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WHO: The Office of the Federal Register.

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Contents

Federal Register

Vol. 55, No. 104

Wednesday, May 30, 1990

Agricultural Marketing Service
RULES
Pork promotion, research, and consumer information, 21847

Agriculture Department
See Agricultural Marketing Service; Animal and Plant Health Inspection Service; Forest Service; Soil Conservation Service

Alcohol, Tobacco and Firearms Bureau
RULES
Firearms:
Blasting agents, transportation and storage facilities; DOT-required placards, 21862

Animal and Plant Health Inspection Service
PROPOSED RULES
Exportation and importation of animals and animal products:
Ostriches and other ratites, 21879
NOTICES
Environmental statements; availability, etc.:
Genetically engineered plants; field test permits—
Potatoes, 21893
Tomatoes, 21894

Antitrust Division
NOTICES
National cooperative research notifications:
Petroleum Environmental Research Forum, 21951
U.S. Export Council for Renewable Energy, 21952

Civil Rights Commission
NOTICES
Meetings; State advisory committees:
North Dakota, 21896

Coast Guard
RULES
Regattas and marine parades:
Friendship Festival Air Show, 21866
Race to Cock Island, 21865
Rochester Offshore Challenge, 21866
Wilhelm Offshore Classic, 21867
PROPOSED RULES
Drawbridge operations:
Florida, 21886

Commerce Department
See National Oceanic and Atmospheric Administration

Commission of Fine Arts
NOTICES
Meetings, 21897

Defense Department
See also Navy Department
RULES
Civilian health and medical program of uniformed services (CHAMPUS):
DRG-based payment system—
Secondary payment calculations for paid claims, 21863
NOTICES
Privacy Act:
Systems of records, 21897

Education Department
RULES
Elementary and secondary education:
Migrant education program, 22016
NOTICES
Grants and cooperative agreements; availability, etc.:
Regional educational laboratory program, 21919
Postsecondary education:
National defense and Perkins (national direct) student loan programs; directory of designated low income schools, 21919

Employment and Training Administration
NOTICES
Adjustment assistance:
Howell Industries, Inc., 21953
Munsingwear, Inc., 21954
North Coast Brass & Copper Co. et al., 21954
Peterson American Corp., 21956
Unocal Pipeline Co., 21956

Energy Department
See also Federal Energy Regulatory Commission; Hearings and Appeals Office, Energy Department
NOTICES
Environmental statements; availability, etc.:
Rocky Flats Plant, CO; plutonium recovery modification project, 21919

Environmental Protection Agency
PROPOSED RULES
Toxic substances:
Significant new uses—
Aromatic ether diamines, 21887
NOTICES
Toxic and hazardous substances control:
Chemical testing—
Data receipt, 21934

Executive Office of the President
See Presidential Documents

Federal Aviation Administration
RULES
Airworthiness directives:
Beech, 21860
Pratt & Whitney, 21858
Transition areas; correction, 21861
PROPOSED RULES
Airworthiness directives:
Aerospace Technologies of Australia Pty Ltd., 21883
General Electric Co., 21884
Noise standards:
Civil supersonic aircraft certification standards and operating rules, 22020
NOTICES
Airport noise compatibility program:
Keahole Airport, HI, 22002

Federal Communications Commission
RULES
Radio services, special:
Amateur service—
Reorganization and deregulation of rules; correction, 22013

Federal Deposit Insurance Corporation
NOTICES
Commonly controlled depository institutions liability policy statement, 21934

Federal Energy Regulatory Commission
NOTICES
Electric rate, small power production, and interlocking directorate filings, etc.:
Central Maine Power Co. et al., 21922
Florida Power & Light Co. et al., 21923
Natural gas certificate filings:
Natural Gas Pipeline Co. of America et al., 21924
Northern Natural Gas Co. et al., 21926
Applications, hearings, determinations, etc.:
Columbia Gulf Transission Co., 21930
High Island Offshore System, 21931
North Carolina Electric Membership Corp. et al., 21931
Northern Natural Gas Co., 21931
Trailblazer Pipeline Co., 21931
United Gas Pipe Line Co., 21932
(2 documents)

Federal Highway Administration
NOTICES
Meetings:
Bus driver training; public forum, 22003

Federal Maritime Commission
NOTICES
Agreements filed, etc., 21936

Federal Reserve System
RULES
Availability of funds and collection of checks (Regulation CC):
Expedited Funds Availability Act; implementation—
Notice of nonpayment; time requirements shortened, 21848
NOTICES
Applications, hearings, determinations, etc.:
Bank of New York Co., Inc., et al., 21936
CNB Bancshares, Inc., 21937
Hartsville Bancshares, Inc. Employee Stock Ownership Plan et al., 21937
Manufacturers Hanover Corp. et al., 21937

Fine Arts Commission
See Commission of Fine Arts

Fish and Wildlife Service
NOTICES
Marine mammal permit applications, 21949

Food and Drug Administration
RULES
Human drugs:
Antibiotic drugs—
Cyclosporine capsules; correction, 22014
PROPOSED RULES
Medical devices:
General and plastic surgery devices—
Silicone gel-filled breast prosthesis; correction, 22013

Forest Service
NOTICES
Environmental statements; availability, etc.:
Nez Perce National Forest, ID, 21895
Wasatch-Cache National Forest, UT and WY, 21895

General Services Administration
NOTICES
Environmental statements; availability, etc.:
Internal Revenue Service Center Annex, GA, 21938

Government Ethics Office
RULES
Government Ethics Office Reauthorization Act; implementation, 21845

Health and Human Services Department
See Food and Drug Administration; Health Resources and Services Administration; Human Development Services Office; Indian Health Service

Health Resources and Services Administration
NOTICES
Grants and cooperative agreements; availability, etc.:
Nursing education opportunities for individuals from disadvantaged backgrounds, 21940
Nursing special projects, 21941
National vaccine injury compensation program; petitions received, 21943

Hearings and Appeals Office, Energy Department
NOTICES
Cases filed, 21932
Decisions and orders, 21934

Housing and Urban Development Department
NOTICES
Agency information collection activities under OMB review, 21947

Human Development Services Office
NOTICES
Grants and cooperative agreements; availability, etc.:
Developmental disabilities—
Basic support, protection, and advocacy programs; Federal allotment to States, 21944

Indian Health Service
NOTICES
Grants and cooperative agreements; availability, etc.:
Indian Health Service research program, 21938

Interior Department
See Fish and Wildlife Service; Land Management Bureau; National Park Service

Internal Revenue Service
RULES
Procedure and administration:
Time and place of examination
Correction, 21862

PROPOSED RULES
Procedure and administration:
Time and place of examination; cross reference Correction, 21886

Justice Department
See also Antitrust Division
NOTICES
Pollution control; consent judgments:
Cleveland Montessori Association, Inc., 21950
St. John the Baptist Parish et al., 21951
Tzavah Urban Renewal Corp. et al., 21951

Labor Department
See also Employment and Training Administration; Mine Safety and Health Administration
NOTICES
Agency information collection activities under OMB review, 21952

Land Management Bureau
NOTICES
Coal leases, exploration licenses, etc.
Wyoming, 21948
Meetings:
Butte District Grazing Advisory Board, 21948
Realty actions; sales, leases, etc.:
New Mexico, 21948

Mine Safety and Health Administration
NOTICES
Safety standard petitions:
Pyro Mining Co., 21957

National Highway Traffic Safety Administration
RULES
Motor vehicle safety standards:
Occupant crash protection—
Hybrid III test dummy positioning issues, 21876
Theft protection; inadvertent gear shifting and steering column lock-up, 21868
PROPOSED RULES
Motor vehicle safety standards:
School bus passenger seating and crash protection; handicapped students, 21891
NOTICES
Motor vehicle theft prevention standard; exemption petitions, etc.:
American Honda Motor Co., Inc., 22004

National Oceanic and Atmospheric Administration
RULES
Pacific Halibut Commission, International:
Pacific halibut fisheries, 21876, 21877 (2 documents)

National Park Service
NOTICES
Environmental statements; availability, etc.:
Martin Van Buren National Historic Site, NY, 21949
Yukon-Charley Rivers National Preserve et al., AK, 21949
Meetings:
Cape Cod National Seashore Advisory Commission, 21950
Farmington River Study Committee, 21950

Navy Department
NOTICES
Electronic funds transfer pilot program; universities and non-profit organizations participation, 21918

Nuclear Regulatory Commission
NOTICES
Meetings:
Reactor Safeguards Advisory Committee, 21957
Meetings; Sunshine Act, 22012
Operating licenses, amendments; no significant hazards considerations; biweekly notices, 21958

Presidential Documents
PROCLAMATIONS
United States-Canada Free-Trade Agreement; implementation of accelerated schedule of duty elimination (Proc. 6142), 21835
ADMINISTRATIVE ORDERS
Nicaragua; authorization of assistance through Organization of American States (Presidential Determination No. 90-20 of May 19, 1990), 21833

Public Health Service
See Food and Drug Administration; Health Resources and Services Administration; Indian Health Service

Resolution Trust Corporation
NOTICES
Meetings; Sunshine Act, 22012

Securities and Exchange Commission
NOTICES
Agency information collection activities under OMB review, 21989
Self-regulatory organizations; proposed rule changes:
American Stock Exchange, Inc., 21990
Chicago Board Options Exchange, Inc., 21990
Delta Government Options Corp., 21993
National Association of Securities Dealers, Inc., 21994
New York Stock Exchange, Inc., 21999
Pacific Stock Exchange, Inc., 22001

Soil Conservation Service
NOTICES
Environmental statements; availability, etc.:
Upper Crab Orchard Creek Watershed, IL, 21896
Wheeling Creek Watershed, PA and WV, 21896
Yellow Creek Watershed, PA, 21896

Tennessee Valley Authority
NOTICES
Agency information collection activities under OMB review, 22002

Thrift Supervision Office
NOTICES
Conservator appointments:
First Federal Savings Association, 22008
First Federal Savings Association of Conroe, 22008
Home Savings Bank, F.S.B., 22009
Jennings Federal Savings Association, 22009
Jonesboro Federal Savings Association, 22009
Southwest Savings Association, 22009
United Savings Bank, F.S.B., 22009
Receiver appointments:
American Savings of Colorado, a FS & LA, 22009
Broadview Federal Savings Bank, 22008
City Federal Savings & Loan Association, 22009
First Federal Savings & Loan Association of Conroe, 22009
First Federal Savings & Loan Association of Southeast Missouri, 22008

First Savings & Loan Association, 22010
Germantown Trust Savings Bank, 22010
Hallmark Savings & Loan Association, F.A., 22010
Home Savings Bank, 22010
Horizon Federal Savings & Loan Association, 22010
Jennings Federal Savings & Loan Association, 22010
Jonesboro Federal Savings & Loan Association, 22010
Midwest Federal Savings & Loan Association, 22010
North American Federal Savings Association, 22011
Peoples Savings & Loan Association, FA, 22008
Shawnee Federal Savings & Loan Association, 22008
United Savings Bank, S.L.A., 22011

Transportation Department
See Coast Guard; Federal Aviation Administration; Federal Highway Administration; National Highway Traffic Safety Administration

Treasury Department
See also Alcohol, Tobacco and Firearms Bureau; Internal Revenue Service; Thrift Supervision Office
NOTICES
Agency information collection activities under OMB review, 22005, 22007
(5 documents)
Meetings:
Customs Service Commercial Operations Advisory Committee, 22007

Separate Parts In This Issue

Part II
Department of Education, 22016

Part III
Department of Transportation, Federal Aviation Administration, 22020

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

Proclamations:

6142.....21835

Administrative Orders:

Presidential Determinations:

No. 90-20 of May 19, 1990.....21833

5 CFR

2638.....21845

7 CFR

1230.....21847

9 CFR

Proposed Rules:

92.....21879

12 CFR

229.....21848

14 CFR

39 (2 documents).....21858, 21860

71.....21861

Proposed Rules:

36.....22020

39 (2 documents).....21883, 21884

91.....22020

21 CFR

448.....22014

Proposed Rules:

878.....22013

26 CFR

301.....21862

Proposed Rules:

301.....21886

27 CFR

55.....21862

32 CFR

199.....21863

33 CFR

100 (4 documents).....21865, 21867

Proposed Rules:

117.....21886

34 CFR

201.....22016

40 CFR

Proposed Rules:

721.....21887

47 CFR

97.....22013

49 CFR

571 (2 documents).....21868, 21876

Proposed Rules:

571.....21891

50 CFR

301 (2 documents).....21876, 21877

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1990

Presidential Documents

Title 3—

The President

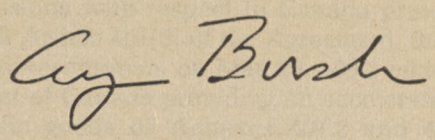
Presidential Determination No. 90–20 of May 19, 1990

Determination To Authorize Assistance through the Organization of American States for Nicaragua

Memorandum for the Secretary of State

By virtue of the authority vested in me by Section 451 of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2261, I hereby authorize the use of up to $1.25 million in funds to be made available under Chapter 3 of Part I of the Act in Fiscal Year 1990 for emergency assistance through the Organization of American States to Nicaragua notwithstanding any other provision of law. The assistance is provided in order to care for and feed members of the Nicaraguan Resistance who are located in designated security zones under appropriate agreements with the Government of Nicaragua for their demobilization and resettlement.

You are authorized and directed to report this determination to the Speaker of the House of Representatives, the House Appropriations Committee, and the Senate Committees on Foreign Relations and Appropriations immediately, and to publish it in the **Federal Register**.



THE WHITE HOUSE,
Washington, May 19, 1990.

[FR Doc. 90–12651
Filed 5–25–90; 3:55 pm]
Billing code 3195–01–M

Presidential Documents

Proclamation 6142 of May 25, 1990

To Implement an Accelerated Schedule of Duty Elimination Under the United States-Canada Free-Trade Agreement

By the President of the United States of America

A Proclamation

1. On January 2, 1988, the President entered into the United States-Canada Free-Trade Agreement (the Agreement). The Agreement and certain letters exchanged between the Governments of Canada and the United States were approved by the Congress in section 101(a) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 (the Implementation Act) (Public Law 100–449; 102 Stat. 1851). The Agreement entered into force on January 1, 1989.

2. Section 201(b) of the Implementation Act grants the President, subject to the consultation and lay-over requirements of section 103(a) of the Implementation Act, the authority to proclaim such modifications as the United States and Canada may agree to regarding the staging of any duty treatment set forth in Annexes 401.2 and 401.7 of the Agreement as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Canada provided for by the Agreement. Consistent with Article 401(5) of the Agreement, the President, through his duly empowered representative, on May 18, 1990, entered into an agreement with the Government of Canada providing an accelerated schedule of duty elimination for specific goods of Annexes 401.2 and 401.7 to the Agreement. The President has complied with the consultation and lay-over requirements of section 103(a) of the Implementation Act with respect to such schedule.

3. Pursuant to section 201(b) of the Implementation Act, I have determined that the modifications hereinafter proclaimed of existing duties on goods originating in the territory of Canada are necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Canada provided for by the Agreement and to carry out the agreement with Canada providing an accelerated schedule of duty elimination for specific goods of Annexes 401.2 and 401.7 to the Agreement.

4. Section 202 of the Implementation Act provides for certain rules of origin. I have determined that it is necessary to modify the Harmonized Tariff Schedule of the United States (HTS) to correct technical errors in the previously proclaimed rules of origin.

5. Section 604 of the Trade Act of 1974 (the 1974 Act) (19 U.S.C. 2483) authorizes the President to embody in the HTS the substance of the provisions of that Act, and of other acts affecting import treatment, and actions taken thereunder.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to sections 201(b) and 202 of the Implementation Act and section 604 of the 1974 Act, do proclaim that:

(1) In order to provide for an accelerated schedule of duty elimination and to correct technical errors in the rules of origin, general note 3 to the HTS and the tariff treatment provided for in the HTS for goods originating in the territory of Canada are modified as provided in the Annex to this proclamation.

(2) Any provisions of previous proclamations (in particular provisions concerning staged reductions in rates of duty for goods originating in the territory of Canada) inconsistent with the provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(3) The amendments made to the HTS by the Annex to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on the dates indicated in such Annex.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of May, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fourteenth.

George Bush

[FR Doc. 90-12622
Filed 5-25-90; 1:32 pm]
Billing code 3195-01-M

Annex

Modification in the Harmonized Tariff Schedule of the United States (HTS) of the Tariff Treatment of Goods Originating in the Territory of Canada

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1989, general note 3(c)(vii) to the HTS is modified:

(1) by deleting from subdivision (B)(2)(I) in such note the words "in Canada".

(2) by deleting from rule (R)(11)(qq) in such note "41,805,000 square meters" and "5,016,600 square meters" and inserting in lieu thereof "41,806,500 square meters" and "5,016,780 square meters", respectively.

(3) by deleting from rule (R)(11)(rr) in such note "25,083,000 square meters" and inserting in lieu thereof "25,083,900 square meters".

Section B. Effective with respect to goods originating in the territory of Canada which are entered, or withdrawn from warehouse for consumption, on or after April 1, 1990, the Rates of Duty 1-Special subcolumn in the HTS is modified as follows:

(1) For the following HTS provisions, in the Rates of Duty 1-Special subcolumn, strike the symbol "(CA)" and the duty rate preceding it, and in lieu thereof insert in the parentheses following the "Free" rate of duty the symbol "CA," in alphabetical order:

