Reclamation Sites—which provides that money from the AML reclamation fund not be used for the reclamation of sites and areas designated for remedial action pursuant to the Uranium Mill Tailings Radiation Control Act of 1978 or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

The Director finds that the proposed addition at section II(F) is substantively identical to and therefore no less effective than section 411(d) of SMCRA.

D. Consultation. At section II(G)6, Alabama is proposing to add to its consultation list regional planning and development districts affected by individual projects and deleting the Alabama Department of Economic and Community Affairs.

The Federal regulations at 30 CFR 884.13(c)(3) and (c)(7) require that the State provide procedures for public participation and involvement in the State reclamation program. The Director finds the proposed revisions at section II(G)6 to be not inconsistent with the Federal regulations at 30 CFR 884.13(c)(3) and (c)(7).

E. Completion Report. At section II(I), Alabama is adding the requirement that Form OSM–76, "Abandoned Mine Land Problem Area Description," be submitted upon project completion.

The Federal regulations at 30 CFR 884.13(c) require that the State describe the policies and procedures to be followed in conducting the reclamation program. The Director finds the proposed addition at section II(I) to be consistent with the Federal regulations at 30 CFR 884.13(c) and 30 CFR 886.23(c).

2. Administrative and Management Structure

A. *Personnel.* At section I(C), Alabama is proposing to revise its listing of job titles to include "Abandoned Mine Land Chief Planner" and delete "Right-of-Way Specialist III." Other minor changes to its job classification system have also been made.

B. *Personnel Policies*. At section III, Alabama is proposing to revise its personnel policies to make nonsubstantive wording changes.

C. Purchasing and Procurement Policies. At section V, Alabama is proposing to require that to receive AML funds for coal or noncoal reclamation, every successful bidder for an AML contract must be eligible under 30 CFR 773.15(b)(1) (Review of Violations) at the time of contract award to receive a permit or conditional permit to conduct surface coal mining operations. Bidder eligibility must be confirmed by OSM's AVS. The Federal regulations at 874.16 and 875.20 require that successful bidders for an AML contract must be eligible under 30 CFR 773.15(b) at the time of contract award to receive a permit to conduct surface coal mining operations. Bidder eligibility must be confirmed by OSM's AVS for each contract to be awarded. The Director finds the changes at sections I and III are consistent with requirements found at 30 CFR 884.13(d)(2) and (3). The Director finds the proposed revisions at section V to be consistent with the Federal regulations at 30 CFR 874.16 and 875.20.

IV. Summary and Disposition of Comments

Public Comments

The Director solicited public comments and provided an opportunity for a public hearing on the proposed amendment. No public comments were received, and because no one requested an opportunity to speak at a public hearing, no hearing was held.

Federal Agency Comments

Pursuant to 884.14(a)(2) and 884.15(a), the Director solicited comments on the proposed amendment from various other Federal agencies with an actual or potential interest in the Alabama plan. The Department of the Interior, Bureau of Mines; the Department of the Army, Corps of Engineers; and the Department of Agriculture, Natural Resources Conservation Service concurred without comment.

Environmental Protection Agency (EPA)

Pursuant to 30 CFR 732.17(h)(11)(ii), the Director solicited the written concurrence of the Administrator of the EPA with respect to those provisions of the proposed plan amendment which relate to air or water quality standards promulgated under the authority of the Clean Air Act (42 U.S.C. 7401 *et seq.*) or the Clean Water Act (33 U.S.C. 1252 *et seq.*). None of the revisions that Alabama proposed to make in its amendment pertain to air or water quality standards. Therefore, no response was received from EPA, neither was one necessary.

V. Director's Decision

Based on the above findings, the Director approves the proposed plan amendment as submitted by Alabama on December 5, 1994, and as revised on March 27, 1995, and April 18, 1995.

VI. Procedural Determinations.

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State and Tribal abandoned mine land reclamation plans and revisions thereof since each such plan is drafted and adopted by a specific State or Tribe, not by OSM. Decisions on proposed State and Tribal abandoned mine land reclamation plans and revisions thereof submitted by a State or Tribe are based on a determination of whether the submittal meets the requirements of Title IV of SMCRA (30 U.S.C. 1231-1243) and the Federal regulations at 30 CFR Parts 884 and 888.

National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed State and Tribal abandoned mine land reclamation plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior [516 DM 6, appendix 8, paragraph 8.4B(29)].

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. 3507 *et seq.*

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). The submittal which is the subject to this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented. In making the