

<b>Schedule E of FORM BD</b>	Applicant Name: _____  Date: _____ Firm CRD No.: _____	<b>OFFICIAL USE</b>
(REV. 11/95)		

**INSTRUCTIONS**

**General:** Use this schedule to register or report branch offices or other business locations of the *applicant*. Repeat Items 1-12 for each branch office or other business location. Each item must be completed unless otherwise noted. Use additional copies of this schedule as necessary. If this branch office or other business location is using a name in connection with securities activities other than the *applicant's* name, such name must be reported under Item 1C(2) on Page 1 of this form.

**Specific:**

- Item 1. Specify only one box. Check "Add" when a branch office or other business location is opened and the *applicant* is filing the initial notice, "Delete" when a branch office or other business location is closed, and "Amendment" to indicate any other change to previously filed information.
- Item 2. CRD will assign this branch number when the *applicant* adds a branch office or other business location as discussed in Item 1 above. If known, complete this item for all deletions and amendments.
- Item 3. The Billing Code is an alpha/numeric value consisting of up to eight characters. It is the responsibility of the firm to establish and maintain its own unique billing codes. This is not a required field.
- Item 4. Complete this item for all entries. A physical location must be included; post office box designations alone are not sufficient.
- Item 5. Complete this item only when the *applicant* changes the address of an existing branch office or other business location.
- Item 6. If the branch office or other business location occupies or shares space on premises within a bank, savings bank or association, credit union, or other financial institution, enter the name of the institution in the space provided.
- Item 7. Complete this item for all entries. Enter the name of the supervisor or registered representative in charge who is physically at this location.
- Item 8. Provide the CRD number for the branch office supervisor named in Item 7.
- Item 9. Complete this item for all entries. Provide the date that the branch office or other business location was opened (ADD), closed (DELETE), or the effective date of the change (AMENDMENT).
- Item 10. Check "Yes" or "No" to denote whether the location will be an Office of Supervisory Jurisdiction (OSJ) as defined in the NASD Rules of Fair Practice, Article III Section 27.
- Item 11. Check "Yes" or "No" to denote whether the location is a business location that will operate pursuant to a written agreement or contract (other than an insurance agency agreement) with the main office and any one or more of the following will apply: the location (A) assumes liability for its own expenses or has its expenses paid by a party other than the *applicant*; (B) has primary responsibility for decisions relating to the employment and remuneration of its registered representatives; (C) deems 5% or more of its total registered representatives to be "independent contractors" for tax purposes; or (D) engages in separate market making and/or underwriting activities.
- Item 12. Check the appropriate box(es) if the branch or other business location is registering with the NASD or registering or reporting with a *jurisdiction*.

1. Check only one box: <input type="checkbox"/> Add <input type="checkbox"/> Delete <input type="checkbox"/> Amendment	
2. CRD Branch Number _____	6. _____ <small>Institution Name (if applicable)</small>
3. Billing Code _____	7. _____ <small>Supervisor Name</small>
4. _____ <small>Street</small>	8. _____ <small>CRD Number of Supervisor</small>
P.O. Box (if applicable), Suite, Floor _____	9. _____ <small>Effective Date (MM/DD/YYYY)</small>
City, State/Country, Zip Code + 4/Postal Code _____	10. OSJ <input type="checkbox"/> Yes <input type="checkbox"/> No
If applicant is changing the address, enter the new address in Item 5.	11. <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, indicate each Item 11 subset that applies: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D
5. _____ <small>Street</small>	12. <input type="checkbox"/> NASD <input type="checkbox"/> Jurisdiction
P.O. Box (if applicable), Suite, Floor _____	
City, State/Country, Zip Code + 4/Postal Code _____	

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P.O. Box (if applicable), Suite, Floor _____	9. _____ <small>Effective Date (MM/DD/YYYY)</small>
City, State/Country, Zip Code + 4/Postal Code _____	10. OSJ <input type="checkbox"/> Yes <input type="checkbox"/> No
If applicant is changing the address, enter the new address in Item 5.	11. <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, indicate each Item 11 subset that applies: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D
5. _____ <small>Street</small>	12. <input type="checkbox"/> NASD <input type="checkbox"/> Jurisdiction
P.O. Box (if applicable), Suite, Floor _____	
City, State/Country, Zip Code + 4/Postal Code _____	

