List of Subjects

*8 CFR Part 103*

Administrative practice and procedure, Archives and records, Authority delegations (Government agencies), Bonding, Fees, Forms, Freedom of Information, Organization and functions (Government agencies), Privacy, Reporting and recordkeeping requirements, Surety bonds.

*8 CFR Part 204*

Administrative practice and procedure, Aliens, Employment, Immigration, Petitions.

Accordingly, the interim rule amending 8 CFR parts 103 and 204 which was published at 58 FR 44606–44610 on August 24, 1993, is adopted as a final rule without change.

Dated: March 3, 1994.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 94–9084 Filed 4–14–94; 8:45 am]

BILLING CODE 4410–10–M

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## DEPARTMENT OF AGRICULTURE

## Animal and Plant Health Inspection Service

## 9 CFR Part 91

[Docket No. 93–150–2]

## Ports Designated for Exportation of Animals, Stockton, CA

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Direct final rule; Confirmation of effective date.

**SUMMARY:** This notice confirms the effective date of the direct final rule that amends the Inspection and Handling of Livestock for Exportation regulations by removing the listing for the Hemet Flying Service, Stockton, CA, export inspection facility. The direct final rule also removed Stockton, CA, as a port of embarkation.

**EFFECTIVE DATE:** The direct final rule published on March 1, 1994 (59 FR 9616–9617, Docket No. 93–150–1), is effective May 2, 1994.

**FOR FURTHER INFORMATION CONTACT:** Dr. Andrea Morgan, Senior Staff Veterinarian, Import-Export Animals Staff, National Center for Import-Export, Veterinary Services, APHIS, USDA, room 763, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–8383.

**SUPPLEMENTARY INFORMATION:**

### Background

In a direct final rule published in the **Federal Register** on March 1, 1994 (59 FR 9616–9617, Docket No. 93–150–1), we notified the public of our intent to amend the Inspection and Handling of Livestock for Exportation regulations by removing the listing for the Hemet Flying Service, Stockton, CA, export inspection facility. We also notified the public that we intended to remove Stockton, CA, as a port of embarkation.

We solicited comments concerning the direct final rule for a 30-day period ending March 31, 1994. We stated that the effective date of the proposed amendment would be 60 days after publication of the direct final rule in the **Federal Register**, unless we received written adverse comments or written notice of intent to submit adverse comments by the close of the comment period.

We received neither written adverse comments nor notice of intent to submit adverse comments by that date. Therefore, the direct final rule will become effective on May 2, 1994, as scheduled.

**Authority:** 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 612, 613, 614, 618; 46 U.S.C. 466a, 466b; 49 U.S.C. 1509(d); 7 CFR 2.17, 2.51, and 371.2(d).

Done in Washington, DC, this 12th day of April 1994.

**Lonnie J. King,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 94–9132 Filed 4–14–94; 8:45 am]

BILLING CODE 3410–34–P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Parts 556 and 558**

## Animal Drugs, Feeds, and Related Products; Morantel Tartrate

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Pfizer, Inc. The supplement provides for use of morantel tartrate Type A medicated article to make a Type C medicated feed used as an anthelmintic for goats. Also, the regulations are amended to establish a tolerance for drug residues in edible goat tissues.

**EFFECTIVE DATE:** April 15, 1994.

**FOR FURTHER INFORMATION CONTACT:** Melanie R. Berson, Center for Veterinary Medicine (HFV–135), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1643.

**SUPPLEMENTARY INFORMATION:** Pfizer, Inc., 235 East 42d St., New York, NY 10017, filed a supplement to NADA 92–444, which provides for use of morantel tartrate to make a Type A medicated article used to make a Type C medicated goat feed in addition to its approved use for a Type C medicated cattle feed. The Type C medicated goat feed is used for removal and control of mature gastrointestinal nematodes *Haemonchus contortus, Ostertagia (Teladorsagia) circumcincta*, and *Trichostrongylus axei*. Also, a tolerance for residues of morantel tartrate and its metabolites in edible goat tissues is established. Approval is based in part on data and information in Public Master File (PMF) 5366 established under the IR–4 Project, Southern Region, University of Florida, College of Veterinary Medicine, Gainesville, FL 32611.

The supplement is approved as of April 15, 1994 and the regulations are amended in 21 CFR 556.425 and 558.360 to reflect the approval. The basis for approval is discussed in the freedom of information summary.

Approval of this supplement is for use of a Type A medicated article to make a Type C medicated feed. Morantel tartrate is a Category II drug which, as in § 558.4, requires an approved form FDA 1900 for use in making a Type C medicated feed.

In addition, the regulation for tolerances for residues of the drug or its metabolites in cattle, and now in goats, is amended to remove the part that is no longer required.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(iii)), this approval for use in food producing animals does not qualify for marketing exclusivity because the supplement does not contain reports of new clinical or field investigations (other than bioequivalence or residue studies) or new human food safety studies (other than bioequivalence or residue studies) essential to the approval and conducted or sponsored by the applicant.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

**List of Subjects**

*21 CFR Part 556*

Animal drugs, Foods.

*21 CFR Part 558*

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center For Veterinary Medicine, 21 CFR parts 556 and 558 are amended as follows:

**PART 556—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD**

1. The authority citation for 21 CFR part 556 continues to read as follows:

**Authority:** Secs. 402, 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342, 360b, 371).

2. Section 556.425 is revised to read as follows:

**§ 556.425 Morantel tartrate.**

A tolerance of 0.7 part per million is established for *N*-methyl-1,3-propanediamine (MAPA, marker residue) in the liver (target tissue) of cattle and goats. A tolerance for residues of morantel tartrate in milk is not required.

**PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS**

3. The authority citation for 21 CFR part 558 continues to read as follows:

**Authority:** Secs. 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b, 371).

4. Section 558.360 *Morantel tartrate* is amended by designating the text of paragraph (d)(2) as paragraph (d)(2)(i) and adding a new heading to the newly designated paragaph, by adding new paragraph (d)(2)(ii), and by revising the last sentence of paragraph (d)(3) to read as follows:

**§ 558.360 Morantel tartrate.**

* * * * *

(d) * * *

(2) *Indications for use*—(i) *Cattle.* * * *

(ii) *Goats.* For removal and control of mature gastrointestinal nematode infections of goats including *Haemonchus contortus, Ostertagia (Teladorsagia) circumcincta*, and *Trichostrongylus axei*.

