

Authority: Secs. 201, 301, 501, 502, 503, 512, 701, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e).

2. Section 510.105 *Labeling of drugs for use in milk-producing animals* is amended in the first sentence of paragraph (c)(2) by removing the phrase, "(not to exceed 96)".

3. Section 510.106 is amended by revising the first sentence to read as follows:

**§ 510.106 Labeling of antibiotic and antibiotic-containing drugs intended for use in milk-producing animals.**

Whenever the labeling of an antibiotic drug included in the regulations in this chapter suggests or recommends its use in milk-producing animals, the label of such drugs shall bear either the statement "Warning: Not for use in animals producing milk, since this use will result in contamination of the milk" or the statement "Warning: Milk that has been taken from animals during treatment and for — hours after the latest treatment must not be used for food", the blank being filled in with the figure that the Commissioner has authorized the manufacturer of the drug to use. \* \* \*

Dated: March 28, 1996.

William K. Hubbard,

Associate Commissioner for Policy  
Coordination.

[FR Doc. 96-8247 Filed 4-3-96; 8:45 am]

BILLING CODE 4160-01-F

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 745, 900, 901, 906, 913, 926, 931, 934, 935, 936, 944, 946, 948, and 950

RIN 1029-AB84

### State-Federal Cooperative Agreements

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

**ACTION:** Proposed rule.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) proposes to amend its regulations by revising the procedures for approval of State-Federal cooperative agreements, so as to remove from the Code of Federal Regulations (CFR) the entire text of these agreements. This removal of the full text of the State-Federal cooperative agreements would reduce the number of unnecessary pages in the CFR. The CFR would continue, however, to provide notice of the existence of a cooperative

agreement and the date it became effective. Although the full text of previously approved cooperative agreements would be removed, the cooperative agreements remain in effect and will continue to delineate State and Federal responsibilities with regard to surface coal mining and reclamation operations on Federal lands.

**DATES:** *Written comments:* OSM will accept written comments on the proposed rule until 5:00 p.m. eastern time on June 3, 1996.

*Public hearings:* Anyone wishing to testify at a public hearing must submit a request on or before 5:00 p.m. eastern time on April 25, 1996. Because OSM will hold a public hearing only if one is requested, hearing arrangements, dates and times, if any, will be announced in a subsequent Federal Register notice.

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

**ADDRESSES:** *Written comments:* Mail or hand-deliver to the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room 117, 1951 Constitution Avenue, NW., Washington, DC 20240. Comments also may be sent by e-mail via the Internet to: [osmrules@osmre.gov](mailto:osmrules@osmre.gov).

*Requests for public hearings:* Contact the person listed under **FOR FURTHER INFORMATION CONTACT** by the time specified under **DATES**. Because OSM will hold a public hearing only if one is requested, hearing locations, if any, will be announced in a subsequent Federal Register notice.

**FOR FURTHER INFORMATION CONTACT:** Andy DeVito, Rules and Legislation, Office of Surface Mining Reclamation and Enforcement, Room 117, South Interior Building, 1951 Constitution Avenue, NW., Washington, DC 20240; Telephone (202) 208-2701. E-Mail/Internet: [adevito@osmre.gov](mailto:adevito@osmre.gov).

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#### I. Public Comment Procedures

##### *Written Comments*

Written comments should be specific and confined to issues pertinent to the

proposed rule. They also should include explanations in support of the commenter's recommendations. OSM appreciates any and all comments, but those most useful and likely to influence decisions on the content of a final rule will be those that either involve personal experience or include citations to and analyses of the Act, its legislative history, its implementing regulations, case law, and other pertinent State or Federal laws or regulations.

Where practicable, commenters should submit two copies of their comments. Comments received after the time indicated under **DATES** or at locations other than the OSM office listed under **ADDRESSES** will not necessarily be considered in the final decision or included in the administrative record.

#### *Public Hearing*

Persons wishing to testify at a public hearing must contact the person listed under **FOR FURTHER INFORMATION CONTACT** by the time indicated under **DATES**. If no one requests an opportunity to comment at a public hearing, no hearing will be held.