0201.10.00	2901.10.20	2917.39.15	2933.59.23	3806.30.00	7013.32.40	8412.31.00	8517.90.70	8545.90.40
0204.10.00	2901.10.50	2917.39.17	2933.59.25	3810.90.10	7115.10.00	8412.39.00	8517.90.80	8602.10.00
0204.21.00	2903.11.00	2917.39.20	2933.59.26	3810.90.50	7302.30.00	8413.19.00	8523.20.00	8607.11.00
0409.00.00	2903.12.00	2917.39.30	2933.59.27	3811.11.10	7302.90.00	8413.20.00	8525.10.20	8607.91.00
0410.00.00	2903.15.00	2917.39.50	2933.59.28	3811.11.50	7315.11.00	8413.60.00	8525.10.60	8608.00.00
0811.90.35	2903.30.15	2918.14.00	2933.59.29	3811.19.00	7315.19.00	8424.81.90	8525.10.80	8701.30.50
1007.00.00	2903.30.20	2918.15.10	2933.59.30	3815.90.10	7323.91.50	8426.49.00	8525.30.00	9002.11.40
1102.90.40	2903.59.05	2918.15.50	2933.59.35	3815.90.20	7323.94.00	8428.20.00	8527.11.11	9007.29.40
1103.12.00	2903.59.40	2918.19.10	2933.59.40	3815.90.50	7505.11.10	8451.90.00	8527.11.20	9007.29.80
1103.14.00	2905.11.20	2918.19.60	2933.59.50	3823.60.00	7505.11.30	8458.99.10	8527.11.40	9007.92.00
1104.12.00	2905.13.00	2918.29.10	2933.71.00	3903.20.00	7505.11.50	8460.40.00	8527.11.60	9009.12.00
1104.19.00	2905.16.00	2918.29.20	2934.20.10	3905.20.00	7505.12.10	8465.93.00	8527.31.05	9009.90.00
1104.22.00	2905.17.00	2918.29.22	2934.20.15	3905.90.10	7505.12.30	8472.10.00	8527.31.40	9010.20.10
1104.29.00	2905.43.00	2918.29.30	2934.20.20	3905.90.50	7505.12.50	8472.90.40	8527.31.50	9010.20.30
1104.30.00	2905.44.00	2918.29.40	2934.90.50	3907.60.00	7505.21.10	8472.90.80	8527.31.60	9010.20.40
1202.10.00	2905.50.10	2918.29.50	2935.00.45	3908.10.00	7505.21.50	8473.10.00	8527.32.00	9010.20.50
1202.20.00	2905.50.50	2921.12.00	2935.00.50	3908.90.00	7506.10.10	8477.30.00	8531.10.00	9010.20.60
1207.20.00	2907.29.10	2921.29.00	2936.24.00	3911.90.20	7506.10.30	8483.10.30	8531.20.00	9010.30.00
1208.10.00	2907.29.50	2921.44.10	2936.27.00	3912.31.00	7506.10.50	8483.10.50	8532.21.00	9010.90.40
1208.90.00	2908.10.10	2922.50.15	2936.29.10	3913.10.00	7506.20.10	8483.30.40	8532.22.00	9010.90.80
1501.00.00	2908.10.20	2925.19.10	2936.29.15	3920.62.00	7506.20.30	8483.30.80	8532.30.00	9014.80.40
1503.00.00	2908.10.25	2925.19.20	2936.29.20	3920.73.00	7506.20.50	8483.60.80	8533.10.00	9015.80.60
1506.00.00	2908.10.30	2929.10.10	2936.29.50	3926.90.15	7603.10.00	8483.90.20	8533.21.00	9018.49.80
1903.00.40	2908.10.50	2929.10.15	2936.90.00	4014.90.10	7603.20.00	8483.90.30	8533.29.00	9018.90.70
2106.10.00	2909.30.05	2929.10.20	2939.30.00	4201.00.30	7605.11.00	8501.31.80	8533.31.00	9019.20.00
2201.10.00	2909.30.07	2929.10.40	2940.00.00	4201.00.60	7605.19.00	8501.32.20	8533.39.00	9026.90.20
2804.10.00	2912.11.00	2929.10.50	2941.90.10	4504.90.20	7605.21.00	8501.32.60	8533.40.00	9030.31.00
2804.21.00	2912.19.10	2931.00.15	2941.90.30	4504.90.40	7605.29.00	8501.61.00	8533.90.00	9031.20.00
2804.29.00	2912.19.20	2931.00.50	2941.90.50	4602.10.11	7606.12.30	8501.62.00	8534.00.00	9031.40.00
2804.30.00	2912.19.30	2932.29.10	3002.90.10	4602.10.12	7606.12.60	8505.11.00	8539.10.00	9031.90.40
2804.40.00	2912.19.40	2932.29.20	3006.10.00	4602.10.13	7609.00.00	8506.12.00	8539.21.40	9207.10.00
2805.21.00	2912.19.50	2932.29.30	3301.30.10	4602.10.19	8112.11.60	8506.13.00	8539.29.10	9402.10.00
2805.22.10	2914.19.00	2932.29.40	3701.20.00	4818.40.40	8112.19.00	8507.40.00	8539.29.20	9506.99.50
2805.30.00	2915.90.10	2932.29.50	3702.20.00	5308.90.00	8207.30.30	8507.80.00	8539.29.40	9602.00.10
2811.22.10	2915.90.50	2932.90.10	3702.32.00	5402.10.30	8207.30.60	8515.11.00	8539.40.40	9608.10.00
2826.19.00	2916.12.10	2932.90.20	3702.41.00	5402.20.30	8207.40.30	8516.72.00	8539.40.80	9616.10.00
2827.10.00	2916.12.50	2932.90.30	3702.42.00	5403.20.30	8207.40.60	8517.30.15	8539.90.00	9617.00.10
2827.60.20	2916.19.50	2932.90.35	3702.52.00	5504.10.00	8207.50.20	8517.30.25	8540.20.20	9617.00.30
2827.60.50	2916.32.10	2932.90.37	3702.92.00	5911.10.10	8207.50.40	8517.40.50	8540.20.40	9617.00.60
2828.10.00	2916.32.20	2932.90.39	3703.10.30	5911.10.20	8207.50.60	8517.40.70	8540.30.00	
2835.10.00	2916.39.10	2932.90.41	3703.10.60	6903.20.00	8207.50.80	8517.81.00	8540.41.40	
2836.99.10	2916.39.15	2932.90.45	3703.20.30	6903.90.00	8213.00.30	8517.82.00	8540.42.00	
2836.99.50	2917.12.10	2932.90.50	3703.20.60	7011.10.10	8213.00.60	8517.90.05	8540.49.00	
2841.60.00	2917.19.15	2933.59.10	3707.10.00	7011.10.50	8213.00.90	8517.90.15	8541.60.00	
2843.21.00	2917.19.17	2933.59.15	3707.90.30	7013.32.10	8301.30.00	8517.90.35	8543.20.00	
2843.29.00	2917.19.50	2933.59.18	3707.90.60	7013.32.20	8301.70.00	8517.90.40	8544.30.00	
2843.90.00	2917.39.10	2933.59.20	3806.10.00	7013.32.30	8305.10.00	8517.90.60	8545.90.20	

Annex (con.)
2 of 8

Section B (con.):

(2) For the following HTS provisions, in the Rates of Duty 1-Special subcolumn, strike the symbol "(CA)" and the duty rate preceding it, and in lieu thereof insert "Free (CA)".

5402.42.00	5507.00.00
5403.20.60	5801.22.00
5505.20.00	5801.32.00

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after April 1, 1990, subchapter V of chapter 99 to the HTS is modified:

(1) by deleting from U.S. note 2 to such subchapter "heading 9905.00.00" and inserting in lieu thereof "subheadings 9905.00.00 and 9905.00.30".

(2) by deleting U.S. note 5 to such subchapter and renumbering U.S. notes 1, 2, 3, and 4 to such subchapter as U.S. notes 2, 4, 5, and 6, respectively, and by substituting "subheading" for "heading" and "subheadings" for "headings" at each occurrence in such notes.

(3) by inserting new U.S. notes 1, 3 and 7 to such subchapter, in numeric sequence, as follows:

"1. This subchapter contains the temporary modifications of the provisions of the tariff schedule established pursuant to the United States-Canada Free-Trade Agreement. Unless the context otherwise requires, goods originating in the territory of Canada described in the provisions of this subchapter, for which a rate of duty followed by the symbol "(CA)" is herein provided, are subject to duty at the rate set forth in lieu of the rate provided therefor in chapters 1 through 98. No other preferential tariff treatment provided under general note 3(c) to the tariff schedule shall be afforded under the provisions of this subchapter. Unless otherwise provided, the provisions and notes of this subchapter are effective as to such goods, under general note 3(c)(vii) to the tariff schedule, through the close of December 31, 1998, on which date this subchapter shall be deleted from the tariff schedule and shall cease to apply to any goods entered after that date.

3. On or after January 1 of each of the following years, the percentage set forth in the "Special" subcolumn of the rates of duty 1 column for subheading 9905.00.30 which is applicable to goods originating in the territory of Canada shall be modified as follows:

1991	1992
40 percent	20 percent

7. Whenever a fabric is entered under subheading 9905.00.30, the importer shall file with the appropriate Customs officer a written statement, accompanied by such supporting documentation as the Commissioner of Customs may require, stating that the imported fabric is intended for use as outer covering in the manufacture of upholstered furniture."

(4) by indenting the article descriptions of headings 9905.00.00, 9905.00.10 and 9905.00.20 at the same level of indentation as the article description of subheading 9904.30.50; by inserting the following new superior text immediately preceding such provisions: "Goods originating in the territory of Canada under general note 3(c)(vii) to the tariff schedule:"; and by striking out, from the rate of duty column 2 and from the "General" and the "Special" subcolumns of the rates of duty 1 column in each such provision as appropriate, the words "No change", along with any symbols in parentheses following such words in the "Special" subcolumn.

(5) by deleting from subheading 9905.00.00 in the article description for such subheading "7416.00", "8483.10", "8501.20", "8501.31", "8536.41", "8539.10", "8539.21", "8539.29", "8544.30", "9026.10, "9026.20", "9026.80", "9026.90", "9030.39", "9030.40", "9032.10", and "9032.20"; and by deleting for such subheading in the Rates of Duty 1-Special subcolumn "U.S. note 3" and inserting in lieu thereof "U.S. note 5".

Annex (con.)
3 of 8

Section C (con.):

(6) by inserting in numerical sequence in such subchapter the following HTS subheadings set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", and "Rates of Duty 1-Special", respectively:

	[Goods originating...:]	
"9905.00.30	Upholstery fabrics certified by the importer as intended for use as outer covering in the manufacture of upholstered furniture, provided for in the following provisions: 5208.39, 5208.42, 5208.49, 5208.52, 5208.53, 5208.59, 5209.31, 5209.32, 5209.39, 5209.41, 5209.43, 5209.49, 5209.51, 5209.52, 5209.59, 5210.39, 5210.49, 5210.51, 5210.59, 5211.31, 5211.32, 5211.39, 5211.41, 5211.43, 5211.49, 5211.51, 5211.52, 5211.59, 5407.10, 5407.42, 5407.43.20, 5407.44, 5407.52.20, 5407.53.20, 5407.54, 5407.60.20, 5407.72, 5407.73.20, 5407.74, 5407.82, 5407.83, 5407.84, 5407.92.20, 5407.94.20, 5408.22, 5408.23.20, 5408.24, 5512.19, 5512.99, 5513.21, 5513.23, 5513.41, 5514.21, 5514.22, 5514.23, 5514.29, 5514.31, 5514.32, 5514.33, 5514.39, 5514.41, 5514.42, 5514.43, 5514.49, 5515.11, 5515.12, 5515.21, 5515.29, 5515.91, 5515.99, 5516.13, 5516.14, 5516.22, 5516.23, 5516.24, 5516.43, 5516.93, 5801.10, 5801.22, 5801.23, 5801.25, 5801.26, 5801.31, 5801.32, 5801.33, 5801.35, 5801.36, 5801.90, 5802.30, 5903.10, 5903.20, 5903.90, 5906.99, 5907.00	60 percent of the column 1-general rate of duty applicable under the respective listed heading or sub-heading (CA)
9905.02.10	Meat and edible meat offal of grouse, partridges, pheasants and squabs (provided for in subheading 0208.90.40).....	[See section G of this Annex (CA)]
9905.20.05	Frozen battered and breaded onion rings and chips (provided for in subheading 2004.90.90).....	[See section G of this Annex (CA)]
9905.20.10	Grape juice, not concentrated (provided for in subheading 2009.60.00).....	Free (CA)
9905.20.15	Juice of any single fruit, except fruits provided for elsewhere in heading 2009, not concentrated (provided for in subheading 2009.80.60).....	Free (CA)
9905.20.20	Mixtures of fruit juices, not concentrated, and concentrated mixtures of fruit juices containing not less than 50 percent by volume of pineapple juice (provided for in subheading 2009.90.40).....	Free (CA)
9905.28.10	Sodium azide (provided for in subheading 2850.00.50).....	Free (CA)
9905.29.05	Acetylene (provided for in subheading 2901.29).....	Free (CA)
9905.29.10	Tetradecabromodiphenoxybenzene (provided for in subheading 2909.30.40).....	Free (CA)
9905.29.15	Dioctyl diphenylamine (provided for in subheading 2921.44.50).....	Free (CA)
9905.29.20	N-(9-Fluorenylmethoxycarbonyloxy)succinimide (provided for in subheading 2925.19.50).....	Free (CA)
9905.29.25	Organo-silicon compounds, organo-phosphines, and benzeneboronic acid (phenylboron hydroxide) (provided for in heading 2931.00).....	Free (CA)
9905.29.30	N,N'-Carbonyldiimidazole (provided for in subheading 2933.29.50).....	Free (CA)
9905.29.35	2-(2'-Hydroxy-3',5'-di-tert-amylphenyl)benzotriazole, 2-(benzotriazol-2-yl)-4,6-bis(methylethyl-1-phenylethyl)phenol, and 2-(2'-hydroxy-5'-methylphenyl)benzotriazole (provided for in subheading 2933.90).....	Free (CA)
9905.30.10	Aminocaproic acid, antibacterial creams containing sulfanilamide as the single active ingredient, antihistaminic agents in tablet form containing terfenadine as the single active ingredient, anthelmintic based on pyrantel pamoate or morantel tartarate for treating internal parasites in horses and in dairy and feed cattle, antimicrobial ointments other than sulfonamides for the treatment of vaginal yeast infections in animals, and laxatives for animals (provided for in subheading 3004.90.60).....	Free (CA)

Annex (con.)
4 of 8

Section C(6) (con.):

[Goods originating...:]

9905.34.10	Soap in the form of bars, cakes, molded pieces or shapes (provided for in subheading 3401.11.50)	Free (CA)
9905.38.05	Caustic alkali liquid (black liquor) (provided for in subheading 3804.00.50)	Free (CA)
9905.38.10	Gaseous mixtures of hydrogen sulfide and nitrogen, gaseous mixtures of nitric oxide and nitrogen, and phosphonium salts (provided for in subheading 3823.90)	Free (CA)
9905.39.05	Bathtubs and showerstalls of plastics reinforced with glass fibers (provided for in subheading 3922.10)	Free (CA)
9905.39.10	Facemasks and visors specially designed for headgear used in ice-hockey (provided for in subheading 3926.90.90)	Free (CA)
9905.40.10	Infant pacifiers of vulcanized rubber (provided for in subheading 4014.90.50)	Free (CA)
9905.44.05	Plywood doorskins having a face ply of birch (provided for in subheading 4412.12.10)	Free (CA)
9905.44.10	Pressure treated lumber, finger-jointed builders' joinery, and edge-glued lumber (provided for in subheading 4418.90.40)	Free (CA)
9905.44.15	Laminated hemlock post blanks, finger-jointed lumber, and edge-glued lumber (provided for in subheading 4421.90.90)	Free (CA)
9905.54.05	Nylon yarn, single, untwisted or with a twist not exceeding 50 turns/m (provided for in subheading 5402.41.00)	Free (CA)
9905.54.10	Yarn, solely of polyurethane, single, untwisted, not on beams (provided for in subheading 5402.49.00)	Free (CA)
9905.54.15	Nylon filament fabrics for typewriter and computer ribbons (provided for in subheading 5407.41.00)	Free (CA)
9905.55.10	Aramid staple fibers, not carded, combed or otherwise processed for spinning (provided for in subheading 5503.10.00)	Free (CA)
9905.59.05	Transmission or conveyer belts suitable for use with the machinery of subheadings 8433.40, 8433.51, 8433.52, 8433.53, 8433.59, or 8436.80 (provided for in subheading 5910.00.10)	Free (CA)
9905.59.10	Packing yarns with cores of glass fibers, whether or not incorporating a metal wire, covered with a textile wrapper (provided for in subheading 5911.90.00)	Free (CA)
9905.61.05	Pants and shells for pants for use in ice hockey (provided for in subheadings 6114.30.30, 6210.40.10, or 6210.40.20)	Free (CA)
9905.61.10	Gloves for use in ice hockey (provided for in subheadings 6116.93.20 or 6216.00.48)	Free (CA)
9905.65.10	Headgear of reinforced or laminated plastics for use in ice hockey (provided for in subheading 6506.10.30)	Free (CA)
9905.66.10	Canes specially designed for use by the blind and orthopedic canes (provided for in heading 6602.00.00)	Free (CA)
9905.70.10	Yarns and woven fabrics of electrically nonconductive continuous glass fiber filaments having a diameter of not less than 9.3 microns but not more than 10.7 microns, and impregnated, coated or covered with resorcinol formaldehyde latex (provided for in subheadings 7019.10.10, 7019.10.20, or 7019.20)	Free (CA)
9905.73.05	Railway track switch heaters and parts thereof (provided for in subheading 7322.90.00)	Free (CA)
9905.73.10	Treeball baskets (provided for in subheading 7326.20)	Free (CA)

Annex (con.)
5 of 8

Section C(6) (con.):

	[Goods originating...:]	
9905.73.15	Flush floor and duct systems (provided for in subheading 7326.90.90).....	Free (CA)
9905.82.10	Handles, incorporating a socket wrench, for mechanical automobile jacks (provided for in subheading 8204.11.00).....	Free (CA)
9905.83.05	Push-button combination doorlocks (provided for in subheading 8301.40.60).....	Free (CA)
9905.83.10	Parts of locks of a kind used for furniture, and parts of push-button combination doorlocks (provided for in subheading 8301.60.00).....	Free (CA)
9905.84.05	Parts of pneumatic power engines and motors (provided for in subheading 8412.90).....	Free (CA)
9905.84.10	Soft ice-cream makers and dispensers (provided for in subheadings 8418.61.00 or 8418.69.00).....	Free (CA)
9905.84.15	Parts of filtering or purifying machinery and apparatus for gases of subheading 8421.39 (provided for in subheading 8421.99.00).....	Free (CA)
9905.84.20	Log loaders, and front-end loaders designed to be attached to tractors and suitable for use in agriculture, horticulture, or forestry (provided for in subheading 8428.90.00).....	Free (CA)
9905.84.25	Parts of pneumatic elevators and conveyors of subheading 8428.20, parts suitable for use solely or principally with grain augers of subheading 8428.39.00, and parts of front-end loaders designed to be attached to tractors and suitable for use in agriculture, horticulture or forestry (provided for in subheading 8431.39.00).....	Free (CA)
9905.84.30	Key cutting machinery (provided for in subheading 8460.90.00).....	Free (CA)
9905.84.35	Parts and accessories of vertical turret lathes of subheading 8458.99.10, parts and accessories of honing or lapping machines of subheading 8460.40, and parts of key-cutting machinery (provided for in subheading 8466.93.70).....	Free (CA)
9905.84.40	Shank straighteners (provided for in subheading 8462.29).....	Free (CA)
9905.84.45	Parts and accessories of duplicating machines of subheading 8472.10, of pencil sharpeners of subheading 8472.90.40, and of other office machines of subheading 8472.90.80 (provided for in subheading 8473.40.40).....	Free (CA)
9905.84.50	Barrels and cylinders for plastic processing machines (provided for in subheading 8477.80.00).....	Free (CA)
9905.84.55	Parts of blow-molding machines of subheading 8477.30, and parts of barrels and cylinders for plastic processing machines (provided for in subheading 8477.90.00).....	Free (CA)
9905.84.70	Universal joints (provided for in subheading 8483.60.40).....	Free (CA)
9905.84.75	Parts, other than for clutches, of the goods of subheadings 8483.10.30, 8483.10.50, 8483.60.40, and 8483.60.80 (provided for in subheading 8483.90.80).....	Free (CA)
9905.85.05	Electric gear motors (provided for in subheadings 8501.33.30, 8501.33.40, 8501.34.30, 8501.51, 8501.53.60 or 8501.53.80).....	Free (CA)
9905.85.10	Parts of electric motors and generators of subheadings 8501.20, 8501.31, 8501.32.20, 8501.32.60, 8501.61, or 8501.62, and parts of electric gear motors of subheadings 8501.33.30, 8501.33.40, 8501.34.30, 8501.51, 8501.53.60, or 8501.53.80 (provided for in heading 8503.00).....	Free (CA)

Annex (con.)
6 of 8

Section C(6) (con.):

