

(Acumenics Research and Technology, Incorporated), *The Influence of Total Flight Time, Recent Flight Time and Age on Pilot Accident Rates, Final Report* (1983) (First Golaszewski Report); and *General Aviation Safety Studies: Preliminary Analysis of Pilot Proficiency* (1991) (Second Golaszewski Report) (section II(b)).

Correction of Publication

Accordingly, the publication on Wednesday, December 20, 1995, of the Disposition of comments and notice of agency decisions (FR Doc. 95-30546) is corrected as follows:

1. On page 65979, in the third column, line 28, the word "and" is inserted before the word "General".
2. On page 65979, lines 30 through 33, the words "and his subsequent work, *Additional Analysis of General Aviation Pilot Proficiency* (1993)" are removed.

Issued in Washington, DC on April 18, 1996.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

[FR Doc. 96-9991 Filed 4-19-96; 10:04 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Chapter I

Meeting of the Indian Self-Determination Negotiated Rulemaking Committee

AGENCY: Bureau of Indian Affairs, Interior; Indian Health Service, Department of Health and Human Services.

ACTION: Notice of meeting.

SUMMARY: The Department of the Interior (DOI), Secretary of the Interior and the Secretary of Health and Human Services (DHHS) have established an Indian Self-Determination Negotiated Rulemaking committee (Committee) to negotiate and develop a proposed rule implementing the Indian Self-Determination and Education Assistance Act (ISDEAA), as amended.

The Departments have determined that the establishment of this Committee is in the public interest and will assist the agencies in developing regulations authorized under section 107 of the ISDEAA. The agenda for this meeting will include the Committee's review of public comments submitted in response to the Notice of Proposed Rule Making (NPRM), which appeared in the Federal Register on January 24, 1996. The Committee plans to submit a final report with recommendations to the

Secretaries of DOI and HHS for promulgation of a final rule.

DATES: The Committee and appropriate work groups will meet on the following days beginning at approximately 8:30 a.m. and ending at approximately 5:00 p.m. each day: Monday, April 29, Tuesday, April 30, Wednesday, May 1, Thursday, May 2, and Friday, May 3.

ADDRESSES: All meetings April 29 through May 3, 1996, will be held at the: Sheraton Denver West Hotel & Conference Center, 360 Union Boulevard, Lakewood, Colorado 80228, telephone: (303) 987-2000. (Work groups will also be meeting at the same location.)

Written statements may be submitted to Mr. James J. Thomas, Chief, Division of Self-Determination Services, Bureau of Indian Affairs, 1849 C Street, NW, MS: 4627-MIB, Washington, D.C. 20240, telephone (202) 208-3708.

FOR FURTHER INFORMATION CONTACT: Mr. James J. Thomas, Chief, Division of Self-Determination Services, Bureau of Indian Affairs, 1849 C Street NW, MS:4627-MIB, Washington, DC 20240, telephone (202) 208-3708 or Mrs. Merry L. Elrod, Program Analyst, Division of Self-Determination Services, Indian Health Service, 5600 Fishers Lane, Parklawn Building, Room 6A-05, Rockville, MD 20857, telephone (301) 443-1044.

SUPPLEMENTARY INFORMATION: This is an emergency Notice due to legislation extending authorization to promulgate rule. The meeting will be open to the public without advanced registration.

Public attendance may be limited to the space available. Members of the public may make statements during the meeting, to the extent time permits and file written statements with the Committee for its consideration. Written statements should be submitted to the address listed above. Summaries of Committee meetings will be available for public inspection and copying ten days following the meeting at the same address. In addition, the material received to date during the input sessions are available for inspection and copying at the same address.

Dated: April 11, 1996.

Ada E. Deer,

Assistant Secretary-Indian Affairs.

[FR Doc. 96-10057 Filed 4-23-96; 8:45 am]

BILLING CODE 4310-02-P

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 934

[SPATS No. ND-034-FOR, State Amendment No. XXIII]

North Dakota Regulatory Program

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

ACTION: Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of a proposed amendment to the North Dakota regulatory program (hereinafter, the "North Dakota program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of revisions to North Dakota's rules to reflect the new name of the U.S. Department of Agriculture's Soil Conservation Service (i.e., change it to the Natural Resource Conservation Service), revisions to clarify the required scale of annual maps, revisions to revegetation success standards for prime farmland and lands used for recreational purposes, and revisions to the time allowed for implementation of a rule previously approved by OSM as an alternative method for determining the required depth of soil respreading. The amendment is intended to revise the North Dakota program to be consistent with the corresponding Federal regulations as well as with SMCRA, incorporate the additional flexibility afforded by the revised Federal regulations and SMCRA, and provide additional safeguards, clarify ambiguities, and improve operational efficiency.

