dated June 28, 1993 (Administrative Record No. WV–888);

(ii) December 1, 1992, for the rule changes submitted to OSM by letter dated June 28, 1993 (Administrative Record No. WV–889);

(iii) May 2, 1993, for the rule changes submitted to OSM by letter dated July 30, 1993 (Administrative Record No. WV–893):

(iv) June 11, 1994, for the statutory changes submitted to OSM by letter dated August 18, 1994 (Administrative Record No. WV–933); and

(v) October 4, 1995, for the rule changes submitted to OSM by letters dated September 1, 1994, and May 16, 1995 (Administrative Record Nos. WV–937 and WV 979B).

(2) Approved revisions. Except as noted in paragraph (o)(3) of this section, the following provisions of the amendment described in paragraph (o)(1) of this section are approved:

(i) Revisions to the West Virginia Surface Coal Mining and Reclamation

§ 22–3–11(a) Bond Requirements. § 22–3–11(g) Special Reclamation Fund.

(The provision authorizing annual diversions of up to 10 percent of the fund's assets for administrative costs associated with various State regulatory and reclamation programs is approved only to the extent that these withdrawals do not hamper the State's ability to complete the reclamation of bond forfeiture sites in a timely manner in accordance with the approved reclamation plans.)

§ 22–3–12 ... Site-Specific Bonding.

(ii) Revisions to the West Virginia Code of State Regulations (CSR).

§ 38–2–11.2 General Requirements for All Bonds.

§ 38–2–11.3 Collateral Bonds. § 38–2–11.4 Incremental Bonding.

§ 38–2–11.5 Open-Acre Limit Bonding. § 38–2–11.6 Site-Specific Bonding.

(These regulations are approved with the stipulation that nothing in CSR § 38–2–11.6 or the Director's approval of this subsection may be construed as altering or authorizing a variance or deviation from the permitting requirements and performance standards of the approved West Virginia program.)

§ 38–2–11.7 Environmental Security Account.

§ 38–2–12.2 Requirement to Release Bonds.

§ 38–2–12.3 Bond Adjustments. § 38–2–12.4(a) Bond Forfeiture. § 38–2– Bond Forfeiture.

12.4(a)(2)(B). § 38–2–12.4(c) Bond Forfeiture. § 38–2– Bond Forfeiture.

§ 38–2– Bond Forfeiture. 12.4(d), (e). § 38–2–12.5 Water Quality Er

Water Quality Enhancement.

(These regulations are approved with the stipulation that nothing in CSR § 38–2–12.5 or the Director's approval of this subsection may be construed as compromising the program requirement that all bond forfeiture sites be fully reclaimed in a timely manner.)

(3) Exceptions.

- (i) Section 22–3–11(g) of the Code of West Virginia is not approved to the extent that it limits special reclamation fund expenditures on water treatment at bond forfeiture sites to 25 percent of the fund's annual fee collections and authorizes collection of the special reclamation tax only when the fund's liabilities exceed its assets.
- (ii) Subsection 38–2–12.5(d) of the West Virginia Code of State Regulations is not approved to the extent that it limits expenditures on water treatment at bond forfeiture sites to 25 percent of the special reclamation fund's gross annual revenue.
- 3. Section 948.16 is revised by removing and reserving paragraph (ww) and by adding paragraphs (jjj), (kkk), and (lll) to read:

§ 948.16 Required regulatory program amendments.

* * * * *

(jjj) By December 1, 1995, West Virginia must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to revise § 22–3–11(g) of the Code of West Virginia and § 38–2–12.5(d) of the West Virginia Code of State Regulations to remove the limitation on the expenditure of funds for water treatment or to otherwise provide for the treatment of polluted water discharged from all bond forfeiture sites.

(kkk) By December 1, 1995, West Virginia must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to remove the provision of § 22–3–11(g) of the Code of West Virginia that allows collection of the special reclamation tax only when the special reclamation fund's liabilities exceed its assets.

(III) By December 1, 1995, West Virginia must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to eliminate the deficit in the State's alternative bonding system and to ensure that sufficient money will be available to complete reclamation, including the treatment of polluted water, at all existing and future bond forfeiture sites.

[FR Doc. 95-24580 Filed 10-3-95; 8:45 am] BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 505

Privacy Program

AGENCY: Department of the Army, DOD. **ACTION:** Final rule.

SUMMARY: The Department of the Army system of records notice A0381-45cDAMI was deleted October 4, 1995. Therefore, the exemption rule is being deleted with this action.

In addition, the Army is amending three existing exemption rules to reflect the exemptions taken in the system of records notices. The amendments to the existing rules change the system identifiers and provide the provisions of 5 U.S.C. 552a from which the system of records may be exempt, and the reasons therefore. The system identifiers are A0381-20bDAMI, entitled Counterintelligence Operations Files; A0614–115DAMI, entitled Department of the Army Operational Support Activities; and A0318-100aDAMI, entitled Intelligence Collection Files. **EFFECTIVE DATE:** October 4, 1995. FOR FURTHER INFORMATION CONTACT: Ms. Pat Turner at (602) 538-6856 or DSN 879-6856.

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.