	[Goods originating...:]	
9905.85.15	Auto-transformers having an individual base MVA exceeding 100 MVA but not exceeding 300 MVA, regardless of voltage classification, and transformers, other than auto-transformers, having an individual base MVA exceeding 50 MVA but not exceeding 275 MVA, regardless of voltage classification, and transformers exceeding 10,000 kVA having an individual voltage classification of 765 kV or greater (provided for in subheading 8504.23.00).....	[See section G of this Annex (CA)]
9905.85.20	Bushings and tap changers of auto-transformers or transformers of subheading 9905.85.15 (provided for in subheading 8504.90.00).....	[See section G of this Annex (CA)]
9905.85.25	Parts of primary cells and primary batteries of subheadings 8506.12 and 8506.13 (provided for in subheading 8506.90.00).....	Free (CA)
9905.85.30	Parts of electric storage batteries other than lead-acid or nickel-cadmium batteries (provided for in subheading 8507.90.80).....	Free (CA)
9905.85.35	Food grinders and processors (provided for in subheading 8509.40.00).....	Free (CA)
9905.85.40	Parts of electric soldering irons and guns of subheading 8515.11.00 (provided for in subheading 8515.90.40).....	Free (CA)
9905.85.45	Transmission apparatus incorporating reception apparatus, other than radio paging devices (provided for in subheading 8525.20).....	Free (CA)
9905.85.50	Antennas for land mobile transceivers, cellular telephones, or radio and television transmitters, and parts thereof (provided for in subheading 8529.10).....	Free (CA)
9905.85.55	Parts of apparatus of subheadings 8525.10, 8525.20 (other than radio paging devices), 8525.30, 8527.11, 8527.31, and 8527.32 (provided for in subheading 8529.90).....	Free (CA)
9905.85.60	Parts of burglar or fire alarms and similar apparatus of subheading 8531.10 and of indicator panels incorporating liquid crystal devices or light emitting diodes of subheading 8531.20 (provided for in subheading 8531.90)....	Free (CA)
9905.85.65	Parts of electrical capacitors of subheadings 8532.21, 8532.22, and 8532.30 (provided for in subheading 8532.90.00).....	Free (CA)
9905.85.70	Parts of signal generators (provided for in subheading 8543.90).....	Free (CA)
9905.86.10	Railway freight cars imported for temporary use in transportation within the United States and certified by the importer to be exported within 1 year from the date of importation (provided for in heading 8606).....	Free (CA)
9905.87.10	Aluminum construction drop-center livestock trailers having a g.v.w. of 11.778 metric tons and a length exceeding 12 m (provided for in subheading 8716.39.00).....	Free (CA)
9905.89.10	Personal watercraft, being vessels of 5 m or less in overall length that are inboard powered, water-jet driven, and designed to be operated while sitting on, standing on, or kneeling on, rather than sitting in, as in conventional vessels (provided for in subheading 8903.99.90).....	Free (CA)
9905.90.05	Parts and accessories of the instruments and apparatus of subheading 9030.31 (provided for in subheading 9030.90.80).....	Free (CA)
9905.90.10	Parts and accessories of the instruments and apparatus of subheadings 9030.39 and 9030.40 (provided for in subheading 9030.90.80).....	[See section G of this Annex (CA)]
9905.90.15	Parts and accessories of test benches (provided for in subheading 9031.90.60).....	Free (CA)

Annex (con.)
7 of 8

Section C(6) (con.):

	[Goods originating...:]	
9905.90.20	Electronic logic panels for multi-zone controls, automatic regulation or control instruments, and fan and humidity controls (provided for in subheading 9032.89.60).....	[See section G of this Annex (CA)]
9905.90.25	Parts and accessories of thermostats of subheading 9032.10, of manostats of subheading 9032.20, and of electronic logic panels for multi-zone controls, automatic regulation or control instruments, and fan and humidity controls of subheading 9032.89.60 (provided for in subheading 9032.90.60).....	[See section G of this Annex (CA)]
9905.94.10	Dental lamps and parts thereof (provided for in subheadings 9405.40, 9405.91.60, 9405.92.00, or 9405.99).....	Free (CA)
9905.95.10	Closed-face spin casting fishing reels (provided for in subheading 9507.30)...	Free (CA)"

Section D. Effective with respect to goods originating in the territory of Canada which are entered, or withdrawn from warehouse for consumption, on or after May 1, 1990, for the HTS subheadings 1102.90.30 and 1102.90.50, in the Rates of Duty 1-Special subcolumn, strike the symbol "(CA)" and the duty rate preceding it, and in lieu thereof insert in the parentheses following the "Free" rate of duty the symbol "CA," in alphabetical order.

Section E. Effective with respect to goods originating in the territory of Canada which are entered, or withdrawn from warehouse for consumption, on or after July 1, 1990:

(1) For the HTS subheadings 2935.00.44 and 2935.00.46, in the Rates of Duty 1-Special subcolumn, strike the symbol "(CA)" and the duty rate preceding it, and in lieu thereof insert in the parentheses following the "Free" rate of duty the symbol "CA," in alphabetical order.

(2) The article description of subheading 9905.61.10 is modified by deleting "6216.00.48" and by inserting in lieu thereof "6216.00.47".

Section F. Effective with respect to goods originating in the territory of Canada which are entered, or withdrawn from warehouse for consumption, on or after January 1, 1991:

(1) For the HTS subheadings 8481.10.00 and 8481.80.90, in the Rates of Duty 1-Special subcolumn, strike the symbol "(CA)" and the duty rate preceding it, and in lieu thereof insert in the parentheses following the "Free" rate of duty the symbol "CA," in alphabetical order.

(2) by inserting in numerical sequence in subchapter V of chapter 99 to the HTS the following HTS subheadings set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", and "Rates of Duty 1-Special", respectively:

	[Goods originating...:]	
"9905.84.60	Valves, other than valves of subheading 8481.80.90, exceeding 19 mm internal pipe size for gas-fired apparatus for cooking, heating buildings or water, or for refrigeration, including such valves used in the gas line between such apparatus and the meter or in the gas line between such apparatus and the consumer's gas storage device, and wellhead valves, other than valves of subheading 8481.80.90, not less than 5.08 cm nor exceeding 7.62 cm nominal size, rated for service in working pressures not exceeding 13,790 kPA W.O.G (water, oil, gas) excluding needle valves, for use in the exploration, discovery, development, maintenance, testing, depletion or production of oil or natural gas wells (provided for in subheading 8481.80).....	Free (CA)
9905.84.65	Parts of pressure-reducing valves of subheading 8481.10, of taps, cocks, valves and similar appliances of subheading 8481.80.90, and of valves used for gas-fired apparatus and wellhead valves of subheading 9905.84.60 (provided for in subheading 8481.90).....	Free (CA)"

Annex (con.)
8 of 8

Section G. Effective with respect to goods originating in the territory of Canada which are entered, or withdrawn from warehouse for consumption, on or after April 1 in 1990, and January 1 of each of the following years set forth in the following tabulation, for each of the following HTS subheadings, the rate of duty in the Rates of Duty 1-Special subcolumn in the HTS that is followed by the symbol "CA" in parentheses is deleted and the following rates of duty inserted in lieu thereof on such aforementioned dates.

Heading/ Subheading	1990	1991	1992	1993	1994	1995	1996	1997	1998
2007.99.05	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
2007.99.20	5.6%	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
2007.99.25	5.6%	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
2007.99.35	5.6%	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
7416.00.00	3.4%	2.2%	1.1%	Free	Free	Free	Free	Free	Free
8501.20.20	2.5%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8501.20.40	3%	2%	1%	Free	Free	Free	Free	Free	Free
8501.20.50	3%	2%	1%	Free	Free	Free	Free	Free	Free
8501.20.60	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8501.31.20	2.5%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8501.31.40	3%	2%	1%	Free	Free	Free	Free	Free	Free
8501.31.50	3%	2%	1%	Free	Free	Free	Free	Free	Free
8501.31.60	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8536.41.00	3.1%	2.1%	1%	Free	Free	Free	Free	Free	Free
9026.10.20	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9026.10.40	29.4¢ each + 4.5%	19.6¢ each + 3%	9.8¢ each + 1.5%	Free	Free	Free	Free	Free	Free
9026.10.60	2.8%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
9026.20.40	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9026.20.80	2.8%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
9026.80.20	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9026.80.40	29.4¢ each + 4.5%	19.6¢ each + 3%	9.8¢ each + 1.5%	Free	Free	Free	Free	Free	Free
9026.80.60	2.8%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
9026.90.40	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free	Free
9026.90.60	2.8%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
9030.39.00	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9030.40.00	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9032.10.00	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9032.20.00	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9905.02.10	6.6¢/kg	4.4¢/kg	2.2¢/kg	Free	Free	Free	Free	Free	Free
9905.20.05	5.6%	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
9905.85.15	0.9%	0.4%	Free	Free	Free	Free	Free	Free	Free
9905.85.20	0.9%	0.4%	Free	Free	Free	Free	Free	Free	Free
9905.90.10	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9905.90.20	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9905.90.25	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free	Free

[FR Doc. 90-12622
Filed 5-25-90; 1:32 pm]
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Rules and Regulations

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1990

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

OFFICE OF GOVERNMENT ETHICS

5 CFR Part 2638

RIN 3209-AA02

Corrective Action and Reporting Requirements Relating to Executive Agency Ethics Programs: Implementation of the Office of Government Ethics Reauthorization Act of 1988

AGENCY: Office of Government Ethics.

ACTION: Final rule.

SUMMARY: The Office of Government Ethics is issuing final rules to establish procedures: (1) To correct deficiencies in executive branch agency ethics programs; (2) to bring individual agency employees into compliance with rules, regulations and executive orders relating to standards of conduct and conflicts of interest; and (3) to specify requirements for executive agency reports.

EFFECTIVE DATE: May 30, 1990.

FOR FURTHER INFORMATION CONTACT: Leslie L. Wilcox, Office of Government Ethics, telephone (202/FTS) 523-5757, FAX (202/FTS) 523-6325.

SUPPLEMENTARY INFORMATION:

A. Review of Comment Letters and Rule Changes Adopted

The Office of Government Ethics published interim regulations on January 18, 1990 at 55 **Federal Register** 1665 establishing procedures to correct deficiencies in executive branch agency ethics programs, to bring individual executive agency employees into compliance with ethics standards and to specify requirements for executive agency reports and assistance. The interim rules document provided that interested persons could file comments through March 19, 1990. We received comments from 5 agencies.

The Office of Government Ethics (OGE) has adopted changes that accommodate national security concerns and clarify executive agencies' role in hearings and their responsibility for notifying OGE of conflict cases referred for possible prosecution. These changes address the substance of the concerns expressed by four of the five agencies that furnished comments (the other comment was not adopted, see below).

Three agencies noted that new § 2638.603(b) of 5 CFR would appear to require reporting by agencies to OGE of any case referred for possible prosecution, whereas Section 402(e) of the Ethics in Government Act of 1978, as amended, 5 U.S.C. app. IV, only requires notification of cases involving alleged violations of Federal conflict of interest laws. Sections 2638.603(b) and 2638.603(c)(1) of 5 CFR are accordingly revised to make clear that the notification requirement applies only to alleged violations of Federal conflict of interest laws referred for prosecution pursuant to 28 U.S.C. 535. One agency noted that conflict of interest cases may be referred for possible prosecution under authorities other than 28 U.S.C. 535 and another noted that the Department of Justice has systems in place that may provide information about case referrals. OGE recognizes that there are other referral authorities and other sources of information about conflict of interest cases referred for possible prosecution. Section 2638.603 is intended to implement the statutory requirement under the Ethics Act that agencies, unless otherwise prohibited by law, report to OGE any conflict of interest case referred for possible prosecution under 28 U.S.C. 535. It does not foreclose the collection of other information or the use of other sources of information about conflict of interest cases.

Two agencies expressed concern with the absence of regulatory language in the interim rules that would accommodate any national security concerns that might arise in connection with proceedings involving individual employees conducted under subpart E. They suggested that language be inserted at several points to ensure that personnel involved in investigations and hearings, including administrative law judges, have proper security clearances and that classified information is not improperly disclosed. In lieu of the several changes recommended by these agencies, a new § 2638.501(d) of 5 CFR is added to provide that proceedings under subpart E shall be conducted in accordance with national security requirements. Furthermore, § 2638.505(e)(2) is revised to provide that hearings, which are generally to be open to the public, may be closed, inter alia, in the interest of national security.

Two agencies felt that the regulations did not clearly define the agency's role in proceedings conducted under subpart E. One suggested a provision for agency participation in proceedings involving its own employees in order to protect agency interests and information. The other suggested changes that would make the agency concerned virtually a third party to hearings conducted under § 2638.505. That agency suggested for example, that the designated agency ethics official be served with copies of all submissions as well as a copy of the administrative law judge's recommended decision and be provided an opportunity to comment thereon.

The procedures contained in subpart E will generally ensure that the views of the agency of the individual employee involved are taken into account in any proceeding conducted under that subpart. The Office of Government Ethics does not agree that the designated agency ethics official should have an active role in such proceedings; this is simply not contemplated in the Ethics Act statutory scheme. However, to clarify and enhance the agency's role in hearings involving its own employees, we have amended §§ 2638.505(c) and 2638.505(g) of 5 CFR, respectively, to ensure that the views of the designated agency ethics official concerned may be obtained when necessary to develop the record and to provide that the Director may request comments by the designated agency ethics official on the recommended decision of the administrative law judge. To ensure that the employee's agency is apprised of proceedings under § 2638.505, we have adopted the recommendation to amend § 2638.505(b) to provide that a copy of the notice of proceedings shall be provided to the head of the agency and the designated agency ethics official. We have also adopted the recommendation that specific provision be made for attendance by the designated agency ethics official at

hearings closed to the public. Accordingly, § 2638.505(e)(2) is amended to permit attendance by the designated agency ethics official of the employee's agency at closed hearings unless specifically excluded by the administrative law judge.

The Office of Government Ethics rejected the recommendation by the fifth commenting agency that the regulations be amended to provide that an agency attorney who has furnished ethics advice to an employee who is the subject of a proceeding under subpart E may not be required to provide information with respect of that advice without the consent of the employee. This recommendation sought recognition of the existence of a privilege similar to the attorney-client privilege as between agency attorneys or ethics officials and individual employees. In providing advice relating to standards of conduct and conflicts of interest, agency attorneys and ethics officials act on behalf of their Government agency and not in an attorney-client or similar relationship to the employees they advise.

Finally, OGE has additionally decided to clarify that these corrective action and agency report regulations apply to executive branch agencies and their employees, and not to the other two branches of the Government, by amending the titles of subparts D, E and F of 5 CFR part 2638 to include reference to the executive branch (the amended subpart D title also makes it clear that ethics programs are the subject of its provisions).

B. Matters of Regulatory Procedure

Administrative Procedure Act

Pursuant to 5 U.S.C. 553 (b) and (d), the Director of the Office of Government Ethics finds good cause exists for waiving the general notice of proposed rulemaking and 30-day delay in effectiveness as to these revisions. The notice is being waived because these regulations concern matters of agency organization, practice and procedure and because the Office of Government Ethics Reauthorization Act of 1988 has been in effect since November 1988, and it is essential to the workings of executive branch agency ethics programs that these revisions to the implementing regulations go into effect as soon as possible. Further, these revisions in large measure reflect the comments received on the interim rules published at 55 **Federal Register** 1665 (Jan. 18, 1990).

Executive Order 12291

The Office of Government Ethics has determined that this is not a major rule as defined under section 1(b) of Executive Order 12291, Federal Regulation.

Regulatory Flexibility Act

I certify under the Regulatory Flexibility Act (5 U.S.C. chapter 6) that these regulations will not have a significant economic impact on a substantial number of small entities because they will affect only Federal executive branch agencies and employees.

Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. chapter 35) does not apply because these regulations do not contain information collection requirements that require the approval of the Office of Management and Budget.

List of Subjects in 5 CFR Part 2638

Administrative practice and procedure, Conflict of interests, Government employees, Reporting and recordkeeping requirements.

Approved: May 8, 1990.

Donald E. Campbell,

Acting Director, Office of Government Ethics.

Accordingly, the Office of Government Ethics pursuant to its authority under title IV of the Ethics in Government Act is adopting the interim rules amending 5 CFR part 2638 published at 55 FR 1665 (January 18, 1990) as final rules with the following changes:

PART 2638—OFFICE OF GOVERNMENT ETHICS AND EXECUTIVE AGENCY ETHICS PROGRAM RESPONSIBILITIES

1. The authority citation for part 2638 is revised to read as follows:

Authority: 5 U.S.C. appendixes III, IV.

2. The title of subpart D of part 2638 is revised to read as follows:

Subpart D—Correction of Executive Branch Agency Ethics Programs

3. The title of subpart E of part 2638 is revised to read as follows:

Subpart E—Corrective and Remedial Action in Cases Involving Individual Executive Agency Employees

4. The title of subpart F of part 2638 is revised to read as follows:

Subpart F—Executive Branch Agency Reports

5. Section 2638.501 is amended by adding a new paragraph (d) at the end to read as follows:

§ 2638.501 In general.

* * * * *

(d) *National security.* Proceedings under this subpart shall be conducted in accordance with applicable national security requirements.

6. Section 2638.505 is amended by revising the introductory text of paragraph (b), by adding a new sentence to the end of paragraph (c), by removing the first two sentences of and adding three new sentences in place thereof to paragraph (e)(2), and by redesignating paragraphs (g)(1), (g)(2), and (g)(3) as paragraphs (g)(2), (g)(3) and (g)(4) and adding a new paragraph (g)(1) to read as follows:

§ 2638.505 Director's decision and order.

* * * * *

(b) *Notice.* The employee will be served, personally or by United States mail, with notice of proceedings to determine whether a violation of an ethics provision is occurring and whether corrective action is necessary to end the violation. A copy of the notice shall be provided to the head of the employee's agency and the designated agency ethics official thereof. The notice shall specify the employee's right to present evidence or arguments either in writing or, at the employee's written request, at a hearing conducted on the record. The notice shall be signed by the Director and shall include:

* * * * *

(c) * * * the Deputy General Counsel may request the views or report of the designated agency ethics official of the employee's agency when necessary to develop the record.

* * * * *

(e) * * *

(2) *Public hearings.* Hearings shall generally be open to the public. However, the administrative law judge may order a hearing or any part thereof closed, on his own initiative or upon motion of a party or other affected person, where to do so would be in the best interests of national security, the respondent employee, a witness, the public or other affected persons. Unless specifically excluded by the administrative law judge, the designated agency ethics official of the employee's agency shall be permitted to attend a closed hearing. * * *

* * * * *

(g) * * *

(1) Preliminary to issuing a decision and order, the Director may request that comments on the recommended decision be provided by the designated agency ethics official of the employee's agency.

* * * * *

7. Section 2638.603 is amended by revising paragraphs (b) and (c)(1) to read as follows:

§ 2638.603 Reports of referral for possible prosecution.

* * * * *

(b) *Report of referral.* When any matter involving an alleged violation of Federal conflict of interest law is referred pursuant to 28 U.S.C. 535, the agency shall concurrently notify the Director of the Office of Government Ethics of the referral and provide a copy of the referral document, unless such notification or disclosure would otherwise be prohibited by law.

(c) *Disposition reports.* (1) Where there has been notice that the matter reported under paragraph (b) of this section will not be prosecuted, the agency shall promptly notify the Director of that fact, the date of the decision and any disciplinary or corrective action initiated, taken or to be taken by the agency.

* * * * *

[FR Doc. 90-12489 Filed 5-29-90; 8:45 am]

BILLING CODE 6345-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1230

[No. LS-90-103]

Pork Promotion and Research

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: Pursuant to the Pork Promotion, Research, and Consumer Information Act of 1985 and the Order issued thereunder, this final rule increases the amount of the assessment per pound due on imported pork and pork products to reflect an increase in the 1989 seven market average price for domestic barrows and gilts and to bring the equivalent market value of the live animals from which such imported pork and pork products were derived in line with the market values of domestic porcine animals.

EFFECTIVE DATE: June 29, 1990.

ADDRESSES: Ralph L. Tapp, Chief; Marketing Programs Branch; Livestock and Seed Division; Agricultural Marketing Service, USDA, room 2624-S; P.O. Box 96456, Washington, DC 20090-6456.

FOR FURTHER INFORMATION CONTACT: Ralph L. Tapp, Chief, Marketing Programs Branch, (202) 382-1115.

SUPPLEMENTARY INFORMATION: This action was reviewed under USDA procedures established to implement Executive Order No. 12291 and Departmental Regulation 1512-1 and is hereby classified as a nonmajor rule under the criteria contained therein.

This action also was reviewed under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 et seq.). The effect of the Order upon small entities was discussed in the September 5, 1986, issue of the **Federal Register** (51 FR 31898), and it was determined that the Order would not have a significant effect upon a substantial number of small entities. Many importers may be classified as small entities. This final rule increases the amount of assessments on certain imported pork and pork products subject to assessment by one-hundredth of a cent per pound, or as expressed in cents per kilogram, two-hundredths of a cent per kilogram. Adjusting the rate of assessments on imported pork and pork products will result in an estimated increase in assessments of $62,000 over a 12-month period. Accordingly, the Administrator of the Agricultural Marketing Service (AMS) has determined that this action will not have a significant economic impact on a substantial number of small entities.

The Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4801-4819) approved December 23, 1985, authorized the establishment of a national pork promotion, research, and consumer information program. The program is funded by an assessment rate of 0.25 percent of the market value of all porcine animals marketed in the United States and an equivalent amount of assessment on imported porcine animals, pork, and pork products. The final Order establishing a pork promotion, research, and consumer information program was published in the September 5, 1986, issue of the **Federal Register** (51 FR 31898; as corrected, at 51 FR 36383 and amended at 53 FR 1909 and 53 FR 30243) and assessments began on November 1, 1986.

The Order requires importers of porcine animals to pay the U.S. Customs Service (USCS), upon importation, the assessment of 0.25 percent of the animal's declared value and importers of pork and pork products to pay to the USCS, upon importation, the assessment of 0.25 percent of the market value of the live porcine animals from which such pork and pork products were produced. This final rule increases the assessment on all but six of the imported pork and pork products subject to assessment as published in the **Federal Register** on September 21, 1989, and effective on October 23, 1989 (54 FR 38813). This increase is consistent with the increase in the annual average price of domestic barrows and gilts at the seven markets for calendar year 1989 as reported by the USDA, AMS, Livestock and Grain Market News Branch (LGMN). This increase in assessments will make the equivalent market value of the live porcine animal from which the imported pork and pork products were derived reflect the recent increase in the market value of domestic porcine animals, thereby promoting comparability between importer and domestic assessments. This final rule does not change the current assessment rate of 0.25 percent of the market value.

The methodology for determining the per-pound amounts for imported pork and pork products was described in the supplementary information accompanying the Order and published in the September 5, 1986, **Federal Register** at 51 FR 41901. The weight of imported pork and pork products is converted to a carcass weight equivalent by utilizing conversion factors which are published in the USDA Statistical Bulletin No. 616 "Conversion Factors and Weights and Measures." These conversion factors take into account the removal of bone, weight lost in cooking or other processing, and the nonpork components of pork products. Secondly, the carcass weight equivalent is converted to a live animal equivalent weight by dividing the carcass weight equivalent by 70 percent, which is the average dressing percentage of porcine animals in the United States. Thirdly, the equivlent value of the live porcine animal is determined by multiplying the live animal equivalent weight by an annual average seven market price for barrows and gilts as reported by the USDA, AMS, LGMN Branch. This average price is published on a yearly basis during the month of January in the LGMN Branch's publication "Livestock, Meat, and Wool Weekly Summary and Statistics." Finally, the equivalent value is multiplied by the applicable assessment rate of 0.25 percent due on imported pork and pork products. The end result is expressed in an amount per pound for each type of pork or pork product. To determine the amount per kilogram for pork and pork products subject to assessment under the Act and

Order, the cent-per-pound assessments are multipled by a metric conversion factor 2.2046 and carried to the sixth decimal.

The formula in the preamble for the Order at 51 FR 31901 contemplated that it would be necessary to recalculate the equivalent live animal value of imported pork and pork products to reflect changes in the annual average price of domestic barrows and gilts to maintain equity of assessments between domestic porcine animals and imported pork and pork products.

In 1989, the average annual seven market price increased to $43.77, an increase of about 1 percent of the 1988 per hundred weight price of $43.25 which results in an increase in assessments for all but six of the Harmonized Tariff Systems (HTS) numbers listed in the table in § 1230.110, 54 FR 15915; April 20, 1989, as amended at 34 FR 38814; September 21, 1989, of an amount equal to one-hundredth of a cent per pound, or as expressed in cents per kilogram, two-hundredths of a cent per kilogram. The HTS numbers listed in the table in section 1230.110 on which the per pound or kilogram assessment will not be increased are 0203.19.20000, 0203.29.20008, 0210.19.00005, 1601.00.20007, 1602.49.20009, and 1602.49.40005. Based on Department of Commerce, Bureau of Census, data on the volume of imported pork and pork products available for the period January 1, 1989, through October 31, 1989, the increases in the assessment amounts would result in an estimated $62,000 increase in assessments over a 12-month period.

On March 26, 1990, AMS published in the **Federal Register** (55 FR 11025) a proposed rule which would increase the per-pound assessments on imported pork and pork products consistent with increases in the 1989 average prices of domestic barrows and gilts to provide comparability between importer and domestic assessments. The proposed rule was published with a request for comments by April 25, 1990. No comments were received. Accordingly, this final rule establishes the per-pound assessment on imported pork and pork products as proposed.

List of Subjects in 7 CFR Part 1230

Administrative practice and procedure, Advertising, Agricultural research, Marketing agreement, Meat and meat products, Pork and pork products.

For the reasons set forth in the preamble, 7 CFR part 1230 is amended as set forth below:

PART 1230—PORK PROMOTION, RESEARCH, AND CONSUMER INFORMATION

1. The authority citation for 7 CFR Part 1230 continues to read as follows:

Authority: 7 U.S.C. 4801–4819.

2. Amend subpart B–Rules and Regulations by revising § 1230.110 to read as follows:

§ 1230.110 Assessments on imported live porcine animals, pork, and pork products.

The following HTS categories of imported live porcine animals are subject to assessment at the rate specified.

Live porcine animals	Assessment
0103.10.00004	0.25 percent Customs Entered Value.
0103.91.00006	0.25 percent Customs Entered Value.
0103.92.00005	0.25 percent Customs Entered Value.

The following HTS categories of imported pork and pork products are subject to assessment at the rates specified.

Pork and Pork Products	Assessment	
	cents/lb	cents/kg
0203.11.00002	.16	.352736
0203.12.10009	.16	.352736
0203.12.90002	.16	.352736
0203.19.20000	.18	.396828
0203.19.40006	.16	.352736
0203.21.00000	.16	.352736
0203.22.10007	.16	.352736
0203.22.90000	.16	.352736
0203.29.20008	.18	.396828
0203.29.40004	.16	.352736
0206.30.00006	.16	.352736
0206.41.00003	.16	.352736
0206.49.00005	.16	.352736
0210.11.00003	.16	.352736
0210.12.00208	.16	.352736
0210.12.00404	.16	.352736
0210.19.00005	.18	.396828
1601.00.20007	.22	.485012
1602.41.20203	.24	.529104
1602.41.20409	.24	.529104
1602.41.90002	.16	.352736
1602.42.20202	.24	.529104
1602.42.20408	.24	.529104
1602.42.40002	.16	.352736
1602.49.20009	.22	.485012
1602.49.40005	.18	.396828

Done at Washington, DC on: May 24, 1990.

Daniel Haley,

Administrator.

[FR Doc. 90–12430 Filed 5–29–90; 8:45 am]

BILLING CODE 3410–02–M

FEDERAL RESERVE SYSTEM

12 CFR Part 229

[Reg. CC; Docket No. R–0679]

RIN 7100–AB01

Availability of Funds and Collection of Checks

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board has adopted amendments to its Regulation CC, Availability of Funds and Collection of Checks. The regulation requires banks to make funds available to their customers within specified times, to disclose their funds availability policies to their customers, and to handle returned checks expeditiously. The final amendments include changes to the model forms to reflect the permanent schedule and other technical and clarifying modifications to the regulation and its Official Commentary (appendix E to the regulation). The Board has determined not to adopt the proposed amendment that would shorten the time requirements for giving notice of nonpayment.

EFFECTIVE DATES: The amendments to § 229.13(h)(4) and its Commentary are effective September 1, 1990. The amendment to the Commentary to § 229.36(e) is effective February 1, 1991. All other amendments are effective May 22, 1990.

FOR FURTHER INFORMATION CONTACT: Louise L. Roseman, Assistant Director (202/452–3874) or Gayle Brett, Manager (202/452–2934), Division of Federal Reserve Bank Operations, Oliver Ireland, Associate General Counsel (202/452–3625), or Stephanie Martin, Attorney (202/452–3198), Legal Division. For information regarding modifications to disclosures or appendix C, contact Thomas J. Noto, Staff Attorney (202/452–3667), or Jane E. Ahrens, Staff Attorney (202/452–3667), Division of Consumer and Community Affairs. *For the hearing impaired only:* Telecommunications Device for the Deaf, EArnestine Hill or Dorothea Thompson (202/452–3544).

SUPPLEMENTARY INFORMATION: On May 13, 1988, the Board adopted Regulation CC to carry out the provisions of the Expedited Funds Availability Act ("Act") (12 U.S.C. 4001–4010). The regulation requires banks [1] to make

[1] The regulation defines "bank" to include all depositary institutions, including commercial banks,

Continued

funds available to their customers for withdrawal within specified time frames, to disclose their funds availability policies to their customers, and to handle returned checks expeditiously. Section 229.33(a) of the regulation currently requires a paying bank to provide notice of nonpayment of any returned check in the amount of $2,500 or more. This notice must be received by the depositary bank by 4 p.m. (local time) on the second business day following the banking day on which the check was presented to the paying bank. This requirement generally ensures that the depositary bank would receive the notice prior to the time it must make funds available for withdrawal under the temporary availability schedule.

Some banks have expressed concern that, under the permanent availability schedule, which becomes effective September 1, 1990, depositary banks often would not receive notice of nonpayment of large-dollar returned checks prior to the time that funds must be made available for withdrawal. Therefore, in December 1989 (Docket No. R–0679, 54 FR 51405, December 15, 1989), the Board requested comment on alternatives to shorten the current time requirements for giving notice of nonpayment. In response to various questions that have been raised by banks regarding the regulation, the Board also issued for comment proposed technical and clarifying amendments. The Board received 124 comments on the proposed amendments to Regulation CC. Commenters comprised:

Commercial Banks	43
Bank Holding Companies	24
Corporations	21
Savings and Loan Institutions	15
Trade Associations	8
Credit Unions	7
Clearing Houses	5
Federal Home Loan Banks	1
Total	124

As discussed below, commenters were divided on whether and by how much the period for notice of nonpayment should be shortened. After reviewing the comments, the Board has determined that, on balance, the operational difficulties associated with shortening the time for notice of nonpayment outweigh the risks resulting from the current requirement. Therefore, the Board has not adopted an amendment to the notice of nonpayment provision. In addition, the Board issued proposed revisions to the deposit deadlines for the Federal Reserve notice of nonpayment service that would take effect if the time requirements for notice of nonpayment were to be shortened (Docket No. R–0680, 54 FR 51493, December 15, 1989). Thirty-four commenters discussed the proposed service changes and indicated how the Federal Reserve Banks' service should be modified if specific regulatory changes were adopted. Because the Board has not amended the notice of nonpayment provision, it has not adopted changes to the Federal Reserve notice of nonpayment service.

The final amendments and substantive comments are summarized below.

Section 229.2(k) Definition of "check." The Board was requested to clarify the status of ACH debit transfers under Regulation CC. The Board proposed a revision to the Commentary to the definition of "check" to state explicitly that an ACH debit transfer is not a check. The Board received fourteen comments, all in support of this proposal. The Board has adopted the amendment as proposed.

Section 229.2(r) Definition of "local check." The Board adopted final rules regarding the issuance of bank payable through checks in July 1989 (54 FR 32035, August 4, 1989). Under the new rules, effective February 1, 1991, bank payable through checks are required to contain, in a conspicuous place such as the title plate, the words "payable through" followed by the name of the payable through bank and the first four digits of the nine-digit routing number of the bank on which the check is written. Two sentences in the Commentary to the definition of "local check" refer to bank payable through checks that do not contain a designation of the payable through bank. The Board proposed to delete those sentences and to revise the Commentary to indicate that, in the case of bank payable through checks, the depositary bank may rely on the first four digits of the nine-digit routing number of the paying bank that is printed on the face of the check to determine whether the check is local or nonlocal.

The Board received 16 comments on this proposal. Ten commenters supported the proposal with no specific comment. Four commenters requested that the Board clarify whether the proposed language refers to the first four digits located in the check's Magnetic Ink Character Recognition ("MICR") line or located elsewhere on the check. Three commenters noted that any nonautomated means of identifying the paying bank is inefficient and burdensome to the depositary bank.

The Board has revised the proposed language to clarify that the Commentary refers to the four-digit number printed near the name of the paying bank in the title plate, not the first four digits of the routing number in the MICR line. In addition, instead of making the proposed deletions, the Board has revised the existing Commentary language to explain that, until the February 1, 1991 transition date, when paying banks will be liable for payable through checks issued by their customers that do not name the payable through bank, such payable through checks may continue to be issued and depositary banks cannot rely on the routing number to determine whether these checks are local or nonlocal.

Section 229.2(u) Definition of "noncash item." The Board proposed a revision to the Commentary to "noncash item" to clarify that if a bank handles an item in the same manner as it would handle a cash item, the item does not qualify as a noncash item. The Board received 16 comments on this proposal. Six commenters supported the proposal without specific comment, and seven commenters opposed the amendment. Those in opposition stated that noncash items should not become cash items by virtue of the manner in which they are handled, and that depositary banks should be allowed to collect noncash items as quickly as possible without compromising the status of the items or giving up noncash item defenses. Two commenters asked that the Board clarify the problem this amendment is intended to address.

The Board has added the phrase "by the depositary bank" to the final amendment to clarify that if a depositary bank accepts a check as a noncash item it must forward the check as a noncash item (for example, with special payment instructions attached) and not in the same manner it normally handles checks for forward collection. The purpose of this provision is to prevent a depositary bank from evading the availability and notice requirements of the regulation by accepting a check for deposit as a noncash item, yet collecting the check in the same manner as it would collect a cash item. Banks generally handle noncash items outside of the normal check collection process because they do not qualify for automated handling. A depositary bank should accept checks as noncash items

savings and loan associations, and credit unions. A "depositary bank" is defined as the first bank to which a check is transferred. A "paying bank" is generally the bank by, at, or through which a check is payable and to which it is sent for collection. A "returning bank" is a bank (other than the paying or depositary bank) that handles a returned check or a notice in lieu of return.

only in limited circumstances, such as when its customer is concerned about whether the check will be paid and requests that the check be accompanied by special notice or payment instructions.

One commenter stated that a depositary bank should be able to attach a MICR strip to an un-MICRed item and collect it as a cash item. A depositary bank may add a MICR strip to an unMICRed item, but the item must then be treated as a check and not a noncash item.

One commenter asked whether a noncash item mistakenly accepted as a cash item by a teller must be given cash item availability. If a depositary bank accepts a noncash item as a cash item inadvertently, it must either provide availability according to the regulation or return the item to the customer.

Section 229.3(a) Enforcement agencies. As part of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Congress amended the Expedited Funds Availability Act regarding the enforcement agency for savings associations. The Board proposed a conforming amendment to Regulation CC to provide that the Director of the Office of Thrift Supervision has authority to enforce compliance with Regulation CC by savings associations. The Board received eight comments on this amendment, seven in support and one objecting to allowing the Office of Thrift Supervision to oversee compliance. Because this amendment is statutorily mandated, the Board has adopted it as proposed.

Section 229.13(h)(4) Availability of deposits subject to exceptions. The regulation provides that if a bank invokes an exception hold under § 229.13 (b) through (f), it may extend the availability schedule by a reasonable period of time. Currently, the regulation provides that a four-business-day extension is a reasonable period and that a longer extension may also be reasonable, but the bank has the burden of so establishing. The four-day period is designed to provide adequate time for the depositary bank to learn of the nonpayment of virtually all checks that are returned. Thus, under the temporary schedule, a bank invoking an exception hold under § 229.13 may normally hold local checks until the seventh business day after deposit and nonlocal checks until the eleventh business day after deposit. When the permanent schedule becomes effective on September 1, 1990, these periods would have been shortened to six and nine business days, respectively.

Because there will be no further significant payments system improvements applicable to the return of checks before the permanent schedule becomes effective, it would be unlikely that depositary banks would learn of the return of checks subject to a § 229.13 exception faster than they do today. Therefore, the Board requested comment on a proposal to extend the reasonable hold period from four days to five days for local checks and from four days to six days for nonlocal checks, thereby retaining the existing exception hold periods of seven and eleven days, respectively. The Board requested comment on whether such a change would obviate the need to revise disclosures and the need to extend the reasonable hold period, based on current returned check experience.

The Board received 51 comments on this proposal, all favoring the amendment. The commenters agreed that there have been no substantial improvements to the check collection system since the changes accompanying implementation of the temporary schedules and that the amendment would help reduce risk to depositary banks. Twelve commenters stated that this amendment would obviate the need to revise disclosures, and eight stated that they would need to revise disclosures for the permanent schedule in any event. The Board has adopted the amendment as proposed.

Section 229.18(e) Changes in policy. The Board proposed to revise the Commentary to § 229.18(e) to clarify how institutions could disclose the changes in policy due to the implementation of the permanent schedule. Any necessary notice must be provided by October 1, 1990. Eighteen commenters addressed this proposal and were generally supportive. The Board has adopted the proposed amendments, with a revision to provide guidance to banks that reserve the right to impose the cash withdrawal limitation in § 229.12(d) when invoking a case-by-case hold.

One commenter asked whether an institution could disclose current and future policies on one disclosure form. This approach is permitted under the regulation provided the period during which each policy is applicable is clearly set forth. Another commenter asked whether banks could use existing stocks of forms supplemented with an attachment indicating the permanent schedule changes. This, too, is permitted under the regulation.

Section 229.19(a) When funds are considered deposited. Under § 229.19(a)(5)(ii), funds deposited at an ATM or off-premise facility after the depositary bank's cut-off hour of 12 noon or later are considered deposited on the next banking day. The Board was asked whether the 12 noon cut-off is determined by the local time of the ATM or off-premise facility or the local time of the branch or other location at which the account is maintained (the "account-holding branch").

The Board proposed to clarify that the depositary bank could establish a cut-off hour for deposits at ATMs or other off-premise facilities of no earlier than 12 noon local time of the account-holding branch. The Board specifically requested comment on the operational and customer service implications of this proposal, and whether the cut-off should be determined by the local time of the ATM rather than the local time of the account-holding branch.

The Board received 34 comments on the proposal. Nineteen commenters supported the proposed rule that ATM cut-off hours should be determined by local time of the account-holding branch. Twelve commenters opposed or noted operational problems with the proposal. Three commenters did not voice a preference for either alternative; one of these commenters requested that the Board study the issue further and republish the proposal for comment.

Under the proposal, an East Coast bank that permits its customers to make deposits at ATMs nationwide could establish a 12 noon Eastern Time cut-off for receipt of ATM deposits. Thus, deposits made by customers of the East Coast bank at West Coast ATMs after 9 a.m. Pacific Time could be considered received on the next banking day, which may adversely affect the customer's availability of funds. Conversely, a West Coast bank would have to consider all deposits made at East Coast ATMs by 3 p.m. Eastern Time (12 noon Pacific Time) received on that banking day, which would limit the time for the ATM processor to remove the deposits from the ATM, verify and process them, and put them in the forward collection stream.

Operational and customer relations concerns were raised by both those who supported and those who opposed the proposal. It appears from the comments that some banks use a cut-off hour based on local time at the account-holding branch, some are based on local time at the ATM, and some are based on local time at a central processing facility.

Commenters in favor of the proposal stated that using local time of the ATM would require significant computer modification because their present

accounting and processing systems are currently based on local time of the account-holding branch. These commenters noted that customers understand their current cut-offs based on the local time at the account-holding branch and that this rule is consistent with other provisions of Regulation CC. Supporters of the proposal asserted that if they were required to base cut-offs on local time of the ATM, processing costs would increase, resulting in decreased services and/or increased fees to customers. One commenter, with ATM locations from the East Coast to Hawaii, strongly supported the proposal, citing servicing and processing cost savings. One trade association gave qualified support to the proposal, requesting that the Board monitor the ATM situation to protect depositors from an increasing number of interstate banks that may seek to take advantage of this rule in order to delay availability of ATM deposits by an extra day.

Many of the commenters opposed to the proposal were members of nationwide shared ATM networks. One commenter suggested that a bank be able to set its own cut-off hour consistent with its processing procedures. Another stated that the operator of a shared ATM network should be able to set the cut-off hour no earlier than noon local time of the ATM. Commenters noted that it would be impractical for the ATM operator to keep track of the local times of all the account-holding branches whose customers use the shared ATM and that the proposal may require several intraday pick-ups and manual processing.