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 901****Alabama Regulatory Program**

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

**ACTION:** Final rule; removal of a program condition.

**SUMMARY:** The Secretary of the Interior is announcing the removal of a condition of program approval imposed during the May 20, 1982 (47 FR 22030), conditional approval of the Alabama regulatory program (hereinafter referred to as the "Alabama program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The program condition pertains to the disposal of excess spoil on abandoned surface mined areas.

**EFFECTIVE DATE:** July 18, 1996.

**FOR FURTHER INFORMATION CONTACT:** Andrew R. Gilmore, Acting Field Office Director, Birmingham Field Office, Office of Surface Mining Reclamation and Enforcement, Barber Business Park, 135 Gemini Circle, Suite 215, Homewood, Alabama 35209, Telephone: (205) 290-7282.

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Alabama Program
- II. Discussion of Program Condition
- III. Secretary's Findings
- IV. Summary and Disposition of Comments
- V. Secretary's Decision
- VI. Procedural Determinations

**I. Background on the Alabama Program**

On May 20, 1982, the Secretary of the Interior conditionally approved the Alabama program. Background information on the Alabama program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the May 20, 1982, Federal Register (47 FR 22030). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 901.15 and 901.16.

**II. Discussion of Program Condition**

In the May 20, 1982, notice under Finding 18.1 (47 FR 22038-39), the Secretary approved, with certain restrictions, Alabama's rule at section 805.11(d) [subsequently recodified as Rules 880-X-8J-.03 and 880-X-9B-.02(4)] that allows the disposal of excess spoil generated by current operations on abandoned surface mined lands which had been previously disturbed, but not adequately reclaimed. The Secretary

mandated that a one year trial period be held in order to evaluate the adequacy of the provision. No comparable provision was found in the Federal rules.

The Secretary's findings on Alabama's provision noted that under the State's rule the previously disturbed area must be included within the currently permitted and bonded area, but an additional bond amount would not be required. The State rule provides that the condition of the entire area will be considered before full bond release is granted. The Federal regulation at 30 CFR 800.11(b)(1) requires that the permit area upon which operations are to be conducted be covered by a performance bond. By that definition, those areas to be used for excess spoil disposal must be included in the performance bond. In his decision findings, the Secretary expressed concern that the State's provision might spread bond amounts too thin, resulting in less, rather than more, reclamation. However, since the provision had possibilities for increased reclamation activities, the Secretary proposed to allow its implementation on a controlled basis for an appropriate trial period.

So that OSM could consider and evaluate the results of several test sites that had implemented the Alabama provision for the disposal of excess spoil on abandoned mine sites, the trial period was extended four times with the most recent extension expiring on January 1, 1993 (July 27, 1983, 48 FR 34026; May 23, 1985, 50 FR 21254; July 22, 1990, 55 FR 27224; July 17, 1991, 56 FR 32509). The time extension approved on May 23, 1985, required that a minimum of six projects approved for consideration under the State's excess spoil provisions as of July 27, 1983, must be completed to provide adequate data to enable OSM to perform an accurate analysis.

Imposed as a part of the conditional approval of the Alabama program, an extended study of Alabama's excess spoil provision was conducted from May 20, 1983, through February 28, 1996. Based upon this study, OSM determined that the six projects approved for consideration under the State's excess spoil provision provided sufficient data to make a definitive recommendation for removal of the program condition. OSM concluded that implementation of the excess spoil provision has been a useful and beneficial portion of the Alabama program and that it has been administered correctly by the State regulatory authority.

**III. Secretary's Findings**

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Secretary's findings.

During the trial periods mandated by the Secretary of the Interior, OSM tracked the implementation of the excess spoil provision through the receipt and evaluation of annual State reports and through field evaluations of mining permits approved to utilize the excess spoil provision. A comprehensive field study, providing data as of January 31, 1991, concluded that the excess spoil areas on five of the six sites had been successfully reclaimed. A site review of February 14, 1996, confirmed that the excess spoil area on the remaining site had also been successfully reclaimed.