(3) *Limitations.* * * * Do not treat cattle within 14 days of slaughter; do not treat goats within 30 days of slaughter.

Dated: April 6, 1994.

**Richard H. Teske,**

*Acting Director, Center for Veterinary Medicine.*

[FR Doc. 94–8820 Filed 4–14–94; 8:45 am]

BILLING CODE 4160–01–F

**PENSION BENEFIT GUARANTY CORPORATION**

**29 CFR Parts 2610 and 2622**

## Late Premium Payments and Employer Liability Underpayments and Overpayments; Interest Rate for Determining Variable Rate Premium; Amendments to Interest Rates

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This document notifies the public of the interest rate applicable to late premium payments and employer liability underpayments and overpayments for the calendar quarter beginning April 1, 1994. This interest

rate is established quarterly by the Internal Revenue Service. This document also sets forth the interest rates for valuing unfunded vested benefits for premium purposes for plan years beginning in February 1994 through April 1994. These interest rates are established pursuant to section 4006 of the Employee Retirement Income Security Act of 1974, as amended. The effect of these amendments is to advise plan sponsors and pension practitioners of these new interest rates.

**EFFECTIVE DATE:** April 1, 1994.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005–4026; telephone 202–326–4024 (202–326–4179 for TTY and TTD). These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:** As part of title IV of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), the Pension Benefit Guaranty Corporation ("PBGC") collects premiums from ongoing plans to support the single-employer and multiemployer insurance programs. Under the single-employer program, the PBGC also collects employer liability from those persons described in ERISA section 4062(a). Under ERISA section 4007 and 29 CFR 2610.7, the interest rate to be charged on unpaid premiums is the rate established under section 6601 of the Internal Revenue Code ("Code"). Similarly, under 29 CFR 2622.7, the interest rate to be credited or charged with respect to overpayments or underpayments of employer liability is the section 6601 rate. These interest rates published by the PBGC in appendix A to the premium regulation and appendix A to the employer liability regulation.

The Internal Revenue Service has announced that for the quarter beginning April 1, 1994, the interest charged on the underpayment of taxes will be at a rate of 7 percent. Accordingly, the PBGC is amending appendix A to 29 CFR part 2610 and appendix A to 29 CFR part 2622 to set forth this rate for the April 1, 1994, through June 30, 1994, quarter.

Under ERISA section 4006(a)(3)(E)(iii)(II), in determining a single-employer plan's unfunded vested benefits for premium computation purposes, plans must use an interest rate equal to 80% of the annual yield on 30-year Treasury securities for the month preceding the beginning of the plan year for which premiums are being paid. Under § 2610.23(b)(1) of the premium regulation, this value is determined by reference to 30-year Treasury constant maturities as reported in Federal Reserve Statistical Releases G.13 and H.15. The PBGC publishes these rates in appendix B to the regulation.

The PBGC publishes these monthly interest rates in appendix B on a quarterly basis to coincide with the publication of the late payment interest rate set forth in appendix A. (The PBGC publishes the appendix A rates every quarter, regardless of whether the rate has changed.) Unlike the appendix A rate, which is determined prospectively, the appendix B rate is not known until a short time after the first of the month for which it applies. Accordingly, the PBGC is hereby amending appendix B to part 2610 to add the vested benefits valuation rates for plan years beginning in February of 1994 through April of 1994.

The appendices to 29 CFR parts 2610 and 2622 do not prescribe the interest rates under these regulations. Under both regulations, the appendix A rates are the rates determined under section 6601(a) of the Code. The interest rates in appendix B to part 2610 are prescribed by ERISA section 4006(a)(3)(E)(iii)(II) and § 2610.23(b)(1) of the regulation. These appendices merely collect and republish the interest rates in a convenient place. Thus, the interest rates in the appendices are informational only. Accordingly, the PBGC finds that notice of and public comment on these amendments would be unnecessary and contrary to the public interest. For the above reasons, the PBGC also believes that good cause exists for making these amendments effective immediately.

The PBGC has determined that none of these actions is a "significant regulatory action" under the criteria set forth in Executive Order 12866, because they will not have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for these amendments, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

**List of Subjects**

*29 CFR Part 2610*

Employee benefit plans, Penalties, Pension insurance, Pensions, Reporting and recordkeeping requirements.

*29 CFR Part 2622*

Business and industry, Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements, Small businesses.

In consideration of the foregoing, part 2610 and part 2622 of chapter XXVI of title 29, Code of Federal Regulations, are hereby amended as follows:

## PART 2610—PAYMENT OF PREMIUMS

1. The authority citation for part 2610 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1306, 1307.

2. Appendix A to part 2610 is amended by adding a new entry for the quarter beginning April 1, 1994, to read as follows: The introductory text is republished for the convenience of the reader and remains unchanged.

### Appendix A to Part 2610—Late Payment Interest Rates

The following table lists the late payment interest rates under § 2610.7(a) for the specified time periods:

| From— | Through— | Interest rate (percent) |
|---|---|---|
| * * * | * | * |
| April 1, 1994 | June 30, 1994 | 7 |

3. Appendix B to part 2610 is amended by adding to the table of interest rates new entries for premium payment years beginning in February of 1994 through April of 1994, to read as follows. The introductory text is republished for the convenience of the reader and remains unchanged.

### Appendix B to Part 2610—Interest Rates for Valuing Vested Benefits

The following table lists the required interest rates to be used in valuing a plan's vested benefits under § 2610.23(b) and in calculating a plan's adjusted vested benefits under § 2610.23(c)(1):

| For premium payment years beginning in— | Required interest rate[1] |
|---|---|

| For premium payment years beginning in— | Required interest rate[1] |
|---|---|
| * * * * | * |
| February 1994 | 5.03 |
| March 1994 | 5.19 |
| April 1994 | 5.53 |

[1] The required interest rate listed above is equal to 80% of the annual yield for 30-year Treasury constant maturities, as reported in Federal Reserve Statistical Release G.13 and H.15 for the calendar month preceding the calendar month in which the premium payment year begins.

## PART 2622—EMPLOYER LIABILITY FOR WITHDRAWALS FROM AND TERMINATIONS OF SINGLE-EMPLOYER PLANS

4. The authority citation for part 2622 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1362–1364, 1367–68.

5. Appendix A to part 2622 is amended by adding a new entry for the quarter beginning April 1, 1994, to read as follows. The introductory text is republished for the convenience of the reader and remains unchanged.

