

**National Capital Area; Mary McLeod Bethune Council House National Historic Site Advisory Commission; Notice of Public Meeting**

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Mary McLeod Bethune Council House National Historic Site Advisory Commission will be held on October 9, 1996, at 10 a.m., at the Bethune Council House National Historic Site, 1318 Vermont Avenue, NW., Washington, DC 20005.

The Commission was authorized on December 11, 1991, by Public Law 102-211, for the purpose of advising the Secretary of the Interior in the development of a General Management Plan for the Mary McLeod Bethune Council House National Historic Site.

The members of the Commission are as follows: Dr. Dorothy I. Height; Ms. Barbara Van Blake; Ms. Brenda Girton-Mitchell; Dr. Savanna C. Jones; Dr. Bettye J. Gardner; Dr. Bettye Collier Thomas; Mr. Eugene Morris; Dr. Rosalyn Terborg-Penn; Mrs. Bertha S. Waters; Dr. Frederick Stielow; Dr. Sheila Y. Flemming; Dr. Ramona Edelin; Mrs. Romaine B. Thomas; Ms. Brandi Lynette Creighton; and Dr. Janette Hoston Harris.

This is the first meeting of the Commission. The purpose of the meeting will be to discuss the election of officers, Commission bylaws, rules and regulations, and general business. The meeting will be open to the public. Any person may file with the Commission a written statement concerning the matters to be discussed. Persons wishing further information concerning this meeting or who wish to file a written statement or testify at the meeting may contact Ms. Marta C. Kelly, the Federal Liaison Officer for the Commission, at (202) 332-1233. Minutes of the meeting will be available for public inspection 4 weeks after the meeting at the Bethune Council House National Historic Site.

Dated: September 12, 1996.

Robert Stanton,

*Field Director, National Capital Area.*

[FR Doc. 96-24292 Filed 9-20-96; 8:45 am]

BILLING CODE 4310-70-M

**Office of Surface Mining Reclamation and Enforcement**

**Notice of Proposed Information Collection**

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection requests for the titles described below have been forwarded to the Office of Management and Budget (OMB) for review and comment. The information collection requests describe the nature of the information collection and the expected burden and cost.

**DATES:** Comments must be submitted on or before October 23, 1996, to be assured of consideration.

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection request, explanatory information and related forms, contact John A. Trelease at (202) 208-2783.

**SUPPLEMENTARY INFORMATION:** OMB regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies information collections that OSM has submitted to OMB for extension. These collections are contained in: (1) 30 CFR Part 800, Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs; (2) 30 CFR Part 886, State and tribal reclamation grants; (3) 30 CFR Part 887, Subsidence insurance program grants.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for OSM's regulations are listed in 30 CFR Parts 700 through 955. As required under 5 CFR 1320.8(d), Federal Register notices soliciting comments on these collections of information were published on June 24, 1996 (61 FR 32460) for 30 CFR Part 800, and on June 19, 1996 (61 FR 31147) for 30 CFR Parts 886 and 887. No comments were received on any of the collections of information.

Where appropriate, OSM has revised burden estimates to reflect current reporting levels, adjustments based on reestimates of the burden or number of respondents, and programmatic changes. OSM will request a 3-year term of approval for each information collection activity.

The following information is provided for each information collection: (1) title of the information collection; (2) OMB control number; (3) summary of the information collection activity; and (4)

frequency of collection, description of the respondents, estimated total annual responses, and the total annual reporting and recordkeeping burden for the collection of information.

**Title:** Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs—30 CFR 800.

**OMB Control Number:** 1029-0043.

**Summary:** The regulations at 30 CFR Part 800 primarily implement § 509 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act), which requires that persons planning to conduct surface coal mining operations first post a performance bond to guarantee fulfillment of all reclamation obligations under the approved permit. The regulations also establish bond release requirements and procedures consistent with § 519 of the Act, liability insurance requirements pursuant to § 507(f) of the Act, and procedures for bond forfeiture should the permittee default on reclamation obligations.

**Bureau Form Number:** None.

**Frequency of Collection:** On Occasion.

**Description of Respondents:** Surface coal mining and reclamation permittees and State regulatory authorities.

**Total Annual Responses:** 19,398.

**Total Annual Burden Hours:** 174,692 hours.

**Title:** State and Tribal Reclamation Grants—30 CFR 886.

**OMB Control Number:** 1029-0059.

**Summary:** States and Indian tribes participating in the Abandoned Mined Land Reclamation Fund (AMLR) Program are requested to cooperate with OSM in developing budget information for use by the Director, OSM, in the preparation of his request to Congress for appropriation of monies from the AMLR as authorized by section 405(f) of the Surface Mining Control and Reclamation Act of 1977.

**Bureau Form Number:** OSM-49.

**Frequency of Collection:** Annually.

**Description of Respondents:** State and Tribal reclamation authorities.

**Total Annual Responses:** 26.

**Total Annual Burden Hours:** 130 hours.

**Title:** Subsidence Insurance Program Grants—30 CFR 887.

**OMB Control Number:** 1029-0107.

**Summary:** States having an approved reclamation plan may establish, administer and operate self-sustaining state-administered programs to insure private property against damages caused by land subsidence resulting from underground mining. States interested in requesting monies for their insurance programs would apply to the Director of OSM.

*Bureau Form Number:* None.

*Frequency of Collection:* Once.

*Description of Respondents:* States with approved coal reclamation plans.

