

3306(r)(2), references to section 3121(a), 3121(a)(5), and 3121(a)(13) are considered references to sections 3306(b), 3306(b)(5), and 3306(b)(10), respectively, and references to § 31.3121(a)-2(a) are considered references to § 31.3301-4.

(b) *Effective dates and transition rules.* Except as otherwise provided, section 3306(r)(2) applies to remuneration paid after December 31, 1984. Section 31.3121(v)(2)-2² contains effective date rules for certain remuneration paid after December 31, 1983, for purposes of section 3121(v)(2). Those rules also apply to section 3306(r)(2). For purposes of applying those rules to section 3306(r)(2) and this paragraph (b), references to section 3121(v)(2) are considered references to section 3306(r)(2), and references to section 3121(a)(2), 3121(a)(3), or 3121(a)(13) are considered references to section 3306(b)(2), 3306(b)(3), or 3306(b)(10), respectively. In addition, references to section 324(d)(1) of the Social Security Amendments of 1983 are considered references to section 324(d)(2) of the Social Security Amendments of 1983, and references to § 31.3121(v)(2)-1 are considered references to paragraph (a) of this section. In addition, the rules of § 31.3121(v)(2)-2 shall apply to this paragraph by—

(1) References to "December 31, 1983" are considered references to "December 31, 1984";

(2) References to "before 1984" are considered references to "before 1985";

(3) References to "Federal Insurance Contributions Act" are considered references to "Federal Unemployment Tax Act"; and

(4) References to "FICA" are considered references to "FUTA".

Margaret Milner Richardson,
Commissioner of Internal Revenue.

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Part 48

Training Policy Review

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice; request for comments.

SUMMARY: The Mine Safety and Health Administration (MSHA) is considering

revising and clarifying, as needed, policy relating to the training and retraining of miners. The policy interprets the existing training regulations pertaining to coal and metal and nonmetal mines. The purpose of this review is to improve existing policy and reduce administrative procedures. MSHA is requesting public input before proceeding.

DATES: Submit all comments by March 25, 1996.

ADDRESSES: Send written comments to Frank R. Schwamberger, Acting Director, Educational Policy and Development, MSHA, 4015 Wilson Boulevard, Room 531, Arlington, VA 22203-1984. Commenters are encouraged to submit comments on a computer disk along with a hard copy.

FOR FURTHER INFORMATION CONTACT: Thomas W. MacLeod or Joseph M. Hoffman, Division of Policy and Program Coordination, Directorate of Educational Policy and Development, 703-235-1400.

SUPPLEMENTARY INFORMATION:

I. Background

MSHA's regulations addressing the training and retraining of miners are contained in Title 30 of the Code of Federal Regulations (30 CFR) part 48. Over the past 2 years, MSHA has held a series of meetings with various segments of the mining community (states, academia, management, labor, and associations) to discuss the impact of MSHA's training regulations on the mining community.

During these meetings, participants made numerous suggestions for improving miner training, expanding and improving communication between MSHA and the mining industry, and exchanging information about safety and health issues. In these open forums, participants also suggested ways MSHA and the mining community could work together to improve the quality of training. MSHA has already implemented, or begun working on, several non-regulatory, non-policy related projects. For example, the Agency has updated the database that contains MSHA-approved instructors so that the records will reflect the existing active instructors. This updated database will make it easier for MSHA to send information on training-related subjects to instructors who are actively conducting health and safety training.

During these meetings, the Agency also received suggestions about revising MSHA's current training policy. To respond further to these comments, MSHA is now soliciting comments from the public on training policy in the

following general areas: (a) administrative reporting requirements; (b) flexibility in course content and time for each subject; (c) crediting like work experience for training purposes; (d) independent contractor training; (e) completing and signing training certificates (Form 5000-23); and (f) other items of interest.

II. Discussion

A. Administrative Reporting Requirements

Under 30 CFR 48.3 and 48.23, the mine operator is required to submit to the district manager specific items of information as part of a training plan. This includes the list of MSHA-approved instructors with whom the operator proposes to make arrangements to teach the courses and the courses each instructor is qualified to teach. Whenever this list changes, the operator goes through the process of revising and submitting the revisions to MSHA.

Other items required in a training plan include: location where training will be given, description of the teaching methods, predicted time or periods of time when regularly scheduled refresher training will be given, list of task assignments, and titles of personnel conducting the training. While recognizing the importance of notification of plan revisions to miners and their representatives, the Agency is considering a policy interpretation in which operators may not have to notify MSHA of certain revisions in order to retain plan approval. Also, MSHA is considering the possibility of allowing operators to submit plan changes electronically.

B. Flexibility in Course Content and Time for Each Subject

MSHA is considering ways to increase flexibility within the present regulatory language. For example, a mine operator is required to submit to the district manager the titles of courses to be taught, the total number of instruction hours for each course, and the predicted time and length of each session of training. MSHA is considering revising the training policy to allow mine operators to specify a range of times for each course (such as 30 minutes to 1 hour for electrical hazards) which could vary based on the needs at a particular mine. Although there currently is flexibility in the regulations and policy, based on input received at recent meetings with the mining community, MSHA believes that this flexibility is not widely understood.

²This section appears as a notice of proposed rulemaking published elsewhere in this issue of the Federal Register.

