

which defines and describes “Material Damage.” Next, Montana proposes to amend its coal mine operation permit requirements related to hydrologic information Mont. Code Ann. sec. 82–4–222(1)(m). Lastly, HB 576 adds four contingencies to the proposed amendments of Mont. Code Ann. sec. 82–4–203(32) and sec. 82–4–222(1)(m) that are not codified into Mont. Code Ann. but apply to the amended sections: a severability clause, a contingent voidness clause, an effective date clause, and a retroactive applicability clause.

By letter dated August 18, 2023 (Administrative Record No. MT–042–09), we received a letter from interested parties requesting a 60-day extension of the public comment period for proposed amendment MT–042–FOR primarily due to technical difficulties accessing the *Federal eRulemaking Portal* and the inability to comment on topics of high interest. OSMRE agreed to extend the public comment period for MT–042–FOR to November 6, 2023.

Following our initial review, OSMRE sent a letter to the Montana Department of Environmental Quality (DEQ) on March 28, 2024 (Administrative Record No. MT–042–34). The letter outlined our concerns with Montana’s proposed amendment and offered Montana a decision to either (1) delay the amendment process, revise, and resubmit the amendment or (2) proceed to the final rulemaking. The concern letter was not an announcement of OSMRE’s final decision on the Montana amendment. On April 26, 2024, we received a response to our concern letter from DEQ. (Administrative Record No. MT–042–35). DEQ stated in its response that it could not revise the proposed amendment to address OSMRE’s concerns due to the amendment being prompted by legislative action. DEQ’s response also provided further comments disagreeing with parts of OSMRE’s concern letter. Following DEQ’s response, we received feedback on the concern letter from three additional entities (Administrative Record No. MT–042–36, MT–042–37, and MT–042–38). Due to the increased interest in the concern letter, and in the interest of fairness for public participation, OSMRE has decided to re-open the public comment period for 15-days. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at [www.regulations.gov](http://www.regulations.gov).

### III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are seeking your 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 State program.

#### *Electronic or Written Comments*

If you submit written or electronic comments on the proposed rule during the 15-day comment period, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

#### *Public Availability of Comments*

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

### IV. Statutory and Executive Order Reviews

*Executive Order 12866—Regulatory Planning and Review, Executive Order 13563—Improving Regulation and Regulatory Review, and Executive Order 14094—Modernizing Regulatory Review*

Executive Order 12866, as amended by Executive Order 14094, provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB) will review all significant rules. Pursuant to OMB guidance, dated October 12, 1993, the approval of State program amendments is exempted from OMB review under Executive Order 12866, as amended by Executive Order 14094. Executive Order 13563, which reaffirms and supplements Executive Order 12866, retains this exemption.

#### *Other Laws and Executive Orders Affecting Rulemaking*

When a State submits a program amendment to OSMRE for review, our

regulations at 30 CFR 732.17(h) require us to publish a notice in the **Federal Register** indicating receipt of the proposed amendment, its text or a summary of its terms, and an opportunity for public comment. We conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At that time, we will also make the determinations and certifications required by the various laws and Executive orders governing the rulemaking process and include them in the final rule.

#### List of Subjects in 30 CFR Part 926

Required program amendments, State-Federal cooperative agreement, State regulatory program approval, Surface mining.

David A. Berry,

*Regional Director, Unified Regions 5, 7–11.*

[FR Doc. 2024–16540 Filed 7–29–24; 8:45 am]

BILLING CODE 4310–05–P

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 950

[SATS No. WY–047–FOR; Docket ID: OSM–2024–0002; S1D1S SS08011000 SX064A000 245S180110; S2D2S SS08011000 SX064A000 24XS501520]

#### Wyoming 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:** We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing receipt of a proposed regulatory amendment to the Wyoming coal program (Wyoming program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). On February 19, 2019, the Wyoming Environmental Quality Council (EQC) approved several revisions to the rules governing Financial Assurances and Self-Bonding under the Wyoming program. This document gives the times and locations that the Wyoming program and this proposed amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we

will follow for the public hearing, if one is requested.

**DATES:** We will accept written comments on this amendment until 4 p.m., Mountain Daylight Time (M.D.T.), August 29, 2024. If requested, we may hold a public hearing or meeting on the amendment on August 26, 2024. We will accept requests to speak at a hearing until 4 p.m., M.D.T., on August 14, 2024.

