

SUPPLEMENTARY INFORMATION: The Commission has determined, as part of its oversight responsibilities, to review rules and guides periodically. These reviews will seek information about the costs and benefits of the Commission's rules and guides and their regulatory and economic impact. The information obtained will assist the Commission in identifying rules and guides that warrant modification or rescission.

If the Commission elects to retain the Leather Belt Rule after conducting this review, it intends to update certain terms to reflect statutory and policy changes that have occurred since the Leather Belt Rule was originally promulgated. The term "in commerce" in 16 CFR 405.1(a) and 405.4 will be changed to "in or affecting commerce" in conformance with the amended language of section 5 of the Federal Trade Commission Act (15 U.S.C. 45). The phrase "capacity and tendency to mislead and deceive" in 16 CFR 405.2(b) will be changed to conform with the language regarding deception that is set forth in *Cliffdale Associates, Inc.*, 103 F.T.C. 110 (1984) and subsequent cases. Finally, the language that "it constitutes an unfair method of competition and an unfair and deceptive act or practice" in 16 CFR 405.4 will also be revised to conform with the standard language for consumer protection rules.

A. Background

The Leather Belt Rule was promulgated by the Commission on June 27, 1964. It applies to the sale or offering for sale of men's and boy's belts, and women's and children's belts when not offered for sale as part of a garment. The Rule makes it an unfair method of competition and an unfair and deceptive act or practice to misrepresent a belt's leather content or the type of animal hide or skin from which the belt is made. For example, it is a violation of the Rule to label a belt as leather when it is not made from the hide or skin of an animal.

The Leather Belt Rule also prohibits the sale or distribution of belts without adequate disclosures as to their leather content or type of animal hide or skin if the appearance of the product would deceive consumers. For example, it is a violation of the Rule to sell a belt which has the appearance of leather, but which is made of synthetic materials, unless a disclosure is made on the product or on a tag or label affixed to the product which states that the belt is not leather.

B. Issues for Comment

At this time, the Commission solicits written public comments on the following questions:

- (1) Is there a continuing need for the Rule?
 - (a) What benefits has the Rule provided to purchasers of the products or services affected by the Rule?
 - (b) Has the Rule imposed costs on purchasers?
 - (2) What changes, if any, should be made to the rule to increase the benefits of the Rule to purchasers?
 - (a) How would these changes affect the costs the Rule imposes on firms subject to its requirements?
 - (3) What significant burdens or costs, including costs of compliance, has the Rule imposed on firms subject to its requirements?
 - (a) Has the Rule provided benefits to such firms?
 - (4) What changes, if any, should be made to the Rule to reduce the burdens or costs imposed on firms subject to its requirements?
 - (a) How would these changes effect the benefits provided by the Rule?
 - (5) Does the Rule overlap or conflict with other federal, state, or local laws or regulations?
 - (6) Since the Rule was issued, what effects, if any, have changes in relevant technology or economic conditions had on the Rule?

List of Subjects in 16 CFR Part 405

Leather content of belts; Trade practices.

Authority: 15 U.S.C. 41-58.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 95-7467 Filed 3-24-95; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 913

[IL-090]

Illinois Regulatory Program

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

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

SUMMARY: OSM is announcing receipt of a proposed amendment to the Illinois regulatory program (hereinafter referred

to as the Illinois program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment pertains to the merger of the Illinois Department of Mines and Minerals into the newly created Illinois Department of Natural Resources. The amendment is intended to provide formal notification to OSM of this pending reorganization.

DATES: Written comments must be received by 4:00 p.m., [C.S.T.], April 26, 1995. If requested, a public hearing on the proposed amendment will be held on April 21, 1995. Requests to speak at the hearing must be received by 4:00 p.m., [C.S.T.], on April 11, 1995.

ADDRESSES: Written comments and requests to speak at the hearing should be mailed or hand delivered to Mr. James F. Fulton, Director, Springfield Field Office, at the address listed below.

Copies of the Illinois program, the proposed amendment, a listing of any scheduled public hearings, 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 Springfield Field Office.

James F. Fulton, Director, Springfield Field Office, Office of Surface Mining Reclamation and Enforcement, 511 West Capitol, Suite 202, Springfield, Illinois 62704, Telephone: (217) 492-4495.