Commenters that opposed the proposal argued that customers would benefit more from a cut-off time based on local time at the ATM because it is easier to understand and disclose. One commenter suggested that, if the ATM is in a locale where the depositary bank has a branch, the cut-off hour should be determined by the local time of that branch, otherwise the bank could use local time at the account-holding branch. A Hawaii bank indicated that Hawaii banks with East Coast ATMs would be put at extreme disadvantage by the proposal.

The Board wishes to avoid disruption in current ATM and off-premise facility operations that would increase costs to both depositary banks and consumers. The responses of the commenters indicate that if either alternative is adopted, some banks will experience significant operating difficulties, depending on the extent of their ATM network and on the relative locations of the account-holding branch and the ATM or off-premise facility. Therefore, the Board has revised the Commentary to allow the depositary bank to set a cut-off hour for ATMs and off-premise facilities at either 12 noon local time of the account-holding branch or 12 noon local time of the ATM or off-premise facility. The Board believes that this flexibility will enable banks to offer ATM deposit services to their customers over broad geographic areas, without incurring significant costs due to this provision of the Commentary. A bank must apply the cut-off hour for ATMs and off-premise facilities on a uniform basis for all locations and all customers. The choice of cut-off hour must be reflected in the bank's internal procedures, and the bank must inform its customers of the cut-off hour upon request.

Commenters also suggested other related clarifications. The Commentary to the definitions of "business day" and "banking day" stages that the day of deposit for funds received at an ATM is determined by the banking day at the account-holding branch at the time the funds are received at the ATM. One commenter requested that the Board revise this Commentary provision to clarify that deposits at ATMs are subject to a 12 noon cut-off rule, i.e., even if the account-holding branch is open until 5 p.m., deposits to an ATM are not necessarily considered received on that banking day if made between 12 noon and 5 p.m. The Board has revised the Commentary to "business day" and "banking day" to reflect the cut-off rule for ATM and off-premise facilities and to clarify how to determine the day of deposit at such locations.

Two commenters asked that the Board clarify whether the proposal would apply to both proprietary and nonproprietary ATMs. The Board believes this clarification is not necessary because § 229.19(a) does not distinguish between proprietary and nonproprietary ATMs.

Another commenter asked that the Board clarify "account-holding branch." Consistent with the Commentary to § 229.19(b), the revised Commentary refers to "the branch or other location at which the account is maintained." For example, the account-holding branch may be the branch that opened the account and acts as the primary office serving the customer, that maintains signature cards on the account or other customer information, or that is credited for the customer's deposits on the books of the bank.

Section 229.19(c) Effect on policies of depositary bank. The Board proposed a revision to the Commentary to § 229.19(c) to clarify the relationship between the availability schedules and the depositary bank's right to charge back its customer's account for a returned check. The proposed language stated explicitly that the depositary bank may charge back its customer's account upon receipt of a returned check or notice of nonpayment, even if the check or notice is received after the time by which the proceeds of the check must otherwise be made available for withdrawal under the provisions of the regulation.

The Board received 21 comments on this proposal, all in support. Two commenters suggested that the Board also allow placement of a hold upon receipt of a notice of nonpayment until the returned check is received, rather than immediately charging back the depositor's account. Under the regulation, a depositary bank that receives a notice of nonpayment may place a hold under the reasonable cause exception of § 229.13(e), but this hold may not be unlimited; the depositary bank has the burden of establishing the reasonableness of an extension of the regulation's availability schedule of more than five business days for local checks and six business days for nonlocal checks.

One commenter suggested amending the proposed language to state that "the regulation should not be interpreted as precluding the right" of the depositary bank to charge back a customer's account based on receipt of a returned check for notice of nonpayment. The Board believes that the proposed language is essentially equivalent to the commenter's suggested language and has adopted the amendment as proposed.

Section 229.30(c) Extension of deadline. Increasingly, banks are providing banking services to the public on Saturdays and/or Sundays. These days are not regarded as banking days under Regulation CC, because Saturdays and Sundays are not "business days," but they may be regarded as banking days for the purposes of the Uniform Commercial Code ("UCC"). Banks that are open on Saturday may not have couriers leaving on Saturday to deliver returned checks, and even if they did, the returning or depositary bank to which the returned checks were sent might not be prepared to receive or process checks until Sunday night or Monday morning.

Prior to the implementation of Regulation CC, these banks could meet a UCC Saturday night midnight deadline for checks presented on Friday by

mailing their returned checks on Saturday. Since the implementation of Regulation CC, however, these banks have been subject to expeditious return requirements that generally may not be met by mailing returned checks. For checks presented on Fridays, these banks cannot meet both a UCC Saturday midnight deadline and the expeditious return requirements of Regulation CC without establishing special courier runs on Saturday evening to deliver returned checks to returning or depositary banks. Such runs would often be in addition to runs during the day on Sunday delivering forward collection checks to the same banks in their capacity as collecting or paying banks in the forward collection process.

To address this problem, the Board proposed to extend the Saturday night midnight deadline if the returned checks reach the receiving bank by a cut-off hour (usually on Sunday night or Monday morning) that permits processing during the receiving bank's next processing cycle for returned checks following the Saturday midnight deadline. The Board has adopted the proposed amendments with minor revisions.

The Board received 19 comments on this proposal. Twelve supported the amendment as proposed. One commenter noted that the proposal would require banks that wish to make returns directly to depositary banks to know the cut-off hours for each of the depositary banks' processing cycles and therefore would effectively force returns to be made through the Federal Reserve. The Board did not intend this result and has amended the final Commentary language to clarify that the return must be made by the cut-off hour for the returning bank's next processing cycle or for the depositary bank's next banking day after midnight Saturday night.

One commenter asked that the extension apply to all instances when a bank is open on any non-business day, such as a mid-week holiday. Two commenters requested that the Board extend the midnight deadline even further (one suggested Monday night, the other Tuesday night) to accommodate weekend presentments that are not reviewed until Monday or Tuesday.

Another commenter suggested that the Board eliminate the problem by having the Regulation CC definition of "banking day" preempt the UCC's definition for the purpose of determining the midnight deadline. The effect of this suggestion would be that checks presented after a cut-off hour on a Friday would be considered received on the next Regulation CC banking day (normally Monday), and the midnight deadline would be midnight Tuesday night.

The Board recognizes that nonstandard banking days create difficulties for the check clearing system as well as other payments operations. Issues relating to a midnight deadline other than the Saturday night deadline were not clearly raised by the proposal. Resolution of these issues will require additional data on banking practices. The Board will continue to study problems under the expeditious return rule that may arise from nonstandard banking days and may consider further modifications in the future.

Section 229.33(a) Notice of nonpayment. This section requires a paying bank to provide notice of nonpayment of any returned check in the amount of $2,500 or more. Currently, this notice must be received by the depositary bank by 4 p.m. (local time) on the second business day following the banking day on which the check was presented to the paying bank. This requirement generally ensures that the depositary bank would receive the notice prior to the time it must make funds available for withdrawal under the temporary schedule. However, under the permanent schedule, which becomes effective September 1, 1990, a depositary bank may not receive notice of nonpayment of large-dollar returned checks being returned by local paying banks before the depositary bank must make the first $5,000 of these funds available to its customer.

In order to reduce the potential for increased risk resulting from the permanent availability schedule, some bankers suggested shortening the time within which notice of nonpayment must be provided to the depositary bank. The Board requested comment on whether the risks inherent in the requirement that funds be made available to the customer for withdrawal prior to the time the depositary bank has an opportunity to learn of the return of large-dollar local checks are sufficient to warrant accelerating the time within which notice of nonpayment must be provided to the depositary bank.

The Board received 107 comments on whether the time within which a paying bank must provide notice to the depositary bank of a large-dollar returned check should be shortened. Forty-four commenters opposed shortening the notice of nonpayment deadline. These commenters stated that the additional burdens an earlier notice deadline would place on paying banks outweigh the marginal benefits that would be derived by depositary banks. Some commenters noted that several categories of paying banks would have particular problems complying with an earlier notice deadline, including banks that use payable through banks or intercept processors, and West Coast banks, which have a shorter time frame within which to provide notice to East Coast depositary banks due to the time zone differences.

Many commenters also believed that an earlier notice of nonpayment deadline would result in an increased number of returned checks, because banks would have a shorter time frame within which to make the decision of which checks to return. Accelerating the return decision would lessen the time available for management review of checks that are candidates for return, and would limit the ability of the paying bank to allow customers to deposit funds to cover a check on the day following presentment. This may result in customer service problems and an increased number of consumer complaints. Some commenters also indicated that most banks currently make funds available for withdrawal within the time frames required in the permanent schedule, and that no loss experience has been demonstrated to justify a shorter notice requirement.

Among the commenters opposed to shortening the time within which notice of nonpayment must be provided was the largest private sector notice of nonpayment service provider. This commenter indicated that, while it could modify its services to meet shorter time requirements, it was opposed to any change because it would reduce or eliminate bank officer involvement in making the return decision, increase the number of customer complaints, and increase returned check charges to banks.

Six commenters supported an earlier notice of nonpayment deadline and an additional 57 commenters conditioned their support for accelerating the notice requirement on the adoption of a particular new recommended deadline. Of the 57 conditional responses, 27 commenters recommended that the required time be shortened to the first business day following deposit, with 13 commenters recommending a 4 p.m. deadline and 14 commenters recommending various times after 4 p.m. Thirty commenters recommended that the notice requirement be accelerated to an earlier time on the second day following presentment, with 24 of those commenters indicating that the time should be before 10 a.m.

Commenters in favor of shortening the time within which the paying bank must

provide notice of nonpayment believed that an earlier notice deadline was important to protect depositary banks from the increased risks arising from the shorter permanent availability schedule, although they generally agreed that an earlier deadline would not eliminate these risks. Those commenters that recommended that notice of nonpayment be provided to the depositary bank on the business day following presentment, or before the start of business on the second business day following presentment, argued that accelerating the notice deadline to this extent was necessary to provide the intended benefits to the depositary bank. Other commenters, which urged the Board to adopt a notice deadline on the second day following presentment between the opening of business and 4 p.m., indicated that any deadline earlier than what they recommended would impose undue operational burdens on the paying bank.

The Board has not adopted a change to the notice of nonpayment requirement. The Board does not believe that the benefits of an earlier notice deadline to depositary banks would outweigh the burdens that would be imposed on paying banks. There appears to be an inverse relationship between the benefits of prompter notice to depositary banks and the burdens and disruptions to the operations of paying banks. Notices received after the day following presentment will often be received after the funds must be made available for local checks under the permanent schedule. Although earlier notice, such as receipt on the business day following presentment, would help to protect some depositary banks that make funds available pursuant to the permanent schedule for local checks, the Board believes that this earlier notice of nonpayment deadline may increase the number of checks that are returned. This increase would be inconsistent with the objectives of the Act. If a paying bank were required to provide notice of nonpayment by the day following presentment, the paying bank's midnight deadline for returning checks under the Uniform Commercial Code would effectively be shortened, because a paying bank that provides a notice of nonpayment warrants to the depositary bank that it has or will return the check for payment. Moreover, the Board believes that requiring that notices of nonpayment be provided earlier than they are today would increase paying banks' costs of returning checks.

In many cases, paying banks currently notify depositary banks of the return of large-dollar checks prior to the regulation's notice of nonpayment deadline, where it is operationally practical to do so. The Federal Reserve recently reviewed sample notices of nonpayment precessed by the Federal Reserve Banks; almost one-half of the notices surveyed were received by the depositary bank on the second business day after the check was deposited (which generally would be the next business day following presentment). Some check clearinghouses have instituted new returned check exchanges to facilitate expeditious return of the physical checks prior to the notice deadline. The Board encourages initiatives of paying banks to notify depositary banks of large-dollar returned checks prior to the notice deadline.

One trade association recommended that the Board eliminate the notice of nonpayment requirement altogether and instead lower the large-dollar safeguard exception to $2,500. The Act provides that the large-dollar exception may not be invoked for aggregate daily deposits of less than $5,000; therefore, the Board does not have the authority to reduce the large-dollar exception from $5,000 to $2,500.

Section 229.34(a) Warranty of returned check. The regulation provides that a paying or returning bank that transfers and receives settlement for a notice in lieu of return warrants that the original check has not and will not be returned. The Board has been asked to clarify that the paying or returning bank is warranting that the original check has not and will not be returned for payment, as opposed to being returned to the depositary bank for other purposes, such as to provide evidence of a forgery, that do not call for payment of the returned check under § 229.32. The Board proposed to amend the Commentary accordingly.

The Board received six comments on the proposal, all in support. One commenter suggested that the Board change the word "payment" to "reimbursement" in the first sentence of the Commentary. Such a change would not be appropriate under subpart C, which provides that returned checks are subject to payment, not reimbursement. The Board has adopted the amendment as proposed.

Section 229.35(a) Indorsement standards. Since September 1988, when Regulation CC became effective, the quality of indorsements has varied widely. In some cases, banks that handle returned checks have found indorsements to be illegible, even though the indorsements may meet the informational requirements of the regulation. There are several reasons indorsements may be unclear, such as very small type size or poor imprinting mechanisms, which may result in faint or indistinct indorsements.

Currently under § 229.35 appendix D, the duty of an indorsing bank to apply a legible indorsement is implied, but not explicit. The Board believes that an indorsing bank should be responsible for ensuring that its indorsement is legible and proposed to make this duty explicit in the regulation and the Commentary.

The Board received 46 comments on this proposal. Only one commenter opposed the proposal on the grounds that depositary banks should not be held responsible for the inability of indorsement machine vendors to meet Regulation CC's standards. Seventeen producers of one-write (carbon-band) checks commented in favor of legible indorsements. These commenters expressed support for eye-readable indorsements because they believe machine-readable indorsements are not feasible in the immediate future.

Several respondents commented on the liability for not meeting a legibility standard. One commenter suggested that the Board allow recourse against the last identifiable processor or indorser. Another commenter suggested that all late returns should be excused when the depositary bank indorsement is illegible. Under the current provisions of the regulation, if the depositary bank is unidentifiable, a bank may return a check to a previous indorser in the forward collection chain, and the bank that is responsible for the illegible indorsement is liable for damages due to a late return. The Board believes that this scheme most effectively places liability for late returns due to poor indorsement on the indorsing bank.

One commenter asked that the Board set up a mechanism to enforce the legibility standards. Another commenter asked that the Board clarify that the ordinary care standards of § 229.38 would apply. Section 229.38 clearly states that it applies to all the requirements of subpart C, and thus the duty of ordinary care will apply to all indorsing banks and will serve as the enforcement mechanism.

One commenter stated that customers who apply the depositary bank indorsement under agreement should be able to accept the liability. The regulation already allows such an agreement under § 229.37.

One commenter suggested disallowing the punching of holes in the MICR line, indicating that this practice not only prevents the check from being machine-readable, but also may render

indorsements on the back of the check illegible. Because this suggestion was not subject to the notice and comment period, the Board has not made such an amendment at this time, but may consider it in the future.

One commenter suggested the Board enlarge the space available for the payee and depositary bank indorsements. The Board believes that it would be inappropriate to change the size of the depositary bank indorsement area because of potential problems the change would create for payee and collecting bank indorsers and because this change was not subject to notice and public comment.

Other suggestions included minimum size requirements for indorsement information and establishment of legibility guidelines. The Board believes that banks should be subject to the requirement to indorse legibly but that it would be costly and burdensome to establish rigid standards such as specific type size and other guidelines.

Another commenter asked that depositary banks be allowed to wait to upgrade their equipment until a major repair or replacement of current equipment is necessary. The Board believes that the regulation should not mitigate the consequences of an illegible indorsement until current equipment is replaced. Such an action would be inequitable to a paying bank or returning bank that delays a returned check due to the illegible indorsement.

Finally, one commenter asked why the phrase "during forward collection" was dropped from the regulatory language. The omission of this language was inadvertent. Accordingly, the Board has adopted the amendment and the Commentary language as proposed, with the restoration of the inadvertently omitted language in the amendment.

Section 229.36(e) Issuance of payable through checks. In July 1989, the Board amended Regulation CC to require certain information to be printed on checks payable by a bank and payable through another bank ("bank payable through checks") (54 FR 32035, August 4, 1989). Effective February 1, 1991, § 229.36(e) requires such checks to contain the name, address, and first four digits of the routing number of the bank by which the check is payable, and the phrase "payable through" followed by the name and address of the payable through bank.

The Board has received inquiries as to whether it would be permissible for a bank that holds checking accounts and processes checks at a central location but that has widely-dispersed branches to label all of its checks as "payable through" a single branch and include the name, address, and four-digit routing symbol of another branch. These checks would be payable by and through the same bank,[2] and therefore the provisions of § 229.36(e) would not apply. If the Board were to allow such a practice, the result would be to lead depositors and depositary banks to believe mistakenly that the check is a bank payable through check for which availability must be assigned based on the location of the branch whose four-digit routing symbol appears on the check rather than on the location of the central office whose nine-digit routing number is encoded on the MICR line of the check.

The Board proposed an amendment to the regulation and the Commentary to provide that a bank is responsible for damages under § 229.38 to the extent that a check payable by it and not payable through another bank is labelled as provided in § 229.36(e). The Board received nine comments on the proposal, all in support. The Board has adopted the amendment with revisions to clarify the intent of the provision.

Appendix A Routing Number Guide. Appendix A to Regulation CC contains a routing number guide to aid banks in identifying next-day-availability checks and local checks. Since the publication of the proposed amendments to Regulation CC, the Federal Housing Finance Board, which oversees the Federal Home Loan Banks, has provided the Board with two additional Federal Home Loan Bank routing numbers. These routing numbers have been added to appendix A. The Board has determined that these additions are technical in nature and do not change the substance of Regulation CC, and therefore publication for comment is not required by 5 U.S.C. 553.

Appendix C Model Forms, Clauses and Notices. The Board proposed changes to the model forms to reflect the permanent schedule and the amendments to the regulation regarding payable-through checks. In addition, the Board proposed to revise the Commentary to make clear that banks may rely on earlier versions of the forms though they are encouraged to update their forms when ordering new supplies. Six commenters addressed the proposed changes, which have been adopted as proposed. In addition, the Board is revising Form C–5 and the lobby notices in Forms C–15 and C–15A to reflect the permanent schedule. Corresponding changes have been made to the Commentary. Although the revisions to appendix C and its Commentary are effective immediately, banks may continue to use disclosures that reflect the availability they provide under the temporary schedule until the permanent schedule takes effect.

Suggested Amendments to the Act. Several commenters asked the Board to request that Congress amend the Act to help ease compliance burdens. *The suggestions included:* Allowing all payable through checks to be considered local or nonlocal based on the payable through bank, delaying implementation of the permanent schedule, lengthening the allowable holds for deposits to nonproprietary ATMs under the permanent schedule, allowing all exception holds to be applied to "next-day" checks, eliminating the need to give notice on every deposit when invoking large-dollar and repeated overdraft exceptions, lowering the $5,000 large-dollar exception threshold to $2,500, permitting variation of availability schedules by agreement in the case of business customers, and expanding the $400 cash withdrawal rule to cover both cash withdrawals and payment of checks presented.

The Board has recommended to Congress several amendments to the Act, including many of those suggested by the commenters. Specifically, the Board suggested that Congress:

- Modify the permanent schedule for local checks;
- Treat nonproprietary ATM deposits under the permanent schedule in the same manner as they are treated under the temporary schedule;
- Resolve the operational and disclosure difficulties concerning payable through checks;
- Expand the applicability of the exception holds to the availability schedules to checks that must be given next-day availability;
- Limit the next-day requirement for Treasury checks and "on-us" checks to checks deposited at staffed teller facilities;
- Provide greater flexibility in the manner of giving notice to the depositor that an exception has been invoked;
- Grant the Board authority to establish rules regarding losses and liabilities among entities other than depository institutions; and
- Provide for direct review of regulations adopted by the Board in the U.S. Court of Appeals.