If a public hearing is held, it will continue until all persons scheduled to speak have been heard. Persons in the audience who were not scheduled to speak but who wish to do so will be heard following the scheduled speakers. The hearing will end after all scheduled speakers and any other persons present who wish to speak have been heard.

Filing of a written statement at the time of the hearing will assist the transcriber and facilitate preparation of an accurate record. Submission of written statements to OSM in advance of the hearing will allow OSM officials to prepare appropriate questions.

#### *Public Meeting*

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

#### II. Discussion of the Proposed Rule

##### *Why is This Rule Being Written?*

On March 4, 1995, the President announced a government-wide

Regulatory Reinvention Initiative. The President directed each agency to conduct a page-by-page review of its regulations for the purpose of eliminating or revising those that are outdated or otherwise in need of reform. As part of that effort, OSM is considering several means of reducing the number of pages in the CFR. This proposed rule would remove the full text of the State-Federal cooperative agreements from 30 CFR Parts 900, 901, 906, 913, 926, 931, 934, 935, 936, 944, 946, 948, and 950, and would eliminate from Part 745 the requirement to codify the text of any cooperative agreements approved in the future. This action would result in a reduction of approximately 65 pages from the CFR and reduce future printing costs for the government, and contribute to on-going efforts to make the CFR a more readable document.

*What is a State-Federal Cooperative Agreement?*

Section 523(c) of the Surface Mining Control and Reclamation Act of 1977 ("the Act"), 30 U.S.C. 1201 *et seq.*, and the implementing regulations at 30 CFR Part 745, allow a State and the Secretary of the Interior (Secretary) to enter into a cooperative agreement if the State has an approved State program for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands. Cooperative agreements are authorized by the first sentence of section 523(c), which provides that, "Any State with an approved State program may elect to enter into a cooperative agreement with the Secretary to provide for State regulation of surface coal mining and reclamation operations on Federal lands within the State, provided the Secretary determines in writing that such State has necessary personnel and funding to fully implement such a cooperative agreement in accordance with the provision of this Act." 30 U.S.C. 1273(c). Cooperative agreements currently exist for the following States: Alabama, Colorado, Illinois, Montana, North Dakota, New Mexico, Ohio, Oklahoma, Utah, Virginia, West Virginia, and Wyoming.

*What Would Change?*

Under current approval procedures for cooperative agreements (or revisions thereof), the full text of a requested cooperative agreement is published in the Federal Register as a proposed rule

and comments are solicited from the public on the terms of the agreement. After comments are considered and the terms of the cooperative agreement are agreed to by the Secretary and the governor of the State requesting the agreement, the full text is published in the Federal Register as a final rule and then codified in the CFR. Under the revised procedures being proposed in §§ 745.11 (c) and (h), OSM would continue to publish the full text of a requested cooperative agreement in the Federal Register and solicit public comments prior to approval by the Secretary and the governor. However, the full text would be included in the preamble discussion of the proposed rule, and only a brief statement giving information about the agreement would be included as a proposed rule. After the cooperative agreement has been signed by the Secretary and the governor, OSM would publish the final rule in the Federal Register indicating the Secretary's approval. Included in the preamble to the final rule would be the full text of the approved cooperative agreement and a discussion of any changes made to the text based on comments received. The Secretary's decision approving the cooperative agreement would then be codified in 30 CFR under the appropriate Part for the State. The codified text would consist of a statement indicating that the Secretary and the governor have entered into a State-Federal cooperative agreement, the effective date of the cooperative agreement, and the address where a copy of it may be obtained.

The proposed changes in the approval procedures for cooperative agreements would also apply to the amendment and reinstatement of such agreements. The proposed rule would make conforming changes to §§ 745.14 and 745.16(a) which govern amendments and reinstatements, respectively. Under the proposed rule, when the Secretary approves an amendment to, or reinstatement of, a cooperative agreement, OSM would publish the full text in the Federal Register but would only codify in the CFR a statement indicating that a cooperative agreement is in effect, the date the amendment or reinstatement went into effect, and the address where a copy may be obtained.

