

submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, 731, and 732 have been met.

3. *National Environmental Policy Act*

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

4. *Paperwork Reduction Act*

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

5. *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 State submittal that is the subject of this rule is based upon counterpart 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 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.

6. *Unfunded Mandates*

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or the private sector.

List of Subjects in 30 CFR Part 950

Intergovernmental relations, Surface mining, Underground mining.

Dated: July 24, 1996.

Peter A. Rutledge,

Acting Regional Director, Western 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 950—WYOMING

1. The authority citation for part 950 continues to read as follows:

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

2. Section 950.15 is amended by adding paragraph (x) to read as follows:

§ 950.15 Approval of regulatory program amendments.

* * * * *

(x) The following statutes and rules, as submitted to OSM on November 29, 1995, are approved effective August 6, 1996: Deletion of W.S. 35–11–103(e)(xxviii), definition for “agricultural lands;” W.S. 35–11–103(e)(xxix) and the rule at chapter I, section 2(v), definition for “critical habitat;” W.S. 35–11–103(e)(xxx) and the rules at chapter I, sections 2(ax) and (w), definitions for “important habitat” and “crucial habitat;” W.S. 35–11–402(b), reclamation standards for fish and wildlife habitat and grazingland; W.S. 35–11–402(c), establishment of shrubs on grazingland; rules at chapter I, section 2(ac), chapter IV, section 2(d)(x)(E)(I) and (II), and appendix A, definition for “eligible land” and reclamation success standards for shrub density; rule at chapter I, section 2(bc)(iii), definition for “grazingland;” rule at chapter I, section 2(bc)(viii), land use definition for “fish and wildlife habitat;” rule at chapter I, section 2(bc)(xi), definition for “treated grazingland;” rule at chapter XI, section 5(a), substitution of a surety bond for a self-bond; rule at chapter XIII, section 3(a) notice and opportunity for public hearing on permit revision; rule at chapter XVII, section 1(a), lands unsuitable for mining and definition for “fragile lands;” the rules at chapter II, section 2(b)(iv)(C), and chapter IV, section 2(d)(x)(E)(III), establishment of reclamation standards for fish and wildlife habitat and grazingland; rule at chapter II, section 2(a)(vi)(G)(II), consultation by the Wyoming Land Quality Division on critical habitat; and rule at chapter X, section 4(e), disturbance of important habitat by exploration operations.

3. Section 950.16 is amended by removing and reserving paragraphs (q) and (bb) through (hh) and adding paragraphs (ii) through (ll) to read as follows:

§ 950.16 Required program amendments.

* * * * *

(ii) By May 30, 1997, Wyoming shall (1) Revise the rules at chapter II, section 2(b)(iv)(C), and chapter IV, section 2(d)(x)(E)(III), to be consistent with the statute at W.S. 35–11–402(b)(ii) by requiring Wyoming Game and Fish

Department approval of revegetation standards for grazingland that was designated by the Wyoming Game and Fish Department as crucial habitat prior to submittal of the initial permit application or any subsequent amendments to the permit application; or revise the statute at W.S. 35–11–402(b)(ii) to be consistent with the rules at chapter II, section 2(b)(iv)(C), and chapter IV, section 2(d)(x)(E)(III) by deleting the phrase “prior to submittal of the initial permit application or any subsequent amendments to the permit application;” and

(2) Revise the rules at chapter II, section 2(b)(iv)(C), and chapter IV, section 2(d)(x)(E)(III), to require consultation with and approval by the Wyoming Game and Fish Department of tree and shrub standards for all lands to be reclaimed for the “fish and wildlife habitat” land use.

(jj) By May 30, 1997, Wyoming shall revise the definition for “treated grazingland” at chapter I, section 2(bc)(xi), otherwise revise its rules, or provide OSM with a policy statement, clarifying the shrub standard for grazingland that is affected after the date of OSM’s approval and that was treated less than 5 years prior to the submission of the permit application.

(kk) By May 30, 1997, Wyoming shall revise the rule at chapter II, section 2(a)(vi)(G)(II), or otherwise modify its program, to require consultation with the U.S. Fish and Wildlife Service on critical habitat.

(ll) By May 30, 1997, Wyoming shall revise the rule at chapter X, section 4(e), or otherwise modify its program, to prohibit the disturbance of important habitat by coal exploration operations.

[FR Doc. 96–19735 Filed 8–5–96; 8:45 am]

BILLING CODE 4310–05–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95–51; RM–8591]

Radio Broadcasting Services; Shingletown, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 241A to Shingletown, California, as that community’s second local FM transmission service, in response to a petition for rule making filed by Mark C. Allen. See 60 FR 22022, May 4, 1995. Coordinates used for Channel 241A at

Shingletown are 40–29–36 and 121–53–12. With this action, the proceeding is terminated.