### Appendix A to Part 2622—Late Payment and Overpayment Interest Rates

The following table lists the late payment and overpayment interest rates under § 2622.7 for the specified time periods:

| From | Through | Interest rate (percent) |
|---|---|---|
| * * | * * | * |
| April 1, 1994 | June 30, 1994 | 7 |

Issued in Washington, DC, this 12th day of April 1994.

**Martin Slate,**

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 94–9122 Filed 4–14–94; 8:45 am]

BILLING CODE 7708–01–M

## 29 CFR Parts 2619 and 2676

## Valuation of Plan Benefits in Single-Employer Plans; Valuation of Plan Benefits and Plan Assets Following Mass Withdrawal; Amendments Adopting Additional PBGC Rates

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Pension Benefit Guaranty Corporation's ("PBGC's") regulations on Valuation of Plan Benefits in Single-Employer Plans and Valuation of Plan Benefits and Plan Assets Following Mass Withdrawal. The former regulation contains the interest assumptions that the PBGC uses to value benefits under terminating single-employer plans. The latter regulation contains the interest assumptions for valuations of multiemployer plans that have undergone mass withdrawal. The amendments set out in this final rule adopt the interest assumptions applicable to single-employer plans with termination dates in May 1994, and to multiemployer plans with valuation dates in May 1994. The effect of these amendments is to advise the public of the adoption of these assumptions.

**EFFECTIVE DATE:** May 1, 1994.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202–326–4024 (202–326–4179 for TTY and TDD). (These are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** This rule adopts the May 1994 interest assumptions to be used under the Pension Benefit Guaranty Corporation's ("PBGC's") regulations on Valuation of Plan Benefits in Single-Employer Plans (29 CFR part 2619, the "single-employer regulation") and Valuation of Plan Benefits and Plan Assets Following Mass Withdrawal (29 CFR part 2676, the "multiemployer regulation").

Part 2619 sets forth the methods for valuing plan benefits of terminating single-employer plans covered under title IV of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"). Under ERISA section 4041(c), all single-employer plans wishing to terminate in a distress termination must value guaranteed benefits and "benefit liabilities", *i.e.*, all benefits provided under the plan as of the plan termination date, using the formulas set forth in part 2619, subpart C. (Plans terminating in a standard termination may, for purposes of the Standard Termination Notice filed with PBGC, use these formulas to value benefit liabilities, although this is not required.) In addition, when the PBGC terminates an underfunded plan involuntarily pursuant to ERISA section 4042(a), it uses the subpart C formulas to determine the amount of the plan's underfunding. Part 2676 prescribes rules for valuing benefits and certain assets of multiemployer plans under sections 4219(c)(1)(D) and 4281(b) of ERISA.

Appendix B to part 2619 sets forth the interest rates and factors under the single-employer regulation. Appendix B to part 2676 sets forth the interest rates and factors under the multiemployer regulation. Because these rates and factors are intended to reflect current conditions in the financial and annuity markets, it is necessary to update the rates and factors periodically.

The PBGC issues two sets of interest rates and factors, one set to be used for the valuation of benefits to be paid as annuities and one set for the valuation of benefits to be paid as lump sums. The same assumptions apply to terminating single-employer plans and to multiemployer plans that have undergone a mass withdrawal. This amendment adds to appendix B to parts 2619 and 2676 sets of interest rates and factors for valuing benefits in single-employer plans that have termination dates during May 1994 and multiemployer plans that have undergone mass withdrawal and have valuation dates during May 1994.

For annuity benefits, the interest rates will be 6.50% for the first 25 years following the valuation date and 5.25% thereafter. For benefits to be paid as lump sums, the interest assumptions to be used by the PBGC will be 5.25% for the period during which benefits are in pay status, 4.5% during the seven years directly preceding the benefit's placement in pay status, and 4.0% during any other years preceding the benefit's placement in pay status. (ERISA section 205(g) and Internal Revenue Code section 417(e) provide that private sector plans valuing lump sums under $25,000 must use interest assumptions at least as generous as those used by the PBGC for valuing lump sums (and for lump sums exceeding $25,000 are restricted to 120% of the PBGC interest assumptions).) The above annuity interest assumptions represent an increase (from those in effect for April 1994) of .30 percent for the first 25 years following the valuation date and are otherwise unchanged. The lump sum interest assumptions represent an increase (from those in effect for April 1994) of .50 percent for the period during which benefits are in pay status and the seven years directly preceding that period; they are otherwise unchanged.

Generally, the interest rates and factors under these regulations are in effect for at least one month. However, the PBGC publishes its interest assumptions each month regardless of whether they represent a change from the previous month's assumptions. The assumptions normally will be published in the Federal Register by the 15th of the preceding month or as close to that date as circumstances permit.

The PBGC has determined that notice and public comment on these amendments are impracticable and contrary to the public interest. This finding is based on the need to determine and issue new interest rates and factors promptly so that the rates and factors can reflect, as accurately as possible, current market conditions.

Because of the need to provide immediate guidance for the valuation of benefits in single-employer plans whose termination dates fall during May 1994, and in multiemployer plans that have undergone mass withdrawal and have valuation dates during May 1994, the PBGC finds that good cause exists for making the rates and factors set forth in this amendment effective less than 30 days after publication.

The PBGC has determined that this action is not a "significant regulatory action" under the criteria set forth in Executive Order 12866, because it will not have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

**List of Subjects**

*29 CFR Part 2619*

Employee benefit plans, Pension insurance, Pensions.

*29 CFR Part 2676*

Employee benefit plans, Pensions.

In consideration of the foregoing, parts 2619 and 2676 of chapter XXVI, title 29, Code of Federal Regulations, are hereby amended as follows:

## PART 2619—[AMENDED]

1. The authority citation for part 2619 continues to read as follows:

**Authority:** 29 U.S.C. 1301(a), 1302(b)(3), 1341, 1344, 1362.

2. In appendix B, Rate Set 7 is added to Table I, and a new entry is added to Table II, as set forth below. The introductory text of both tables is republished for the convenience of the reader and remains unchanged.