OSM believes that there is no compelling need to codify the full text of the cooperative agreements in the CFR. Under the proposed rule, essentially the same information would

be included in the Federal Register as is presently included except that under the proposed rule the full text of the cooperative agreement would be included in the preamble discussion and not as part of the rule language. Further, there is no statutory requirement in the Act to codify the full text in the CFR. Although the codified full text may be a convenient reference for members of the public who might want to review the provisions of a cooperative agreement, OSM believes that once a cooperative agreement has been approved, few members of the public, if any, actually refer to them. If the full text is desired, copies would be readily available from designated sources.

OSM also proposes to revise the procedures in § 745.11(d) so as to require that a public hearing be held *only* if a hearing is requested by a member of the public. The current regulations require that a hearing be held even if one is not requested. Since 1988, OSM has published 4 proposed rules dealing with cooperative agreements and no one has asked to testify at a public hearing.

OSM is proposing to make conforming changes to 30 CFR 900.2 and 900.15 to delete references to the full text of the cooperative agreements. OSM also proposes to add the names of the States with approved cooperative agreements to § 900.15 along with a statement that the effective dates are included under the applicable State Part.

Finally, OSM is proposing to revise 30 CFR Parts 900, 901, 906, 913, 926, 931, 934, 935, 936, 944, 946, 948, and 950, to remove the full text of currently approved cooperative agreements and to substitute a statement indicating that a cooperative agreement is in effect, the date the agreement went into effect, and the address where a copy may be obtained.

Although the full text of the cooperative agreements is being removed from the CFR in favor of the above statement, the signed agreements remain in effect and will continue to delineate State and Federal responsibilities with regard to surface coal mining and reclamation operations on Federal lands.

The following table provides a summary of the proposed changes contained in the rule.

Section	Summary of changes
745.11(c) .....	Revised to remove the requirement that the full text be published in the <b>Federal Register</b> as a proposed rule.
745.11(d) .....	Revised to require a public hearing only if one is requested. A public hearing is currently required in all rulemakings.

Section	Summary of changes
745.11(h) .....	New paragraph added to require that upon approval of a State-Federal cooperative agreement, the regulations in Subchapter T must be amended to indicate that a cooperative agreement has been entered into, the effective date, and the address where the full text of the cooperative agreement may be obtained.
745.14 .....	Revised to require that amendments to cooperative agreements be adopted in accordance with § 745.11.
745.16(a) .....	Revised to require that reinstatements of cooperative agreements be made in accordance with § 745.11.
900.2 .....	Revised to eliminate reference to the full text of the cooperative agreements.
900.15 .....	Revised to eliminate reference to the full text of the cooperative agreements and to add that information on the agreement is available in Subchapter T.
901.30, 906.30, 913.30, 926.30, 931.30, 934.20, 935.30, 936.30, 944.30, 946.30, 948.30, 950.20.	Revised to remove the full text of the approved cooperative agreement and to substitute data on the date the cooperative agreement went into effect and the address where a copy may be obtained. The proposed revision includes a reference to § 745.12 which specifies the general provisions required in a cooperative agreement, and to § 745.13 which specifies the authority which cannot be delegated to a State.

**How Would This Rule Affect Coal Mining on Federal Lands?**

The rule would not change the way coal mining activities are regulated on Federal lands. Although the full text of the cooperative agreements are being removed from the CFR, the cooperative agreements remain in effect and those States with cooperative agreements would continue to regulate coal mining activities on Federal lands within the

State according to the terms of the cooperative agreement.

**How do I Get a Copy of a State-Federal Cooperative Agreement?**

A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, N.W.,

Washington, D.C. 20240. E-Mail/Internet address: [osmrules@osmre.gov](mailto:osmrules@osmre.gov). The full text of the cooperative agreements is also available on the World Wide Web at: <http://www.osmre.gov>.

The following table provides a list of those States with approved cooperative agreements, the date the original agreement was published, the date of any approved revisions, the effective dates, and the Federal Register citation.

