

Dayton Aviation Heritage Commission. Notice of this meeting is required under the Federal Advisory Committee Act (Pub. L. 92-463).

MEETING DATE AND TIME: Monday, March 25, 1996; 5:15 p.m. to 6:30 p.m.

ADDRESSES: Innerwest Priority Board conference room, 1024 West Third Street, Dayton, Ohio 45407.

AGENDA TOPICS INCLUDE: Update on the park and general management plan. This business meeting will be open to the public. Space and facilities to accommodate members of the public are limited and persons accommodated on a first-come, first-served basis. The Chairman will permit attendees to address the Commission, but may restrict the length of presentations. An agenda will be available from the Superintendent, Dayton Aviation, one week prior to the meeting.

FOR FURTHER INFORMATION CONTACT: William Gibson, Superintendent, Dayton Aviation, National Park Service, P.O. Box 9280, Wright Brothers Station, Dayton, Ohio 45409, or telephone 513-225-7705.

SUPPLEMENTARY INFORMATION: The Dayton Aviation Heritage Commission was established by Public Law 102-419, October 16, 1992.

Dated: February 16, 1996.
William W. Schenk,
Field Director, Midwest Field Area.
[FR Doc. 96-4782 Filed 2-29-96; 8:45 am]
BILLING CODE 4310-70-P

Mississippi River Coordinating Commission Meeting

AGENCY: National Park Service, Interior.
ACTION: Notice of meeting.

SUMMARY: This notice announces an upcoming meeting of the Mississippi River Coordinating Commission. Notice of this meeting is required under the Federal Advisory Committee Act (Public Law 92-463).

MEETING DATE AND TIME: Monday, April 1, 1996; 6:30 p.m. to 9:30 p.m.

ADDRESSES: Metropolitan Council Chambers, 230 Fifth Street East, St. Paul, Minnesota.

An agenda for the meeting will be available by March 20, 1996, from the Superintendent of the Mississippi National River and Recreation Area at the address below. Public statements about matters related to the Mississippi National River and Recreation Area will be taken at the meeting.

SUPPLEMENTARY INFORMATION: The Mississippi River Coordinating Commission was established by Public Law 100-696, November 18, 1988.

FOR FURTHER INFORMATION CONTACT: Superintendent JoAnn Kyril, Mississippi National River and Recreation Area, 175 East Fifth Street, Suite 418, St. Paul, Minnesota 55101 or telephone 612-290-4160.

Dated: February 16, 1996.
William W. Schenk,
Field Director, Midwest Field Area.
[FR Doc. 96-4783 Filed 2-29-96; 8:45 am]
BILLING CODE 4310-70-P

Office of Surface Mining Reclamation and Enforcement

Cancellation of a Notice of Intent To Prepare an Environmental Impact Statement on the Proposed Development of the Bull Mountains Mine No. 1 and Associated Support Facilities, Musselshell and Yellowstone Counties, Montana

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

ACTION: Cancellation of a notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Office of Surface Mining Reclamation and Enforcement (OSM) is cancelling the notice published in the Federal Register on May 9, 1990 (55 FR 19365) for the preparation of an environmental impact statement (EIS) on the proposed development of the Bull Mountains Mine No. 1 and its associated support facilities. Meridian Minerals Company (Meridian) had submitted a permit application package (PAP) for their proposed underground coal mine and its associated support facilities, located about 35 miles northeast of Billings, Montana and 12 miles southeast of Roundup, Montana. Decisions on the application for a Federal permit to mine coal and for the possible Federal approval of a mining plan are no longer required.

FOR FURTHER INFORMATION CONTACT: Floyd McMullen, Environmental Project Manager, Office of Surface Mining Reclamation and Enforcement, Western Regional Coordinating Center, 1999 Broadway, Suite 3320, Denver, Colorado 80202-5733 (telephone: 303-672-5601).

Dated: February 14, 1996.
Richard J. Seibel,
Regional Director, Western Regional Coordinating Center.
[FR Doc. 96-4800 Filed 2-29-96; 8:45 am]
BILLING CODE 4310-05-M

Request for Determination of Valid Existing Rights Within the Wayne National Forest

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

ACTION: Notice of request for determination and invitation for interested persons to participate.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) has received a request for a determination that Buckingham Coal Co., Inc. (the requester) has valid existing rights (VER) pursuant to section 522(e) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) to mine coal by surface methods on 25.2 acres of Federal land within the Wayne National Forest in Perry County, Ohio. By this notice, OSM is inviting interested persons to participate in the proceeding and to submit relevant factual information on the matter.

DATES: OSM will accept written comments on this request until 5:00 p.m. local time on April 15, 1996.

ADDRESSES: Mail or hand deliver written comments to the Office of Surface Mining Reclamation and Enforcement, Appalachian Regional Coordinating Center, Room 218, Three Parkway Center, Pittsburgh, PA 15220.

The Administrative Record for this request is available for review at both the address above and OSM's Columbus Office, Eastland Professional Plaza, 4480 Refugee Road, Suite 201, Columbus, Ohio 43232 during normal business hours, Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: Peter Michael, Office of Surface Mining Reclamation and Enforcement, Appalachian Regional Coordinating Center, Room 218, Three Parkway Center, Pittsburgh, PA 15220. Telephone: (412) 937-2867.