**ADDRESSES:** You may submit comments, identified by SATS No. WY-047-FOR, by any of the following methods:

- *Mail/Hand Delivery:* OSMRE, Attn: Jeffrey Fleischman, P.O. Box 11018, 100 East B Street, Room 4100, Casper, Wyoming 82602.

- *Fax:* (307) 261-6552.

- *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Comment Procedures” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to review copies of the Wyoming program, this amendment, a listing of any scheduled public hearings or meetings, and all written comments received in response to this document, you must go to the address listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the amendment by contacting OSMRE’s Casper Field Office or the full text of the program amendment is available for you to read at [www.regulations.gov](http://www.regulations.gov). Attn: Jeffrey Fleischman, Field Office Director, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Casper, Wyoming 82602, Telephone: (307) 261-6550, Email: [jfleischman@osmre.gov](mailto:jfleischman@osmre.gov).

In addition, you may review a copy of the amendment during regular business hours at the following location: Attn: Kyle Wendtland, Administrator, Wyoming Department of Environmental Quality, Land Quality Division, 200 West 17th Street, Suite 10, Cheyenne, Wyoming 82002, Telephone: (307) 777-7046, email: [kyle.wendtland@wyo.gov](mailto:kyle.wendtland@wyo.gov).

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Fleischman, Field Office Director, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Casper, Wyoming 82602, telephone: (307) 261-6550, email: [jfleischman@osmre.gov](mailto:jfleischman@osmre.gov).

**SUPPLEMENTARY INFORMATION:**

I. Background on the Wyoming Program

II. Description of the Proposed Amendment

III. Public Comment Procedures

IV. Procedural Determinations

**I. Background on the Wyoming Program**

Section 503(a) of the Act permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its approved State program includes, among other things, State laws and regulations that govern surface coal mining and reclamation operations in accordance with the Act and consistent with the Federal regulations. See 30 U.S.C. 1253(a)(1) and (7).

On the basis of these criteria, the Secretary of the Interior conditionally approved the Wyoming program on November 26, 1980. You can find background information on the Wyoming program, including the Secretary’s findings, the disposition of comments, and conditions of approval of the Wyoming program in the November 26, 1980 **Federal Register** at 45 FR 78637. You can also find later actions concerning the Wyoming program and program amendments at 30 CFR 950.10.

**II. Description of the Proposed Amendment**

By letter dated May 20, 2024 (Admin Record No. WY-047-01), Wyoming sent us an amendment to its program under SMCRA (30 U.S.C. 1201 *et seq.*). We found Wyoming’s proposed amendment administratively complete on May 21, 2024.

On February 19, 2019, the Wyoming Environmental Quality Council (EQC) approved several revisions to the Wyoming Program’s financial assurances regulations. The EQC approved another revision to these rules following a 2022 legislative change (House Bill 0045) to Wyoming Statute (W.S.) 35-11-417(h) which enabled Wyoming to promulgate rules for a new type of financial assurance instrument called a “Voluntary Irrevocable Assigned Trust”. Accordingly, the State submitted this proposal to OSMRE at its own initiative. The Wyoming amendment proposes the following revisions:

First, Wyoming proposes to delete “Chapter 20—Letters of Credit,” and instead inserts it into “Chapter 11—Self-bonding Program.” Chapter 11 is also renamed from “Chapter 11—Self-Bonding Program” to “Chapter 11—Financial Assurance.” As proposed, all Financial Assurance regulations will now be housed in Chapter 11.

Second, Wyoming proposes several updates to its self-bonding program. These revisions include changes to some definitions, limiting self-bonding to a maximum of 75% of an operation’s bond obligation, changing the requirements for an operation to qualify for self-bonding, and removing the ability for an operation to use “collateralized self-bonds,” like real property, personal property, and securities. Wyoming proposes that “Collateralized self-bonds” will now be considered separate financial instruments called “Collateral bonds.”

Lastly, Wyoming proposes several changes to its Collateral bond section. Within the Collateral bond section Wyoming proposes to revise some of the Letters of Credit rules, removes Personal Property collateral bond instruments, adds Real Property collateral bond instruments, adds Irrevocable Trust Account options for collateral bonds, and revises some requirements for Securities bond options.

The full text of the program and/or plan amendment is available for you to read at the locations listed above under **ADDRESSES** or at [www.regulations.gov](http://www.regulations.gov).