*Appendix B to Part 2619—Interest Rates Used to Value Lump Sums and Annuities*

*Lump Sum Valuations*

In determining the value of interest factors of the form $v^{0:n}$ (as defined in § 2619.49(b)(1)) for purposes of applying the formulas set forth in § 2619.49(b) through (i) and in determining the value of any interest factor used in valuing benefits under this subpart to be paid as lump sums (including the return of accumulated employee contributions upon death), the PBGC shall employ the values of $i_t$ set out in Table I hereof as follows:

(1) For benefits for which the participant or beneficiary is entitled to be in pay status on the valuation date, the immediate annuity rate shall apply.

(2) For benefits for which the deferral period is $y$ years ($y$ is an integer and $0 < y \leq n_1$), interest rate $i_1$ shall apply from the valuation date for a period of $y$ years; thereafter the immediate annuity rate shall apply.

(3) For benefits for which the deferral period is $y$ years ($y$ is an integer and $n_1 < y \leq n_1 + n_2$), interest rate $i_2$ shall apply from the valuation date for a period of $y—n_1$ years, interest rate $i_1$ shall apply for the following $n_1$ years; thereafter the immediate annuity rate shall apply.

(4) For benefits for which the deferral period is $y$ years ($y$ is an integer and $y > n_1 + n_2$), interest rate $i_3$ shall apply from the valuation date for a period of $y—n_1—n_2$ years, interest rate $i_2$ shall apply for the following $n_2$ years, interest rate $i_1$ shall apply for the following $n_1$ years; thereafter the immediate annuity rate shall apply.

TABLE I

[Lump Sum Valuations]

| Rate set | For plans with a valuation date | | Immediate annuity rate (percent) | Deferred annuities (percent) | | | | |
|---|---|---|---|---|---|---|---|---|
| | On or after | Before | | $i_1$ | $i_2$ | $i_3$ | $n_1$ | $n_2$ |
| * * * * * * * | | | | | | | | |
| 7 | 5–1–94 | 6–1–94 | 5.25 | 4.50 | 4.00 | 4.00 | 7 | 8 |

*Annuity Valuations*

In determining the value of interest factors of the form $v^{0:n}$ (as defined in § 2619.49(b)(1)) for purposes of applying the formulas set forth in § 2619.49 (b) through (i) and in determining the value of any interest factor used in valuing annuity benefits under this subpart, the plan administrator shall use the values of $i_t$ prescribed in Table II hereof.

The following table tabulates, for each calendar month of valuation ending after the effective date of this part, the interest rates (denoted by $i_1, i_2, \ldots$, and referred to generally as $i_t$) assumed to be in effect between specified anniversaries of a valuation date that occurs within that calendar month; those anniversaries are specified in the columns adjacent to the rates. The last listed rate is assumed to be in effect after the last listed anniversary date.

TABLE II

[Annuity Valuations]

| For valuation dates occurring in the month— | The values of $i_t$ are: | | | | | |
|---|---|---|---|---|---|---|
| | $i_t$ | for $t$= | $i_t$ | for $t$= | $i_t$ | for $t$= |
| * * * * * * * | | | | | | |
| May 1994 | .0650 | 1-25 | .0525 | >25 | N/A | N/A |

## PART 2676—[AMENDED]

3. The authority citation for part 2676 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1399(c)(1)(D), 1441(b)(1).

4. In appendix B, Rate Set 7 is added to Table I, and a new entry is added to Table II, as set forth below. The introductory text of both tables is republished for the convenience of the reader and remains unchanged.

*Appendix B to Part 2676—Interest Rates Used to Value Lump Sums and Annuities*

*Lump Sum Valuations*

In determining the value of interest factors of the form $v^{0:n}$ (as defined in § 2676.13(b)(1)) for purposes of applying the formulas set forth in § 2676.13 (b) through (i) and in determining the value of any interest factor used in valuing benefits under this subpart to be paid as lump sums, the PBGC shall use the values of $i_t$ prescribed in Table I hereof. The interest rates set forth in Table I shall be used by the PBGC to calculate benefits payable as lump sum benefits as follows:

(1) For benefits for which the participant or beneficiary is entitled to be in pay status on the valuation date, the immediate annuity rate shall apply.

(2) For benefits for which the deferral period is $y$ years ($y$ is an integer and $0<y\leq n_1$), interest rate $i_1$ shall apply from the valuation date for a period of $y$ years; thereafter the immediate annuity rate shall apply.

(3) For benefits for which the deferral period is $y$ years ($y$ is an integer and $o<y\leq n_1+n_2$), interest rate $i_2$ shall apply from the valuation date for a period of $y—n_1$ years, interest rate $i_1$ shall apply for the following $n_1$ years; thereafter the immediate annuity rate shall apply.

(4) For benefits for which the deferral period is $y$ years ($y$ is an integer and $y>n_1+n_2$), interest rate $i_3$ shall apply from the valuation date for a period of $y—n_2$ years, interest rate $i_2$ shall apply for the following $n_2$ years, interest rate $i_1$ shall apply for the following $n_1$ years; thereafter the immediate annuity rate shall apply.

TABLE I

[Lump Sum Valuations]

| Rate set | For plan with a valuation date | | Immediate annuity rate (percent) | Deferred annuities (percent) | | | | |
|---|---|---|---|---|---|---|---|---|
| | On or after | Before | | $i_1$ | $i_2$ | $i_3$ | $n_1$ | $n_2$ |
| * * * * * * * | | | | | | | | |
| 7 | 5–1–94 | 6–1–94 | 5.25 | 4.50 | 4.00 | 4.00 | 7 | 8 |

*Annity Valuations*

In determining the value of interest factors of the form $v^{0:n}$ (as defined in § 2676.13(b)(1)) for purposes of applying the formulas set forth in § 2676.13 (b) through (i) and in determining the value of any interest factor used in valuing annuity benefits under this subpart, the plan administrator shall use the values of $i_t$ prescribed in the table below.

The following table tabulates, for each calendar month of valuation ending after the effective date of this part, the interest rates (denoted by $i_1$, $i_2$ * * *, and referred to generally as $i_t$) assumed to be in effect between specified anniversaries or a valuation date that occurs within that calendar month; those anniversaries are specified in the columns adjacent to the rates. The last listed rate is assumed to be in effect after the last listed anniversary date

TABLE II

[Annuity Valuations]

| For valuation dates occurring in the month— | The values of $i_t$ are: | | | | | |
|---|---|---|---|---|---|---|
| | $i_t$ | for $t$ = | $i_t$ | for $t$ = | $i_t$ | for $t$ = |
| * * * * * * * | | | | | | |
| May 1994 | .0650 | 1–25 | .0525 | >25 | N/A | N/A |

Issued in Washington, DC, on this 12th day of April 1994.