State	30 CFR part No.	Publication date	Effective date	Federal Register Citation
Alabama .....	901	07/30/85	08/28/85	50 FR 30921
Colorado .....	906	10/06/82	10/06/82	47 FR 44217
Illinois .....	913	11/27/87	12/28/87	52 FR 45329
Montana .....	926	04/08/81	05/08/81	46 FR 20993
North Dakota .....	934	09/15/83	09/15/83	48 FR 41395
		04/07/88	05/09/88	53 FR 11501
New Mexico .....	931	12/20/82	12/20/82	47 FR 58606
		05/12/89	06/12/89	54 FR 20568
Ohio .....	935	04/13/84	04/13/84	54 FR 51743
		12/18/89	01/17/90	54 FR 51743
Oklahoma .....	936	09/11/89	10/11/89	54 FR 37459
Utah .....	944	04/13/87	04/13/87	52 FR 7850
Virginia .....	946	04/07/87	05/07/87	52 FR 11049
West Virginia .....	948	03/09/84	03/09/84	52 FR 11049
Wyoming .....	950	01/28/81	03/18/91	51 FR 45089

**III. Procedural Matters**

**Federal Paperwork Reduction Act**

This rule does not contain collections of information which requires approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

**Regulatory Flexibility Act**

The Department of the Interior certifies that this proposed revision would 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.*).

**National Environmental Policy Act**

This rule has been reviewed by OSM and it has been determined to be categorically excluded from the National Environmental Policy Act

(NEPA) process in accordance with the Departmental Manual 516 DM 6, Appendix 8.4.A(4).

**Executive Order 12866**

This rule is not significant under Executive Order 12866 and does not require review by the Office of Management and Budget.

**Executive Order 12778**

This proposed rule has been reviewed under the applicable standards of Section 2(b)(2) of Executive Order 12778, Civil Justice Reform (56 FR 55195). In general, the requirements of Section 2(b)(2) of Executive Order 12778 are covered by the preamble discussion of this proposed rule. Additional remarks follow concerning individual elements of the Executive Order:

A. What is the preemptive effect, if any, to be given to the regulation?

The proposed rule would have no preemptive effect.

B. What is the effect on existing Federal law or regulation, if any, including all provisions repealed or modified.

This rule modifies the implementation of SMCRA as described herein, and is not intended to modify the implementation of any other Federal statute. The preceding discussion of this rule specifies the Federal regulatory provisions that are affected by this rule.

C. Does the rule provide a clear and certain legal standard for affected conduct rather than a general standard, while promoting simplification and burden reduction?

The standards established by this rule are as clear and certain as practicable, given the complexity of the topics covered and the mandates of SMCRA.

D. What is the retroactive effect, if any, to be given to the regulation?

This rule is not intended to have retroactive effect.

E. Are administrative proceedings required before parties may file suit in court? Which proceedings apply? Is the exhaustion of administrative remedies required?

No administrative proceedings are required before parties may file suit in court challenging the provisions of this rule under section 526(a) of SMCRA, 30 U.S.C. 127(a).

Prior to any judicial challenge to the application of the rule, however, administrative procedure must be exhausted. In situations involving OSM application of the rule, applicable administrative procedures may be found at 43 CFR Part 4. In situations involving State regulatory authority application of provisions equivalent to those contained in this rule, applicable administrative procedures are set forth in the particular State program.

F. Does the rule define key terms, either explicitly or by reference to other regulations or statutes that explicitly define those items?

Terms which are important to the understanding of this rule are set forth in 30 CFR 700.5 and 701.5.

G. Does the rule address other important issues affecting clarity and general draftsmanship of regulations set forth by the Attorney General, with the concurrence of the Director of the Office of Management and Budget, that are determined to be in accordance with the purpose of the Executive Order?

As of the date of publication, the Attorney General and the Director of the Office of Management and Budget have not issued any guidance on this requirement.

#### List of Subjects

##### 30 CFR Part 745

Coal mining, Intergovernmental relations, Public lands, Mineral resources, Reporting and recordkeeping requirements, Surface mining, Underground mining.

