9, 1994, issue letter. OSM and North Dakota met on April 11, 1995 (administrative record No. ND–U–16). North Dakota, by letter dated May 11, 1995 (administrative record No. ND–U–17), submitted, at its own initiative, additional revisions and explanatory information to its revegetation success document.

In its May 11, 1995, revised amendment, North Dakota proposes (1) A county-wide correction factor to be used with the U.S. Natural Resources Conservation Service (NRCS) yield information to adjust for climatic yield conditions on land reclaimed for use as cropland or prime farmland, (2) deletion of the allowance for ''auxiliary shelterbelts'' without revegetation success standards on land reclaimed for use as shelterbelts, (3) addition of the ability for North Dakota to require, by permit condition, shelterbelts as a postmining land use that meet the success standards in its revegetation success document, (4) addition of the allowance for tree and shrub stocking standards approved by the State Game and Fish Department and the State Forest Service, as well as by the U.S. NRCS, on land reclaimed for use as shelterbelts, (5) addition of the requirement that all species in the approved seed mixture must be present at the time of final bond release on land reclaimed for use as tame pastureland, (6) clarification that actual sample means must be used in formulas that determine sample size when measuring success of revegetation for bond release, (7) addition of specifications for size and location of representative strips used to demonstrate the restoration of soil productivity on land reclaimed for use as cropland and prime farmland, (8) deletion of the State wetland classification system and retention of the Stewart and Kantrud system of wetland classification for premining assessments on land to be reclaimed for use as fish and wildlife habitat, (9) clarification of the requirement that sampling techniques for measuring success of woody plant density use a 90-percent statistical confidence interval, (10) allowance as a normal conservation practice the voluntary planting of trees and shrubs on agricultural land at the request of the land owner or for fish and wildlife enhancement, and (11) clarification that a *single* reinforced interseeding may be allowed without restarting the liability period on land reclaimed for use as native grazing land.

III. Public Comment Procedures

OSM is reopening the comment period on the proposed North Dakota program amendment to provide the public an opportunity to reconsider the adequacy of the proposed amendment in light of the additional materials submitted. 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.

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.

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 12550) 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: May 17, 1995.

Richard J. Seibel,

Regional Director, Western Regional Coordinating Center.

[FR Doc. 95–12574 Filed 5–22–95; 8:45 am]

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Office of the Secretary

43 CFR Part 11

RIN 1090–AA43

Natural Resource Damage Assessments; Type B—Nonuse Values

AGENCY: Department of the Interior.

ACTION: Notice of correction to semiannual regulatory agenda.

SUMMARY: On May 8, 1995, the semiannual regulatory agenda was published. The agenda incorrectly listed the Department of the Interior's Natural Resource Damage Assessments; Type B—Nonuse Values rulemaking as a completed/long-term action that had been withdrawn on March 31, 1995. 60 FR 23408, 23419. This rulemaking has neither been withdrawn nor completed. A proposed rule was issued on May 4, 1994. 59 FR 23097. The comment period closed on October 7, 1994. 59 FR 32175. The Department is currently reviewing and considering the comments received.

Dated: May 16, 1995.

Willie R. Taylor,

Director, Office of Environmental Policy and Compliance.

[FR Doc. 95–12514 Filed 5–22–95; 8:45 am]

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FEDERAL MARITIME COMMISSION

46 CFR Part 514

[Docket No. 95–08]

Service Contract Filing Requirements—Miscellaneous Revisions

AGENCY: Federal Maritime Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Maritime Commission proposes to amend its rules to provide an optional, abbreviated service contract format and to require service contracts to include certain identifying information concerning the signatories. This should reduce duplication and Commission and carrier costs, as well as facilitate automation of the Commission's service contract records.

DATES: Comments due June 22, 1995.

ADDRESSES: Comments (original and 15 copies) are to be submitted to: Joseph C. Polking, Secretary, Federal Maritime Commission, 800 North Capitol Street, N.W., Washington, D.C. 20573, (202) 523–5725.

FOR FURTHER INFORMATION CONTACT: Bryant L. VanBrakle, Director, Bureau of Tariffs, Certification and Licensing, Federal Maritime Commission, 800 North Capitol Street, N.W., Washington, D.C. 20573, (202) 523–5796.

