

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket 94-NM-70-AD, published in the **Federal Register** on July 27, 1994 (59 FR 38141), is withdrawn.

Issued in Renton, Washington, on February 6, 1995.

S.R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-3358 Filed 2-9-95; 8:45 am]

BILLING CODE 4910-13-U

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 1

Early Warning Reporting Requirements for Futures Commission Merchants

AGENCY: Commodity Futures Trading Commission.

ACTION: Extension of comment period.

SUMMARY: On December 28, 1994, the Commodity Futures Trading Commission (Commission) published in the **Federal Register** a request for public comment on proposed rules to amend the early warning reporting requirements for futures commission merchants (FCMs) set forth in Commission Rule 1.12. The original comment period expired on January 27, 1995. 59 FR 66822.

The proposed rules would require an FCM to report in accordance with Commission Rule 1.12 whenever: There is a reduction in adjusted net capital in excess of 20 percent of the amount reported in the last financial report filed with the Commission;¹ a margin call that exceeds the FCM's excess adjusted net capital remains unanswered by the close of business on the day following the issuance of the call; or the FCM's excess adjusted net capital is less than six percent of the maintenance margin required to support proprietary and noncustomer positions carried by the FCM.

The Securities Industry Association requested a thirty-day extension of the comment period in order that its Capital Committee may have sufficient opportunity to consider these proposals. In order to ensure that all interested parties have an adequate opportunity to

¹ When the Commission recently adopted rules concerning risk assessment for holding company systems, 59 FR 66674 (Dec. 28, 1994), it added a provision to Rule 1.12 requiring FCMs subject to the risk assessment rules to provide notice of adjusted net capital reductions in excess of 20 percent. The proposal would extend that requirement to all FCMs.

submit meaningful comments, the Commission has determined to extend the comment period for an additional thirty days.

DATES: Comments must be received on or before February 27, 1995.

ADDRESSES: Comments should be sent to Jean A. Webb, Secretary of the Commission, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581.

FOR FURTHER INFORMATION CONTACT: Paul H. Bjarnason, Jr., Chief Accountant, or Lawrence B. Patent, Associate Chief Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, NW. Washington, DC 20581; telephone (202) 254-8955.

Issued in Washington, DC on February 6, 1995, by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 95-3362 Filed 2-9-95; 8:45 am]

BILLING CODE 6351-01-M

SUSQUEHANNA RIVER BASIN COMMISSION

18 CFR Parts 803, 804 and 805

Review and Approval of Projects; Special Regulations and Standards; Hearings/Enforcement Actions

AGENCY: Susquehanna River Basin Commission.

ACTION: Public hearing on rulemaking and addition to comprehensive plan.

SUMMARY: The Susquehanna River Basin Commission published in the **Federal Register** of June 8, 1994 (59 FR 29563) proposed rules on procedures for review of projects which also contained special review and approval requirements for consumptive uses of water, ground-water withdrawals and surface water withdrawals. Rules were also proposed setting special standards for water conservation and water use registration, and establishing hearing and enforcement procedures. A series of eight hearings were held during the summer of 1994 at various locations. This document announces: That the consumptive use portion of the proposed rulemaking action (§ 803.42) will be deferred pending further consultation with the regulated community; and that a final informal public hearing will be held on the non-consumptive use portion of the proposed rules.

DATES: The public hearing will be held on March 9, 1995, beginning at 9:00 a.m. Written comments on the non-

consumptive use portion of the proposed rules should be submitted by March 9, 1995.

ADDRESSES: The public hearing will be held at the Radisson Penn Harris Hotel and Convention Center, room Keystone E, 1150 Camp Hill By-Pass, Camp Hill, PA. Comments should be addressed to Richard A. Cairo, General Counsel/Secretary, Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel/Secretary, SRBC, 717-238-0423.

SUPPLEMENTARY INFORMATION: The Susquehanna River Basin Commission will hold a final public hearing on the non-consumptive use portion of a proposed rulemaking action in conjunction with its regular meeting on March 9, 1995 at the Radisson Penn Harris Hotel and Convention Center, Room Keystone E, 1150 Camp Hill By-Pass, Camp Hill, PA., beginning at 9:00 a.m. This hearing will also cover a proposal to incorporate the proposed rules into the SRBC Comprehensive Plan. The proposed rules were published in the **Federal Register** on June 8, 1994 at p. 29563. Eight public hearings were held during the summer of 1994 at various locations throughout the basin.

In response to the comments received at these hearings, a number of changes have been made in the proposed rules, the most notable of which is the withdrawal of proposed § 803.42 on the consumptive use of water. In place of the proposed § 803.42, the Commission will substantially retain its present consumptive use regulation found in the Code of Federal Regulations at 18 CFR § 803.61. The Commission will continue the suspension of the consumptive use regulation with respect to agricultural consumptive uses while it works with representatives of the agricultural community to develop an appropriate approach to the management of agricultural related water use. Public water suppliers will also be consulted on the issue of consumptive use within their distribution systems.

The scope of this final public hearing will be limited to the non-consumptive use portion of the proposed rulemaking action. This portion of the regulation contains such items as a new surface water regulation, water use registration, approval durations, and new procedures for processing project applications. Procedures for notifying the public of pending applications and for holding public hearings are also strengthened.

The hearing will be informal in nature. *Comments should be limited to*

the non-consumptive use portion of the proposed regulations. The Commission reserves the right to limit oral testimony in the interest of time. Written comments submitted at or before the hearing will also be accepted and made a part of the hearing record. All written comments should be submitted by March 9, 1995.