Based upon the results of the field studies and evaluations conducted by OSM, the Secretary finds that implementation of Alabama's excess spoil provision at Rules 880-X-8J-.03 and 880-X-9B-.02(4) has resulted in the successful reclamation of previously disturbed, but inadequately reclaimed, areas on permitted sites without the imposition of additional bond amounts for these areas. Furthermore, the Secretary finds that the application of this provision offers a valuable opportunity for abandoned mine lands to be reclaimed to permanent program standards under the purview of an active coal mining operation. Therefore, the Secretary removes the condition of original program approval codified at 30 CFR 901.15(e).

**IV. Summary and Disposition of Comments**

Agency and public comments were accepted and considered on Alabama's program resubmission of January 11, 1982, during two comment periods. Responses to all comments were presented in the May 20, 1982, Federal Register (47 FR 22030).

**V. Secretary's Decision**

Based on the above finding, the Secretary approves the removal of the condition which imposed a trial period to evaluate the implementation of the State provision which allowed a bond variance for the placement of excess spoil on previously disturbed, but unreclaimed, abandoned surface mined areas within the permit area.

The Federal regulations at 30 CFR Part 901, codifying decisions concerning the Alabama program, are being amended to implement this decision.

## VI. 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 12988*

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (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(2)(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 corresponding 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 corresponding Federal regulations.

*Unfunded Mandates*

This rule will not impose a cost of \$100 million or more in any given year on any governmental entity or the private sector.

## List of Subjects in 30 CFR 901

Intergovernmental relations, Surface mining, Underground mining.

Dated: June 24, 1996.

Bob Armstrong,

*Assistant Secretary, Land and Minerals Management.*

For the reasons set out in the preamble, title 30, chapter VII, subchapter T, part 901 of the Code of Federal Regulations is amended as set forth below:

**PART 901—ALABAMA**

1. The authority citation for part 901 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

**§ 901.15 [Amended]**

2. Section 901.15 is amended by removing paragraph (e).

[FR Doc. 96-18266 Filed 7-17-96; 8:45 am]

BILLING CODE 4310-05-M

**30 CFR Part 913****[SPATS No. IL-092-FOR]****Illinois Regulatory Program**

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

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** OSM is approving 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). Illinois proposed to revise four sections and to add one section to Title 62 of the Illinois Administrative Code (IAC) regulations pertaining to self-bonding. The amendment is intended to revise the Illinois program to be consistent with the corresponding Federal regulations.

**EFFECTIVE DATE:** July 18, 1996.

**FOR FURTHER INFORMATION CONTACT:** Roger W. Calhoun, Director, Indianapolis Field Office, Office of

Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, IN 46204-1521, Telephone: (317) 226-6700.

**SUPPLEMENTARY INFORMATION:**

- I. Background on the Illinois Program
- II. Submission of the Proposed Amendment
- III. Director's Findings
- IV. Summary and Disposition of Comments
- V. Director's Decision
- VI. Procedural Determinations

## 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. Submission of the Proposed Amendment

By letter dated March 4, 1996 (Administrative Record No. IL-1800), Illinois submitted a proposed amendment to its program pursuant to SMCRA. Illinois submitted the proposed amendment in response to the required program amendment that the Director placed on the Illinois program at 30 CFR 913.16(v) on February 2, 1994, (59 FR 4832). The Director required Illinois, prior to implementing the self-bonding statute at 225 ILCS 720/6.01(b), to submit and receive OSM approval of implementing regulations for the self-bonding provisions.

OSM announced receipt of the proposed amendment in the March 29, 1996, Federal Register (61 FR 14039), and in the same document opened the public comment period and provided an opportunity for a public hearing on the adequacy of the proposed amendment. The public comment period closed on April 29, 1996.

## III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Director's findings concerning the proposed amendment.

Revisions not specifically discussed below concern nonsubstantive wording changes, or revised cross-references and paragraph notations to reflect organizational changes resulting from this amendment.