SUPPLEMENTARY INFORMATION:

I. Background on VER Requirements for National Forest Lands

Section 522(e) of SMCRA (30 U.S.C. 1272(e)) prohibits surface coal mining operations on certain lands unless a person has VER to conduct such operations or unless the operation was in existence on August 3, 1977. Section 522(e)(2) applies the prohibition to Federal lands within the boundaries of any national forest unless the Secretary of the Interior finds that there are no significant recreational, timber, economic, or other values that may be incompatible with surface coal mining operations and the surface operations

and impacts are incident to an underground coal mine.

Under section 523 of the Act and 30 CFR 740.11, the approved State program (including the State definition of VER) applies to all Federal lands within States with approved regulatory programs. However, under 30 CFR 745.13, the Secretary has exclusive authority to determine VER for surface coal mining and reclamation operations on Federal lands within the boundaries of the areas specified in paragraphs (e)(1) and (e)(2) of section 522 of the Act. OSM reaffirmed these basic principles in the preamble to the suspension notice concerning VER published on November 20, 1986 (51 FR 41954) with the caveat that, in States with an all-permits standard for VER, OSM would apply the standard as if it contained a good-faith component.

Ohio represents a special case in that OSM is not restricted to use of the State program definition of VER. In situations in which application of the State definition would result in a denial of permission to conduct surface coal mining operations, OSM may rely on a takings standard, in accordance with *Belville Mining Co. v. Lujan*, No. C-1-89-790 (S.D. Ohio 1991), *Mot. for recons. granted*, Sept. 18, 1992. In other words, OSM may find that a person has VER if application of the prohibitions of section 522(e) of the Act would result in a compensable taking under the Fifth and Fourteenth Amendments to the U.S. Constitution.

II. Request for VER Determination

By letter dated August 14, 1995, James F. Graham of Buckingham Coal Company, Inc. requested that OSM determine whether he has VER to remove the No. 6 coal seam, using block cut, contour, and area mining methods, from 25.2 acres located within the Wayne National Forest in Perry County, Ohio. The requester alleges that he is the lessee of all coal underlying this tract. The United States of America purchased the surface rights from Daniel C. Jenkins, Jr. and other interested parties on April 24, 1967, and from Edward G. Blaire on May 1, 1967. The land is currently managed by the U.S. Department of Agriculture as part of the Wayne National Forest.

The property extends from north to south along an ephemeral tributary of Pine Run and is about 1.8 miles northeast of the city of Shawnee, Ohio. Its southern limit is adjacent to County Route 43. The center of the property lies on the boundary between Sections 11 and 14 on the New Straightsville, Ohio USGS Quadrangle. Its southern limit is adjacent to County Route 43.

OSM invites interested persons to provide factual information as to whether the requester has the property right to mine by the proposed methods. OSM also solicits comment on whether the request meets the VER criteria of the approved Ohio program, as defined in OAC 1501:13-1-02 of the Ohio Administrative Code; or whether application of the prohibitions in section 522(e)(2) of SMCRA or OAC 1501:13-3-03 of the Ohio Administrative Code would constitute a compensable taking of property under the Fifth and Fourteenth Amendments to the U.S. Constitution.

If OSM determines that the requester has VER, he may apply for a permit from the Ohio Department of Natural Resources, which, if granted, would authorize surface coal mining operations on the property in question. If OSM determines that the requester does not have VER, no permits may be issued for surface coal mining operations. However, the lack of VER would not prohibit issuance of a permit for underground coal mining operations, provided the Secretary determines that such operations are compatible with the recreational, timber, economic, and other values associated with this property.

Dated: February 7, 1996.

Ron Recker,

Acting Regional Director, Appalachian Regional Coordinating Center.

[FR Doc. 96-4799 Filed 2-29-96; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF JUSTICE

Office of Justice Programs

Bureau of Justice Assistance

Agency Information Collection Activities: Proposed Collection; Comment Request

ACTION: Notice of information collection under review; Edward Byrne Memorial State and Local Law Enforcement Assistance Program.

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published in the Federal Register and allowed 60 days for public comment.

The purpose of this notice is to allow an additional 30 days for public comments from the date listed at the top of this page in the Federal Register. This process is conducted in accordance with 5 Code of Federal Regulation,

§ 1320.10. Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Regulatory Affairs, Attention: Department of Justice Desk Officer, Washington, DC 20530. Additionally, comments may be submitted to OMB via facsimile to 202-395-7285. Comments may also be submitted to the Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Department Clearance Officer, Suite 850, 1001 G Street NW., Washington, DC 20530. Additionally, comments may be submitted to DOJ via facsimile to 202-514-1534.

Written comments and suggestions from the public and affected agencies should address one or more of the following points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency/component, including whether the information will have practical utility;

(2) evaluate the accuracy of the agencies/components estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) enhance the quality, utility, and clarity of the information to be collected; and

(4) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The proposed collection is listed below:

(1) Type of information collection. Revision of a currently approved collection.

(2) The title of the form/collection. Edward Byrne Memorial State and Local Law Enforcement Assistance Program.

(3) The agency form number, if any, and the applicable component of the Department sponsoring the collection. Form: None. Office of Justice Assistance, Office of Justice Programs, United States Department of Justice.

(4) Affected public who will be asked or required to respond, as well as a brief abstract. Primary: State, Local or Tribal Governments. Other: None.

This collection contains the "Program Guidance and Application Kit" the states will use to apply for grants under the Edward Byrne Memorial State and