

5. In summary, the applicants represent that the proposed transactions satisfy the criteria contained in section 4975(c)(2) of the Code because: a) the Plan will receive not less than the fair market value of Lot 2; b) the fair market values of Lots 1 and 2 have been determined by a qualified, independent appraiser; and c) the only Plan participants to be affected by these transactions are the Flynns, and they both desire that the transactions be consummated.

NOTICE TO INTERESTED PERSONS: Since the Flynns are the only Plan participants to be affected by the proposed transactions, the Department has determined that there is no need to distribute the notice of proposed exemption to interested persons. Comments and requests for a hearing are due within 30 days from the date of publication of this notice of proposed exemption in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest of disqualified person from certain other provisions of the Act and/or the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(b) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) Before an exemption may be granted under section 408(a) of the Act and/or section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan;

(3) The proposed exemptions, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and/or the Code,

including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(4) The proposed exemptions, if granted, will be subject to the express condition that the material facts and representations contained in each application are true and complete and accurately describe all material terms of the transaction which is the subject of the exemption. In the case of continuing exemption transactions, if any of the material facts or representations described in the application change after the exemption is granted, the exemption will cease to apply as of the date of such change. In the event of any such change, application for a new exemption may be made to the Department.

Signed at Washington, DC, this 29th day of March, 1996.

Ivan Strasfeld,

*Director of Exemption Determinations,
Pension and Welfare Benefits Administration,
U.S. Department of Labor.*

[FR Doc. 96-8138 Filed 4-3-96; 8:45 am]

BILLING CODE 4510-29-P

INTERNATIONAL BOUNDARY AND WATER COMMISSION

Meeting

AGENCY: Border Environment Cooperation Commission (BECC).

ACTION: Notice of public meeting.

SUMMARY: This notice announces the 8th public meeting of the BECC Board of Directors on Tuesday, April 30, 1996, from 9:00 a.m. to 3:00 p.m. at the Hotel Lucerna, located at Paseo Triunfo de la Republica No. 3976, in Ciudad Juarez, Chihuahua, Mexico.

FOR FURTHER INFORMATION CONTACT: M.R. Ybarra, Secretary, United States Section, International Boundary and Water Commission, telephone (915) 534-6698; or Tracy Williams, Public Relations Officer, Border Environment Cooperation Commission, P.O. Box 221648, El Paso, Texas 79913; telephone (011-52-16) 29-23-95; Fax: (0110-52-16) 29-23-97; E-mail: becc@cocef.interjuarez.com.

SUPPLEMENTARY INFORMATION: The U.S. Section, International Boundary and Water Commission, on behalf of the Border Environment Cooperation Commission (BECC) cordially invites all interested persons to attend the 8th Public Meeting of the Board of Directors

on Tuesday, April 30, 1996, from 9:00 a.m.-3:00 p.m., at the Hotel Lucerna, located at Paseo Triunfo de la Republica No. 3976, in Ciudad Juarez, Chihuahua.

Proposed Agenda

9:00 a.m.—Welcome

Report from General Manager (Information)

—Report on status of previously certified projects

—Availability of BECC Annual Report

—Status of Small Communities Initiative

—Status of Technical Assistance Program

Consideration of Project Certification (Action)

—Procedure for Complaints

—Procedure for Confidentiality Requests

—Public Comments

General Comments by Board of

Directors and Advisory Council

3:00—Adjourn

Any member of the public interested in submitting written comments to the Board of Directors on the projects proposed for certification should send written material to the BECC staff 15 days prior to the scheduled public meeting. Anyone interested in making a brief statement to the Board may do so during the public meeting.

Dated: March 27, 1996.

M.R. Ybarra,

Secretary, U.S. IBWC.

[FR Doc. 96-8274 Filed 4-3-96; 8:45 am]

BILLING CODE 4710-03-M

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m., Thursday, April 18, 1996.

PLACE: Room 6005, 6th Floor, 1730 K Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. Manalapan Mining Co., Docket Nos. KENT 93-646 and KENT 93-884. (Issues include whether the judge should have assumed the existence of a fire emergency when analyzing whether Manalapan's violation of sections 75.1101 and 77.1109(c) were S&S, and whether the judge correctly determined that Manalapan's violation of section 75.360(a) was not S&S.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those