Copies of the latest version of the proposed rules and a responsiveness document explaining why changes were made are available upon request to the Commission at 1721 N. Front Street, Harrisburg, PA. 17102-2391, 717/238-0423. Written comments may be submitted to and further information obtained from Richard A. Cairo, General Counsel/Secretary, at the same address and phone number.

Dated: February 3, 1995.

Paul O. Swartz,

Executive Director.

[FR Doc. 95-3263 Filed 2-9-95; 8:45 am]

BILLING CODE 7040-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 756

Navajo Nation Abandoned Mine Land Reclamation (AMLR) Plan

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

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

SUMMARY: OSM is announcing receipt of a proposed amendment to the Navajo Nation AMLR plan (hereinafter referred to as the "Navajo Nation plan") under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*) (SMCRA). The proposed amendment consists of the addition of interim program coal site provisions to the Navajo Nation's AMLR Code of 1987. The amendment is intended to revise the Navajo Nation plan to be consistent with SMCRA, and to improve operational efficiency.

DATES: Written comments must be received by 4:00 p.m., m.s.t., March 13, 1995. If requested, a public hearing on the proposed amendment will be held on March 7, 1995. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.s.t., February 27, 1995.

ADDRESSES: Written comments should be mailed or hand delivered to Thomas E. Ehmett at the address listed below.

Copies of the Navajo Nation plan, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Albuquerque Field Office.

Thomas E. Ehmett, Acting Director,
Albuquerque Field Office, Office of
Surface Mining Reclamation and
Enforcement, 505 Marquette Avenue,
NW., Suite 1200, Albuquerque, New
Mexico 87102;
The Navajo Nation, P.O. Box 308,
Window Rock, Arizona 86515,
Telephone: (602) 871-4941.

FOR FURTHER INFORMATION CONTACT:
Thomas E. Ehmett, Telephone: (505)
766-1486.

SUPPLEMENTARY INFORMATION:

I. Background on Title IV of SMCRA

Title IV of SMCRA established an AMLR for the purposes of reclaiming and restoring lands and waters adversely affected by past mining. The program is funded by a reclamation fee levied on the production of coal. Lands and waters eligible for reclamation under Title IV are those that were mined or affected by mining and abandoned or inadequately reclaimed prior to August 3, 1977, and for which there is no continuing reclamation responsibility under State, Federal, Tribal, or other laws.

Title IV provides for State and Tribal submittal to OSM of an AMLR plan. The Secretary of the Interior adopted regulations at 30 CFR 870 through 888 that implement Title IV of SMCRA. Under these regulations, the Secretary reviewed the plans submitted by States and Tribes and solicited and considered comments of State and Federal agencies and the public. Based upon the comments received, the Secretary determined whether a State or Tribe had the ability and necessary legislation to implement the provisions of Title IV. After making such a determination, the Secretary decided whether to approve the State or Tribe program. Approval granted the State or Tribe exclusive authority to administer its plan.

Ordinarily, under section 405 of SMCRA, a State or Tribe must have an approved surface mining regulatory program prior to submittal of an AMLR plan to OSM. However, on July 11, 1987, the President signed a supplemental appropriations bill (Pub. L. 100-71) that authorized the Crow and Hopi Tribes and Navajo Nation to adopt

AMLR programs without approval of Tribal surface mining regulatory programs.

Upon approval of a State's or Tribe's plan by the Secretary, the State or Tribe may submit to OSM, on an annual basis, an application for funds to be expended by that State or Tribe on specific projects that are necessary to implement the approval plan. Such annual requests are reviewed and approved by OSM in accordance with the requirements of 30 CFR Part 886.

II. Background on the Navajo Nation Plan

On May 16, 1988, the Secretary of the Interior approved the Navajo Nation plan. General background information on the Navajo Nation plan, including the Secretary's findings, the disposition of comments, and the approval of the Navajo Nation plan can be found in the May 16, 1988, **Federal Register** (53 FR 17186). Approval of the Navajo Nation plan is codified at 30 CFR 756.13. Subsequent actions concerning the Navajo Nation plan and plan amendments can be found at 30 CFR 756.14.

III. Proposed Amendment

By letter dated January 12, 1995, the Navajo Nation submitted the proposed amendment to its plan pursuant to SMCRA (administrative record No. NA-227). The Navajo Nation submitted the proposed amendment at its own initiative and in response to the final rule **Federal Register** notice acknowledging that the Navajo Nation would amend its AMLR Code of 1987 to provide for the reclamation of interim program coal sites (59 FR 49178, 48181, finding No. 1(f), September 27, 1994; administrative record No. NA-225). The Navajo Nation proposes to add new language to its Code at section 404(b) to provide:

Lands and waters also eligible for reclamation on the Navajo Nation are those which were damaged and abandoned after August 3, 1977 by coal mining processes if the Director finds in writing that:

(1) They were mined for coal or affected by coal mining processes; and

(2) The mining occurred and the site was left in either an unreclaimed or inadequately reclaimed condition between August 4, 1977 and September 18, 1984; or

(3) The mining occurred and the site was left in either an unreclaimed or inadequately reclaimed condition between August 4, 1977 and ending on November 5, 1990, and that the surety of the mining operator became insolvent during such period and as of November 5, 1990, funds immediately available from proceedings relating to such insolvency or from any financial guarantee or other source are not sufficient to provide