DATES: Written comments must be received by 4:00 p.m., m.d.t., May 24, 1996. If requested, a public hearing on the proposed amendment will be held on May 20, 1996. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t., on May 9, 1996.

ADDRESSES: Written comments should be mailed or hand delivered to Guy Padgett at the address listed below.

Copies of the North Dakota program, the proposed amendment, and all written comments received in response to this document 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 Casper, Wyoming, Field Office.

Guy Padgett, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, 100 East B. Street, Federal Building, Room 2128, Casper, Wyoming 82601-1918
Edward J. Englerth, Director, Reclamation Division, North Dakota Public Service Commission, Capitol Building, Bismarck, North Dakota, Telephone: 701-328-4092

FOR FURTHER INFORMATION CONTACT: Guy Padgett, Telephone: 307-261-6550. Internet address: GPADGETT@OSMRE.GOV.

SUPPLEMENTARY INFORMATION:

I. Background on the North Dakota Program

On December 15, 1980, the Secretary of the Interior conditionally approved the North Dakota program. General background information on the North Dakota program, including the Secretary's findings, the disposition of comments, and conditions of approval of the North Dakota program can be found in the December 15, 1980, Federal Register (45 FR 82214). Subsequent actions concerning North Dakota's program and program amendments can be found at 30 CFR 934.15, 934.16 and 934.30.

II. Proposed Amendment

By letter dated March 20, 1996, North Dakota submitted a proposed amendment to its program (amendment No. XXIII, administrative record No. ND-Y-01) pursuant to SMCRA (30 U.S.C. 1201 *et seq.*). North Dakota submitted the proposed amendment in response to a letter, dated November 22, 1995, from OSM, and the required program amendments at 30 CFR 934.16 (aa) and (bb). Described below are changes that North Dakota proposes to its rules.

Revision of the following rules to reflect the new name of the United States Soil Conservation Service, i.e., the Natural Resource Conservation Service: NDAC 69-05.2-01-02, 69-05.2-08-08, 69-05.2-08-09, 69-05.2-10-01, 69-05.2-10-03, 69-05.2-22-02, and 69-05.2-27-02.

Revision of the various rules to reflect the new name of the State Department of Health and Consolidated Laboratories, i.e., the State Department of Health: NDAC 69-05.2-13-05, 69-05.2-13-07, 69-05.2-16-02, 69-05.2-16-04, 69-05.2-16-05, and 69-05.2-19-02.

Revision of the rule at NDAC 69-05.2-09-02 to conform more closely to 30 CFR 780.14(b)(5) which relates to the

disposal of noncoal wastes in the permit area, and to provide a cross-reference to the State Department of Health solid waste management rules.

Revision of the rule at NDAC 69-05.2-13-02 to change the standard for map scales with the intent of making them easier to produce as well as more manageable to use and store.

Revision of the rule at NDAC 69-05.2-15-04, which extends the effective date of the suitable plant growth material option by 2 years, to the end of 1998. North Dakota indicated that this will enable it to conduct additional research comparing the effectiveness of the option with the option of respreading all suitable plant growth material inventoried and removed.

Revision of the rule at NDAC 69-05.2-19-04 to reflect the name change to the State Department of Health, to indicate what is meant by noncoal wastes as defined by the State Department of Health rules on solid waste disposal, to address the disposal of wastes containing asbestos, and to show clearly that combustible materials must be disposed of as required by the State Department of Health.

Revision of the performance standards for prime farmland at NDAC 69-05.2-22-07 with the intent of partly satisfying 30 CFR 934.16(aa). This proposed change would require that permittees demonstrate restoration of prime farmland productivity before qualifying for third stage bond release. In addition, North Dakota proposes to add a new subsection with the intent of partly satisfying 30 CFR 934.16(bb). The new subsection addresses the stocking and plant establishment standards for woody plants in areas to be developed for recreation.

Revision of the rule at 69-05.2-26-05 to make cross-reference corrections and to add the terms, "average annual" and "average" for clarity. Also, language that North Dakota considers superfluous is proposed to be deleted.

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 North Dakota program.

1. 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 Casper Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.

2. Public Hearing

Persons wishing to testify at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., m.d.t. on May 9, 1996. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The location and time of the hearing will be arranged with those persons requesting the hearing. If no one requests an opportunity to testify at the public hearing, the hearing will not be held.