C. Crediting Like Work Experience for Training Purposes

Currently shaft and slope and construction workers are not required to take part 48 training in most instances. Following current policy, if a worker performs shaft and slope work for 12 months or more within 36 months and is then contracted to perform extraction and production work, the worker would not receive credit toward establishing experienced miner status for time already worked. MSHA is reviewing the possibility of allowing these workers to receive credit toward establishing the 12 months of mining experience required to maintain experienced miner status.

Another issue MSHA is considering is experienced miner credit for like work experience for a person from a non-mining environment. This would allow such a person working on mine property to be considered experienced for training purposes. A related issue is how the operator would document the existence of like work experience.

D. Independent Contractor Training

Current policy allows independent contractors to have their own training plan or use the mine operator's plan. Contractors can also conduct their own training, be trained by the operator, or use approved cooperative or state programs. MSHA is considering different language to make it easier for independent contractors and operators to determine what type of training (new miner, newly-employed experienced miner, or hazard) is required for independent contractors.

E. Completing and Signing Training Certificates (Form 5000-23)

MSHA is considering clarifying the legal responsibility of the person certifying that training is completed and who may sign the form and when. MSHA is also interested in comments on how computerized versions of Form 5000-23 can best be utilized within the existing regulatory framework.

III. Request for Comments

This notice covers the main points raised at the various public meetings. During the comment period, anyone may submit comments or suggestions related to any aspect of part 48 policy.

Dated: January 16, 1996.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

[FR Doc. 96-1079 Filed 1-24-96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Chapter I

[FRL-5402-9]

Open Meeting of the Negotiated Rulemaking Advisory Committee for Small Nonroad Engine Regulations

AGENCY: Environmental Protection Agency.

ACTION: FACA committee meeting—negotiated rulemaking on small nonroad engine regulations.

SUMMARY: As required by section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), EPA is giving notice of the next meeting of the Advisory Committee to negotiate the Phase II rule to reduce air emissions from small nonroad engines. Small nonroad engines are engines which are spark ignited gasoline engines less than 25 horsepower, including lawn mower, chain saw, and weed wacker engines. The meeting is open to the public without advance registration. Agenda items for the meeting include discussion of the emissions standard and standard structure. The Committee is hoping to finalize a series of recommendations to EPA regarding the control of emissions in Phase II of the rule.

DATES: The committee will meet on February 16, 1996 from 10 a.m. to 6 p.m.

ADDRESSES: The location of the meeting will be the Courtyard by Marriott, 3205 Boardwalk, Ann Arbor, MI 48108; phone: (313) 995-5900.

FOR FURTHER INFORMATION CONTACT:

Persons needing further information on the substantive matters of the rule should contact Gay McGregor, National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Rd., Ann Arbor, Michigan 48105, (313) 668-4438. Persons needing further information on committee procedural matters should call Deborah Dalton, Consensus and Dispute Resolution Program, Environmental Protection Agency, 401 M Street, S.W. Washington, DC 20460, (202) 260-5495, or the Committee's facilitators, Lucy Moore or John Folk-Williams, Western Network, 616 Don Gaspar, Santa Fe, New Mexico, 87501, (505) 982-9805.

Dated: January 19, 1996.

Deborah Dalton,

Designated Federal Official.

[FR Doc. 96-1209 Filed 1-24-96; 8:45 am]

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40 CFR Part 70

[VIOO1; FRL-5403-2]

Clean Air Act Proposed Full Approval of Operating Permits Program: The United States Virgin Islands

AGENCY: U.S. Environmental Protection Agency (EPA).

ACTION: Proposed full approval.

SUMMARY: The EPA proposes full approval of the operating permits program submitted by the United States Virgin Islands for the purpose of complying with Federal requirements for an approvable state program to issue operating permits to all major stationary sources and to certain other sources.

DATES: Comments on this proposed action must be received in writing by February 26, 1996. Written comments should be addressed to Steven C. Riva, Chief, Permitting and Toxics Support Section, at the New York Region II Office listed below.

ADDRESSES: Copies of the State's submittal and other supporting information used in developing the proposed full approval are available for inspection during normal business hours at the following locations:

EPA Region II, 290 Broadway, 21st Floor, New York, New York 10007-1866, Attention: Steven C. Riva.

EPA Region II, Caribbean Field Office, Centro Europa Building, Suite 417, 1492 Ponce de Leon Avenue, Stop 22, San Juan, Puerto Rico 00907-4127, Attention: Jose Ivan Guzman.

The U.S. Virgin Islands Department of Planning and Natural Resources, Division of Environmental Protection, Building 111, Apartment 14A, Water Gut Homes, Christainsted, St. Croix, U.S. Virgin Islands 00820. Attention: Leonard Reed.

FOR FURTHER INFORMATION CONTACT: Umesh Dholakia, Permitting and Toxics Support Section, at the above EPA office in New York or at telephone number (212) 637-4023.

SUPPLEMENTARY INFORMATION:

I. Background and Purpose

As required under title V of the Clean Air Act ("the Act") as amended in 1990, EPA has promulgated rules which define the minimum elements of an approvable State operating permits program and the corresponding standards and procedures by which the EPA will approve, oversee, and withdraw approval of State operating permits programs (see 57 FR 32250 (July 21, 1992)). These rules are codified at 40 Code of Federal Regulations (CFR) Part 70. Title V requires States to develop,