Martin Slate,

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 94–9123 Filed 4–14–94; 8:45 am]

BILLING CODE 7708–01–M

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29 CFR Part 2644

## Notice and Collection of Withdrawal Liability; Adoption of New Interest Rate

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This is an amendment to the Pension Benefit Guaranty Corporation's regulation on Notice and Collection of Withdrawal Liability. That regulation incorporates certain interest rates published by another Federal agency. This amendment adds to the appendix of that regulation a new interest rate to be effective from April 1, 1994, to June 30, 1994. The effect of the amendment is to advise the public of the new rate.

**EFFECTIVE DATE:** April 1, 1994.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005–4026; telephone 202–326–4024 (202–326–4179 for TTY and TDD). These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:** Under section 4219(c) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), the Pension Benefit Guaranty Corporation ("the PBGC") promulgated a final regulation on Notice and Collection of Withdrawal Liability. That regulation, codified at 29 CFR part 2644, deals with the rate of interest to be charged by multiemployer pension plans on withdrawal liability payments that are overdue or in default, or to be credited by plans on overpayments of withdrawal liability. The regulation allows plans to set rates, subject to certain restrictions. Where a plan does not set the interest rate, § 2644.3(b) of the regulation provides that the rate to be charged or credited for any calendar quarter is the average quoted prime rate on short-term commercial loans for the fifteenth day (or the next business day if the fifteenth day is not a business day) of the month preceding the beginning of the quarter, as reported by the Board of Governors of the Federal Reserve System in Statistical Release H.15 ("Selected Interest Rates").

Because the regulation incorporates interest rates published in Statistical Release H.15, that release is the authoritative source for the rates that are to be applied under the regulation. As a convenience to persons using the regulation, however, the PBGC collects the applicable rates and republishes them in an appendix to part 2644. This amendment adds to this appendix the interest rate of 6 percent, which will be effective from April 1, 1994, through June 30, 1994. This rate represents no change from the rate in effect for the first quarter of 1994. This rate is based on the prime rate in effect on March 15, 1994.

The appendix to 29 CFR part 2644 does not prescribe interest rates under the regulation; the rates prescribed in the regulation are those published in Statistical Release H.15. The appendix merely collects and republishes the rates in a convenient place. Thus, the interest rates in the appendix are informational only. Accordingly, the PBGC finds that notice of and public comment on this amendment would be unnecessary and contrary to the public interest. For the above reasons, the PBGC also believes that good cause exists for making this amendment effective immediately.

The PBGC has determined that this action is not a "significant regulatory action" under the criteria set forth in Executive Order 12866, because it will not have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

### List of Subjects in 29 CFR Part 2644

Employee benefit plans, Pensions.

In consideration of the foregoing, part 2644 of subchapter F of chapter XXVI of title 29, Code of Federal Regulations, is amended as follows:

## PART 2644—NOTICE AND COLLECTION OF WITHDRAWAL LIABILITY

1. The authority citation for part 2644 continues to read as follows:

**Authority:** 29 U.S.C. 1302(b)(3), 1399(c)(6).

2. Appendix A to part 2644 is amended by adding to the end of the table a new entry to read as follows:

### Appendix A to Part 2644—Table of Interest Rates

* * * * *

| From | To | Date of quotation | Rate (percent) |
|---|---|---|---|
| * * * | * | * | * |
| 04/01/94 | 06/30/94 | 03/15/94 | 6 |

Issued in Washington, DC, on this 12th day of April 1994.

Martin Slate,

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 94–9124 Filed 4–14–94; 8:45 am]

BILLING CODE 7708–01–M

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## DEPARTMENT OF THE INTERIOR

## Office of Surface Mining Reclamation and Enforcement

## 30 CFR Parts 901, 914, 917, 920, 924, 935, 938, 946, and 948

## State Program Amendments; Alabama et al.

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is making technical amendments to 30 CFR chapter VII, subchapter T, because the addresses that currently appear require revision. These changes will affect addresses listed for the following states: Alabama, Indiana, Kentucky, Maryland, Mississippi, Ohio, Pennsylvania, Virginia, and West Virginia.

**EFFECTIVE DATE:** April 15, 1994.

**FOR FURTHER INFORMATION CONTACT:** Gloria Prettiman, Branch of Environmental and Economic Analysis, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240; Telephone: 202–343–5144.

**SUPPLEMENTARY INFORMATION:**

I. Background.
II. Procedural Matters.

### I. Background

Since July 1, 1993, the date of the most recent revision to title 30 of the Code of Federal Regulations (30 CFR part 700 to End), the addresses of certain State and Federal offices involved in the State regulatory program have changed. Those addresses, as they appear in title 30 of the CFR, are being revised to indicate where copies of the State programs are available for inspection and copying in accordance with the provisions of 30 CFR 732.11(a).

Addresses in the following sections are being revised: Part 901—Alabama, Part 914—Indiana, Part 917—Kentucky, Part 920—Maryland, Part 924—Mississippi, Part 935—Ohio, Part 938—Pennsylvania, Part 946—Virginia, and Part 948—West Virginia.

In addition to the address changes, OSM has found a technical error in § 901.10. The introductory paragraph for § 901.10, as it appeared in the July 1, 1993 revision of title 30, contains the following phrase "approved effective (date of publication)." It is obvious that the actual date of publication, which was May 20, 1982, should have been inserted. Therefore, OSM is inserting that date in this technical amendment.

### II. Procedural Matters

*Administrative Procedure Act*

The minor revisions contained in this rulemaking are technical in nature. Accordingly, pursuant to 5 U.S.C. 553(b)(B), it has been determined that the notice and public comment procedures of the Administrative Procedure Act are unnecessary. For the same reason, it has been determined that in accordance with 5 U.S.C. 553(d), there is good cause to make the rule effective on the date of publication in the **Federal Register**.

*Executive Order 12866*

This technical amendment does not require review by the Office of Management and Budget under Executive Order 12866.

