

Franklinville, Franklinville vicinity, 90000406

*Corbin Bridge (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Twnshp. Rd. 428 over Raystown Branch, 0.5 W of confluence with the Juniata River, Huntingdon

*Frehn Bridge (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Twnshp. Rt. 313, 2 mi. W of PA 475, Springfield, 90000391

*Harbison-Walker Refractories Company (Industrial Resources of Huntingdon County, 1780—1939 MPS),* W. Shirley St., Mount Union, 90000392

*Hudson Grist Mill (Industrial Resources of Huntingdon County, 1780—1939 MPS),* PA 829, Saltillo, 90000390

*Huntingdon Furnace (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Twnshp. Rd. 31106, 2 mi. NW of jct. with PA 45, Franklinville vicinity, 90000407

*Juniata Iron Works (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Off PA 885, 1.5 mi. E of Alexandria, Alexandria vicinity, 90000404

*Lloyd and Henry Warehouse (Industrial Resources of Huntingdon County, 1780—1939 MPS),* S. 8th St., Huntingdon, 90000397

*Minersville Coke Ovens (Industrial Resources of Huntingdon County, 1780—1939 MPS),* PA 913, 1 mi. E of Coalmont, Coalmont vicinity, 90000401

*Mount Union Refractories Company (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Pennsylvania Ave. at Juniata River, Mount Union, 90000398

*Paradise Furnace (Industrial Resources of Huntingdon County, 1780—1939 MPS),* 5 mi. SE of Entriken in Trough Creek State Park, Entriken vicinity, 90000403

*Pennsylvania Canal Guard Lock and Feeder Dam, Raystown Branch (Industrial Resources of Huntingdon County, 1780—1939 MPS),* 2.5 mi. E of Huntingdon, S of US 22 on the Juniata River, Springfield, 90000394

*Pennsylvania Furnace Mansion (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Off PA 45, S of Centre County line, Pennsylvania Furnace, 90000409

*Pennsylvania Railroad District (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Conrail mile markers 213.73 to 218.88, Spruce Creek, 90000393

*Pennsylvania Railroad Bridge over Shavers Creek (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Over Shavers Creek near confluence with Juniata River, Petersburg, 90000395

*Pennsylvania Railroad Old Bridge over Standing Stone Creek (Industrial Resources of Huntingdon County, 1780—1939 MPS),* S of Penn St. over Standing Stone Creek, Huntingdon, 90000410

*Pennsylvania Railroad District (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Conrail mile markers 213.73 to 218.88, Spruce Creek, 90000412

*Runk Bridge (Industrial Resources of Huntingdon County, 1780—1939 MPS),* Over Aughwick Creek, 1 mi. S of Shirleysburg off US 522, Shirleysburg vicinity, 90000408

*Shade Gap Feed and Flour Mill (Industrial Resources of Huntingdon County, 1780—*

*1939 MPS),* US 522, 1 mi. N of Shade Gap, Shade Gap vicinity, 90000396

#### Philadelphia County

*Kensington Branch of the Philadelphia YWCA, 174 W. Allegheny Ave., Philadelphia, 90000415*

*Tacony Music Hall, 4815—19 Longshore Ave., Philadelphia, 90000413*

#### York County

*Indian Steps Cabin, Indian Steps Rd., Airville, 90000416*

*York Armory (Pennsylvania National Guard Armories MPS), 369 N. George St., York, 90000421*

#### WISCONSIN

#### Grant County

*Main Street Commercial Historic District, Roughly bounded by Chestnut, Furnace, Bonson, Mineral, Oak, and Pine, Platteville, 90000377*

#### Milwaukee County

*East Brady Street Historic District, E. Brady St. from N. Farwell Ave. to N. Van Buren St., Milwaukee, 90000363*

#### Sauk County

*Our Lady of Loretto Roman Catholic Church and Cemetery, Co. Hwy. C, 1 mi. W of Denzer, Honey Creek, 90000378*

[FR Doc. 90-3919 Filed 2-20-90; 8:45 am]

BILLING CODE 4310-70-M

### Office of Surface Mining Reclamation and Enforcement

#### Request for Determination of Valid Existing Rights Within the Monongahela National Forest

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

**ACTION:** Notice of request for determination and invitation for interested persons to participate.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) has received a request for a determination that T. Michael Hewitt, Ellen Hewitt and Linda Lindsey (the requestors) have valid existing rights (VER) to mine coal by surface and underground methods on 16,248 acres of Federal land within the Monongahela National Forest in Nicholas, Webster, and Greenbrier Counties, West Virginia. By this notice, OSM is inviting interested persons to participate in the proceeding and to submit relevant factual material on the matter. OSM intends to develop a complete Administrative Record and will render a final agency decision on whether the requestors have VER.

