PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

6. The authority citation for part 240 continues to read in part as follows:

Authority: 15 U.S.C. 77c, 77d, 77g, 77j, 77s, 77eee, 77ggg, 77nnn, 77sss, 77ttt, 78c, 78d, 78i, 78j, 78l, 78m, 78n, 78o, 78p, 78q, 78r, 78s, 78u, 78w, 78x, 78y, 78z, 79g, 79t, 80a±20, 80a±23, 80a±29, 80a±37, 80b±3, 80b±4 and 80b±7, unless otherwise noted.

7. By adding § 240.17a–24 to read as follows:

§ 240.17a–24 Reports of Lost Securityholders.

(a) Each recordkeeper shall file electronically with the Commission on or before May 31 of each year a list of the taxpayer identification numbers (e.g., social security number or employer identification number) of all lost securityholders for which such recordkeeper maintains records of ownership interests as of May 1 of such year. The list of lost securityholders shall include the name and telephone number of the appropriate person to contact at the recordkeeper.

(b) For purposes of this section:

(i) Lost securityholder means the holder of record of a security or any person from whom or on whose behalf a recordkeeper has received, has acquired, holds, or carries securities;

(ii) To whom two separate items of correspondence that were sent by first class mail by the recordkeeper at least three months apart have been returned as undeliverable; and

(iii) For whom the recordkeeper has not received information regarding the securityholder’s new address.

(c) Recordkeeper means:

(i) A member of a national securities exchange, a registered broker or dealer, or a registered municipal securities dealer which maintains records of securities received, acquired, held or carried by or on behalf of such entity for the account of any securityholder; or

(ii) A recordkeeping transfer agent as defined in § 240.17a–9(h).

(d) Every recordkeeper shall maintain such records necessary to demonstrate compliance with the requirements set forth in this section. Such records shall be maintained for a period of not less than three years, the first year in an easily accessible place.

By adding § 240.17a–17 to read as follows:

§ 240.17a–17 Record retention.

(i) The records required by § 240.17a–17(c) shall be maintained for a period of not less than three years,
Public Hearing

Persons wishing to speak at the public hearing should contact the person listed under FOR FURTHER INFORMATION CONTACT by 4:00 p.m., [e.d.t.] on September 12, 1996. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to speak at the public hearing, the hearing will not be held. Filling 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 speak have been heard. Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Any disabled individual who has need for a special accommodation to attend a public hearing should contact the person listed under FOR FURTHER INFORMATION CONTACT.

Public Meeting

By letter dated August 5, 1996 (Administrative Record No. MD-575-00) Maryland submitted a proposed amendment to its program pursuant to SMCRA at its own initiative. House Bill 1124 enacted on May 14, 1996, revises the provisions of Chapter 522 of the Annotated Code of Maryland (Code) that pertain to surface coal mining. Specifically, Maryland proposes to authorize the reinstatement of a revoked permit in order to reissue all or part of the permit to another qualified operator. The new operator must submit certain information prior to obtaining a reissued permit. The operator of a revoked permit forfeits all rights and claims to the permit.

III. Public Comment Procedures

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

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 Appalachian Regional Coordinating Center will not necessarily be considered in the final rulemaking or included in the Administrative Record.

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 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 date and assumptions for the counterpart 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 Part 920

Intergovernmental relations, Surface mining, Underground mining.
Dated: August 20, 1996.

Ronald C. Recker, 
Acting Regional Director, Appalachian Regional Coordinating Center.

[FR Doc. 96–21862 Filed 8–27–96; 8:45 am]

BILLING CODE 4310–05–M

30 CFR Part 943

[SPATS No. TX–017–FOR]

Texas Regulatory Program

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

ACTION: Proposed Rule; Reopening and extension of public comment period on proposed amendment.

SUMMARY: OSM is announcing receipt of revisions pertaining to a previously proposed amendment to the Texas regulatory program (hereinafter, the "Texas program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The revisions of Texas' proposed rules pertain to exemption for coal extraction incidental to the extraction of other minerals; surface water information; protection of hydrologic balance; permitting; siltation structures; impoundments; revegetation; definitions; lands unsuitable for mining; areas designated by act of congress; prime farmland; notices of violation, hydrology and geology requirements; use of explosives; bond release; assessment of civil penalties; and individual civil penalties. Texas also proposed nonsubstantive changes in wording, numbering, and punctuation of its rules. The amendment is intended to revise the State program to be consistent with the corresponding Federal regulations.