*National Environmental Policy Act*

This rule has been reviewed by OSM and it has been determined to be categorically excluded from the National Environmental Policy Act (NEPA) process in accordance with the Departmental Manual (516 DM 2 appendix 1.10) and the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1507.3).

*Federal Paperwork Reduction Act*

This rule dose not contain collection of information which requires approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

*Executive Order 12778*

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that this rule meets the applicable standards of subsections (a) and (b) of that section. This technical amendment (1) does not preempt any State or local laws or regulations; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging its provisions.

*Regulatory Flexibility Act*

The Department of the Interior certifies that this technical amendment 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 rule merely revises addresses contained in the regulations.

**List of Subjects in 30 CFR Parts 901, 914, 917, 920, 924, 935, 938, 946, and 948**

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 4, 1994.

**Robert J. Biggi,**

*Acting Assistant Director, Eastern Support Center.*

Accordingly, 30 CFR parts 901, 914, 917, 920, 924, 935, 938, 946 and 948 are amended for the reasons set forth in the preamble.

## PART 901—ALABAMA

1. The authority citation for part 901 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

2. Section 901.10 is revised to read as follows:

**§ 901.10 State regulatory program approval.**

The Alabama State program, as resubmitted on January 11, 1982, and clarified in a meeting with OSM on April 9, 1982, (See Administrative Record No. AL–347) and in a letter to the Director, OSM, of May 14, 1982, is conditionally approved, effective May 20, 1982. Beginning on that date, the Alabama Surface Mining Commission shall be deemed the regulatory authority in Alabama for all surface coal mining and reclamation operations and all exploration operations on non-Federal and non-Indian lands. Only surface coal mining and reclamation operations on non-Federal and non-Indian lands shall be subject to the provisions of the Alabama permanent regulatory program. Copies of the approved program, together with copies of the letter of the Alabama Surface Mining Commission agreeing to the conditions of 30 CFR 901.11, are available for inspection at:

(a) Alabama Surface Mining Reclamation Commission, Security Federal Savings and Loan Building, 811 Second Avenue, Jasper, Alabama 35501.

(b) Office of Surface Mining Reclamation and Enforcement, Birmingham Field Office, 135 Gemini Circle, Birmingham, Alabama 34209.

3. Section 901.20 is revised to read as follows:

**§ 901.20 Approval of Alabama abandoned mine land reclamation plan.**

The Alabama Abandoned Mine Land Reclamation Plan as submitted on May 8, 1981, is approved. Copies of the Plan are available at the following locations:

(a) Office of Surface Mining Reclamation and Enforcement, Birmingham Field Office, 135 Gemini Circle, Birmingham, Alabama 34209.

(b) Alabama Department of Industrial Relations, 649 Monroe Street, Montgomery, Alabama 36130.

4. In § 901.25, paragraphs (a) and (b) are revised to read as follows:

**§ 901.25 Amendment to approved Alabama abandoned mine land reclamation plan.**

(a) The Alabama amendment, consisting of minor adjustments in the Alabama policies and procedures regarding land acquisition, management and disposal of property, and reclamation on private land (liens, appraisals and rights of entry), as submitted on June 15, 1987, and modified on January 7, 1988, is approved effective on August 8, 1988. Copies of the approved program are available at the following locations.

(1) Office of Surface Mining Reclamation and Enforcement, Eastern Support Center, Ten Parkway Center, Pittsburgh, Pennsylvania 15220.

(2) Alabama Department of Industrial Relations, 649 Monroe Street, Montgomery, Alabama 36130.

(3) Office of Surface Mining Reclamation and Enforcement, Birmingham Field Office, 135 Gemini Circle, Birmingham, Alabama 34209.

(b) The Alabama amendment allowing the State to assume responsibility for an emergency response reclamation program, as submitted on April 25, 1990, and modified on August 2, 1990, is approved effective August 31, 1990. Copies of the approved amendment are available at the following locations.

(1) Office of Surface Mining Reclamation and Enforcement, Eastern Support Center, Ten Parkway Center, Pittsburgh, Pennsylvania 15220.

(2) Alabama Department of Industrial Relations, 649 Monroe Street, Montgomery, Alabama 36130.

(3) Office of Surface Mining Reclamation and Enforcement, Birmingham Field Office, 135 Gemini Circle, Birmingham, Alabama 34209.

* * * * *

## PART 914—INDIANA

5. The authority citation for part 914 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

6. In § 914.10 paragraph (c) is revised to read as follows:

**§ 914.10 State regulatory program approval.**

* * * * *

(c) Copies of the approved program are available for review at:

(1) Office of Surface Mining Reclamation and Enforcement, Indianapolis Field Office, Minton-Capehart Federal Building, room 301, 575 North Pennsylvania Street, Indianapolis, Indiana 46204.

(2) Indiana Department of Natural Resources, Room 295, 402 West Washington Street, Indianapolis, Indiana 46204.

7. § 914.20 is revised to read as follows:

**§ 914.20 Approval of Indiana abandoned mine plan.**

The Indiana Abandoned Mine Plan, as submitted and revised, is approved. Copies of the approved program are available at:

(a) Office of Surface Mining Reclamation and Enforcement, Indianapolis Field Office, Minton-Capehart Federal Building, room 301, 575 North Pennsylvania Street, Indianapolis, Indiana 46204.

(b) Indiana Department of Natural Resources, Division of Reclamation, P.O. Box 147, Jasonville, Indiana 47438.

## PART 917—KENTUCKY

8. The authority section for part 917 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

9. In § 917.10, paragraph (b) is removed, paragraph (c) is designated as (b), and paragraph (a) and the newly designated paragraph (b) are revised to read as follows:

**§ 917.10 State regulatory program approval.**

* * * * *

(a) Office of Surface Mining Reclamation and Enforcement, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503–2922.

(b) Department for Surface Mining Reclamation and Enforcement, Number 2, Hudson Hollow Complex, Frankfort, Kentucky 40601.

10. Section 917.20 is revised to read as follows:

**§ 917.20 Approval of the Kentucky abandoned mine reclamation plan.**

The Kentucky Abandoned Mine Reclamation Plan as submitted on June 4, 1981, is approved. Copies of the approved program are available at the following locations:

(a) Office of Surface Mining Reclamation and Enforcement, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503–2922.