30 CFR Parts 900, 901, 906, 913, 926, 931, 934, 935, 936, 944, 946, 948, and 950

Intergovernmental relations, Surface mining, Underground mining.

Dated: March 13, 1996.

Bob Armstrong,

*Assistant Secretary, Land and Minerals Management.*

For the reasons set out in the preamble, 30 CFR Parts 745, 900, 901, 906, 913, 926, 931, 934, 935, 936, 944, 946, 948, and 950 are proposed to be amended as follows.

#### **PART 745—STATE-FEDERAL COOPERATIVE AGREEMENTS**

1. The authority citation for Part 745 continues to read:

Authority: 30 U.S.C. 1201 *et seq.* and 30 U.S.C. 181 *et seq.*

2. § 745.11, is amended by revising paragraph (c) introductory text, the first sentence of paragraph (d), and adding paragraph (h) to read as follows:

##### **§ 745.11 Application and agreement.**

\* \* \* \* \*

(c) OSM shall publish a notice of the request and the full text of the terms of the proposed cooperative agreement as submitted or as subsequently modified by OSM and the State in the Federal Register. A notice of the request and a summary of the terms of the proposed agreement shall also be published in a newspaper(s) of general circulation throughout the State. Both notices shall include:

\* \* \* \* \*

(d) If requested, a public hearing shall be held within the comment period in a suitable location in the State requesting the cooperative agreement.

\* \* \*

\* \* \* \* \*

(h) The Secretary shall amend the regulations in Subchapter T to indicate that a State-Federal cooperative agreement has been entered into, the effective date of the cooperative agreement, and the address where the full text of the cooperative agreement may be obtained.

3. § 745.14 is amended by revising the last sentence to read as follows:

##### **§ 745.14 Amendments.**

\* \* \* Amendments shall be adopted in accordance with the procedures in § 745.11.

4. § 745.16 is amended by revising the last sentence of paragraph (a) to read as follows:

##### **§ 745.16 Reinstatements.**

\* \* \* Any reinstatement shall be in accordance with the procedures in § 745.11.

#### **PART 900—INTRODUCTION**

5. The authority citation for Part 900 continues to read as follows:

Authority: Secs. 102, 201, 405, 503, 504, 505, and 523 of Pub. L. 95-87 (30 U.S.C. 1202, 1211, 1235, 1253, 1254, and 1273).

6. In § 900.2, the first sentence is revised to read as follows:

##### **§ 900.2 Objectives.**

The objective of this part is to provide an introduction to the synopsis of the approved State programs, the Abandoned Mined Lands Reclamation programs, the cross referencing provisions of Federal programs, information on the effective date of State-Federal cooperative agreements for the regulation of mining on Federal lands, and where a copy may be obtained. \* \* \*

7. § 900.15 is revised to read as follows:

##### **§ 900.15 Federal lands program cooperative agreements.**

The effective date for each State-Federal cooperative agreement for the State regulation of surface coal mining and reclamation operations on Federal lands is published below under the applicable part for States with cooperative agreements. The following states have entered into cooperative agreements: Alabama, Colorado, Illinois, Montana, North Dakota, New Mexico, Ohio, Oklahoma, Utah, Virginia, West Virginia, and Wyoming.

#### **PART 901—ALABAMA**

8. The authority citation for Part 901 continues to read as follows:

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

9. § 901.30 is revised to read as follows:

##### **§ 901.30 State-Federal cooperative agreement.**

The Governor of the State of Alabama and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on August 28, 1985. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

**PART 906—COLORADO**

10. The authority citation for part 906 continues to read as follows:

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

11. § 906.30 is revised to read as follows:

**§ 906.30 State-Federal cooperative agreement.**

The Governor of the State of Colorado and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on October 6, 1982. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

**PART 913—ILLINOIS**

12. The authority citation for part 913 continues to read as follows:

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

13. § 913.30 is revised to read as follows:

**§ 913.30 State-Federal cooperative agreement.**

The Governor of the State of Illinois and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on December 28, 1987. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

**PART 926—MONTANA**

14. The authority citation for part 926 continues to read as follows:

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

15. § 926.30 is revised to read as follows:

