

existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

#### List of Subjects in 30 CFR Part 925

Intergovernmental relations, Surface mining, Underground mining.

Dated: July 6, 1995.

**Charles E. Sandberg,**

*Acting Regional Director, Mid-Continent Regional Coordinating Center.*

For the reasons set out in the preamble, Title 30, Chapter VII, Subchapter T of the Code of Federal Regulations is amended as set forth below:

#### PART 925—MISSOURI

1. The authority citation for Part 925 continues to read as follows:

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

2. Section 925.15 is amended by adding paragraph (s) to read as follows:

#### § 925.15 Approval of amendments to the Missouri regulatory program.

(s) With the exception of 10 CSR 40–3.040(10)(B)5, to the extent it does not exclude permanent impoundments that meet the NRCS class B or C hazard classification criteria from the design and construction requirements in the NRCS “Practice Standards 378, Ponds,” dated January 1991; and 10 CSR 40–6.050(7)(D)(1) and 40–6.120(12)(D)(1), concerning the requirement that a fish and wildlife plan in applications for surface and underground mining operations be consistent with the performance standards for protection of fish, wildlife, and related environmental values at 10 CSR 40–3.100 and 10 CSR 40–3.250, revisions to the following rules, as submitted to OSM on February 10, 1995, are approved effective July 13, 1995:

10 CSR 40–3.030(4)(B)2, performance standards concerning topsoil redistribution;

10 CSR 40–3.040(10)(B)5, performance standards concerning design and construction of certain impoundments;

10 CSR 40–3.060(1)(L)1 and (O), performance standards concerning the disposal of coal processing wastes and excess spoil;

10 CSR 40–3.080(8)(B), performance standards concerning the final disposal of noncoal wastes;

10 CSR 40–3.100(5)2, (6), and (7), performance standards concerning protection of fish and wildlife;

10 CSR 40–3.110(3)1, (3)3, and (6)(B) performance standards concerning disposal

or storage of acid-forming or toxic-forming material;

10 CSR 40–3.140(1)(A), performance standards concerning the control or prevention of air pollution attendant to erosion at surface mining operations;

10 CSR 40–6.010(2)(H), concerning the definition of “Secretary;”

10 CSR 40–6.020(2)(A) and (3)(A), concerning coal exploration;

10 CSR 40–6.030(1)(C) and (5)(B), and 6.050(7)(C) and (7)(D), concerning permit application requirements for surface mining operations;

10 CSR 40–6.060(4)(D)(4), concerning permit application requirements for operations involving prime farmland;

10 CSR 40–6.070(8)(M), (9)(A)1, and (9)(A)2.A and 2.B, concerning criteria for permit approval or denial for remining operations and existing structures;

10 CSR 40–6.120(7)(C) and (12)(D), concerning permit application requirements for underground mining operations;

10 CSR 40–8.010(1)(A)72 and 84, concerning the definitions for “previously mined area” and “road;”

10 CSR 40–8.030(7)(A), concerning the extension of an abatement period for a notice of violation;

10 CSR 40–8.040(9), concerning the deletion of a definition for “habitual violator” and requirements regarding civil penalties for habitual violators; and

10 CSR 40–8.050(2)(B), concerning small operator’s assistance.

3. Section 925.16 is amended by removing and reserving paragraphs (b)(4), (q)(1), and (q)(3) through (q)(5); revising paragraph (q)(2); and adding paragraph (u) to read as follows:

#### § 925.16 Required program amendments.

\* \* \* \* \*

(q)(2) By September 11, 1995, Missouri shall revise 10 CSR 40–3.110(6)(B) or otherwise modify its program, to clearly require, for areas that have been previously mined, either topsoil or a topsoil substitute, in accordance with its rules at 10 CSR 40–3.030.

\* \* \* \* \*

(u) By September 11, 1995, Missouri shall revise 10 CSR 40–6.050(7)(D)(1) and 40–6.120(12)(D)(1), or otherwise modify its program, to require that the description in the fish and wildlife plan must be consistent with, respectively, its performance standards for protection of fish, wildlife, and related environmental values at 10 CSR 40–3.100 and 10 CSR 40–3.250.

[FR Doc. 95–17167 Filed 7–12–95; 8:45 am]

BILLING CODE 4310–05–M

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 311

#### Privacy Program

**AGENCY:** Office of the Secretary, DOD.

**ACTION:** Final rule.

**SUMMARY:** The Office of the Secretary of Defense is adopting an exemption for the system of records identified as DGC 16, entitled Political Appointment Vetting Files. DGC 16 was previously published on March 15, 1995, at 60 FR 14273. The DoD General Counsel performs suitability screening of individuals seeking, or who have been recommended for, non-career positions within the DoD.

**EFFECTIVE DATE:** May 20, 1995.

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

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

**Regulatory Flexibility Act of 1980.** The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

**Paperwork Reduction Act.** The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act proposed rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.