**DATES:** OSM will accept written materials on this request for a VER determination until 5 p.m. local time on April 9, 1990.

**ADDRESSES:** Hand deliver or mail written materials to Carl C. Close, Assistant Director, Eastern Field Operations at the address listed below. Documents contained in the Administrative Record are available for public review at the locations listed below during normal business hours, Monday through Friday, excluding holidays.

Office of Surface Mining Reclamation and Enforcement Eastern Field Operations, Room 246, Ten Parkway Center, Pittsburgh, PA 15220, Telephone: (412) 937-2897.

Office of Surface Mining Reclamation and Enforcement Charleston Field Office, 603 Morris Street, Charleston, WV 25301, Telephone: (304) 347-7158.

**SUPPLEMENTARY INFORMATION:** Section 552(e) of SMCRA prohibits surface coal mining operations in certain areas, subject to VER and except for those operations which existed on August 3, 1977. Under section 522(e)(2), the prohibition is applied to any Federal lands within the boundaries of any national forest unless the Secretary of the Interior finds that there are no significant recreational, timber, economic or other values that may be incompatible with such surface coal mining operations and the surface operation and impacts are incident to an underground coal mine. National forest land west of the 100th meridian that does not have significant forest cover as determined by the Secretary of Agriculture may be surface coal mined.

The term "VER" is not defined in SMCRA. On September 14, 1983 (48 FR 41312), OSM adopted a regulatory definition of VER at 30 CFR 761.5 which defined VER as those rights, which if affected by the prohibitions in section 522(e), would entitle the owner to payment of just compensation under the Fifth and Fourteenth Amendments to the United States Constitution, the so-called "takings" test.

On March 22, 1985, the United States District Court for the District of Columbia held that the promulgation of the VER definition in 30 CFR 761.5 violated the Administrative Procedures Act and remanded the definition to the Secretary of the Interior (*In Re: Permanent Surface Mining Regulation Litigation II* No. 79-1144).

In the November 20, 1986, Federal Register (51 FR 41952), OSM suspended the Federal definition of VER insofar as it incorporates a takings test. OSM announced that during the period of suspension it would make VER determinations on Federal lands within the boundaries of national forests using

the VER definition contained in the appropriate state regulatory program.

The term "VER" is defined in § 2.126 of the West Virginia Surface Mining Reclamation Regulations. Section 2.126 provides that VER exists, except for haulroads, in each case in which a person demonstrates that the limitation provided for in section A-3-22(d) of the West Virginia Surface Coal Mining and Reclamation Act would result in the unconstitutional taking of that person's rights.

By letter dated October 5, 1989, T. Michael Hewitt, Ellen Hewitt and Linda Lindsey requested that OSM make a determination of VER for coal mining operations on certain lands within the Monongahela National Forest.

The requestors allege that they own or are in possession of leases to coal on eight tracts totaling 16,248 acres of land, the surface of which is owned by the United States of America and managed by the United States Forest Service. These properties are known as the Judge Jake Fisher lands and are situated in Nicholas, Webster, and Greenbrier Counties, West Virginia between the Cranberry and the North Fork of the Cherry Rivers. The subject tracts are contiguous, except for a tract of 400 acres which is located approximately one mile east of the northwestern corner of the remaining subject property. The requestors seek a determination of VER for the Sewell and all other coal seams found on the property.

To establish that the requestors have VER for coal mining on the properties in question, OSM must first determine that the requestors have demonstrated all necessary rights to mine the coal. OSM particularly invites interested persons to provide factual information as to whether the requestors have the property right to mine by surface and underground mining methods, and other factual information concerning whether the requestors have VER under the applicable standards.

OSM will make a final decision on this VER request as soon as it is

practicable following completion of the Administrative Record.

If OSM determines that the requestors have VER, they may apply for permit(s) with the West Virginia Department of Energy which, if granted, would authorize surface and underground mining operations on the properties in question. If it is determined that the requestors do not have VER, no permits will be issued for surface mining operations. However, in the absence of VER, permits may be issued for underground mining, if such operations are compatible with recreational, timber, economic and other values of the Monongahela National Forest.

Dated: February 9, 1990.