Illinois Department of Mines and Minerals, 300 West Jefferson Street, Suite 300, Springfield Illinois 62791, Telephone: (217) 782-4970.

FOR FURTHER INFORMATION CONTACT: James F. Fulton, Director, Springfield Field Office, Telephone: (217) 492-4495.

SUPPLEMENTARY INFORMATION:

I. Background on the Illinois Program

On June 1, 1982, the Secretary of the Interior conditionally approved the Illinois program. Background information on the Illinois program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the June 1, 1982, **Federal Register** (47 FR 23883). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 913.15, 913.16, and 913.17.

II. Description of the Proposed Amendment

By letter dated March 3, 1995 (Administrative Record No. IL-1700),

Illinois submitted a proposed amendment to its program pursuant to SMCRA. Illinois submitted the proposed amendment at its own initiative. In accordance with 30 CFR 732.17(b), Illinois notified OSM that effective July 1, 1995, the Illinois Department of Mines and Minerals will cease to exist in name only. It will be redesignated the Office of Mines and Minerals.

Specifically, the Illinois Department of Mines and Minerals will be merged into the new Illinois Department of Natural Resources by virtue of Executive Order Number 2 (1995) signed by the Governor of Illinois, on March 1, 1995. Article V, Section 11 of the Constitution of the State of Illinois authorizes the Governor to reassign functions among or reorganize executive agencies which are directly responsible to him in order to simplify the organizational structure of the Executive Branch, to improve accountability, to increase accessibility, and to achieve efficiency and effectiveness in operation.

Executive Order Number 2 (1995) contains the following applicable provisions:

Part I, paragraph C, provides that "[t]he Department of Natural Resources shall have within it an Office of Mines and Minerals which shall be responsible for the functions previously vested in the Department of Mines and Minerals.

Part II, paragraph C, transfers the Surface-Mined Land Conservation and Reclamation Act (225 ILCS 715/1 *et seq.*) [State Act for the initial program] and the Surface Coal Mining Land Conservation and Reclamation Act (225 ILCS 720.1.01 *et seq.*) [State Act for the permanent program] from the Department of Mines and Minerals to the Department of Natural Resources along with the rights, powers, and duties incidental to these Acts;

In Part III, paragraph A abolishes the Department of Mines and Minerals, paragraph B abolishes the office of the Director of Mines and Minerals, and paragraph C transfer personnel previously assigned to the Department of Mines and Minerals to the Department of Natural Resources; and

Part IV, paragraph F, provides that "[t]his Executive Order shall not affect the legality of any rules in the Illinois Administrative Code that are in force on the effective date of this Executive Order that have been duly adopted by the agencies reorganized under this Order. As soon as practicable hereafter, the Department of Natural Resources * * * shall propose and adopt under the Illinois Administrative Procedure Act such rules as may be necessary to consolidate and clarify the rules of the

various reorganized agencies that will now be administered by the successor agency."

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is deemed adequate, it will become part of the Illinois program.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the Commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the Springfield Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to speak at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., [C.S.T.] on April 11, 1995. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to speak at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to speak have been heard. Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Public Meeting

If only one person requests an opportunity to speak 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 persons listed under **FOR FURTHER INFORMATION CONTACT**." All such meetings will be open to the public and, if possible, notice 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.

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**.

IV. Procedural Determinations

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).

Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that, to the extent allowed by law, 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 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.

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(c)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

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.*).

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 which 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.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 16, 1995.

Ronald C. Recker,

Acting Assistant Director, Eastern Support Center.

[FR Doc. 95-7439 Filed 3-24-95; 8:45 am]

BILLING CODE 4310-05-M

30 CFR Part 925

Missouri Regulatory Program

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 Missouri regulatory program (hereinafter, the "Missouri program") under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*, SMCRA). The proposed amendment consists of revisions to rules and statutes along with supporting documentation and information pertaining to its alternative bonding system. The amendment is intended to revise the Missouri program to be consistent with the corresponding Federal regulations and SMCRA.

DATES: Written comments must be received by 4 p.m., c.s.t. April 26, 1995. If requested, a public hearing on the proposed amendment will be held on April 21, 1995. Requests to present oral testimony at the hearing must be received by 4 p.m., c.s.t. on April 11, 1995.

