

benefit estimates, and also whether you are eligible for medicare hospital insurance coverage;

(5) Estimates of the monthly retirement (old-age), disability, dependents' and survivors' insurance benefits potentially payable on your record if you meet the credits (quarters of coverage) requirements. If you are age 50 or older, the estimates will include the retirement (old-age) insurance benefits you could receive at age 62 (or your current age if you are already over age 62), at full retirement age (currently age 65 to 67, depending on your year of birth) or at your current age if you are already over full retirement age, and at age 70. If you are under age 50, instead of estimates, we may provide a general description of the benefits (including auxiliary benefits) that are available upon retirement.

(6) A description of the coverage provided under the medicare program;

(7) A reminder of your right to request a correction of your earnings record; and

(8) A remark that an annually updated statement is available on request.

PART 422—ORGANIZATION AND PROCEDURES

1. The authority citation for Subpart B of Part 422 continues to read as follows:

Authority: Secs. 205, 1102, and 1143 of the Social Security Act; 42 U.S.C. 405, 1302, and 1320b-13.

2. Section 422.125 is amended by revising paragraphs (a) and (b) to read as follows:

§ 422.125 Statement of earnings; resolving earnings discrepancies.

(a) *Obtaining a statement of earnings and estimated benefits.* An individual may obtain a statement of the earnings on his earnings record and an estimate of social security benefits potentially payable on his record either by writing, calling, or visiting any social security office, or by waiting until we send him one under the procedure described in § 404.812. An individual may request this statement by completing the proper form or by otherwise providing the information the Social Security Administration requires, as explained in § 404.810(b).

(b) *Statement of earnings and estimated benefits.* Upon receipt of such a request or as required by section 1143(c) of the Social Security Act, the Social Security Administration will provide the individual, without charge, a statement of earnings and benefit estimate or an earnings statement. See

§§ 404.810ff concerning the information contained in these statements.

* * * * *

[FR Doc. 95-1309 Filed 1-18-95; 8:45 am]

BILLING CODE 4190-29-P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 934

North Dakota Regulatory Program

ACTION: Proposed rule; reopening and extension of public comment period on proposed amendment.

SUMMARY: OSM is announcing receipt of revisions and additional explanatory information pertaining to a previously 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 revisions and additional explanatory information pertain to North Dakota's "Standards for Evaluation of Revegetation Success and Recommended Procedures for Pre- and Postmining Vegetation Assessments." The amendment is intended to revise this document to be consistent with the Federal regulations and to improve operational efficiency.

DATES: Written comments must be received by 4:00 p.m., m.s.t., February 3, 1995.

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 Field Office.

Guy Padgett, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Room 2128, Casper, WY 82601-1918, Telephone: (307) 261-5776.

Edward J. Englerth, Director, Reclamation Division, North Dakota Public Service Commission, Capitol Building, Bismarck, ND 58505-0165, Telephone: (701) 224-4092.

FOR FURTHER INFORMATION CONTACT: Guy Padgett, Telephone: (307) 261-5776.

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 the 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 934.12, 934.13, 934.15, 934.16, and 934.30.

II. Proposed Amendment

By letter dated February 17, 1994, North Dakota submitted a proposed amendment to its program pursuant to SMCRA (administrative record No. ND-U-01). North Dakota submitted the proposed revisions to its "Standards for Evaluation of Revegetation Success and Recommended Procedures for Pre- and Postmining Vegetation Assessments" (hereinafter, the "revegetation success document") in response to required program amendments at 30 CFR 934.16 (b) through (i), (w), and (x), and at its own initiative.

OSM announced receipt of the proposed amendment in the March 14, 1994, Federal Register (49 FR 11744), provided an opportunity for a public hearing or meeting on its substantive adequacy, and invited public comment on its adequacy (administrative record No. ND-U-05). Because no one requested a public hearing or meeting, none was held. The public comment period ended on April 13, 1994.

During its review of the amendment, OSM identified concerns relating to (1) Revegetation success standards for recreation, residential, or industrial and commercial postmining land uses; (2) revegetation success standards for prime farmlands; (3) use of sampling procedures not included in an approved State program; (4) revegetation success standards for tame pastureland; (5) consultation with the appropriate State agencies for stocking and planting arrangements for woodland and shelterbelt postmining land uses; (6) revegetation success standards for non-replacement shelterbelt postmining land use; (7) designation of fish and wildlife habitat and the premining assessment for fish and wildlife habitat; (8) revegetation success standards for wetlands and annual grain crops used for fish and wildlife habitat; (9) the establishment of a maximum sample

size when determining sample adequacy; (10) sampling techniques for measuring woody plant density; (11) the use of representative strips to measure soil productivity on prime farmlands; (12) inter-seeding as a normal husbandry practice; (13) random sampling of clipped forage samples; and (14) t-test statistical calculations.

OSM notified North Dakota of the concerns by letter dated September 9, 1994 (administrative record No. ND-U-10). North Dakota responded in a letter dated December 21, 1994, by submitting a revised amendment and additional explanatory information (administrative record No. ND-U-14) that addressed the concerns identified by OSM.

Specifically, North Dakota (1) Proposes a requirement for vegetative ground cover sufficient to control erosion for recreation, residential, or industrial and commercial postmining land uses; (2) provides Natural Resources Conservation Service (formerly the Soil Conservation Service) concurrence with the sampling techniques used to demonstrate revegetation success on reclaimed prime farmlands; (3) proposes to indicate that the use of any alternative sampling techniques must be approved by OSM as well as by North Dakota; (4) provides additional explanatory information concerning the demonstration of productivity on tame pastureland; (5) provides additional explanatory information concerning consultation and approval from the State Game and Fish Department and State Forester for woodland and shelterbelt stocking and planting arrangements; (6) proposes to delete the revegetation success standards for non-replacement shelterbelts; (7) proposes to clarify the requirements for a premining land use assessment when an area is primarily used by wildlife; (8) proposes to require (a) that the fourth-stage bond release standard for annual grain crops must be met for the last two consecutive years of the liability period and (b) the approved standard for wetlands must be met at the time of final bond release; (9) provides additional explanatory information concerning the establishment of a maximum sample size; (10) proposes to require that woody plant density must be determined using methods that are statistically valid with a 90 percent confidence level; (11) provides additional explanatory information concerning the use of representative strips to measure soil productivity on prime farmlands; (12) provides additional explanatory information concerning the use of inter-seeding as a normal husbandry practice; (13) proposes to disallow the use of

random samples to determine moisture content of all samples; (14) proposes an additional statistical formula for use in t-tests; and (15) proposes correction of topographical errors.

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 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.

V. List of Subjects in 30 CFR Part 934

Intergovernmental relations, Surface mining, Underground mining.

Dated: January 10, 1995.

Charles E. Sandberg,
Acting Assistant Director, Western Support Center.

[FR Doc. 95-1221 Filed 1-18-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-94-150]

RIN 2115-AE47

Drawbridge Operation Regulations; Saugus River, MA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.