

members of the public may submit comments on the proposed amendments.

DATES: Comments must be received on or before July 19, 1995.

ADDRESSES: Written comments (preferably in triplicate) may be addressed to the Regulations Branch, U.S. Customs Service, Franklin Court, 1301 Constitution Avenue, N.W., Washington, D.C. 20229. Comments submitted may be inspected at the Regulations Branch, Office of Regulations and Rulings, Franklin Court, 1099 14th Street, N.W., Suite 4000, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Sandra Gethers, Office of Regulations and Rulings (202-482-6980).

SUPPLEMENTARY INFORMATION:

Background

On May 5, 1995, Customs published in the **Federal Register** (60 FR 22312) a notice of proposed rulemaking that (1) set forth proposed amendments to the interim Customs Regulations, published in the **Federal Register** on January 3, 1994, as T.D. 94-4, which established the rules for determining when the country of origin of a good is one of the parties to the North American Free Trade Agreement for purposes of Annex 311 of that Agreement and (2) republished, with some modifications, proposed amendments to the Customs Regulations to set forth uniform rules governing the determination of the country of origin of imported merchandise, which also had been published in the **Federal Register** on January 3, 1994. The document solicited public comments that were to be received on or before June 19, 1995.

Customs has been requested to extend the period of time for comments in order to afford interested parties additional time to study the proposed regulatory changes and prepare responsive comments. Customs believes that it would be appropriate to grant the request. Accordingly, the period of time for the submission of comments is being extended 30 days.

Dated: May 30, 1995.

Stuart P. Seidel,

Assistant Commissioner, Office of Regulations and Rulings.

[FR Doc. 95-13644 Filed 6-2-95; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Ch. VII

Establishment of an Advisory Committee To Negotiate Regulations

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

ACTION: Proposed rule; clarification.

SUMMARY: This notice contains information concerning the membership of the advisory committee established by the Office of Surface Mining Reclamation and Enforcement (OSM) to negotiate rulemaking on coal refuse disposal sites.

FOR FURTHER INFORMATION CONTACT: Melanie Wilson, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW., Room 52, Washington, DC 20240, (202) 208-4609.

SUPPLEMENTARY INFORMATION: A notice, published March 14, 1995 (60 FR 13858), established the advisory committee and requested nominations for membership. The notice listed those groups contacted during the convening stage of the negotiated rulemaking process to help identify those issues to be considered during the negotiated rulemaking. OSM is publishing this notice to clarify that those parties contacted *have not* agreed to participate in the negotiated rulemaking and nothing in the notice should be construed otherwise.

Dated: May 25, 1995.

Robert J. Uram,

Director.

[FR Doc. 95-13691 Filed 6-2-95; 8:45 am]

BILLING CODE 4310-05-M

30 CFR Part 926

Montana Regulatory Program and Abandoned Mine Land Reclamation 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 Montana regulatory program (hereinafter, the "Montana program") and abandoned mine land reclamation plan (hereinafter, the "Montana plan") under the Surface Mining Control and Reclamation Act of

1977 (SMCRA). The proposed amendment consists of revisions to statutes pertaining to the designation of the Montana State Regulatory Authority and reclamation agency under SMCRA, statutory definitions including those of "prospecting" and "prime farmland," revegetation success criteria for bond release, prospecting under notices of intent, and permit renewal. The amendment is intended to revise the Montana program to be consistent with the corresponding Federal regulations and SMCRA, and to improve program efficiency.

DATES: Written comments must be received by 4:00 p.m., m.d.t., July 5, 1995. If requested, a public hearing on the proposed amendment will be held on June 30, 1995. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t., on June 20, 1995.

ADDRESSES: Written comments should be mailed or hand delivered to Guy Padgett at the address listed below.

Copies of the Montana program, the Montana 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 Casper Field Office.

Guy Padgett, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Room 2128, Casper, WY 82601-1918, Telephone: (307) 261-5776.

Gary Amestoy, Administrator, Montana Department of State Lands, Reclamation Division, Capitol Station, 1625 Eleventh Avenue, Helena, Montana 59620, (406) 444-2074.