ADDRESSES: Written comments should be mailed or hand delivered to Michael C. Wolfrom at the address listed below.

Copies of the Missouri program, 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 Kansas City Field Office.

Michael C. Wolfrom, Acting Director,
Kansas City Field Office, Office of
Surface Mining Reclamation and
Enforcement, 934 Wyandotte, Room
500, Kansas City, MO 64105
Missouri Department of Natural
Resources, Land Reclamation
Program, P.O. Box No. 176, Jefferson
City, MO 65102, Telephone: (314)
751-4041

FOR FURTHER INFORMATION CONTACT:

Michael C. Wolfrom, Telephone: (816)
374-6405.

SUPPLEMENTARY INFORMATION:

I. Background on the Missouri Program

On November 21, 1980, the Secretary of the Interior conditionally approved the Missouri program. General background information on the Missouri program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Missouri program can be found in the November 21, 1980, **Federal Register** (45 FR 77017). Subsequent actions concerning Missouri's program and program amendments can be found at 30 CFR 925.12, 925.15, and 925.16.

II. Proposed Amendment

By letter dated March 7, 1995, Missouri submitted a proposed amendment to its program pursuant to SMCRA (administrative record No. MO-617). Missouri submitted the proposed amendment in response to a January 30, 1986 letter (administrative record No. MO-351) that OSM sent to Missouri in accordance with 30 CFR 732.17(c), and in response to the required program amendments at 30 CFR 925.16(g). The provisions of the Revised Statutes of Missouri (RSMo) and the Code of State Regulations (CSR) that Missouri proposed to revise were: Section 444.830.1. and 3. (RSMo), Bond requirements, when a bond must be filed, the amount of a bond, and allowance for bond substitution; Section 444.950. (RSMo), Phase I reclamation bond requirements; Section 444.960.1. and 5. (RSMo), establishment, purpose, and duties of the coal mine reclamation fund; Section 444.965.1., 3., 4., 5. and 6. (RSMo), Assessment for fund; 10 CSR 40-7.011, Bond Requirements; 10 CSR 40-7.021, Duration and Release of Reclamation Liability; 10 CSR 40-7.041,

Form and Administration of the Coal Mine Land Reclamation Fund. In addition Missouri has submitted: (1) A narrative explaining the current and projected balances of the bond pools; (2) a discussion of how each outstanding required program amendment of the final rule **Federal Register** of May 8, 1991 (56 FR 21281) (administrative record No. MO-536) will be resolved; (3) an explanation of how the deficiencies identified in OSM's issue letter dated March 9, 1994 (administrative record No. MO-592) will be resolved; (4) a table of reclamation cost estimates for all permits except those that represent a minimal liability to the bond pools; (5) a statement from the Missouri Attorney General that explains the legal basis for using Abandoned Mine Land Funds for the reclamation of Bill's Coal Forfeited Project; and (6) copies of the revised bond forms utilized by Missouri.

Specifically, Missouri proposes to revise its statute and regulations: (1) To remove the option to file a full cost Phase I bond; (2) to provide that the per acre bond amounts are minimums that may be adjusted annually by the commission based upon calculations conducted by the State director; (3) to provide that annual adjustments to the bond amount will not be more than \$250 per acre per year with a maximum of \$5,000 per acre for all areas except coal preparation areas, and \$500 per year with a maximum of \$15,000 per acre for coal preparation areas; (4) to require that the minimum bond will not be less than \$10,000 per permit; (5) to require that all promulgated rules must be approved by the joint committee on administrative rules; (6) to allow the commission to retain up to 20 percent of the amount of the bond at Phase I liability release and retain that amount until the release of Phase III liability; (7) to require the total amount of the Phase I bond to be available for the completion of all phase of reclamation in the event of bond forfeiture; and (8) to require monies to continue to be accumulated in the CMLR Fund until they are sufficient to complete reclamation of permits revoked prior to September 1, 1988.

In addition, Missouri is revising its regulations to: (1) Provide new definitions of Phase I Bond, Phase II bond, Phase III bond, and surety bond; (2) require for incremental bonding that disturbances are prohibited prior to acceptance of the bond and that a schedule of increments be provided; (3) require that Phase I bond be retained on unreclaimed temporary structures; (4) allow the release of bond from undisturbed lands when further