This notice sets forth the times and locations that the Texas program and revisions to the proposed amendment to that program are available for public inspection, and the reopened comment period during which interested persons may submit written comments on the proposed amendment.

DATES: Written comments must be received by 4:00 p.m., c.d.t., September 27, 1996.

ADDRESSES: Written comments should be mailed or hand delivered to Mr. Jack R. Carson, Acting Director, Tulsa Field Office, at the address listed below.

Copies of the Texas program, the proposed amendment, and all written comments received in response to this notice 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 Tulsa Field Office.

Jack R. Carson, Acting Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma, 74135–6547, Telephone: (918) 581–6430.

Railroad Commission of Texas, Surface Mining and Reclamation Division, 1701 North Congress Avenue, P.O. Box 12967, Austin, Texas, 78711–2967, Telephone: (512) 463–6900.

FOR FURTHER INFORMATION CONTACT: Mr. Jack R. Carson, Acting Director, Tulsa Field Office, Telephone: (918) 581–6430.

SUPPLEMENTARY INFORMATION:

I. Background on the Texas Program

On February 16, 1980, the Secretary of the Interior conditionally approved the Texas program. General background information on the Texas program, including the Secretary’s findings, the disposition of comments, and the conditions of approval, can be found in the Federal Register.

II. Proposed Amendment

By letter dated May 13, 1993 (Administrative Record No. TX–551), Texas submitted a proposed amendment to its program pursuant to SMCRA. Texas submitted the proposed amendment in response to letters dated May 20, 1985; June 9, 1987; October 20, 1988; February 7, 1990; and February 27, 1990, Federal Register (45 FR 12998). Subsequent actions concerning the Texas program and program amendments can be found at 30 CFR 943.10, 943.15, and 943.16.

During its review of the May 13, 1993, proposed amendment, OSM identified concerns relating to several of the proposed regulations. OSM notified Texas of its concerns by letter dated July 25, 1994 (Administrative Record No. TX–578). Further Clarification of OSM’s concerns were provided to Texas by letters dated November 4, 1994, November 21, 1994, and January 18, 1995 (Administrative Record Nos. TX–581, TX–589, and TX–585). Texas responded in a letter dated September 18, 1995, by submitting a revised amendment package (Administrative Record No. TX–598). OSM announced receipt of the proposed amendment in the October 25, 1995, Federal Register (60 FR 54620) and invited public comment on the adequacy of the amendment. The public comment period closed November 9, 1995.

During its review of the September 18, 1995, revised amendment, OSM identified concerns relating to several of the proposed regulations. OSM notified Texas of its concerns by letter dated June 18, 1996, (Administrative Record No. TX–614). Texas responded in a letter dated July 31, 1996, by submitting a revised amendment package (Administrative Record No. TX–621). Texas proposed revisions to its September 18, 1995, revised amendment submittal; proposed to include in its approved program new and revised regulations that were adopted in State rulemaking at Surface Mining and Reclamation Division (SMRD) 1–87, SMRD 2–87, and SMRD 2–88; and proposed editorial corrections throughout its regulations. The substantive proposals are discussed below.

A. Revisions to September 18, 1995, Revised Amendment

1. TCMR Part 709 Exemption for Coal Extraction Incidental to the Extraction of Other Minerals

a. At TCMR 709.027(f) [originally proposed as TCMR 702.11(f)], Texas proposes to revise the provisions pertaining to administrative review of its determination of lesions for coal extraction incidental to the extraction of other minerals by deleting paragraph (f)(2) and revising paragraph (f)(1) as follows:

(f) Appeal and review. Any adversely affected person may request appeal or review of a determination under Paragraph (e) of this Section in accordance with procedures established under Section 787.222 of this chapter.

b. At TCMR 709.033(c) [originally proposed as TCMR 702.17(c)], Texas proposes to revise the provisions pertaining to revocation of an