*Total Annual Responses:* 0.

*Total Annual Burden Hours:* 1.

Send comments on the need for the collection of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collections; and ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information, to the following addresses. Please refer to the appropriate OMB control number in all correspondence.

**ADDRESSES:** John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Room 120—SIB, Washington, DC 20240.

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Department of Interior Desk Officer, 725 17th Street, NW, Washington, DC 20503.

Dated: September 17, 1996.

Arthur W. Abbs,

Chief, Division of Regulatory Support.

[FR Doc. 96-24293 Filed 9-20-96; 8:45 am]

BILLING CODE 4310-05-M

### **Fern Lake Watershed, Tennessee, Lands Unsuitable for Surface Coal Mining And Reclamation Operations; Availability of Record of Decision and Statement of Reasons**

**AGENCY:** Office of Surface Mining Reclamation and enforcement, Interior.

**ACTION:** Notice of availability of record of decision and the statement of reasons on the petition to declare certain lands in the Fern Lake Watershed, Tennessee, unsuitable for surface coal mining.

**SUMMARY:** The Director of the Office of Surface Mining Reclamation and Enforcement (OSM) has reached a decision on a petition to designate an area as unsuitable for surface coal mining operations in the Fern Lake watershed, Claiborne County, Tennessee.

**ADDRESSES:** Copies of the decision and the statement of reasons for the decision may be obtained from the Assistant Director, Program Support, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, HDQ01, Washington, D.C. 20240, or Willis L. Gainer, Supervisor, Technical Group, Knoxville Field Office, 530 Gay Street, SW, Suite 500, Knoxville, Tennessee 37902.

#### **FOR FURTHER INFORMATION CONTACT:**

Willis L. Gainer, Office of Surface Mining Reclamation and Enforcement, 530 Gay Street, SW, Suite 500, Knoxville, Tennessee 37902; telephone: 423/545-4074.

**SUPPLEMENTARY INFORMATION:** The petition was submitted to OSM on February 14, 1994, by the City of Middlesborough, Kentucky, and the National Parks and Conservation Association to designate 3780 acres of land lying in the Fern Lake watershed, Claiborne County, Tennessee, as unsuitable for all types of surface coal mining operations. OSM determined the petition to be complete on March 15, 1994, and initiated evaluation of the petition allegations.

The petition was filed in accordance with Section 522 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) and the implementing regulations at 30 CFR 942.764. The petitioners alleged that: (1) Surface coal mining operations would affect fragile lands and could result in significant damage to important scientific or esthetic values or natural systems; (2) surface coal mining operations would affect land in which the surface coal mining operations could result in a substantial loss or reduction in the long-range availability of water supplies; (3) surface coal mining operations would be incompatible with the local land use plans of the Cumberland Gap National Historic Park; and (4) surface coal mining operations should not be allowed because the area constitutes a natural hazard land. Pursuant to 30 CFR 942.764, OSM analyzed the allegations of the petition and on March 12, 1996, held a public hearing. OSM filed the final petition evaluation document/environmental impact statement (PED/EIS) for the Fern Lake petition with the Environmental Protection Agency (EPA) on August 2, 1996. The EPA subsequently published the notice of availability on August 9, 1996 (61 FR 41607).

A copy of the decision signed by the Director appears as an appendix to this notice. Additional copies of the decision and copies of the statement of reasons (not attached to this notice) are available at no cost from the offices listed above under **ADDRESSES** OSM has sent copies of these documents to all interested parties of record.

Prior Federal Register notices on the Fern Lake unsuitability petition were the notice of intent to prepare an EIS published in the Federal Register dated April 6, 1994 (50 FR 31177), and the notice of availability of the draft

combined PED/EIS dated January 26, 1996 (61 FR 2531).

Dated: September 13, 1996.

Mary Josie Blanchard,

Assistant Director, Program Support

Appendix: Copy of Decision

*Petition To Designate Certain Lands in the Fern Lake Watershed, Tennessee, as Unsuitable for Surface Coal Mining Operations*

Under Section 522 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1272, the Office of Surface Mining Reclamation and Enforcement (OSM) was petitioned by the City of Middlesborough and the National Parks and Conservation Association to designate certain private lands in the Little Yellow Creek (Fern Lake) watershed, Claiborne County, Tennessee, as unsuitable for all surface coal mining operations.

As required by Section 522(c) of SMCRA, public comments were solicited on the Fern Lake unsuitability petition; a public hearing was held near the petition area in Middlesborough, Kentucky; and a detailed petition evaluation document/environmental impact statement (PED/EIS) was prepared by OSM. The PED/EIS evaluated the petition allegations, the potential coal resources of the petition area, the demand for coal resources, and the impacts of alternative petition decisions available to the decision maker on the entire range of resource elements in the social and physical environment.

I have considered the following information in the course of making this decision on the petition: The draft and final PED/EIS documents; the allegations of the petitioners; comments in the form of oral testimony at the public hearing; and written submissions received during the comment period (which ended March 26, 1996) by Federal agencies, State agencies, local agencies, and members of the public and industry. Other information considered in my decision included meetings with the petitioners, landowners, leaseholders, and officials of the Cumberland Gap National Historical Park. On the basis of all information that is in the record of this proceeding, I have reached the following decision: Designate the entire petition area as unsuitable for all surface coal mining operations but allow underground mining from outside the petition area.

OSM has previously approved permits to extract approximately 3.4 of the estimated 4.3 million tons of the petition area's underground minable