**III. Public Comment Procedures**

Under the provisions of 30 CFR 732.17(h), we are seeking your 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 State program.

*Electronic or Written Comments*

If you submit written or electronic comments on the proposed rule during the 30-day comment period, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

*Public Availability of Comments*

Before including your address, phone number, email address, or other personal identifying information in your

comment, you should be aware that your entire comment including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4 p.m., M.D.T., on August 14, 2024. If you are disabled and need reasonable accommodations to attend a public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT**. We will arrange the location and time of the hearing with those persons requesting the hearing. If no one requests an opportunity to speak, we will not hold a hearing.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who speaks at the public hearing provide us with a written copy of his or her comments. The public hearing will continue on the specified date until everyone scheduled to speak has been given an opportunity to be 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 everyone scheduled to speak and others present in the audience who wish to speak, have been heard.

#### Public Meeting

If only one person requests an opportunity to speak, we may hold a public meeting rather than a public hearing. If you wish to meet with us to discuss the amendment, please request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We will make a written summary of each meeting a part of the administrative record.

#### IV. Procedural Determinations

*Executive Order 12866—Regulatory Planning and Review, Executive Order 13563—Improving Regulation and Regulatory Review, and Executive Order 14094—Modernizing Regulatory Review*

Executive Order 12866, as amended by Executive Order 14094, provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB) will review all significant rules. Pursuant to OMB guidance, dated

October 12, 1993, the approval of State program amendments is exempted from OMB review under Executive Order 12866, as amended by Executive Order 14094. Executive Order 13563, which reaffirms and supplements Executive Order 12866, retains this exemption.

#### Other Laws and Executive Orders Affecting Rulemaking

When a State submits a program amendment to OSMRE for review, our regulations at 30 CFR 732.17(h) require us to publish a notice in the **Federal Register** indicating receipt of the proposed amendment, its text or a summary of its terms, and an opportunity for public comment.

We conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At that time, we will also make the determinations and certifications required by the various laws and Executive orders governing the rulemaking process and include them in the final rule.

#### List of Subjects in 30 CFR Part 950

Required program amendments, State-Federal cooperative agreement, State program provisions and amendments not approved, State regulatory program approval, Surface mining.

David A. Berry,

Regional Director, Unified Regions 5, 7–11.

[FR Doc. 2024–16536 Filed 7–29–24; 8:45 am]

**BILLING CODE 4310–05–P**

#### DEPARTMENT OF THE INTERIOR

#### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 950

[SATS No. WY–053–FOR; Docket ID: OSM–2024–0003; S1D1S SS08011000 SX064A000 234S180110; S2D2S SS08011000 SX064A000 23XS501520]

#### Wyoming 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:** We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing receipt of a proposed amendment to the Wyoming coal regulatory program (Wyoming program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). On September 13,

2022, the Wyoming Environmental Quality Council approved a number of revisions to the Wyoming Land Quality Division Coal Rules and Regulations which comprise the Wyoming program. This document gives the times and locations that the Wyoming program and this proposed amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we will follow for the public hearing, if one is requested.

**DATES:** We will accept written comments on this amendment until 4 p.m., Mountain Daylight Time (M.D.T.), August 29, 2024. If requested, we may hold a public hearing or meeting on the amendment on August 26, 2024. We will accept requests to speak at a hearing until 4 p.m., M.D.T., on August 14, 2024.

**ADDRESSES:** You may submit comments, identified by SATS No. WY–053–FOR, by any of the following methods:

- *Mail/Hand Delivery:* OSMRE, Attn: Jeffrey Fleischman, P.O. Box 11018, 100 East B Street, Room 4100, Casper, Wyoming 82602.

- *Fax:* (307) 261–6552.

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Comment Procedures” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to review copies of the Wyoming program, this amendment, a listing of any scheduled public hearings or meetings, and all written comments received in response to this document, you must go to the address listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the amendment by contacting OSMRE’s Casper Field Office or the full text of the program amendment is available for you to read at [www.regulations.gov](http://www.regulations.gov). Attn: Jeffrey Fleischman, Field Office Director, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Casper, Wyoming 82602, Telephone: (307) 261–6550, Email: [jfleischman@osmre.gov](mailto:jfleischman@osmre.gov).

In addition, you may review a copy of the amendment during regular business hours at the following location: Attn: Kyle Wendtland, Administrator, Wyoming Department of Environmental Quality, Land Quality Division, 200