**Carl C. Close,**

*Assistant Director, Eastern Field Operations.*

[FR Doc. 90-3921 Filed 2-20-90; 8:45 am]

BILLING CODE 4310-05-M

## DEPARTMENT OF JUSTICE

### Information Collections Under Review

February 12, 1990.

The Office of Management and Budget (OMB) has been sent the following collection of information proposals for review under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35) and the Paperwork Reduction Reauthorization Act since the last list was published. Entries are grouped into submission categories, with each entry containing the following information: (1) The titles of the form/collection; (2) the agency form number, if any, and the applicable component of the Department sponsoring the collection; (3) how often the form must be filled out or the information is collected; (4) who will be asked or required to respond, as well as a brief abstract; (5) an estimate of the total number of respondents and the amount of time estimated for an average respondent to respond; (6) an estimate of the total public burden (in hours) associated with the collection; and (7)

an indication as to whether section 3504(h) of Public Law 96-511 applies. Comments and/or suggestions regarding the item(s) contained in this notice, especially those regarding the estimated public burden and the associated response time, should be directed to the OMB reviewer, Mr. Edward H. Clarke, on (202) 395-7340 and to the Department of Justice's Clearance Officer, Mr. Larry E. Miesse, on (202) 633-4312. If you anticipate commenting on a form/collection, but find that time to prepare such comments will prevent you from prompt submission, you should notify the OMB reviewer and the DOJ Clearance Officer of your intent as soon as possible. Written comments regarding the burden estimate or any other aspect of the collection may be submitted to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, and to Mr. Larry E. Miesse, DOJ Clearance Officer, SPS/JMD/5031 CAB, Department of Justice, Washington, DC 20530.

### New Collection—Expedited Review Requested

(1) Declaration of Ineligible Family Member of Legalized Alien.

(2) I-817, Immigration and Naturalization Service.

(3) On occasion.

(4) Individuals or households. In order to deal in a humanitarian way with approximately one million ineligible spouses and children of legalized aliens, the INS will process requests for permission to remain in the United States and receive employment authorization (Family Fairness Program).

(5) 1,000,000 estimated respondents at .25 hours each.

(6) 250,000 estimated annual burden hours.

(7) Not applicable under 3504(h).

**Larry E. Miesse,**

*Department Clearance Officer, Department of Justice.*

BILLING CODE 4410-10-M

U.S. Department of Justice  
Immigration and Naturalization Service

OMB# 1115-  
**DECLARATION - Ineligible Family Member of Legalized Alien**

I, the Undersigned,

was born on: (Day, Month, Year) \_\_\_\_\_

and am residing at: (Street, City, State, ZIP) \_\_\_\_\_

hereby request voluntary departure by reason of my family relationship to an alien legalized through the legalization or special agricultural worker programs created by the Immigration Reform and Control Act of 1986.

(Check one)

I have resided in the United States since

(Date) \_\_\_\_\_

and my family relationship to the legalized alien was established on

(Date) \_\_\_\_\_

and I am otherwise admissible to the United States.

I was born after November 6, 1986 and my parent is a legalized alien.

**Applicant's  
Biographic Data**  
(Please Print)

Name: \_\_\_\_\_

Nationality: \_\_\_\_\_

Country of Birth: \_\_\_\_\_

Sex:  Male  Female

Prior File Number(s): A \_\_\_\_\_

Father's Full Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Mother's Full Name:  
(Including Maiden Name) \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Husband or Wife's Full  
Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Marriage: \_\_\_\_\_

Date of Marriage: \_\_\_\_\_

**I declare, under penalty of perjury, that the foregoing is true and correct.**

**Applicant's Signature** (Parent to Sign for Child Under Age 18)

Legalized Alien's Name (Please Print)

X

Date

Legalized Alien's A Number

Legalized Alien's Complete Address (Street Name and Number)

**Legalized Alien's Signature**

(Apt. Number)

X

Date

C/O

(City, State, ZIP Code)

**Warning: Penalties for submitting false information -**

Title 18, United States Code, Section 1001 states that whoever willfully and knowingly falsifies a material fact, makes a false statement, or makes use of a false document will be fined up to \$10,000 or imprisoned up to five years, or both.

Form I-817 (02/14/90)

*Please see instructions on reverse.*

## Instructions for Completion of this Form

Each person requesting consideration under the Family Fairness program must file a separate form. This includes minor children.

