

fulfill the export control purposes behind the regulations, to adhere to multilateral regime practices, and to make the regulations easier for the public to use. BXA is particularly interested in the comments of those who have experience classifying items on the Commerce Control List. Comments should be as specific as possible.

It may not be possible to write a single definition that is accurate for all purposes, but BXA will make its best effort to respond to the concerns raised by the public comments.

BXA will consider requests for confidential treatment. The information for which confidential treatment is requested should be submitted to BXA separately from any non-confidential information submitted. The top of each page should be marked with the term "Confidential Information." If the submission fails to meet the standards for confidential treatment, BXA will return it. A non-confidential summary must accompany such submissions of confidential information. The summary will be made available for public inspection.

Information accepted by BXA as confidential will be protected from public disclosure to the extent permitted by law. Communications between agencies of the United States Government or with foreign governments will not be made available for public inspection.

All other information relating to the notice will be a matter of public record and will be available for public inspection and copying. In the interest of accuracy and completeness, BXA requires written comments. Oral comments must be followed by written memoranda, which will also be a matter of public record and will be available for public review and copying.

The public record concerning these comments will be maintained in the Freedom of Information Records Inspection Facility, Room 4525, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, NW, Washington, DC. 20230. Records in this facility, including written public comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in part 4 of Title 15 of the Code of Federal Regulations.

Information about inspection and copying of records at this facility may be obtained from Margaret Cornejo, BXA Freedom of Information Officer, at the above address or by calling (202) 482-2593.

Dated: October 20, 1997.

**William V. Skidmore,**

*Acting Assistant Secretary for Export Administration.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 773, 778 and 843

RIN 1029-AB94

#### Ownership and Control—Redesign

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

**ACTION:** Advanced notice of proposed rulemaking; notice of public meetings.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) will hold, upon request, meetings to solicit comments, concerns, and new ideas regarding the drafting of new ownership and control, permit information and improvidently issued permits regulations.

OSM also invites written comments regarding the drafting of these regulations. A concept/issue paper has been prepared to assist those interested in commenting or preparing for the meetings. The paper is a compilation of concepts and issues currently under consideration; however, OSM is not limited to those listed and encourages new concepts or ideas for consideration.

**DATES:** *Written comments* OSM will accept written comments until 5:00 p.m., Eastern Time on December 15, 1997.

*Public meetings:* OSM will meet with interested persons upon request to solicit comments on the drafting of the new regulations until December 15, 1997. In order to make proper arrangements for meetings, request for meetings should be made prior to December 1, 1997.

**ADDRESSES:** *Written comments and requests for concept/issue paper:* Hand deliver or mail to Earl Bandy, Office of Surface Mining Reclamation and Enforcement, AVS Office, 2679 Regency Road, Lexington, Kentucky 40503; telephone (800) 643-9748; E-mail: ebandy@osmre.gov.

*Telefax:* Copies of the concept/issue paper may be obtained from FAX ON DEMAND by calling 202-219-1703 and following the instructions on the recorded announcement.

*Public meetings:* Upon request OSM staff will be available to meet with

interested persons, individually or in groups, during the comment period in the following locations: Lexington, Kentucky; Washington, D.C.; Knoxville, Tennessee; Pittsburgh, Pennsylvania; Alton, Illinois; and Denver, Colorado. Any individual who requires special accommodation to attend a meeting should also contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### FOR FURTHER INFORMATION CONTACT:

Earl Bandy, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, Kentucky 40503; Telephone (606) 233-2796 or (800) 643-9748. E-mail: ebandy@osmre.gov.

**SUPPLEMENTARY INFORMATION:** On April 21, 1997 (62 FR 19450), OSM issued interim final regulations regarding 30 CFR Parts 773, 778 and 843—Ownership and Control; Permit Application Process; Improvidently Issued Permits. This action was taken in response to a decision by the U.S. Court of Appeals for the District of Columbia Circuit invalidating the previous rules as being inconsistent with Section 510(c) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). In issuing these interim final regulations, OSM invoked the "good cause" exemption of the Administrative Procedure Act (APA) at 5 U.S.C. 553(b)(3)(B). This provision allows an agency to issue a rule without prior notice or opportunity for public comment "when the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest." OSM invoked the APA "good cause" exemption for the reasons described in the preamble to the interim final regulations (62 FR 19451-19452). In doing so, OSM stated that the rules were intended to be interim and that it would seek public comment on any resulting proposed regulatory changes.

In order to fulfill this commitment, OSM is seeking to involve the public in advance of developing a proposed rule. OSM will follow standard procedures by seeking comments and holding public hearings on the proposed rules when they are published in the **Federal Register**.

Dated: October 21, 1997.

**Mary Josie Blanchard,**

*Assistant Director, Program Support.*

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