FOR FURTHER INFORMATION CONTACT: Guy V. Padgett, Telephone: (307) 261-5776

SUPPLEMENTARY INFORMATION:

I. Background on the Montana Program and Montana Plan

On April 1, 1980, the Secretary of the Interior conditionally approved the Montana program as administered by the Department of State Lands. General background information on the Montana program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Montana program can be found in the April 1, 1980, **Federal Register** (45 FR 21560). Subsequent actions concerning Montana's program and program amendments can be found at 30 CFR 926.15, 926.16, and 926.30.

On October 24, 1980, the Secretary of the Interior conditionally approved the Montana plan as administered by the Department of State Lands. General background information on the Montana program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Montana plan can be found in the October 24, 1980, **Federal Register** (45 FR 70445). Subsequent actions concerning Montana's program and program amendments can be found at 30 CFR 926.20.

II. Proposed Amendment

By letter dated May 16, 1995, Montana submitted a proposed amendment to its program and plan pursuant to SMCRA (30 U.S.C. 1201 *et seq.*) (Administrative Record No. MT-14-01). Montana submitted the proposed amendment in response to the required program amendments at 30 CFR 926.16 (f) and (g), and at its own initiative. The provisions of the Montana Code Annotated (MCA) that Montana proposes to revise are: 82-4-203, MCA (definitions); 82-4-204, MCA (rulemaking authority); 82-4-205, MCA (administration by Department of Environmental Quality); 82-4-221, MCA (mining permit required); 82-4-223, MCA (permit fee and surety bond); 82-4-226(8), MCA (prospecting permit); 82-4-226, MCA (prospecting permit); 82-4-227, MCA (refusal of permit); 82-4-231, MCA (submission of and action on reclamation plan); 82-4-232, MCA (area mining; bond; alternate plan); 82-4-235, MCA (inspection of vegetation; final bond release); 82-4-239 (reclamation by regulatory authority); 82-4-240, MCA (reclamation after bond forfeiture); 82-4-242, MCA (funds received by regulatory authority); 82-4-251, MCA (noncompliance; suspension of permits); and 82-4-254, MCA (violation; penalty; waiver).

Specifically, Montana proposes the following revisions:

1. Redesignation of regulatory authority and reclamation agency under SMCRA.

The Montana Legislature has enacted Senate Bill 234 to reorganize the environmental and natural resources functions of the State government, including eliminating the Department of State Lands and creating the Department of Environmental Quality, and transferring the powers of the Board of Land Commissioners, except rulemaking authority, to the Department of Environmental Quality. Montana proposes to implement these changes with the following proposed revisions: revise the definition of "Board" at 82-4-203(6), MCA, to mean the board of

environmental review instead of the board of land commissioners; delete the definition of "Commissioner" at 82-4-203(10), MCA; revise and recodify the definition of "Department" at 82-4-203(13), MCA, to mean the department of environmental quality instead of the department of state lands; revise Section 82-4-204, MCA, by deleting subsections (1), (2), and (4) which provide for the board to issue orders and hold hearings, and adding a new subsection providing that the board may adopt rules with respect to filing of reports, issuance of permits, monitoring, and other matters of procedure and administration; and revise Section 82-4-205, MCA, to provide for the administration of the Montana Strip and Underground Mine Reclamation Act (SUMRA) by the department of environmental quality instead of the department of state lands, and add provisions for the department to issue orders and conduct hearings. Additionally, Montana proposes in many other sections to replace references to "the board" (of state land commissioners) with references to "the department" (of environmental quality), to delete references to "the commissioner" (of state lands), or replace references to "the commissioner" (of state lands) with references to "the director of the department" (of environmental quality); these proposed revisions are located at: 82-4-223 (2) and (3), 82-4-226(8), 82-4-227(3)(b)(i), 82-4-231 (9) and (1)(f), 82-4-232(7), 82-4-239(1), (2), (3), and (6) 82-4-240, 82-4-242, 82-4-254 (1), (2), and (3), MCA. Additionally, at Section 82-4-251, MCA, Montana proposes to replace references to "the commissioner [of state lands] or an authorized representative" with references to "the director of the department [of environmental quality] or an authorized representative."

