

# Federal Reserve

## DEPARTMENT OF THE INTERIOR

## Bureau of Indian Affairs

## 25 CFR Part 118

## Judgment Funds, Shoshone Tribe of the Wind River Reservation, WY

March 13, 1987.

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Final rule; removal.

**SUMMARY:** The judgment funds for the Shoshone Tribe of the Wind River Reservation, Wyoming have been depleted through payment to tribal members. Since there are no funds left to be distributed, there is no further need for this rule. Part 118 is removed in its entirety. This removal will not have an adverse effect on any ongoing program.

**EFFECTIVE DATE:** The effective date of removal is June 1, 1987.

**SUPPLEMENTARY INFORMATION:** The authority to remove this rule and regulation is vested in the Secretary of the Interior by 5 U.S.C. 301 and 25 U.S.C. 2 and 9. This rule is published in exercise of rulemaking authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs in the Departmental Manual at 209 DM 8.

The Act of June 25, 1938, provided for an appropriation for payment of judgment funds to members of the Shoshone Tribe of the Wind River Reservation in Wyoming who were living on July 27, 1939. A roll prepared listing these members was the basis for the distribution of the judgment fund. Bureau of Indian Affairs' records indicate that the judgment funds for the Shoshone Tribe of the Wind River Reservation in Wyoming have been depleted. Since there are no funds left to distribute, removal of this part is necessary because Part 118 has become obsolete. There will be no effect on the public.

In order to provide the public an opportunity to comment on the removal of 25 CFR Part 118, the rule was published as a proposed rule removal on December 5, 1986 at 51 FR 43935. No comments were received.

This rule does not constitute a major federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969.

This rule did contain information collections which required the approval of the Office of Management and Budget

under 44 U.S.C. 3501 *et seq.* However, the requirements need not be submitted due to the removal of this rule.

## List of Subjects in 25 CFR Part 118

Indians—claims, Indians—judgment funds.

## PART 118—[REMOVED]

Accordingly, for the reasons set out above, Part 118, Chapter I of Title 25 of the Code of Federal Regulations is hereby removed.

Nancy C. Garrett,

*Acting Deputy Assistant Secretary, Indian Affairs.*

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## DEPARTMENT OF LABOR

## Occupational Safety and Health Administration

## 29 CFR Parts 1910 and 1926

[Docket No. H-33D]

## Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite

**AGENCY:** Occupational Safety and Health Administration, Labor.

**ACTION:** Extension of partial stay and amendment of final rule.

**SUMMARY:** OSHA is hereby extending the partial administrative stay of the revised final standards for occupational exposure to asbestos, tremolite, anthophyllite and actinolite for general industry (§ 1910.1001) and construction (§ 1926.58), insofar as they apply to occupational exposure to non-asbestiform tremolite, anthophyllite and actinolite. The current partial stay which expired on April 21, 1987, is being extended until July 21, 1988 to allow OSHA to conduct supplemental rulemaking limited to the issue of whether non-asbestiform tremolite, anthophyllite and actinolite should continue to be regulated in the same standards and to the same extent as asbestos, or should be treated in some other way.

OSHA is also making minor conforming amendments to notes to the affected standards.

**DATES:** Effective April 21, 1987. The partial stay of §§ 1910.1001 and 1926.58 will expire on July 21, 1988.

**FOR FURTHER INFORMATION CONTACT:** Mr. James Foster, Director, Office of Information and Consumer Affairs, OSHA, U.S. Department of Labor, Room N3647, 200 Constitution Avenue NW.,

Washington, DC 20210. Telephone (202) 523-8151.

**SUPPLEMENTARY INFORMATION:** In June 1986, OSHA issued revised standards governing occupational exposure to asbestos, tremolite, anthophyllite and actinolite for general industry and construction which were to be effective on July 21, 1988. (See 51 FR 22812 *et seq.* June 20, 1986).

On October 17, 1986 OSHA issued a partial stay of the revised standards insofar as they apply to occupational exposure to non-asbestiform tremolite, anthophyllite and actinolite, in order to enable the Agency to review new submissions raising questions about the appropriateness of regulating these minerals in the revised asbestos standards, and to allow sufficient time to reopen the rulemaking record and conduct supplemental rulemaking proceedings limited to this issue (51 FR 37002).

OSHA is now beginning to draft a notice of proposed rulemaking and is collecting data relating to the issue of whether and how to regulate these non-asbestiform minerals including the feasibility of regulating all impacted industries. The length of the initial partial stay has proven inadequate for the Agency to complete the rulemaking procedures contemplated in the notice which announced the partial stay because of the variety of the impacted industries and the unavailability of both mineralogic and exposure data concerning many of these industries. OSHA therefore is extending the partial stay for 15 months, until July 21, 1988. The Agency believes that this extension more realistically and adequately reflects the amount of time which the data collection, analysis and drafting of an appropriate notice will take.

As was the case with the initial partial stay, OSHA intends that during the period of the extension, the 1972 standard governing occupational exposure to asbestos (redesignated 29 CFR 1910.1101) will remain in effect to the extent of the stay.

The full text of the stay with respect to these non-asbestiform minerals was published in the October 17, 1986 Federal Register (51 FR 37002).

This document also makes conforming amendments to the text of notes to the affected standards which refer to the partial stay.

With respect to the extension of the stay, OSHA finds that advance notice and opportunity for comment are impracticable and unnecessary within the meaning of 5 U.S.C. 553, in view of the limited duration of the extension and the continued applicability of the 1972