that producers whose milk has long been associated with the Southern Illinois-Eastern Missouri marketing area will continue to benefit from pooling and pricing under the order.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

- (a) The suspension is necessary to reflect current marketing conditions and to assure orderly marketing conditions in the marketing area, in that such rule is necessary to permit the continued pooling of the milk of dairy farmers who have historically supplied the market without the need for making costly and inefficient movements of milk;
- (b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and
- (c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension. One comment letter supporting the proposed suspension was received.

Therefore, good cause exists for making this order effective less than 30 days from the date of publication in the **Federal Register**.

List of Subjects in 7 CFR Part 1032

Milk marketing orders.

For the reasons set forth in the preamble, the following provision in Title 7, Part 1032, is amended as follows:

PART 1032—MILK IN THE SOUTHERN ILLINOIS-EASTERN MISSOURI MARKETING AREA

1. The authority citation for 7 CFR Part 1032 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

§ 1032.7 [Suspended in part]

2. In § 1032.7(c), the words "each of", the letter "s" at the end of the word "months", and the words "through January" and "for the months of February", are suspended for the period of January 1, 1995, through January 31, 1995.

Dated: January 27, 1995.

Patricia Jensen,

Acting Assistant Secretary, Marketing and Regulatory Programs.

[FR Doc. 95–2447 Filed 1–31–95; 8:45 am] BILLING CODE 3410–02–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 926

Montana Regulatory Program

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

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is approving, with certain exceptions and additional requirements, a proposed amendment to the Montana regulatory program (hereinafter referred to as the "Montana program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Montana proposed revisions to statutes pertaining to ownership and control of operations, violation history updates, notices of intent for prospecting, and consent to surface mining by surface owner. The amendment is intended to revise the Montana program to be consistent with the corresponding Federal regulations and SMCRA, improve operational efficiency, and comply with a decision by the State Supreme Court. **EFFECTIVE DATE:** February 1, 1995. FOR FURTHER INFORMATION CONTACT: Guy V. Padgett, Telephone: (307) 261-5776.

SUPPLEMENTARY INFORMATION:

I. Background on the Montana Program

On April 1, 1980, the Secretary of the Interior conditionally approved the Montana program. General background information on the Montana program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Montana program can be found in the April 1, 1980, **Federal Register** (45 FR 21560). Subsequent actions concerning Montana's program and program amendments can be found at 30 CFR 926.15 and 926.16.

II. Proposed Amendment

By letters dated June 16 and July 28, 1993 (Administrative Record No. MT–11–01), Montana submitted a proposed amendment to its program pursuant to SMCRA.

Montana submitted the proposed amendment in response to statutory changes adopted by the Montana 1993 Legislature regarding notices of intent for "prospecting," ownership and control provisions, violation history updates, surface owner consent, and editorial changes. OSM announced

receipt of the proposed amendment in the August 27, 1993, **Federal Register** (58 FR 45303), provided an opportunity for a public hearing or meeting on its substantive adequacy, and invited public comment on its adequacy (Administrative Record No. MT-11-09). Because no one requested a public hearing or meeting, none was held. The public comment period ended September 27, 1993.

During its review of the amendment, OSM identified concerns relating to the proposed deletion of Montana Code Annotated (MCA) 82–4–224 concerning surface owner consent and the proposed provisions of MCA 82–4–226(8) concerning coal exploration ("prospecting") under notices of intent. OSM notified Montana of these concerns by letter dated January 19, 1994 (Administrative Record No. MT–11–18).

Montana responded in a letter dated July 28, 1994 (Administrative Record No. MT-11-19) by submitting additional explanatory information for the two statutory provisions noted above and concerning MCA 82-4-203 (definitions).

Based upon the additional explanatory information for the proposed program amendment submitted by Montana, OSM reopened the public comment period in the August 11, 1994, **Federal Register** (59 FR 41262; Administrative Record No. MT–11–20). The public comment period ended on August 26, 1994.

III. Director's Findings

As discussed below, the Director in accordance with SMCRA and 30 CFR 732.15 and 732.17 finds, with certain exceptions and additional requirements, that the proposed program amendment submitted by Montana on June 16 and July 28, 1993, and as clarified by it on July 28, 1994, is no less effective in meeting SMCRA's requirements than the corresponding Federal regulations and no less stringent than SMCRA. Accordingly, the Director approves the proposed amendment, with certain exceptions and additional requirements.

1. Nonsubstantive Revisions to Montana's Statutes

Montana proposed revisions to the following previously-approved statutes that are nonsubstantive in nature and consist of minor editorial, punctuation, or grammatical changes (corresponding Federal regulation and/or SMCRA provisions are listed in parentheses): 82–4–203, MCA, subsections (14), (16), (21), (23), (29), (34), (35), and (36) (SMCRA Section 701, 301 CFR 700.5 & 701.5), definitions;