The Board's legislative recommendations are contained in its 1990 Report to Congress Under the Expedited Funds Availability Act (March 1990).

[2] "Bank" is defined in § 229.2(e) to include all of a bank's offices in the United States. Therefore, all of a bank's U.S. branches would be considered part of a single bank.

Competitive Impact Analysis

The Board recently formalized its procedures for assessing the competitive impact of changes that have a substantial effect on payments system participants.[3] The Board believes that the final amendments will have no adverse effect on the ability of other service providers to compete effectively with the Federal Reserve in providing similar services. Only one commenter raised a competitive issue, concerning proposed amendments to § 229.30(c) (see discussion above). The commenter believed that the proposed change would give an advantage to the Federal Reserve for certain returned check business. The Board revised the final regulatory and Commentary provisions to eliminate the potential Federal Reserve advantage noted. The Board will continue to study problems of nonstandard holidays that may raise similar issues.

Final Regulatory Flexibility Act Analysis

Two of the three requirements of a final regulatory flexibility analysis (5 U.S.C. 604), (1) A succinct statement of the need for and the objectives of the rule and (2) a summary of the issues raised by the public comments, the agency's assessment of the issues, and a statement of the changes made in the final rule in response to the comments, are discussed above. The third requirement of a final regulatory flexibility analysis is a description of significant alternatives to the rule that would minimize the rule's economic impact on small entities and reasons why the alternatives were rejected. These changes are primarily clarifications to Regulation CC in response to questions and requests for clarification that the Board has received since Regulation CC was adopted. The amendments should help all depository institutions to comply with the regulation. The Board considered the effect of these revisions when developing them and does not believe the changes will result in any significant adverse economic impact on a substantial number of small entities.

List of Subjects in 12 CFR Part 229

Banks, banking, Federal Reserve System, Reporting and recordkeeping requirements.

[3] These procedures are described in the Board's policy statement entitled "The Federal Reserve in the Payments System" (55 FR 11648, March 29, 1990).

For the reasons set out in the preamble, 12 CFR part 229 is amended as follows:

PART 229—[AMENDED]

1. The authority citation for part 229 continues to read as follows:

Authority: Title VI of Pub. L. 100–86, 101 Stat. 552, 635, 12 U.S.C. 4001 *et seq.*

2. In § 229.3, paragraph (a)(2) is revised to read as follows:

§ 229.3 Administrative enforcement.

(a) *Enforcement agencies.* * * *

(2) Section 8 of the Federal Deposit Insurance Act, by the Director of the Office of Thrift Supervision in the case of savings associations the deposits of which are insured by the Federal Deposit Insurance Corporation; and

* * * * *

3. In § 229.13, paragraph (h)(4) is revised to read as follows:

§ 229.13 Exceptions.

* * * * *

(h) *Availability of deposits subject to exceptions.* * * *

(4) For the purposes of paragraphs (h)(1), (h)(2), and (h)(3) of this section, an extension of up to five business days for local checks and six business days for nonlocal checks is a reasonable period. A longer extension may be reasonable, but the bank has the burden of so establishing.

4. In § 229.30, paragraph (c) is revised to read as follows:

§ 229.30 Paying bank's responsibility for return of checks.

* * * * *

(c) *Extension of deadline.* The deadline for return or notice of nonpayment under the UCC or Regulation J (12 CFR part 210) is extended:

(1) If a paying bank, in an effort to expedite delivery of a returned check to a bank, uses a means of delivery that would ordinarily result in the returned check being received by the bank to which it is sent on or before the receiving bank's next banking day following the otherwise applicable deadline; this deadline is extended further if a paying bank uses a highly expeditious means of transportation, even if this means of transportation would ordinarily result in delivery after the receiving bank's next banking day; or

(2) If the deadline falls on a Saturday that is a banking day, as defined in the applicable UCC, for the paying bank, and the paying bank uses a means of delivery that would ordinarily result in the returned check being received by the bank to which it is sent prior to the cut-off hour for the next processing cycle, in the case of a returning bank, or on the next banking day, in the case of a depositary bank, after midnight Saturday night.

* * * * *

5. In § 229.35, paragraph (a) is revised to read as follows:

§ 229.35 Indorsements

(a) *Indorsement standards.* A bank (other than a paying bank) that handles a check during forward collection or a returned check shall legibly indorse the check in accordance with the indorsement standard set forth in appendix D to this part.

* * * * *

6. In § 229.36, a new sentence is added to the end of paragraph (e) concluding text to read as follows:

§ 229.36 Presentment and issuance of checks.

* * * * *

(e) *Issuance of payable through checks.* * * *

* * * A bank is responsible for damages under § 229.38 of this part to the extent that a check payable by it and not payable through another bank is labelled as provided in this section.

Appendix A—[Amended]

7. In appendix A, two new numbers are added, in numerical order, to the list of numbers under the subheading "Federal Home Loan Banks" as follows:

Federal Home Loan Banks

* * * * *

0654 0348 0

* * * * *

1110 1083 7

* * * * *

Appendix C—[Amended]

8. Appendix C is amended as set forth below:

a. In model forms C–1, C–2, and C–3, the first paragraph is revised to read as follows:

YOUR ABILITY TO WITHDRAW FUNDS

at [bank name and location]

Our policy is to make funds from your deposits available to you on the first business day after the day we receive your deposit. Electronic direct deposits will be available on the day we receive the deposit. Once they are available, you can withdraw the funds in cash and we will use the funds to pay checks that you have written.

* * * * *

b. In model form C–3, the heading is revised, and under the subheading "Longer Delays May Apply," the second sentence of the first paragraph is revised

to read as follows: C–3. Next-day availability, case-by-case holds to statutory limits, and § 229.13 exceptions (permanent schedule)

* * * * *

Longer Delays May Apply

* * * Depending on the type of check that you deposit, funds may not be available until the fifth business day after the day of your deposit. * * *

* * * * *

c. In model forms C–4, C–5, C–6, and C–7, a new paragraph and a subheading is added immediately preceding the subheading "Next-Day Availability," and the first sentence under the subheading "Next-Day Availability" is revised to read as follows:

* * * * *

Same-Day Availability

Funds from electronic direct deposits to your account will be available on the day we receive the deposit.

Next-Day Availability

Funds from the following deposits are available on the first business day after the day of your deposit:

U.S. Treasury checks that are payable to you.

Wire transfers.

Checks drawn on [*bank name*] (unless [*any limitations related to branches in different states or check-processing regions*]).

* * * * *

d. In model forms C–4, C–6, and C–7, the second paragraph under the subheading "Other Check Deposits" is revised to read as follows:

* * * * *

Other Check Deposits

* * * * *

If the first four digits of the routing number (1234 in the examples above) are [*local numbers*], then the check is a local check. Otherwise, the check is a nonlocal check. Some checks are marked "payable through" and have a four or nine-digit number nearby. For these checks, use the four-digit number (or the first four digits of the nine-digit number), not the routing number on the bottom of the check, to determine if these checks are local or nonlocal. Our policy is to make funds from local and nonlocal checks available as follows.

* * * * *

e. In model form C–5, the heading is revised, and two new sentences are added at the beginning of the second paragraph under the subheading "Other Check Deposits" to read as follows: C–5. Holds to statutory limits on all deposits (permanent schedule, includes chart)

* * * * *

Other Check Deposits

* * * * *

Some checks are marked "payable through" and have a four or nine-digit number nearby. For these checks, use this four-digit number (or the first four digits of the nine-digit number), not the routing number on the bottom of the check, to determine if these checks are local or nonlocal. * * *

* * * * *

f. In model form C–5, in the chart under the subheading "Other Check Deposits," the second and fourth entries are revised to read as follows:

First four digits from routing number	When funds are available—	When funds are available if a deposit is made on a Monday
*	* * *	* *
	Remaining funds on the second business day after the day of your deposit.	Wednesday.
*	* * *	* *
	Remaining funds on the fifth business day after the day of your deposit.	Monday of the following week.

g. In forms C–2, C–3, C–4, C–5, and C–6, under the subheading "Special Rules for New Accounts," the second paragraph is deleted, and the third paragraph is revised to read as follows:

Special Rules for New Accounts

* * * * *

Funds from electronic direct deposits to your account will be available on the day we receive the deposit. Funds from deposits of cash, wire transfers, and the first $5,000 of a day's total deposits of cashier's, certified, teller's, traveler's, and federal, state and local government checks will be available on the first business day after the day of your deposit if the deposit meets certain conditions. For example, the checks must be payable to you (and you may have to use a special deposit slip). The excess over $5,000 will be available on the ninth business day after the day of your deposit. If your deposit of these checks (other than a U.S. Treasury check) is not made in person to one of our employees, the first $5,000 will not be available until the second business day after the day of your deposit.

* * * * *

h. In form C–7, under the subheading "Special Rules for New Accounts," the second, third, and fourth sentences of the first paragraph are deleted and the second paragraph is revised to read as follows:

Special Rules for New Accounts

* * * * *

Funds from electronic direct deposits to your account will be available on the day we receive the deposit. Funds from deposits of cash, wire transfers, and the first $5,000 of a day's total deposits of cashier's, certified, teller's, traveler's, and federal, state and local government checks will be available on the first business day after the day of your deposit if the deposit meets certain conditions. For example, the checks must be payable to you (and you may have to use a special desposit slip). The excess over $5,000 will be available on the ninth business day after the day of your deposit. If your deposit of these checks (other than a U.S. Treasury check) is not made in person to one of our employees, the first $5,000 will not be available until the second business day after the day of your deposit.

* * * * *

i. In model clause C–8, the last sentence is deleted.

j. In model form C–15, the heading is revised, a new entry to be the first entry in the chart is added, and the third and fourth entries are revised to read as follows: C–15. Notice at locations where employees accept consumer deposits (permanent schedule)

FUNDS AVAILABILITY POLICY

Description of deposit	When funds can be withdrawn by cash or check
Direct deposits	The day we receive the deposit
* * *	* *
Local checks	The second business day after the day of deposit.
Nonlocal checks	The fifth business day after the day of deposit.

k. In model form C–15A, the heading is revised, a new sentence is added after the first sentence of the paragraph, and the last sentence of the paragraph is revised to read as follows: C–15A. Notice at locations where employees accept consumer deposits (case-by-case holds) (permanent schedule)

Funds Availability Policy

* * * Funds from electronic direct deposits will be available on the day we receive the deposit. * * * Then, the funds will generally be available by the fifth business day after the day of deposit.

1. Model clauses C–19 and C–19A are deleted.

Appendix E—[Amended]

9. Appendix E is amended as set forth below:

a. In the Commentary to § 229.2, the last four sentences of the third paragraph of paragraphs (f) and (g) are removed and four new identical sentences are added to the end of both paragraphs (f) and (g), the first sentence of the last paragraph of paragraph (k) is revised, the next to last sentence of paragraph (r) is revised and a new sentence is added to the end, and a new sentence is added to the end of the first paragraph of paragraph (u) to read as follows:

Section 229.2 Definitions

* * * * *

(f) and (g) *Banking Day and Business Day.* * * *

* * * On a calender day that is a banking day for the branch or other location of the depositary bank at which the account is maintained, a deposit received at an ATM before the ATM's cut-off hour is considered deposited on that banking day, and a deposit received at an ATM after the ATM's cut-off hour is considered deposited on the next banking day of the branch or other location where the account is maintained. On a calender day that is not a banking day for the account-holding location, all ATM deposits are considered received on that location's next banking day. This rule for determining the day of the deposit would also apply to a deposit to an off-premise facility, such as a night depository or lock box, which is considered deposited when removed from the facility and available for processing under § 229.19(a)(3). If an unstaffed facility, such as a night depository or lock box, is on branch premises, the day of deposit is determined by the banking day at the branch at which the deposit is received, whether or not it is the branch at which the account is maintained.

* * * * *

(k) *Check* * * *

The definition of "check" does not include an instrument payable in foreign currency (i.e., other than in United States money as defined in 31 U.S.C. 5101), a credit card draft (i.e., a sales draft used by a merchant or a draft generated by a bank as a result of a cash advance), or an ACH debit transfer.

* * *

* * * * *

(r) *Local check* * * * Until the labelling requirements in § 229.36(e) for payable through checks become effective on February 1, 1991, there may be cases where the payable through bank will be designated only by routing number and will not be named on the check. * * * For payable through checks that meet the labelling requirements of § 229.36(e), the depositary bank may rely on the four-digit routing symbol of the paying bank that is printed on the face of the check as required by that section, e.g., in the title plate, but not on the first four digits of the payable through bank's routing number printed in magnetic ink in the MICR line or in fractional form, to determine whether the check is local or nonlocal.

* * * * *

(u) *Noncash item.* * * * To qualify as a noncash item, an item must be handled as such and may not be handled as a cash item by the depositary bank.

* * * * *

b. In the Commentary to § 229.13, in paragraph (h), the second sentence of the first paragraph, the first sentence of the second paragraph, and the fourth paragraph are revised to read as follows:

Section 229.13 Exceptions

* * * * *

(h) *Availability of deposits subject to exceptions.* * * * This provision establishes that an extension of up to five business days for local checks and six business days for nonlocal checks is reasonable. * * *

For example, assume a bank extended the hold on a local check deposit by five business days based on its reasonable cause to believe that the check is uncollectible. * * *

* * * * *

Five business days for local checks and six business days for nonlocal checks, in addition to the time period provided in the schedule, should provide adequate time for the depositary bank to learn of the nonpayment of virtually all checks that are returned.

* * * * *

c. In the Commentary to § 229.18, a new paragraph is added after the last paragraph of paragraph (e) to read as follows:

Section 229.18 Additional Disclosure Requirements

* * * * *

(e) *Changes in policy.* * * *

In disclosing changes due to the implementation of the permanent schedule, a bank may provide notice in any form that is clear and conspicuous. For example, in disclosing the change in the maximum period for case-by-case holds, banks that used the previous version of Form C–3 could use language such as the following on account statements or inserts: "Our disclosure on funds availability indicated that, in certain circumstances, funds from deposits would not be available until the seventh business day following the day of your deposit. Effective September 1, 1990, that period [was/will be] reduced to five business days." A bank reserving the right to apply the cash withdrawal limitation in § 229.12(d) when invoking a case-by-case hold should indicate that the period is reduced to six, rather than five, business days.

d. In the Commentary to § 229.19, the third sentence in the fifth paragraph of paragraph (a) is revised and two new sentences are added immediately following the third sentence, and two new sentences are added to the end of the second paragraph of paragraph (c) to read as follows:

Section 229.19 Miscellaneous

(a) *When funds are considered deposited.* * * *

* * * For receipt of deposits at ATMs or off-premise facilities, such as night depositories or lock boxes, the depositary bank may establish a cut-off hour of 12 noon or later (either local time of the branch of other location of the depositary bank at which the account is maintained or local time of the ATM or off-premise facility). The depositary bank must use the same method for establishing the cut-off hour for all ATMs and off-premise facilities used by its customers. The choice of cut-off hour must be reflected in the bank's internal procedures, and the bank must inform its customers of the cut-off hour upon request. * * *

* * * * *

(c) *Effect on policies of depositary bank.* * * *

* * * For example, even if a check is returned or a notice of nonpayment is received after the time by which funds must be made available for withdrawal in accordance with this regulation, the depositary bank may charge back the customer's account for the full amount of the check. (See § 229.33(d) and Commentary.)

* * * * *

e. In the Commentary to § 229.30, the heading and first two paragraphs of paragraph (c) are revised to read as follows:

Section 229.30 Paying Bank's Responsibility for Return of Checks

* * * * *

(c) *Extension of deadline.* This paragraph permits extension of the midnight deadline, but not of the duty of expeditious return, in two circumstances:

(1) a paying bank may have a courier that leaves after midnight to deliver its forward collection checks. This paragraph removes the constraint of the midnight deadline for returned checks if the returned check reaches either the depositary bank or the returning bank to which it is sent on that bank's banking day following the expiration of the midnight deadline or other applicable time for return. The extension also applies if the check reaches the bank to which it is sent later than the close of that bank's banking day, if highly expeditious means of transportation are used. For example, a West Coast paying bank may use this further extension to ship a returned check by air courier directly to an East Coast depositary bank even if the check arrives after the close of the depositary bank's banking day.

(2) A paying bank may observe a banking day, as defined in the applicable UCC, on a Saturday, which is not a business day and therefore not a banking day under Regulation CC. In such a case, the UCC midnight deadline for checks received on Friday might require the bank to return the checks by midnight Saturday. However, the bank may not have couriers leaving on Saturday to carry returned checks, and even if it did, the returning or depositary bank to which the returned checks were sent might not be open until Sunday night or Monday morning to receive and process the checks. This paragraph extends the midnight deadline if the returned checks reach the returning bank by a cut-off hour (usually on Sunday night or Monday morning) that permits processing during its next processing cycle or reach the depositary bank by the cut-off hour on its next banking day following the Saturday midnight deadline.

The time limits that are extended in each case are the paying bank's midnight deadline in UCC §§ 4–301 and 4–302 and § 210.12 of Regulation J (12 CFR 210.12). As these extensions are designed to speed (§ 229.30(c)(1)), or at least not slow (§ 229.30(c)(2)), the overall return of checks, no modification or extension of the

expeditious return requirements in § 229.30(a) is required.

* * * * *

f. In the Commentary to § 229.34, the first sentence of paragraph (a) is revised to read as follows:

Section 229.34 Warranties by Paying Bank and Returning Bank

(a) *Warranty of returned check.* This paragraph includes warranties that a returned check, including a notice in lieu of return, was returned by the paying bank, or in the case of a check payable by a bank and payable through another bank, the bank by which the check is payable, within the deadline under the UCC, Regulation J, or § 229.30(c); that the paying or returning bank is authorized to return the check; that the returned check has not been materially altered; and that, in the case of a notice in lieu of return, the original check has not been and will not be returned for payment (see the Commentary to § 229.30(f)). * * *

* * * * *

g. In the Commentary to § 229.35, a new sentence is added before the last sentence of the first paragraph of paragraph (a) to read as follows:

Section 229.35 Indorsements

(a) *Indorsement standards.* * * * The regulation places a duty on banks to ensure that their indorsements are legible. * * *

* * * * *

h. In the Commentary to § 229.36, five new sentences are added after the second sentence in the second paragraph of paragraph (e) to read as follows:

Section 229.36 Presentment and Issuance of Checks

* * * * *

(e) *Issuance of payable through checks.* * * *

* * * Similarly, a bank may be liable under § 229.38 if a check payable by it that is not payable through another bank is labelled as provided in this section. For example, a bank that holds checking accounts and processes checks at a central location but has widely-dispersed branches may be liable under this section if it labels all of its checks as "payable through" a single branch and includes the name, address, and four-digit routing symbol of another branch. These checks would not be payable through another bank and should not be labelled as payable through checks. (All of a bank's offices within the United States are considered part of the same bank; see § 229.2(e).) In this example, the bank by which the checks are payable could be liable to a depositary bank that suffers a loss, such as lost interest or liability under subpart B, due to the mislabelled check. * * *

i. In the Commentary to appendix C, under the subheading "Models C–1 Through C–7 Generally," the second and fifth paragraphs are deleted, the last paragraph is revised, and a new paragraph is added at the end thereof to read as follows:

Appendix C—Model Forms, Clauses, and Notices

* * * * *

Models C–1 through C–7 generally. * * *

* * * * *

While § 229.10(b) of the regulation requires next-day availability for electronic payments, Treasury regulations (31 CFR part 210) and ACH association rules require that preauthorized credits ("direct deposits") be made available on the day the bank receives the funds. Model Forms C–1 through C–7 reflect these rules. Wire transfers, however, are not governed by Treasury or ACH rules, but banks generally make funds from wire transfers available on the day received or on the business day following receipt. Banks shoulds ensure that their disclosures reflect the availability given in most cases for wire transfers.

Banks that have used earlier versions of the model forms or clauses (such as those forms that gave Social Security benefits and payroll payments as examples of preauthorized credits available the day after deposit) are protected from civil liability under § 229.21(e). Banks are encouraged, however, to use current versions of the forms when reordering or reprinting supplies of forms.

