

requirements for other transportation facilities are at 19 NMAC 8.2 2076.

### III. Public Comment Procedures

OSM is reopening the comment period on the proposed New Mexico program amendments to provide the public an opportunity to reconsider the adequacy of the proposed amendments in light of the additional materials submitted. In accordance with the provisions of 30 CFR 732.17(h), we are requesting comments on whether the amendments satisfy the applicable program approval criteria of 30 CFR 732.15. If we approve the amendments, they will become part of the New Mexico program.

We will make comments, including names and addresses of respondents, available for public review during normal business hours. We will not consider anonymous comments. If individual respondents request confidentiality, we will honor their request to the extent allowable by law. Individual respondents who wish to withhold their name or address from public review, except for the city or town, must state this prominently at the beginning of their comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public review in their entirety.

Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include "Attn: SPATS No. NM-037-FOR and/or SPATS No. NM-039-FOR" and your name and return address in your Internet message. If you do not receive a confirmation that we have received your Internet message, contact the Albuquerque Field Office at (505) 248-5096.

Your written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. In the final rulemaking, we will not necessarily consider or include in the Administrative Record any comments received after the time indicated under **DATES** or at locations other than the Albuquerque Field Office.

### IV. Procedural Determinations

#### 1. 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).

#### 2. Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and has determined that 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 regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and the Federal regulations at 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments 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 931

Intergovernmental relations, Surface mining, Underground mining.

Dated: December 13, 1999.

**Brent T. Wahlquist,**

*Regional Director, Western Regional Coordinating Center.*

[FR Doc. 99-33140 Filed 12-21-99; 8:45 am]

**BILLING CODE 4310-05-M**

### DEPARTMENT OF THE INTERIOR

#### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 931

[SPATS No. NM-040-FOR]

#### New Mexico Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

**SUMMARY:** Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of a proposed amendment to the New Mexico regulatory program (hereinafter, the "New Mexico program") under this Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to rules pertaining to revegetation success standards and sampling techniques. The amendment is intended to revise the New Mexico program to be consistent with the corresponding Federal regulations.

**DATES:** Written comments must be received by 4 p.m., m.s.t., January 21, 2000. If requested, a public hearing on the proposed amendment will be held on January 18, 2000. Requests to present oral testimony at the hearing must be received by 4 p.m., m.s.t., on January 6, 2000.

**ADDRESSES:** You should mail or hand deliver written comments and requests to speak at the hearing to Willis L. Gainer at the address listed below.

You may review copies of the New Mexico program, the amendment, a listing of any scheduled public hearings, and all written comments received in response to this document at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. You may receive

one free copy of the amendment by contracting OSM's Albuquerque Field Office.

Willis L. Gainer, Director, Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 505 Marquette Avenue, NW., Suite 1200, Albuquerque, New Mexico 87102. Mining and Minerals Division, New Mexico Energy & Minerals Department, 2040 South Pacheco Street, Santa Fe, New Mexico 87505, telephone: (505) 827-5970.

**FOR FURTHER INFORMATION CONTACT:**

Willis L. Gainer, Telephone: (505) 248-5096, Internet address: WGAINER@OSMRE.GOV.

**SUPPLEMENTARY INFORMATION:**

**I. Background on the New Mexico Program**

On December 31, 1980, the Secretary of the Interior conditionally approved the New Mexico Program. General background information on the New Mexico program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the New Mexico program can be found in the December 31, 1980, *Federal Register* (45 FR 86459). Subsequent actions concerning New Mexico's program and program amendments can be found at 30 CFR 931.11, 931.15, 931.16, and 931.30.

**II. Proposed Amendment**

By letter dated December 1, 1999 (administrative record No. NM-816), New Mexico submitted a proposed amendment to its program pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). New Mexico submitted the proposed amendment in response to the required program amendments at 30 CFR 931.16(m), (n), and (z). The provisions of New Mexico Annotated Code (NMAC) that New Mexico proposed to revise were: 19 NMAC 8.2 2065.A, sampling techniques used to measure success of revegetation; and 19 NMAC 2065.B(1), success standards for ground cover and productivity of living plants on revegetated areas.

Specifically, New Mexico proposes to revise:

(1) 19 NMAC 8.2 2065(A) to reference a guidance document entitled *Coal Mine Reclamation Program Vegetation Standards* for the sampling techniques that can be used to measure success of revegetation and to allow for the comparison of ground cover and productivity to be made using technical standards developed using an historic record of premining conditions rather than a reference area; and

(2) 19 NMAC 2065.B(1), to allow the success standards for ground cover and

productivity to be developed using the technical standards set forth in the guidance document entitled *Coal Mine Reclamation Program Vegetation Standards* rather than by comparison to a reference area.

In addition, New Mexico submitted a copy of the guidance document entitled *Coal Mine Reclamation Program Vegetation Standards* and requested OSM's approval of it as part of the New Mexico program. This document established methods and acceptable techniques of measurement that are approved and recommended when conducting vegetation baseline inventories in accordance with 19 NMAC Subpart 808 and when assessing revegetation success in accordance with 19 NMAC Subparts 2065 and 2066. Additional standards are provided regarding the selection and use of reference areas and technical standards, approved normal husbandry practices, and the demonstration of postmine suitability for livestock grazing.