(b) Kentucky Department of Natural Resources and Environmental Protection, Division of Abandoned Lands, 618 Peton Trail, Frankfort, Kentucky 40601.

11. In § 917.21, paragraphs (a) and (b) are revised to read as follows:

**§ 917.21 Amendment to approved Kentucky abandoned mine land reclamation plan.**

(a) The Kentucky Amendment, as submitted on December 8, 1982, is approved. Copies of the approved amendment are available at:

(1) Kentucky Department of Natural Resources and Environmental Protection, Division of Abandoned Lands, 618 Peton Trail, Frankfort, Kentucky 40601.

(2) Office of Surface Mining Reclamation and Enforcement, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503–2922.

(b) The Kentucky Abandoned Mine Reclamation Amendment, as submitted on March 25, 1985, is approved. Copies of the approved plan are available at the following locations:

(1) Kentucky Department of Natural Resources and Environmental Protection, Division of Abandoned Lands, 618 Peton Trail, Frankfort, Kentucky 40601.

(2) Office of Surface Mining Reclamation and Enforcement, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503–2922.

* * * * *

## PART 920—MARYLAND

12. The authority citation for part 920 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

13. In § 920.10, paragraphs (a) and (b) are revised and paragraph (c) is removed to read as follows:

**§ 920.10 State program approval.**

* * * * *

(a) Maryland Department of Natural Resources, Water Resources Administration, Bureau of Mines, 160 South Water Street, Frostburg, Maryland 21532.

(b) Office of Surface Mining Reclamation and Enforcement, Harrisburg Field Office, Harrisburg Transportation Center, Third Floor, Suite 3C, Fourth and Market Streets, Harrisburg, Pennsylvania 17101.

14. Section 920.20 is revised to read as follows:

**§ 920.20 Approval of Maryland abandoned mine plan.**

The Maryland Abandoned Mine Plan, as submitted on March 8, 1982, is approved. Copies of the approved program are available at the following locations:

(a) Office of Surface Mining Reclamation and Enforcement, Harrisburg Field Office, Harrisburg Transportation Center, Third Floor, Suite 3C, Fourth and Market Streets, Harrisburg, Pennsylvania 17101.

(b) Maryland Department of Natural Resources, Water Resources Administration, Bureau of Mines, 160 South Water Street, Frostburg, Maryland 21532

## PART 924—MISSISSIPPI

15. The authority citation for part 924 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

In § 924.10, paragraphs (a)(1) and (a)(2) are revised and paragraph (a)(3) is removed to read as follows:

**§ 924.10 State program approval.**

(a) * * *

(1) Mississippi Department of Environmental Quality, Office of Geology, Southport Center, 2380 Highway 80 West, Jackson, Mississippi 39289–1307. Telephone (601) 961–5530.

(2) Office of Surface Mining Reclamation and Enforcement, Birmingham Field Office, 135 Gemini Circle, Birmingham, Alabama 34209. Telephone (205) 290–7282.

* * * * *

## PART 935—OHIO

16. The authority citation for part 935 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

17. Section 935.10, paragraph (a) is revised and paragraph (b) is removed and reserved to read as follows:

**§ 935.10 State regulatory program approval.**

* * * * *

(a) Ohio Department of Natural Resources, Division of Reclamation, Building H–2, 1855 Fountain Square Court, Columbus, Ohio 43224.

18. Section 935.20 is revised to read as follows:

**§ 935.20 Approval of Ohio Abandoned Mine Land Reclamation Plan.**

The Ohio Abandoned Mine Land Reclamation Plan, as submitted on October 20, 1980, and as revised on November 21, 1980, November 2, 1981, and January 22, 1982, is approved effective August 10, 1982. Copies of the approved plan are available at the following locations:

(a) Ohio Department of Natural Resources, Division of Reclamation, Building H–2, 1855 Fountain Square Court, Columbus, Ohio 43224.

(b) Office of Surface Mining Reclamation and Enforcement, Eastland Professional Plaza, 4480 Refugee Road, suite 201, Columbus, Ohio 43232.

## PART 938—PENNSYLVANIA

19. The authority citation for part 938 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

20. Section 938.10, is revised to read as follows·

**§ 938.10 State regulatory program approval.**

The Pennsylvania state program as submitted on February 29, 1980, as amended on June 9, 1980, as resubmitted on January 25, 1982, and amended on April 9, 1982, and May 5, 1982, is conditionally approved, effective on July 31, 1982. Beginning on that date, the Department of Environmental Resources shall be deemed the regulatory authority in Pennsylvania for all surface coal mining and reclamation operations and for all exploration operations on non-Federal and non-Indian lands. Only surface coal mining and reclamation operations on non-Federal and non-Indian lands shall be subject to the provisions of the Pennsylvania permanent regulatory program. Copies of the approved program, together with copies of the letter of the Department of Environmental Resources agreeing to the conditions in 30 CFR 938.11 are available at the following locations:

(a) Pennsylvania Department of Environmental Resources, Market Street State Office Building, 400 Market Street, P.O. Box 2063, Harrisburg, Pennsylvania 17101–2063; Telephone: (717) 787–4686.

(b) Office of Surface Mining Reclamation and Enforcement, Third Floor, suite 3C, Harrisburg Transportation Center, 4th and Market Streets, Harrisburg, Pennsylvania 17101; Telephone: (717) 782–4036.

21. Section 938.20 is revised to read as follows:

**§ 938.20 Approval of Pennsylvania Abandoned Mine Land Reclamation Plan.**

The Pennsylvania Abandoned Mine Land Reclamation Plan as submitted on November 3, 1980, is approved. Copies of the approved Plan are available at the following locations:

(a) Pennsylvania Department of Environmental Resources, Bureau of Abandoned Mine Reclamation, Market Street State Office Building, 400 Market Street, P.O. Box 2063, Harrisburg, Pennsylvania 17105–2063.

(b) Office of Surface Mining Reclamation and Enforcement, Harrisburg Field Office, Harrisburg Transportation Center, Third Floor, suite 3C, Fourth and Market Streets, Harrisburg, Pennsylvania 17101.

## PART 946—VIRGINIA

22. The authority citation for part 946 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

23. In § 946.10, paragraphs (a) and (b) are being revised and paragraphs (c) and (d) are removed to read as follows:

**§ 946.10 State regulatory program approval.**

* * * * *

(a) Virginia Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, Virginia 24219.