* * * * *

j. In the Commentary to Appendix C, under the subheading "Model C–3," a new sentence is added to the end thereof to read as follows:

Model C–3

* * * A bank reserving the right to impose the cash withdrawal limitation in § 229.12(d) should disclose that funds may not be available until the sixth (rather than the fifth) business day in the first paragraph under the heading "Longer Delays May Apply."

k. In the Commentary to appendix C, under the subheading "Model C–5," the references to "C–4" are revised to read "C–7."

l. In the Commentary to appendix C, under the subheading "Model C–15 and C–15A," the second sentence is revised to read as follows:

Model C–15 and C–15A

* * * Model C–15 is based on an availability policy that is the same as the permanent schedule in the regulation and the policy reflected in models C–5 and C–7. * * *

m. In the Commentary to appendix C, the subheading "Model C–19 and C–19A" and the accompanying paragraph are removed.

By order of the Board of Governors of the Federal Reserve System, May 22, 1990.

William W. Wiles,

Secretary of the Board.

[FR Doc. 90–12287 Filed 5–29–90; 8:45 am]

BILLING CODE 6210–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90–ANE–10; Amdt. 39–6607]

Airworthiness Directives; Pratt & Whitney Canada (PWC) PT6A Series Turbopropeller Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to PWC PT6A series turbopropeller engines, that requires the removal from service of affected engines within 30 calendar days after the effective date of this AD. This AD is prompted by a finding that certain PWC PT6A series turbopropeller engines repaired by Gregory Flying Service/Airforce Turbine Service may be unairworthy as a result of the installation of life-limited parts for which confirmation of part times/cycles since new cannot be verified. The AD is needed to preclude an uncontained engine failure.

EFFECTIVE DATE: May 30, 1990.

COMMENTS: Comments for inclusion in the docket must be received on or before July 30, 1990.

ADDRESSES: Submit comments in duplicate to the Federal Aviation Administration, New England Region, Office of the Assistant Chief Counsel, *Attention:* Rules Docket No. 90–ANE–10, 12 New England Executive Park, Burlington, Massachusetts 01803, or deliver in duplicate to room 311, at the above address.

Comments may be inspected at the above location in room 311, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: Robert E. Guyotte, Engine Certification Branch, ANE–142, Engine Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273–7094.

SUPPLEMENTARY INFORMATION: The FAA has determined that certain PWC PT6A series turbopropeller engines repaired by Gregory Flying Service/Airforce Turbine Service (hereafter identified as Gregory Flying Service) may be unairworthy as a result of the installation of life-limited parts for

which confirmation of part times/cycles since new cannot be verified.

An FAA audit of Gregory Flying Service maintenance records, conducted on February 20–21, 1990, revealed that Gregory Flying Service had repaired engines which contained life-limited parts where verification of part life could not be determined. Records for these engines did not identify part numbers or serial numbers of the parts actually installed, or document the status of the hours or cycles since new on life-limited parts installed during the repair of certain PT6A series engines. A teardown inspection of one suspect PT6A–34 turbopropeller engine repaired by Gregory Flying Service revealed four of the five life-limited parts had been previously scrapped by PWC due to these parts having been installed in an engine involved in an accident. This engine was also assembled with parts from several different engines for which time since new, cycles since new, time since overhaul, and cycles since overhaul could not be determined. The FAA audit revealed that 22 engines repaired by Gregory Flying Service have insufficient maintenance records to substantiate a determination of airworthiness. Safe operation of high energy rotating engine disks requires mandatory retirement of these components at FAA safe life intervals predicated on accurate records of in service life consumption. The FAA was unable to determine the location of those 22 engines due to insufficient record keeping practices at Gregory Flying Service.

Since this situation is likely to exist or develop on other PWC PT6A series turbopropeller engines repaired by Gregory Flying Service, this AD requires removal from service, within 30 calendar days after the effective date of this AD, of certain PWC PT6A series turbopropeller engines repaired by Gregory Flying Service and also provides return to service requirements for these engines.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

Although this action is in the form of a final rule, which involves an emergency and, thus, was not preceded by notice and public procedure thereon, interested persons are invited to submit such written data, views, or arguments as they may desire regarding this AD. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Administration, New England Region, Office of the Assistant Chief Counsel, *Attention*: Airworthiness Rules Docket 90–ANE–10, 12 New England Executive Park, Burlington, Massachusetts 01803.

All communications received by the deadline date indicated above will be considered by the Administrator and the AD may be amended in light of comments received.

The regulations adopted herein will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Executive Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It had been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration (FAA) amends 14 CFR part 39 of the Federal Aviation Regulations (FAR) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority. 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive (AD):

Pratt & Whitney Canada: Applies to Pratt & Whitney Canada (PWC) PT6A series turbopropeller engines repaired by Gregory Flying Service/Airforce Turbine Service (hereafter identified as Gregory Flying Service), located in Tynan, Texas. The affected engines are identified by model and serial number as follows:

Model	*Serial No.*
PT6A–15AG	PCE 14012
PT6A–15AG	PCE 14018
PT6A–15AG	PCE 14028
PT6A–34	PCE 38093
PT6A–28	PCE 40023
PT6A–27	PCE 41704
PT6A–28	PCE 51327
PT6A–29	PCE 51426
PT6A–34	PCE 56089
PT6A–34AG	PCE 56361
PT6A–34AG	PCE 56405
PT6A–34AG	PCE 56433
PT6A–34AG	PCE 56466
PT6A–34AG	PCE 56471
PT6A–34AG	PCE 56516
PT6A–34AG	PCE 56522
PT6A–34AG	PCE 56527
PT6A–34AG	PCE 56612
PT6A–34AG	PCE 56628
PT6A–34AG	PCE 56650
PT6A–34AG	PCE 56717
PT6A–34AG	PCE 56773

Compliance is required as indicated, unless already accomplished.

To prevent the development of an unsafe condition which could result in an uncontained engine failure, accomplish the following:

(a) Remove from service those engines identified above within the next 30 calendar days after the effective date of this AD.

(b) Return to service engines removed from service in accordance with paragraph (a) by accomplishing either one of the two following requirements:

(1) Accomplish a complete engine overhaul in accordance with the requirements of the appropriate PWC overhaul manual.

(2) Submit to the FAA, Manager, Engine Certification Office, through the cognizant FAA Airworthiness Inspector, all the pertinent records identified below for review, and obtain a written FAA approval prior to returning an engine to service:

(i) For the parts, sub-assemblies, accessories, or components of engines that were subjected to repair or maintenance activities during the last shop visit at Gregory Flying Service, provide the following:

(A) A list of all life-limited components by serial number, service history, and their current status as required by FAR part 135, section 439, or FAR part 91, section 173, as appropriate, and records establishing the origin and/or the prior service history of the subject parts.

(B) Records of accomplishment of the required inspections, checks, tests, as applicable, in accordance with PWC engine manual requirements that establish the components' airworthiness.

(ii) All repair, maintenance, and inspection records, concerning the last shop visit at

Gregory Flying Service, as required by FAR part 135, section 439, or FAR part 91, section 173, as appropriate.

(iii) Substantiating evidence that the work performed during the last shop visit at Gregory Flying Service was done in accordance with FAA approved data as required by the FAR's.

(iv) Engine acceptance test data or engine installed test data, accomplished after the repair, whichever is applicable.

(v) A list by part number or serial number of any engine, part, sub-assembly, accessory, or component acquired from Gregory Flying Service that has been involved in an accident.

Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96–511) and have been assigned OMB Control No. 2120–0056.

(c) Aircraft may be ferried in accordance with the provisions of FAR 21.197 and 21.199 to a base where the AD can be accomplished.

(d) Upon submission of substantiating data by an owner or operator through an FAA Airworthiness Inspector, and alternate method of compliance with the requirements of this AD or adjustments to the compliance time specified in this AD may be approved by the Manager, Engine Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

This amendment becomes effective on May 30, 1990.

Issued in Burlington, Massachusetts, on May 21, 1990.

Jack A. Sain,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 90–12409 Filed 5–29–90; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 90–CE–05–AD; Amdt. 39–6612]

Airworthiness Directives; Beech 99 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD), applicable to certain Beech 99 Series airplanes, which requires replacement of existing steel wing-attach bolts and nuts with Inconel bolts and nuts. Inconel bolts and nuts provide superior stress corrosion resistant qualities and eliminate the need for existing mandatory repetitive inspections for stress corrosion cracking on steel bolts and nuts. The actions specified in this AD will preclude the loss of wing attachment integrity due to undetected wing-attach bolt stress corrosion.

EFFECTIVE DATE: July 2, 1990.

Compliance: Within the next 12 calendar months after the effective date of the AD.

ADDRESSES: Beech Structural Inspection and Repair Manual, and Beechcraft Mandatory Service Bulletin No. 2248, dated February 1988, applicable to this AD, may be obtained from the Beech Aircraft Corporation, Commercial Service, Department 52, P.O. Box 85, Wichita, Kansas 67201–0085; Telephone (316) 681–7111, or may be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Don Campbell, Aerospace Engineer, Airframe Branch, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4409.

SUPPLEMENTAL INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include an AD requiring replacement of existing steel wing-attach bolts and nuts with specific Inconel wing-attach bolts and nuts on certain Beech 99 Series airplanes was published in the **Federal Register** on March 1, 1990 (55 FR 7341).

The proposal was prompted by reexamination, by the FAA, of the airworthiness issues relating to aging commuter class airplanes. Public meetings and operators data have confimed that airplanes of this class are being operated well beyond the times envisioned at the time of design and manufacture.

Considering the experience gained in the transport industry, the FAA has determined that prevenative action must be taken with the aging commuter fleet prior to the occurrence of a catastrophic structural failure.

The continued airworthiness of airplanes can normally be maintained by proper inspection, maintenance, and when necessary, by parts replacement. On airplanes being operated beyond their expected design life, the FAA has determined that long term continued operational safety will be better assured by design changes to remove the source of the problem rather than by repetitive inspections or special operating procedures. Long term special operating procedures may not provide the degree of safety assurance necessary.

This coupled with a better understanding of the human factors associated with numerous continual special procedures, has led the FAA to consider placing less emphasis on special procedures and more emphasis on design improvements.

At an April, 1989 public conference, the General Aviation Manufacturers Association (GAMA) and the Regional Airline Association (RAA) recommended twenty-three (23) separate industry and government actions intended to resolve the aging commuter airplane issue. Recommendation No. 3 stated: "The FAA should take the lead, working closely with industry, to review existing ADs on all airplanes used in regional air carrier service to determine if repetitive inspections need to be replaced by terminating actions."

In December 1989, the FAA conducted a review of the existing ADs applicable to the Beech 99 Series airplanes, and identified AD 85–22–05 (which requires repetitive inspections) as one that could be terminated by the installation of an improved part. AD 85–22–05 applies to H–11 steel wing-attach bolts in the front spar only. However, steel bolts that are susceptible to corrosion may also be present at the rear spar attachments. The actions proposed in the NPRM would replace each steel bolt existing at any of the four attachments on each wing with an Inconel bolt.

In addition, AD 88–04–07 was issued to require a one-time inspection for cracks in certain Inconel nuts unless a specially marked Part No. 81790–1414 nut was installed. The actions specified in the proposed AD would extend this requirement to replacement nuts at the lower, forward wing attachment. The FAA has determined that the actions in this proposal meet the intent of GAMA/RAA Recommendation No. 3 and are consistent with current FAA policy. Since the condition described is likely to exist or develop in other Beech 99 Series airplanes of the same design, an AD was proposed which would require replacement of the existing steel wing-attach bolts and nuts with specific Inconel wing-attach bolts and nuts on Beech 99 series airplanes.

Interested persons have been afforded an opportunity to comment on the proposal. No comments or objections were received on the proposal or the FAA determination of the related cost to the public. Accordingly, the proposal is adopted without change. The FAA has determined that this regulation only involves 100 airplanes at an approximate one-time cost of $3,000 per airplane, or a total one-time fleet cost of $300,000. The total cost of complying with the proposed AD is less than $100 million, the threshold for a significant rule. This cost per airplane is less than the threshold significant cost amount for

those small entities operating one airplane and the FAA has determined, on the basis of the aircraft registration records, that less than ⅓ of the owners of the affected airplanes own more than 1 of the affected airplanes so as to incur a cost greater than the significant amount threshold.

The regulations adopted herein will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **"ADDRESSES".**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new AD:

BEECH: Applies to Beech 99 Series (all serial numbers) airplanes certificated in any category.

Compliance: Required within the next 12 calendar months after the effective date of this AD, unless already accomplished. To preclude the loss of wing attachment integrity due to undetected wing-attach bolt stress corrosion accomplish the following:

(a) Replace any existing steel wing-attach bolts and nuts with Inconel wing-attach bolts and nuts in accordance with the instructions in Beech Structural Inspection and Repair Manual, P/N 98–39006, dated December 20, 1984, or revisions thereto through Revision A4, dated May 1, 1987.

(b) Immediately after installation of any new Inconcel nut in the lower, forward wing attachment per paragraph (a) of this AD, except those specially marked with Part No. 81790–1414, visually inspect the nut for cracks in accordance with the instructions in Beech Mandatory Service Bulletin 2248, dated February 1988. Prior to further flight, replace any nut found cracked with a specially marked Part No. 81790–1414 nut per Figure 2 of the above referenced Service Bulletin.

(c) Airplanes may be flown in accordance with FAR 21.197 to a location where this AD can be accomplished.

(d) An alternate method of compliance or adjustment of the compliance time, which provides an equivalent level of safety, may be approved by the Manager, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Room 100, Wichita, Kansas 67209; Telephone (316) 946–4400.

Note: The request should be forwarded through an FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita Aircraft Certification Office.

All persons affected by this directive may obtain copies of the documents referred to herein upon request to the Beech Aircraft Corporation, Commercial Service, Department 52, Wichita, Kansas 67201–0085; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

This amendment becomes effective on July 2, 1990.

Issued in Kansas City, Missouri, on May 15, 1990.

Don C. Jacobsen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–12408 Filed 5–29–90; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 89–AEA–21]

Establishment of Transition Area; Louisa, VA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; delay of effective date.

SUMMARY: This corrective action changes the effective date for the establishment of the Louisa, VA, Transition Area. The proposed commissioning date of the new Louisa Nondirectional Radio Beacon (NDB) and the effective date of the new Standard Instrument Approach Procedure (SIAP) based on this NDB have been delayed; therefore, the effective date of the establishment of the Transition Area must also be delayed.

EFFECTIVE DATE: 0901 U.t.c. May 31, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Curtis L. Brewington, Airspace Specialist, System Management Branch, AEA–530, Federal Aviation Administration, Fitzgerald Federal Building No. 111, John F. Kennedy International Airport, Jamaica, New York 11430; telephone: (718) 917–0857.

SUPPLEMENTARY INFORMATION:

History

Airspace Docket number 89–AEA–21 was published in the **Federal Register** on April 10, 1990 (55 FR 13263) establishing a Transition Area at Louisa, VA. The development of a new SIAP to the Louisa County/Freemen Field Airport, utilizing the new Louisa NDB, made this action necessary. An unforeseen delay in the commissioning of the Louisa NDB and the SIAP based on the NDB has required the effective date of this action to also be delayed from May 3, 1990 to May 31, 1990.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibilty Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Delay of Effective Date

The effective date on Airspace Docket number 89–AEA–21 is hereby delayed from May 3, 1990 to May 31, 1990.

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

Issued in Jamaica, New York, on May 1, 1990.

Billy E. Commander,

Acting Manager, Air Traffic Division.

[FR Doc. 90-12410 Filed 5-29-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[T.D. 8297]

RIN 1545-AM69

Time and Place of Examination

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction of temporary regulations (T.D. 8297).

SUMMARY: This document contains corrections to temporary regulations which set forth the policy of the Internal Revenue Service concerning the time and place for conducting examinations.

EFFECTIVE DATE: April 3, 1990.

FOR FURTHER INFORMATION CONTACT: Nancy O. Ryan, 202-535-9678 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The temporary regulations (T.D. 8297) which are the subject of this correction were issued pursuant to section 6228(b) of subtitle J, title VI of the Technical and Miscellaneous Revenue Act of 1988, the Omnibus Taxpayer Bill of rights.

Need for Correction

As published, the temporary regulations contain errors which may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of T.D. 8297 which was the subject of FR Doc. 90-7619, published April 3, 1990, is corrected as follows:

Paragraph 1. On page 12344, column 3, the "RIN" number in the heading, which reads "RIN 1545-AM49" should be corrected to read "RIN 1545-AM69".

Par. 2. On page 12345, column 1, the third line of the "Effective Date", which reads "effective as of June 4, 1990." should read "effective as of April 3, 1990."

§ 301.7605-1T [Corrected]

Par. 3. On page 12346, column 3, line 12 of § 301.7605-1T(a)(1) which reads "set forth general criteria for the Service" should be corrected to read "sets forth general criteria for the Service".

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 90-12244 Filed 5-29-90; 8:45 am]

BILLING CODE 4830-01-M

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 55

[T.D. ATF-298; Ref. Notice No.: 688; (90-75)]

Commerce in Explosives

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Final rule (Treasury Decision).

SUMMARY: This Final Rule amends 27 CFR 55.211, to require that the placards required by the Department of Transportation during transportation of blasting agents be displayed on all facilities used to store blasting agents.

EFFECTIVE DATE: This final rule is effective June 29, 1990.

FOR FURTHER INFORMATION CONTACT: Daniel Crowley, ATF Specialist, Firearms and Explosives Operations Branch, Bureau of Alcohol, Tobacco and Firearms, (202 789-3029).

SUPPLEMENTARY INFORMATION: The Bureau of Alcohol, Tobacco and Firearms (ATF) is concerned that emergency responders be made aware of the contents of the vehicles and other facilities used to store blasting agents. Accordingly, ATF published a Notice of Proposed Rulemaking in the **Federal Register** on September 1, 1989, (Notice No. 688, 54 FR 36325) requesting public comments on the proposed requirement that placards required by the Department of Transportation during transportation of blasting agents be displayed on all facilities storing blasting agents.

Summary and Discussion of Comments

During the 60-day comment period, 11 comments were received on the Notice of Proposed Rulemaking. The commenters included two members of the U.S. House of Representatives, the Institute of Makers of Explosives, a professional organization of explosives engineers, a nonprofit membership organization dedicated to promoting safety from fire, electrical and related hazards, a State fire fighters organization, an international organization of fire fighters, a local unit of a fire fighters organization, and three individual fire fighters.

All but two of those commenting favored adoption of the proposal as a final rule. The two exceptions favored a broader requirement that placards be placed on all magazines used to store explosive materials, not just on those containing blasting agents.

From the standpoints of safety, the explosives industry's position on the location of signs in areas where explosives are stored is that any sign be located so that a bullet passing through the sign will not strike a magazine. The industry, however, did express support for the proposed placarding of Type 5 magazines for the storage of blasting agents. The Bureau supports the industry's position that signs should not be placed on all magazines for the storage of explosive materials. However, the display of placards on magazines for the storage of blasting agents will not increase the hazard to the general public from the stored explosive materials since blasting agents are not sensitive to bullet impact. Thus, a bullet fired by chance at the placard and striking the contents of the magazine will not initiate an explosion of the blasting agent contents. Accordingly, the suggestion that placards be displayed on all types of magazines is not adopted and the proposed regulations are adopted without change.

Executive Order 12291

It has been determined that this document is not a major regulation as defined in E. O. 12291 and a regulatory impact analysis is not required because it will not have an annual effect on the economy of $100 million or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States based enterprises to compete with foreign based enterprises in domestic or foreign markets.

Regulatory Flexibility Act

It is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. The certification is based upon the fact that it affects predominately large entities, and the regulations will not affect a substantial number of small entities.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Pub. L. 96–511, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because no requirement to collect information is proposed. However, consistent with the amendments made by this final rule, clarifying revisions to the examples accompanying currently approved reporting and recordkeeping requirements also are being adopted.