DATES: Effective September 9, 1996. The window period for filing applications will open on September 9, 1996, and close on October 10, 1996.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418–2180. Questions related to the window application filing process for Channel 241A at Shingletown, California, should be addressed to the Audio Services Division, (202) 418–2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95–51, adopted July 19, 1996, and released July 26, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73
Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Channel 241A at Shingletown.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96–19876 Filed 8–5–96; 8:45 am]

BILLING CODE 6712–01–F

47 CFR Part 90

[PR Docket No. 92–235, DA 96–1173]

Type Acceptance of Private Land Mobile Radios

AGENCY: Federal Communications Commission.

ACTION: Final rule; suspension of effectiveness of compliance date.

SUMMARY: On June 15, 1995, the Commission adopted a *Report and Order (R&O)* to promote more efficient use of the private land mobile radio spectrum. This *R&O* established a narrowband channel plan and a transition schedule which facilitates the transition to narrowband technology through the type acceptance process rather than by requiring users to replace existing systems. Specifically, the Commission's rules state that on or after August 1, 1996, type acceptance only will be granted for equipment capable of operating on a channel bandwidth of 12.5 kHz or less or equipment that operates on a channel bandwidth of up to 25 kHz if certain narrowband efficiency standards are met. The Commission has received twenty-four petitions for reconsideration and clarification of rules adopted in the *R&O*. Several petitioners ask for reconsideration of the rules relating to the type acceptance dates. The Commission has not yet ruled on these petitions for reconsideration. Therefore, the Commission, on its own motion and in the public interest, is suspending the effectiveness of the August 1, 1996, transition date pending action on the petitions for reconsideration filed in this proceeding.

EFFECTIVE DATE: July 23, 1996.

FOR FURTHER INFORMATION CONTACT: Ira Keltz of the Wireless Telecommunications Bureau at (202) 418–0616.

SUPPLEMENTARY INFORMATION:

Adopted: July 22, 1996.

Released: July 23, 1996.

1. On June 15, 1995, the Commission adopted a *Report and Order (R&O)* in the above-captioned proceeding to promote more efficient use of the private land mobile radio spectrum in the 150–174 MHz VHF band, and in the 421–430 MHz, 450–470 MHz, and 470–512 MHz UHF bands (60 FR 37152, July 19, 1995). In this *R&O*, the Commission, among other things, adopted a narrowband channel plan and a transition schedule. This transition schedule does not require users to replace existing systems. Rather, it facilitates the transition to narrowband technology through the type acceptance process. Specifically, Section 90.203(j) of the Commission's rules, 47 CFR § 90.203(j), states that on or after August 1, 1996, type acceptance only will be granted for equipment capable of operating on a channel bandwidth of 12.5 kHz or less or equipment that

operates on a channel bandwidth of up to 25 kHz if certain narrowband efficiency standards are met. This Order suspends the August 1, 1996, compliance date in Section 90.203(j) of the Commission's rules.

2. The Commission has received twenty-four petitions for reconsideration and clarification of various decisions and technical rules adopted in the *R&O*. Several petitioners asked for reconsideration of the rules relating to the type acceptance implementation dates. The Commission has not yet ruled on these petitions for reconsideration.

3. Should the Commission ultimately decide to modify the rules relating to the type acceptance implementation dates, some licensees could be irreparably harmed by application of Section 90.203(j) of the Commission's rules prior to our action on reconsideration. Therefore, on our own motion and in the public interest, we are issuing a temporary stay of the effectiveness of the scheduled August 1, 1996 transition date. By this action, we will not require compliance with Section 90.203(j) of the Commission's rules until the Commission acts on the pending petitions for reconsideration. Until further notice from the Commission, type acceptance for equipment designed to operate on a channel bandwidth up to 25 kHz will continue to be granted.

4. Accordingly, it is hereby ordered, pursuant to the authority delegated in Sections 0.131 and 0.331 of the Commissions rules 47 CFR §§ 0.131 and 0.331, that the effectiveness of the compliance date in Section 90.203(j) of the Commission's rules, which require radios type accepted after August 1, 1996, to be capable of operating on a channel bandwidth of 12.5 kHz or less or meet certain narrowband efficiency standards is suspended pending Commission action on the petitions for reconsideration filed in this proceeding.

List of Subjects in 47 CFR Part 90

Communications equipment, Federal Communications Commission, Radio.

Federal Communications Commission.

Michele C. Farquhar,

Chief, Wireless Telecommunications Bureau.

[FR Doc. 96–20014 Filed 8–5–96; 8:45 am]

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