**§ 926.30 State-Federal cooperative agreement.**

The Governor of the State of Montana and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on May 8, 1981. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

**PART 931—NEW MEXICO**

16. The authority citation for part 931 continues to read as follows:

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

17. § 931.30 is revised to read as follows:

**§ 931.30 State-Federal cooperative agreement.**

The Governor of the State of New Mexico and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on December 20, 1982. Certain provisions were revised effective June 12, 1989. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

**PART 934—NORTH DAKOTA**

18. The authority citation for part 934 continues to read as follows:

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

19. § 934.30 is revised to read as follows:

**§ 934.30 State-Federal cooperative agreement.**

The Governor of the State of North Dakota and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on September 15, 1983. Certain provisions were revised effective May 9, 1988. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

**PART 935—OHIO**

20. The authority citation for Part 935 continues to read as follows:

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

21. § 935.30 is revised to read as follows:

**§ 935.30 State-Federal cooperative agreement.**

The Governor of the State of Ohio and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on April 13, 1984. Certain provisions were revised effective January 17, 1990. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available

on the World Wide Web at: <http://www.osmre.gov>.

#### **PART 936—OKLAHOMA**

22. The authority citation for Part 936 continues to read as follows:

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

##### **§ 936.30 State-Federal cooperative agreement.**

The Governor of the State of Oklahoma and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on October 11, 1989. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

#### **PART 944—UTAH**

23. The authority citation for Part 944 continues to read as follows:

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

24. § 944.30 is revised as follows:

##### **§ 944.30 State-Federal cooperative agreement.**

The Governor of the State of Utah and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on April 13, 1987. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, NW., Washington, DC 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

#### **PART 946—VIRGINIA**

25. The authority citation for Part 946 continues to read as follows:

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

26. § 946.30 is revised to read as follows:

##### **§ 946.30 State-Federal cooperative agreement.**

The Governor of the State of Virginia and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on April 7, 1987. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, N.W., Washington, D.C. 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

#### **PART 948—WEST VIRGINIA**

27. The authority citation for Part 948 continues to read as follows:

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

28. § 948.30 is revised to read as follows:

##### **§ 948.30 State-Federal cooperative agreement.**

The Governor of the State of West Virginia and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on April 7, 1987. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, N.W., Washington, D.C. 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

#### **PART 950—WYOMING**

29. The authority citation for Part 950 continues to read as follows:

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

30. § 950.20 is revised to read as follows:

##### **§ 950.20 State-Federal cooperative agreement.**

The Governor of the State of Wyoming and the Secretary of the Interior have entered into a cooperative agreement setting forth the responsibilities of each party for the regulation of surface coal mining and reclamation operations on Federal lands in the State. The cooperative agreement became effective on January 15, 1987. The general provisions required in a cooperative agreement are specified under § 745.12. The authority reserved for the Secretary which cannot be delegated to a State is specified under § 745.13. A copy of the full text of the cooperative agreement may be obtained by contacting the Office of Surface Mining Reclamation and Enforcement, Administrative Record Room, 1951 Constitution Avenue, N.W., Washington, D.C. 20240. The full text of the cooperative agreement is also available on the World Wide Web at: <http://www.osmre.gov>.

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#### **DEPARTMENT OF DEFENSE**

##### **Department of the Army**

##### **32 CFR Part 619**

##### **Program for Qualifying DOD, Air Freight Forwarders**

**AGENCY:** Military Traffic Management Command, DOD.

**ACTION:** Proposed rule.

**SUMMARY:** This action adds qualifications standards for Air Freight Forwarders and establishes a change in the basic agreement between the Military Traffic Management Command and Air Freight Forwarders. The proposal to amend those qualifications, where appropriate, are submitted to be consistent with the Surface Freight Forwarders requirements.

**DATES:** Comments must be received by May 6, 1996.

**ADDRESSES:** Headquarters, Military Traffic Management Command, ATTN: MTOP-QQ, 5611 Columbia Pike, Falls Church, VA 22041-5050.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick Wirtz, telephone: (703) 681-6393.