2. Revegetation criteria for bond release.

Montana proposes, in Senate Bill 365, to revise Section 82-4-235, MCA, to provide that: for land that was seeded using a seed mix that included a substantial component of introduced species approved by the regulatory authority, and on which the revegetation otherwise meets the requirements of 82-4-233(1), MCA, approval of revegetation for release of bond may not be withheld on the basis that introduced species compose a major or dominant component. Montana further proposes to add a new subsection providing that on land affected by coal mining only prior to May 3, 1978, the department may approve bond release on an area meeting the following criteria: (1) It was

seeded using a seed mix approved by the department that included introduced species, and (2) at least one of the following conditions exist: the standards of 82-4-233(1) are otherwise met; the operator has demonstrated substantial usefulness of the revegetation for grazing; the operator demonstrates that the revegetation has substantial value as a habitat component for wildlife; or the area is suitable for conversion to cropland or hayland, and the department approves and the operator completes the conversion. The new subsection would further provide that on such lands, interseeding or supplemental planting may be performed without reinitiating the revegetation liability period.

3. Prospecting definition and notices of intent to prospect.

Montana proposes, in House Bill 162, to revise the definition of "prospecting" at 82-4-203(26), MCA, so that it would mean either: (1) The gathering of surface or subsurface geologic, physical, or chemical data by mapping, trenching, geophysical, or other techniques necessary to determine the quality and quantity of overburden in an area or the location, quantity, or quality of a natural mineral deposit; or (2) the gathering of environmental data to establish the conditions of an area before beginning mining operations. Montana further proposes to revise 82-4-226(8), MCA, by adding a provision that prospecting that is conducted to determine the location, quality, or quantity of a natural mineral deposit and that does not substantially disturb the natural land surface is not subject to the requirements for prospecting permits, but is subject to the requirements for filing a notice of intent to prospect.

4. Renewal of permits.

Montana proposes, in House Bill 162, to revise 82-4-221(1), MCA, to change the deadlines for filing permit renewal applications. The proposed revision would require that renewal applications be filed at least 240 days, but not more than 300 days, prior to the renewal date.

5. Definition of "prime farmland."

Montana proposes, in Senate Bill 234, to revise and recodify the definition of "prime farmland" at 82-4-203(25), MCA. Under the proposal, "prime farmland" would mean land that meets the criteria for prime farmland prescribed by the United States Secretary of Agriculture in the **Federal Register** and which historically has been used for intensive agricultural purposes.

6. Editorial revisions.

In all of the sections cited above, Montana proposes numerous editorial revisions.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), 884.14, and 884.15(a), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15 and 884.14. If the amendment is deemed adequate, it will become part of the Montana program and Montana plan.

1. 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 Casper 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., mdt, on June 20, 1995. 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.

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 testify have been heard. Persons in the audience who have not been scheduled to testify, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to testify and persons present in the audience who wish to testify 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 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 Review).

2. 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 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 State 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. Decisions on proposed State abandoned mine land reclamation plans and revisions thereof submitted by a State are based on a determination of whether the submittal meets the requirements of Title IV of SMCRA (30 U.S.C. 1231-1243) and the applicable Federal regulations at 30 CFR Parts 884 and 888.

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 of 1969 (42 U.S.C. 4332(2)(C)). Also, agency decisions on proposed State abandoned mine land reclamation plans and revisions thereof are categorically

excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

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.

List of Subjects in 30 CFR Part 926

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 30, 1995.

Richard J. Seibel,

Regional Director, Western Regional Coordinating Center.

[FR Doc. 95-13665 Filed 6-2-95; 8:45 am]

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National Park Service

36 CFR Part 13

RIN 1024-AC05

Glacier Bay National Park, Alaska: Vessel Management Plan Regulations

AGENCY: National Park Service, Interior.
ACTION: Proposed rule.

SUMMARY: The National Park Service (NPS) has reevaluated the current vessel regulations for Glacier Bay National Park and Preserve and is proposing to revise the regulations, including vessel quotas, that were established to protect the endangered humpback whale and other resources Glacier Bay National Park and Preserve manages. These regulations are being proposed after an