**III. Public Comment Procedures**

Under the provisions of 30 CFR 732.17(h), we are requesting comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the New Mexico program.

**1. Written Comments**

We will make comments, including names and addresses of respondents, available for public review during normal business hours. We will not consider anonymous comments. If individual respondents request confidentiality, we will honor their request to the extent allowable by law. Individual respondents who wish to withhold their name or address from public review, except for the city or town, must state this prominently at the beginning of their comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public review in their entirety.

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Your written comments should be specific and pertain only to the issues proposed in this rulemaking, and

include explanations in support of the commenter's recommendations. In the final rulemaking, we will not necessarily consider or include in the Administrative Record any comments received after the time indicated under **DATES** or at locations other than the Albuquerque Field Office.

In accordance with the provisions of 30 CFR 732.17(h), we are requesting comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the New Mexico program.

Comments received after the time indicated under **DATES** or at locations other than the Albuquerque Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.

**2. Public Hearing**

Persons wishing to testify at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., m.s.t., on January 6, 2000. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to testify at the public hearing, the hearing will not be held.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who testifies at a public hearing provide us with a written copy of his or her testimony. The public hearing will continue on the specified date until all persons scheduled to speak have been heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

**3. Public Meeting**

If only one person requests an opportunity to testify at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under

**ADDRESSES.** A written summary of each meeting will be made a part of the administrative record.

#### IV. Procedural Determinations

##### 1. 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).

##### 2. Executive Order 12988

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##### 4. Paperwork Reduction Act

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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 931

Intergovernmental relations, Surface mining, Underground mining.

Dated: December 13, 1999.

**Brent T. Wahlquist,**

*Regional Director, Western Regional Coordinating Center.*

[FR Doc. 99-33139 Filed 12-21-99; 8:45 am]

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#### POSTAL SERVICE

##### 39 CFR Part 111

#### Changes in Procedures for Standard Mail Destination Entry Mailings

**AGENCY:** Postal Service.

**ACTION:** Proposed rule.

**SUMMARY:** This proposal would amend the Domestic Mail Manual procedures for destination entry mailings of Standard Mail (A) and Standard Mail (B) by changing the current frequency for standing appointments from once a month to once a week.

In addition, this document also proposes that when a mailer requests a standing appointment at a destination delivery unit (DDU) for a Standard Mail (A) or Standard Mail (B) mailing, the ZIP Codes of the mail being deposited must be provided at the time of request. Also, to be consistent with current standards for Standard Mail (A), a change is being made to provide for the redirection of Standard Mail (B) by the Postal Service to a facility other than the one designated by the mailer.

**DATES:** Comments on the proposed standards must be received on or before January 21, 2000.

**ADDRESSES:** Written comments should be mailed or delivered to the Manager, Mail Preparation and Standards, U.S. Postal Service, 475 L'Enfant Plaza SW, Room 6830, Washington DC 20260-2405. Copies of all written comments will be available at the Postal Service

Library, 475 L'Enfant Plaza SW, Room 11-N, Washington DC, for inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday.

#### FOR FURTHER INFORMATION CONTACT:

RoseMarie Gay (202) 268-7810; or Patricia Bennett, (202) 268-6350.

**SUPPLEMENTARY INFORMATION:** Effective January 10, 1999, a number of classification and mail preparation changes were made for Standard Mail (B). In order to align the processing of Standard Mail (A) with Standard Mail (B), the Postal Service needs to modify current standards for the frequency at which recurring appointments must be made, the additional information required when depositing DDU rate mailings, and the reasons for redirect by the Postal Service.

For Standard Mail (A) and Standard Mail (B), the frequency at which recurring appointments must be made will be changed from once a month to once a week. This change was recommended by the Drop Shipment Appointment System (DSAS) workgroup of the Mailer's Technical Advisory Committee (MTAC). The Postal Service identified a high percentage of no-shows from mailers holding standing appointments. Changing the frequency to once a week should reduce the number of no-shows and make more appointments available in the DSAS for other mailers.

Since January 10, 1999 there have been instances of DDU rate Standard Mail (B) deposited at the wrong postal facility, forcing the Postal Service to reroute the mail to the proper facility. Asking mailers to provide ZIP Code information will ensure that the mail is being deposited at the correct facility. If the mailing is not for that facility, the DDU can inform the mailer/agent of the correct facility to deposit the mail when the appointment is scheduled. This will save the mailers the added expense of additional stops to reroute the mail to the correct facility. Accordingly, the Postal Service proposes to require mailers to provide the 5-digit ZIP Codes of the mail being deposited when contacting the delivery unit to make an appointment for DDU entry of Standard Mail (A) or Standard Mail (B).

The Domestic Mail Manual will be amended to include language concerning the redirection of Standard Mail (B) to a facility other than the designated bulk mail center (BMC), sectional center facility (SCF), or DDU, to be consistent with current standards for Standard Mail (A). Language will also be added to describe when the Postal Service can redirect the shipment.