You must give INS certain documents with this form to show you are eligible for benefits of the Family Fairness program. You must also give the INS certain documents to prove the family relationship between you and your relative. You must provide the following documents to prove your relationship to a lawful temporary resident:

• **Spouse of legalized alien:**

Furnish a marriage certificate between you and the legalized spouse. If either you or your spouse was married before, furnish documents to show that all prior marriages were legally ended (divorce decree, death certificate).

• **Unmarried child under 18 years of age, living with the legalized alien:**

- (i) If the legalized alien is the mother - the birth certificate of the child showing the mother's name;
- (ii) If the legalized alien is the father - a marriage certificate of the parents or evidence of legitimation prior to the child's 16th birthday and the birth certificate of the child showing the names of the parents;
- (iii) If the legalized alien is the stepparent - the child's birth certificate showing the names of both natural parents, marriage certificate of the parent to the stepparent, and proof of legal termination (divorce decree, death certificate) of all prior marriages;
- (iv) If the unmarried son or daughter was born out of wedlock and the father is the legalized alien - the parent/child relationship must be established by providing the unmarried son or daughter's birth certificate showing the father's name and evidence that he supported the child;
- (v) If the unmarried son or daughter is the adopted child of a legalized alien - certified copy of the adoption decree showing that the child was adopted while under the age of 18 years, the legal custody decree if custody of the child was obtained before adoption, and a statement showing the dates and places the child and adoptive parent lived together.

- A. For each document needed, present to INS one (1) photocopy. Do not send originals unless requested by INS.
- B. Original documents must be presented when and if requested by the Service and may be retained for forensic examination at the discretion of the Service.
- C. Documents in a foreign language must be accompanied by a complete English translation. The translator must certify that the translation is accurate and that he or she is competent to translate.

In addition to the documents requested above, all applicants must submit the following information:

1. Completed Fingerprint Card, Form FD-258 must be submitted by each applicant 14 years of age or older. Applicants may be fingerprinted by law enforcement offices, outreach centers, charitable and voluntary agencies, or other reputable persons or organizations. The Fingerprint Card (FD-258) on which the prints are submitted, the ink used, and the quality and classifiability of the prints must meet standards prescribed by the Federal Bureau of Investigation. The card must be signed by you in the presence of the person taking your fingerprints, who must then sign his/her name and enter the date in the spaces provided. It is important to furnish all the information called for on the card.
2. Form I-765 application for employment authorization (if employment authorization is being requested);
3. Three (3) ADIT photographs. All photographs submitted must comply with the following specifications;

Included in your package is Form I-697A, change of address card. It is your responsibility to keep the Immigration and Naturalization Service informed of any change of address. One copy of the form is included in your package. You may obtain additional I-697A Forms from any Service office.

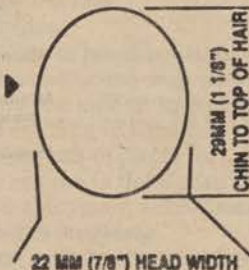
## Color Photograph Specifications



◀ Sample Photograph

Color films of the integral type, non-peel-apart, are unacceptable. These are easily recognized as the back of the films are black. The acceptable instant color film has a white backing.

Head Size (Including Hair)  
Must fit inside oval.



- Photograph must show the subject in a 3/4 frontal portrait as shown above.
- Right ear must be exposed in photograph for all applicants, hats must not be worn.
- Photograph outer dimension *must* be larger than 1 1/4" X 1 3/8", but head size, (including hair) *must* fit within the illustrated oval (outer dimension does not include border if one is used).
- Photograph must be color with a white background equal in reflectance to bond typing paper.
- Surface of the photograph *must be glossy*.
- Photograph must not be stained, cracked, or mutilated, and must lie flat.
- Photographic image must be sharp and correctly exposed, photograph must be un-retouched.
- Photograph must not be pasted on card or mounted in any way.
- **Three (3)** photographs of every applicant, regardless of age, must be submitted.
- Photographs must be taken within thirty (30) days of application date.
- Snapshots, group pictures, or full length portraits *will not* be accepted.
- Using crayon or felt pen, to avoid mutilation of the photographs, *lightly* print your name (and Alien Registration Receipt Number, if known) on the back of all photographs.
- **Important Note:** Failure to submit photographs in compliance with these specifications *will* delay the processing of your application.

**Reporting Burden:** Public reporting burden for this collection of information is estimated to average 15 minutes 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 this burden, to: U.S. Department of Justice, Immigration and Naturalization Service (Room 2011), Washington, D.C. 20538; and to the Office of Management and Budget, Paperwork Reduction Project, OMB No. 1115- , Washington, D.C. 20503.

Form I-817 (02/14/90)