Filing 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 specific date until all persons scheduled to testify have been heard. Persons in the audience who have not been scheduled to testify, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to testify and persons present in the audience who wish to testify have been heard.

3. Public Meeting

If only one person requests an opportunity to testify at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the administrative record.

IV. Procedural Determinations

1. 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).

2. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778

(Civil Justice Reform) and has determined that 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 the Federal regulations at 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.

3. *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 of 1969 (42 U.S.C. 4332(2)(C)).

4. *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.*).

5. *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 that 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 data and assumptions for the counterpart Federal regulations.

List of Subjects in 30 CFR Part 934

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 17, 1996.

Russell F. Price,

Acting Regional Director, Western Regional Coordinating Center.

[FR Doc. 96-10056 Filed 4-23-96; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 217 and 227

[Docket No. 950830222-6103-02; I.D. 011696D]

RIN 0648-AH89

Sea Turtle Conservation; Revisions to Sea Turtle Conservation Requirements; Restrictions to Shrimp Trawling Activities; Hearings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; hearings; request for comments.

SUMMARY: NMFS proposes to amend the regulations protecting sea turtles to enhance their effectiveness in reducing sea turtle mortality resulting from shrimp trawling in the Atlantic and Gulf Areas in the southeastern United States. Proposed amendments to strengthen the sea turtle conservation measures are: Removal of the approval of the use of all soft turtle excluder devices (TEDs) effective December 31, 1996; requiring by December 31, 1996, the use of NMFS-approved hard TEDs in try nets with a headrope length greater than 12 ft (3.6 m) or a footrope length greater than 15 ft (4.6 m); establishing Shrimp Fishery Sea Turtle Conservation Areas (SFSTCAs) in the northwestern Gulf of Mexico consisting of the offshore waters out to 10 nautical miles (nm) (18.5 km) along the coasts of Louisiana and Texas from the Mississippi River South Pass (west of 89°08.5' W. long.) to the U.S.-Mexican border, and in the Atlantic consisting of the inshore waters and offshore waters out to 10 nm (18.5 km) along the coasts of Georgia and South Carolina from the Georgia-Florida border to the North Carolina-South Carolina border; and, within the SFSTCAs, removing the approval of all soft TEDs, imposing the new try net restrictions, and prohibiting the use of bottom-opening hard TEDs, effective 30 days after publication of the final rule.

DATES: Comments on this proposed rule must be submitted on or before June 10, 1996.

ADDRESSES: Comments on this proposed rule and requests for a copy of the environmental assessment (EA) prepared for this proposed rule should be addressed to the Chief, Endangered Species Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Charles A. Oravetz, 813-570-5312, or Therese A. Conant, 301-713-1401.

SUPPLEMENTARY INFORMATION:

Background

All sea turtles that occur in U.S. waters are listed as either endangered or threatened under the Endangered Species Act of 1973 (ESA). The Kemp's ridley (*Lepidochelys kempi*), leatherback (*Dermochelys coriacea*), and hawksbill (*Eretmochelys imbricata*) are listed as endangered. Loggerhead (*Caretta caretta*) and green (*Chelonia mydas*) turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific coast of Mexico, which are listed as endangered.

The incidental take and mortality of sea turtles as a result of shrimp trawling activities have been documented in the Gulf of Mexico and along the Atlantic seaboard. Under the ESA and its implementing regulations, taking sea turtles is prohibited, with exceptions set forth at 50 CFR 227.72. The incidental taking of turtles during shrimp trawling in the Gulf and Atlantic Areas is excepted from the taking prohibition if the conservation measures specified in the sea turtle conservation regulations (50 CFR part 227, subpart D) are employed. The regulations require most shrimp trawlers operating in the Gulf of Mexico and Southeast U.S. Atlantic to have a NMFS-approved TED installed in each net rigged for fishing, year round.

1994-95 Events

Beginning in April 1994, coinciding with heavy nearshore shrimp trawling activity, unusually high numbers of dead sea turtles stranded along the coasts of Texas, Louisiana, Georgia, and northeast Florida. The strandings continued through May and occurred in highest numbers where shrimping activity was heaviest. Texas waters were closed to shrimping from May 13 through July 7, 1994. During that time, Texas strandings decreased, but again increased when Texas waters reopened. In response, NMFS increased enforcement efforts and technical assistance. Subsequently, strandings again decreased. Finally, when NMFS resumed normal enforcement efforts, high numbers of dead turtles again stranded on northern Texas beaches. As