(b) Office of Surface Mining Reclamation and Enforcement, Big Stone Gap Field Office, P.O. Drawer 1216, Powell Valley Square Shopping Center, room 220, Route 23, Big Stone Gap, Virginia 24219.

24. In § 946.20, paragraphs (a) and (b) are revised and paragraph (c) is removed to read as follows:

**§ 946.20 Abandoned mine land reclamation plan approval.**

* * * * *

(a) Virginia Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, Virginia 24219.

(b) Office of Surface Mining Reclamation and Enforcement, Big Stone Gap Field Office, P.O. Drawer 1216, Powell Valley Square Shopping Center, room 220, Route 23, Big Stone Gap, Virginia 24219.

25. Section 946.25 is revised to read as follows:

**§ 946.25 Amendments to approve Virginia abandoned mine land reclamation plan.**

Virginia AMLR Amendment, as submitted on February 3, 1987, and modified on July 27, 1987, is approved effective November 13, 1987. Copies of the approved amendment are available at:

(a) Virginia Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, Virginia 24219.

(b) Office of Surface Mining Reclamation and Enforcement, Big Stone Gap Field Office, P.O. Drawer 1216, Powell Valley Square Shopping Center, room 220, Route 23, Big Stone Gap, Virginia 24219.

## PART 948—WEST VIRGINIA

26. The authority citation for Part 948 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

27. In § 948.10, paragraph (b) is removed and paragraph (c) is

redesignated as paragraph (b) and revised to read as follows:

**§ 948.10 State regulatory program approval.**

* * * * *

(b) West Virginia Division of Environmental Protection, 10 McJunkin Road, Nitro, West Virginia 25143.

28. In § 948.20, paragraph (a) is revised and paragraph (c) is removed to read as follows:

**§ 948.20 Approval of the State abandoned mine reclamation plan.**

* * * * *

(a) West Virginia Division of Environmental Protection, 10 McJunkin Road, Nitro, West Virginia 25143.

* * * * *

[FR Doc. 94–8983 Filed 4–14–94; 8:45 am]

BILLING CODE 4310–05–M

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## 30 CFR Parts 904, 906, 915, 918, 925, 926, 931, 943, and 944

## State Program Amendments; Arkansas et al.

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

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is making technical amendments to 30 CFR Chapter VII, Subchapter T, because the addresses that currently appear require revision. These changes will affect addresses listed for the following states: Arkansas, Colorado, Iowa, Louisiana, Missouri, Montana, New Mexico, Texas, and Utah.

**EFFECTIVE DATE:** April 15, 1994.

**FOR FURTHER INFORMATION CONTACT:** Gloria Prettiman, Branch of Environmental and Economic Analysis, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240; Telephone: 202–343–5144.

**SUPPLEMENTARY INFORMATION:**



### I. Background

Since July 1, 1993, the date of the most recent revision to title 30 of the Code of Federal Regulations (30 CFR part 700 to End), the addresses of certain State and Federal offices involved in the State regulatory program have changed. Those addresses, as they appear in title 30 of the CFR, are being revised to indicate where copies of the State programs are available for inspection and copying in accordance with the provisions of 30 CFR 732.11(a).

Addresses in the following sections are being revised: Part 904—Arkansas, Part 906—Colorado, Part 915—Iowa, Part 918—Louisiana, Part 925—Missouri, Part 926—Montana, Part 931—New Mexico, Part 943—Texas, and Part 944—Utah.

In addition to the address changes, OSM has found a technical error in § 926.10. So, for the reasons of clarification, OSM will also revise the introductory paragraph of § 926.10. The introductory paragraph, as it appears in the 1993 revision of Title 30, contains the following phrase, "is approved effective upon publication of this notice." In order to eliminate any ambiguity, OSM is replacing the statement in parentheses with the actual date of publication, which was February 11, 1982.

### II. Procedural Matters

*Administrative Procedure Act*

The minor revisions contained in this rulemaking are technical in nature. Accordingly, pursuant to 5 U.S.C. 553(b)(B), it has been determined that the notice and public comment procedures of the Administrative Procedure Act are unnecessary. For the same reason, it has been determined that in accordance with 5 U.S.C. 553(d), there is good cause to make the rule effective on the date of publication in the **Federal Register.**

*Executive Order 12866*

This technical amendment does not require review by the Office of Management and Budget under Executive Order 12866.

*National Environmental Policy Act*

This rule has been reviewed by OSM and it has been determined to be categorically excluded from the National Environmental Policy Act (NEPA) process in accordance with the Departmental Manual (516 DM 2 appendix 1.10) and the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1507.3).

*Federal Paperwork Reduction Act*

This rule does not contain collection of information which requires approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

*Executive Order 12778*

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that this rule meets the applicable standards of subsections (a) and (b) of that section. This technical amendment (1) does not preempt any State or local laws or regulations; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging its provisions.

*Regulatory Flexibility Act*

The Department of the Interior certifies that this technical amendment 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 rule merely revises addresses contained in the regulations.

**List of Subjects in 30 CFR Parts 904, 906, 915, 918, 925, 926, 931, 943, and 944**

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 7, 1994.

**Raymond Lowrie,**

*Assistant Director, Western Support Center.*

Accordingly, 30 CFR parts 904, 906, 915, 918, 925, 926, 931, 943, and 944 are amended for the reasons set forth in the preamble.

## PART 904—ARKANSAS

1. The authority citation for part 904 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

2. In § 904.10 paragraph (a) is revised to read as follows:

**§ 904.10 State Regulatory Program Approval.**

* * * * *

(a) Arkansas Department of Pollution Control and Ecology, Mining Division, 8001 National Drive, Little Rock, AR 72219, Telephone (501) 562–6533.

* * * * *

3. Section 904.20 is revised to read as follows:

**§ 904.20 Approval of Arkansas abandoned mine land reclamation plan.**

The Arkansas Reclamation Plan, as submitted on July 7, 1982, is approved. Copies of the approved program are available at:

(a) Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, .5100 E. Skelly Drive, suite 550, Tulsa, OK 74135–6548.

(b) Arkansas Department of Pollution Control and Ecology, Mining Division, 8001 National Drive, Little Rock, AR 72219.

## PART 906—COLORADO

4. The authority citation for part 906 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*