

1. How much lead-time is necessary for market participants to be able to comply with such a new regulation?

Treasury staff consulted with staff of the SEC, Federal Reserve Board, FRBNY and CFTC in developing the questions that are contained in this ANPR. As the rulemaking process continues in the months ahead, we will continue to solicit the views of these agencies, share information with them and include them in the deliberative process.

The preliminary views expressed in this notice may change in light of comments received. In any case, the Treasury will publish proposed large position reporting rules for public comment after we have had an opportunity to review the comments that we receive in response to this ANPR.

#### List of Subjects

##### 17 CFR Part 404

Banks, banking, Brokers, Government securities, Reporting and recordkeeping requirements.

##### 17 CFR Part 405

Brokers, Government securities, Reporting and recordkeeping requirements.

**Authority:** Sec. 101, Pub.L. 99-571, 100 Stat. 3209; Sec. 4(b), Pub.L. 101-432, 104 Stat. 963; Sec. 102, Sec. 106, Pub.L. 103-202, 107 Stat. 2344 (15 U.S.C. 78o-5 (b)(1)(B), (b)(1)(C), (b)(4)).

Dated: January 17, 1995.

**Frank N. Newman,**

*Deputy Secretary.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 944

#### Utah 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 Utah regulatory program (hereinafter, the "Utah program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The revision and additional explanatory information for Utah's proposed rules pertain to the confidentiality of coal exploration information. The amendment is

intended to revise the Utah program to be consistent with the corresponding Federal regulations.

**DATES:** Written comments must be received by 4:00 p.m., m.s.t., February 8, 1995.

**ADDRESSES:** Written comments should be mailed or hand delivered to Thomas E. Ehmett at the address listed below.

Copies of the Utah 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 Albuquerque Field Office.

Thomas E. Ehmett, Acting Director,  
Albuquerque Field Office, Office of  
Surface Mining Reclamation and  
Enforcement, 505 Marquette Avenue  
NW., Suite 1200, Albuquerque, New  
Mexico 87102  
Utah Coal Regulatory Program, Division  
of Oil, Gas and Mining, 355 West  
North Temple, 3 Triad Center, Suite  
350, Salt Lake City, Utah 84180-1203,  
Telephone: (801) 538-5340.

**FOR FURTHER INFORMATION CONTACT:**  
Thomas E. Ehmett, Telephone: (505)  
766-1486.

#### SUPPLEMENTARY INFORMATION:

##### I. Background on the Utah Program

On January 21, 1981, the Secretary of the Interior conditionally approved the Utah program. General background information on the Utah program, including the Secretary's findings, the disposition of comments, and the conditions of approval of the Utah program can be found in the January 21, 1981, **Federal Register** (46 FR 5899). Subsequent actions concerning Utah's program and program amendments can be found at 30 CFR 944.15, 944.16, and 944.30.

##### II. Proposed Amendment

By letter dated September 9, 1994, Utah submitted a proposed amendment to its program pursuant to SMCRA (administrative record No. UT-971). Utah submitted the proposed amendment in response to the required program amendment at 30 CFR 944.16(a). The provisions of the Utah Coal Mining Rules that Utah proposed to revise were at Utah Administrative Rule (Utah Admin. R.) 645-203-200, Confidentiality.

OSM announced receipt of the proposed amendment in the September 27, 1994, **Federal Register** (59 FR 49227), provided an opportunity for a

public hearing or meeting on its substantive adequacy, and invited public comment on its adequacy (administrative record No. UT-976). Because no one requested a public hearing or meeting, none was held. The public comment period ended on October 27, 1994.

During its review of the amendment, OSM identified concerns relating to the provisions of Utah's rules at Utah Admin. R. 645-203-200 and 645-203-210, confidentiality of coal exploration information. OSM notified Utah of the concerns by letter dated November 15, 1994 (administrative record No. UT-991). Utah responded in a letter dated January 5, 1994, by submitting a revised amendment and additional explanatory information (administrative record No. UT-1003).

Utah proposes revisions to Utah Admin. R. 645-203-200, by deleting the phrase "or that the information is confidential under the standards of the Federal Act." In addition, Utah provides additional explanatory information pertaining to Utah Admin. R. 645-203-210, by stating that there is some question as to the repetitious aspects of Utah Admin. R. 645-203-210. Utah states that Utah Admin. R. 645-203-210 requires the Division of Oil, Gas and Mining (Division) to "keep" information confidential while Utah Admin. R. 645-203-200 directs the Division to "not make" information available.

##### III. Public Comment Procedures

OSM is reopening the comment period on the proposed Utah 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 Utah 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 Albuquerque Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.