SUPPLEMENTARY INFORMATION: Service contracts subject to section 8(c) of the Shipping Act of 1984 (''1984 Act'' or ''the Act''), 46 U.S.C. app. 1707(c),[1] are filed confidentially with the Federal Maritime Commission (''FMC'' or ''Commission'').[2] Prior to such filing, a statement of each contract's essential terms (''ET'') is filed electronically in the Commission's Automated Tariff Filing and Information System (''ATFI''), made available to the general public in tariff format, and offered to all similarly situated shippers.[3]

ETs have been required to be filed in ATFI since November 1993. However, the associated confidential service contracts continue to be filed in paper format and can often be of considerable length. There is significant duplication between a service contract's text and that of its corresponding ET. To the extent the overlap between these interdependent documents can be minimized, the rate of error between the two documents should also be reduced.

Because service contracts are filed confidentially with the Commission, they must be secured under lock and key. Given the rapidly rising number of contract filings, and their sheer physical bulk, these documents are consuming an ever larger portion of the Commission's limited secured storage space.

Apart from the foregoing, the Commission is also proposing to address a ministerial detail relating to the content of service contracts. The current service contract rules do not require contracts to set forth the signatories' addresses. This has resulted in difficulty in clearly identifying shipper parties, including named affiliates, to certain service contracts, and, in some cases, hampered the Commission's investigative efforts.

The Commission therefore proposes to afford service contract parties the option of filing their service contracts in an abbreviated format, on condition that such filings incorporate by reference the corresponding ATFI ETs; certify that said ET contains all aspects of the parties' contract which are not set forth in the service contract filing; and set forth certain specific information. The FMC also proposes to require service contracts to set forth the parties' names, titles and addresses.

The collection of information requirements contained in this proposed rule have been submitted to the Office of Management and Budget for review under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96–511), as amended. Public reporting burden for this collection of information is estimated to decrease to an average of one manhour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Bruce A. Dombrowski, Deputy Managing Director, Federal Maritime Commission, Washington, D.C. 20573 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

The Chairman of the Commission certifies, pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, that this proposed rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small organizational units, and small governmental jurisdictions.

List of Subjects in 46 CFR Part 514

Administrative practice and procedure, Antitrust, Automatic data processing, Cargo vessels, Confidential business information, Contracts, Exports, Freight, Freight forwarders, Imports, Maritime carriers, Penalties, Rates and fares, Reporting and recordkeeping requirements.

Therefore, pursuant to 5 U.S.C. 553 and sections 3, 8, and 17 of the Shipping Act of 1984 (46 U.S.C. app. 1702, 1707 and 1716), the Federal Maritime Commission proposes to amend Part 514 of Title 46 of the Code of Federal Regulations as follows:

PART 514—[AMENDED]

1. The authority citation for Part 514 continues to read:

Authority: 5 U.S.C. 552 and 553; 31 U.S.C. 9701; 46 U.S.C. app. 804, 812, 814–817(a), 820, 833a, 841a, 843, 844, 845, 845a, 845b, 847, 1702–1712, 1714–1716, 1718, 1721, and 1722; and sec. 2(b) of Pub. L. 101–92, 103 Stat. 601.

2. Section 514.7 is amended by revising paragraphs (h)(1)(v) and (h)(1)(vi) and adding paragraph (h)(2)(i)(C) to read as follows:

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[1] A service contract is defined by section 3(21) of the Act as:

* * * a contract between a shipper and an ocean common carrier or conference in which the shipper makes a commitment to provide a certain minimum quantity of cargo over a fixed time period, and the ocean common carrier or conference commits to a certain rate or rate schedule as well as a defined level—such as assured space, transit time, port rotation, or similar service features; the contract may also specify provisions in the event of nonperformance on the part of either party.

[2] Section 8(c) of the 1984 Act provides:

* * * each [service] contract entered into * * * shall be filed confidentially with the Commission, and at the same time, a concise statement of its essential terms shall be filed with the Commission and made available to the general public in tariff format, and those essential terms shall be available to all shippers similarly situated. The essential terms shall include—

(1) the origin and destination port ranges in the case of port-to-port movements, and the origin and destination geographic areas in the case of through intermodal movements;

(2) the commodity or commodities involved;

(3) the minimum volume;

(4) the line-haul rate;

(5) the duration;

(6) service commitments; and

(7) the liquidated damages for nonperformance, if any.

[3] This requirement is implemented in the Commission's rules and regulations at 46 CFR 514.7(f)(1).