Drafting Information

The principal author of this Final Rule is Daniel E. Crowley, ATF Specialist, Firearms and Explosives Operations Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 55

Administrative practice and procedure, Authority delegations, Customs duties and inspection, Explosives, Exports, Hazardous materials, Imports, Penalties, Reporting and recordkeeping requirements, Safety, Security measures, Seizures and forfeitures, Transportation, and Warehouses.

Authority and Issuance

PART 55—COMMERCE IN EXPLOSIVES

Paragraph 1. The authority citation for 27 CFR part 55 continues to read as follows:

Authority: 18 U.S.C. 847.

Para. 2. Section 55.211 is amended by adding a new paragraph (a)(5) to read as follows:

* * * * *

§ 55.211 Construction of type 5 magazines.

(a) * * *

(5) *Placards.* The placards required by Department of Transportation regulations at 49 CFR part 172, subpart F, for the transportation of blasting agents shall be displayed on all magazines.

* * * * *

Signed: May 2, 1990.

Daniel R. Black,

Acting Director.

Approved: May 15, 1990.

Peter K. Nunez,

Assistant Secretary (Enforcement).

[FR Doc. 90–12264 Filed 5–29–90; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DoD 6010.8–R]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Revision to Secondary Payment Calculations for Claims Paid Under the CHAMPUS DRG-Based Payment System

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: In FR Doc. 77–7834, appearing in the **Federal Register** on April 4, 1977, (42 FR 17972), the Office of the Secretary of Defense published its regulation, DoD 6010.8–R, "Implementation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)," as part 199 of this title. DoD 6010.8–R was reissued in the **Federal Register** on July 1, 1986 (51 FR 24008).

This final rule revises the comprehensive CHAMPUS regulation DoD 6010.8–R (32 CFR part 199), pertaining to payment for certain inpatient hospital services. It implements the proposed amendment of rule which was published on February 6, 1990 (55 FR 3982), and revises the secondary payment calculations for claims paid under the CHAMPUS DRG-based payment system. This change is being made to conform to recent changes affecting the Medicare Prospective Payment System (PPS) upon which the CHAMPUS DRG-based payment system is modeled. The Medicare PPS changes were published in the **Federal Register** as a final rule on October 11, 1989 (54 FR 41716).

EFFECTIVE DATE: This final rule is effective for inpatient hospital admissions occurring on or after July 1, 1990.

ADDRESSES: Office of the Civilian Health and Medical Program of the Uniformed Services (OCHAMPUS), Office of Program Development, Aurora, CO 80045–6900.

For copies of the **Federal Register** containing this final rule, contact the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783–3238.

The charge for the **Federal Register** is $1.50 for each issue payable by check or money order to the Superintendent of Documents.

FOR FURTHER INFORMATION CONTACT: Stephen E. Isaacson, Office of Program Development, OCHAMPUS, telephone (303) 361–4005.

To obtain copies of this document, see the "**ADDRESSES**" section above. Questions regarding payment of specific claims under the CHAMPUS DRG-based payment system should be addressed to the appropriate CHAMPUS fiscal intermediary.

SUPPLEMENTARY INFORMATION: On February 6, 1990, we published a proposed amendment of rule to modify the secondary payment calculations under the CHAMPUS DRG-based payment system. We refer the reader to the proposed rule for a more detailed explanation of the proposed change to the CHAMPUS DRG-based payment system and to the implementing regulations in 32 CFR part 199.

We provided a 30-day comment period on the proposed amendment of rule. This final rule announces our decisions on the issues raised by commenters in response to our proposed rule.

I. Clarifications

As a result of reviewing our proposed rule and responding to the comments, we have identified some areas which we believe warrant some further clarification.

Under our current double coverage procedures we reimburse the lower of: (1) The amount CHAMPUS would have paid as primary payer; or (2) the CHAMPUS allowable amount (DRG-based) minus the payment from the other health insurance (OHI).

Under the change implemented by this final rule, in double coverage situations for claims subject to the CHAMPUS DRG-based payment system, CHAMPUS will reimburse the lowest of: (1) The gross amount payable by CHAMPUS (that is, the DRG-based amount) minus the applicable cost-sharing amount; (2) the gross amount payable by CHAMPUS minus the amount paid by the OHI; (3) the provider's charges (or the amount the provider is obligated to accept as payment in full, if that is less than the charges) minus the amount paid by the OHI; or (4) the provider's charges (or the amount the provider is obligated to accept as payment in full if that is less than the charges) minus the applicable CHAMPUS cost-sharing amount.

It is important to note that this change affects the allowable amount calculated by CHAMPUS. Thus, where the DRG-based amount exceeds a hospital's billed charge, the CHAMPUS-determined allowable amount will be the hospital's billed charge. As a result, the hospital cannot bill the beneficiary for the difference between the total amount received and the DRG-based

amount, except for any unpaid cost-sharing amounts.

The following examples will help clarify our policy and its effect.

A. A hospital furnished seven days of care in January 1990 to a CHAMPUS beneficiary who is retired. The hospital's charges were $5,000, the OHI paid $3,000, and the CHAMPUS DRG-based amount was $4,000. In this situation the beneficiary cost-share is $1,250. CHAMPUS would pay the lowest of the following amounts.

(1) The DRG-based amount minus the applicable cost-sharing amount:
$4,000−$1,250=$2,750

(2) The DRG-based amount minus the amount paid by the OHI:
$4,000−$3,000=$1,000

(3) The provider's charges minus the amount paid by the OHI:
$5,000−$3,000=$2,000

(4) The provider's charges minus the applicable CHAMPUS cost-sharing amount: $5,000−$1,250=$3,750

In this example CHAMPUS would reimburse the hospital $1,000. Since the hospital has received the full DRG-based amount ($3,000 from the OHI and $1,000 from CHAMPUS), it cannot bill the beneficiary for any amount.

B. A hospital furnished seven days of care in January 1990 to a CHAMPUS beneficiary who is retired. The hospital's charges were $5,000, the OHI paid $1,000, and the CHAMPUS DRG-based amount was $6,000. In this situation the beneficiary cost-share is $1,250. CHAMPUS would pay the lowest of the following amounts.

(1) The DRG-based amount minus the applicable cost-sharing amount:
$6,000−$1,250=$4,750

(2) The DRG-based amount minus the amount paid by the OHI:
$6,000−$1,000=$5,000

(3) the provider's charges minus the amount paid by the OHI:
$5,000−$1,000=$4,000

(4) The provider's charges minus the applicable CHAMPUS cost-sharing amount: $5,000−$1,250=$3,750

In this example CHAMPUS would reimburse the hospital $3,750. The hospital may bill the beneficiary for $250, since that is the remainder of the beneficiary's CHAMPUS cost-share. The hospital would then receive its full billed charge which is the CHAMPUS allowable amount ($1,000 from the OHI, $3,750 from CHAMPUS, and $250 from the beneficiary).

II. Public Comments

We received a total of three (3) individual comments on the proposed rule. Two were from hospitals and one was from a national hospital organization. Below we provide an analysis of the comments and our responses.

Comment—Situations have arisen whereby primary payers, noting that one of their insured members was also eligible for CHAMPUS, have attempted to limit their payment to the CHAMPUS-allowable amount. The primary payer is obligated to pay the provider's charges or contractually agreed upon amounts without regard to the availability of CHAMPUS as a secondary payer, and this should be clarified and explicitly recognized in the CHAMPUS secondary payer provisions.

Response—We agree. CHAMPUS limitations on payment cannot be used as a payment limitation for the primary payer, and there is no aspect of our secondary payer policy which prevents providers from pursuing the primary payer for the provider's charges. We fully recognize this principle, but we don't believe any change should be made to our regulation as a result of it, since this is an issue which is essentially between the hospital and the primary payer.

Comment—CHAMPUS claims any payments made by the primary payer over the CHAMPUS DRG amount for that patient as monies that CHAMPUS has a right to claim against its payment of overall allowable pass-through expenses to the hospital. CHAMPUS should modify its policy to provide that those cases for which CHAMPUS is secondary and makes no payment are to be excluded in the cost-finding process for determining pass-through amounts and that primary payers' payments for such cases not be deducted from CHAMPUS's liability for pass-through amounts.

Response—Although this indirectly relates to double coverage situations, it does not actually relate to the policy covered by this final rule. CHAMPUS is aware of this concern, though, and we are in the process of modifying our policy. A separate **Federal Register** notice will be prepared and published on this in the near future.

Comment—When a primary payer payment is less than the Medicare DRG, Medicare reimburses the hospital the difference between the DRG and the primary payment regardless of whether or not the DRG is higher than the charges. With respect to Medicare, the existence of a primary payer has no bearing on the hospital's entitlement to total reimbursements equaling the DRG unless the primary payer pays 100% of covered charges. The proposed CHAMPUS amendment to rule is inconsistent with Medicare PPS.

Response—This is not correct. As noted in our proposed rule, the Health Care Financing Administration changed the procedures for the Medicare PPS in their October 11, 1989, final rule. The change we have proposed conforms exactly to the Medicare change.

Comment—The proposed rule is very vague on how the co-payment is to be handled. Does it mean that the co-payment will be deducted in determining CHAMPUS' responsibility?

Response—Two of the four calculations in determining CHAMPUS' responsibility include subtracting the beneficiary cost-share. The net effect of this is that the payment made by the other health insurance is always applied toward reducing the beneficiary cost-share.

Comment—The proposed rule is totally inappropriate. CHAMPUS has not modeled their DRG system after the Medicare system. The CHAMPUS system has shifted most of the payment responsibility to the retired beneficiary. Under the CHAMPUS DRG system it is not unusual for the patient to be responsible for more than 50% of the total payment to be received since the co-payment is 25% of the allowed charge or $210 per day, whichever is less. Also, the CHAMPUS system is different in that they only pay a portion of DRG payment for short stay outliers. This penalizes the hospital for discharging the patient when it is trying to manage under the DRG reimbursement system.

It would appear CHAMPUS is only adopting Medicare Regulations when it is to their advantage and not on a consistent basis.

Response—This comment does not explain what makes the proposed rule inappropriate, but we obviously believe it is appropriate, as explained in our proposed rule. With regard to modeling our system on the Medicare PPS, we have made every effort to conform to Medicare wherever possible. The cost-sharing differences are the result of our statutory requirements and were done to protect our beneficiaries. Also please note that the current cost-sharing per diem is $235, not $210. The inclusion of short-stay outliers is based on the fact that these stays do not represent average cases within a DRG just as long-stay and cost outliers do not. Both of these policies, as well as any other differences from the Medicare PPS, are justified in detail in our original 1987 proposed and final rules (52 FR 20731 and 52 FR 32992).

III. Neonatal DRGs

On December 26, 1989, we published in the **Federal Register** a notice of revised rates for the pediatric-modified DRGs (PM–DRGs). In that notice we

stated that the geometric mean lengths of stay (GLOS) and the outlier thresholds published on October 10, 1989, are to be used for the PM–DRGs. The October 10 notice did not contain this information for PM–DRGs 631 and 632. This is unrelated to our changes regarding secondary payments, but since we have received a number of inquiries about these two PM–DRGs we are including the information here in order to make the information available as soon as possible. For PM–DRG 631 the GLOS is 9.2, the short-stay threshold is 1, and the long-stay threshold is 26. For PM–DRG 632 the GLOS is 3.5, the short-stay threshold is 1, and the long-stay threshold is 20.

IV. Regulatory Procedures

Executive Order 12291 requires that a regulatory impact analysis be performed on any major rule. A "major rule" is defined as one which would result in an annual effect on the national economy of $100 million or more or have other substantial impacts.

The Regulatory Flexibility Act (RFA) requires that each federal agency prepare, and make available for public comment, a regulatory flexibility analysis when the agency issues regulations which would have a significant impact on a substantial number of small entities. For purposes of the RFA, we consider small entities to include all hospitals and third-party payers.

This rule is not a major rule under Executive Order 12291. The changes set forth in this rule are minor revisions to previously published final rules. In addition, this rule will have a very minor impact and will not significantly affect a substantial number of small entities. Its only effect will be on those few cases where the DRG-based amount exceeds the hospital's billed charge and the beneficiary has other primary insurance. In those cases, the impact will equal the difference between the DRG-based amount and the billed charge. In light of the above, no regulatory impact analysis is required.

V. Other Required Information

A. Effective Date

This final rule is effective for inpatient hospital admissions occurring on or after July 1, 1990.

B. Paperwork Reduction Act

This final rule does not impose information collection requirements. Therefore, it does not need to be reviewed by the Executive Office of Management and Budget under the authority of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3511).

List of Subjects in 32 CFR Part 199

Claims, Handicapped, Health Insurance, and Military personnel.

Accordingly, 32 CFR part 199 is amended as follows:

PART 199—[AMENDED]

1. The authority citation for part 199 continues to read as follows:

Authority: 10 U.S.C. 1079, 1086, 5 U.S.C. 301.

2. Section 199.4 is amended by revising paragraph (g)(11) to read as follows:

§ 199.4 Basic program benefits.

* * * * *

(g) * * *

(11) *No legal obligation to pay, no charge would be made.* Services or supplies for which the beneficiary or sponsor has no legal obligation to pay; or for which no charge would be made if the beneficiary or sponsor was not eligible under CHAMPUS; or whenever CHAMPUS is a secondary payer for claims subject to the CHAMPUS DRG-based payment system, amounts, when combined with the primary payment, which would be in excess of charges (or the amount the provider is obligated to accept as payment in full, if it is less than the charges).

* * * * *

Dated: May 22, 1990.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90–12335 Filed 5–29–90; 8:45 am]

BILLING CODE 3810–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05–90–24]

Special Local Regulations for Marine Events; the Start of the Race to Cock Island; Norfolk Harbor, Elizabeth River, Norfolk and Portsmouth, VA

AGENCY: Coast Guard, DOT.

ACTION: Notice of implementation of 33 CFR 100.501.

SUMMARY: This notice implements 33 CFR 100.501 for the Race to Cock Island. The race will consist of approximately 250–300 sailboats divided into seven classes, starting at ten minute intervals from the Portsmouth Seawall area of the Southern Branch of the Elizabeth River, Norfolk Harbor, Norfolk and Portsmouth, Virginia on July 21, 1990. The sailboats will race to Hampton Roads and return. These special local regulations are needed to control vessel traffic within the area due to the confined nature of the waterway and the expected vessel congestion during the starting of the races. The effect will be to restrict general navigation in the regulated area for the safety of participants in the races.

EFFECTIVE DATE: The regulations in 33 CFR 100.501 are effective from 10 a.m. to 1 p.m., on July 21, 1990.

FOR FURTHER INFORMATION CONTACT: Stephen L. Phillips, Chief, Boating Affairs Branch, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23705 (804) 398–6204.

Drafting Information

The drafters of this notice are QM1 Kevin R. Connors, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and Captain Michael K. Cain, project attorney, Fifth Coast Guard District Legal Staff.

Discussion of Regulation

Ports Events, Inc., of Portsmouth, Virginia, submitted an application on April 15, 1990 to hold the Race to Cock Island. The race will consist of approximately 250–300 sailboats ranging from 22 to 60 feet. The sailboats will be divided into seven classes. Each class will start at ten minute intervals from the Portsmouth Seawall area of the Southern Branch of the Elizabeth River, Norfolk Harbor, Norfolk and Portsmouth, Virginia on July 21, 1990, race to Hampton Roads and return. Because this is the type of event contemplated by these regulations, and because the safety of the participants would be enhanced by the implementation of the special local regulations for this regulated area, the regulations in 33 CFR 100.501 are being implemented for the start of the races.

Dated: May 21, 1990.

P.A. Welling,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 90–12392 Filed 5–29–90; 8:45 am]

BILLING CODE 4910–14–M

33 CFR Part 100

[CGD 09-90-12]

Special Local Regulations; Rochester Offshore Challenge, Lake Ontario, Rochester, NY

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for the Rochester Offshore Challenge. This event will be held on Lake Ontario, between Genesee River and Forest Lawn on 28 July 1990 from 10 a.m. (EDST) until 3 p.m. (EDST). The regulations are needed to provide for safety of life on navigable waters during the event.

EFFECTIVE DATES: These regulations become effective at 10 a.m. (EDST) until 3 p.m. (EDST), 28 July 1990.

FOR FURTHER INFORMATION CONTACT: Corey A. Bennett, Marine Science Technician First Class, U.S. Coast Guard, Search and Rescue Branch, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH 44199, (216) 522-4420.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. The application to hold this event was not received by the Commander, Ninth Coast Guard District until 26 April 1990 and there was not sufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

Drafting Information

The drafters of this regulation are Corey A. Bennett, Marine Science Technician First Class, U.S. Coast Guard, project officer, Search and Rescue Branch and M. Eric Reeves, Lieutenant Commander, U.S. Coast Guard, project attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulations

The Rochester Offshore Challenge will be conducted on Lake Ontario, between Genesee River and Forest Lawn, on 28 July 1990. This event will have approximately forty-five, 18 to 47 foot power boats which may pose hazards to navigation in the area. Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander (Officer-in-Charge, U.S. Coast Guard Station Rochester, NY).

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). Because of the short duration of these regulations, their economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary.

Since the impact of these regulations is expected to be minimal the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water).

Final Regulations

In consideration of the foregoing, part 100 of title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Part 100 is amended to add a temporary § 100.35-0912 to read as follows:

PART 100—[AMENDED]

§ 100.35-0912 Rochester Offshore Challenge, Lake Ontario,

Rochester, NY

(a) *Regulated Area:* That portion of Lake Ontario, on a line extending from the Genesee River East Pier Light (LL# 2190) ½ mile to latitude 43 degrees 16.1 minutes North, longitude 77 degrees 35.6 minutes West, thence east on a bearing of 094 degrees true to latitude 43 degrees 15.8 minutes North, longitude 77 degrees 30 minutes West, thence south to shore on a bearing of 180 degrees true, including the mouth of Irondequoit Bay.

(b) *Special Local Regulations:* (1) The above area will be closed to navigation and anchorage, except when expressly authorized by the Coast Guard Patrol Commander, from 10 a.m. (EDST) until 3 p.m. (EDST) on 28 July 1990.

(2) The Coast Guard will patrol the regulated area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on channel 16 (156.8 MHZ) by the call sign "Coast Guard Patrol Commander". Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. Vessels will be operated at a no wake speed to reduce the wake to a minimum, and in a manner which will not endanger participants in the event of any other craft. The rules contained in the above sentence shall not apply to participants in the event or patrol vessels operating in the performance of their assigned duties.

(3) The Patrol Commander may direct the anchoring, mooring, or movement of any boat or vessel within the regulated area. A succession of sharp, short signals by whistle or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels so signaled shall stop and shall comply with the orders of the Patrol Commander. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(4) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(5) The Patrol Commander may restrict vessel operation within the regulated area to vessels having particular operating characteristics.

(6) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life and property.

(7) This section is effective from 10 a.m. (EDST) until 3 p.m. (EDST) on 28 July 1990.

Dated: May 18, 1990.

J.G. Schmidtman,

Captain, U.S. Coast Guard, Acting Commander, Ninth, Coast Guard District.

[FR Doc. 90-12393 Filed 5-29-90; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 100

[CGD 09-90-01]

Special Local Regulations; Friendship Festival '90 Air Show, Niagara River and Buffalo Harbor, Buffalo, NY

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special Local Regulations are being adopted for the Friendship

Festival '90 Air Show. This event will be held over the Niagara River and Buffalo Harbor on 30 June 1990 from 4 p.m. (EDST) until 5:30 p.m. (EDST), and on 1 July 1990 from 1 p.m. (EDST) until 5 p.m. (EDST). The regulations are needed to provide for the safety of life and property on navigable waters during the event.

EFFECTIVE DATES: These regulations become effective on 30 June 1990 and terminate on 2 July 1990.

FOR FURTHER INFORMATION CONTACT: Corey A. Bennett, Marine Science Technician First Class, U.S. Coast Guard, Search and Rescue Branch, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH 44199, (216) 522–4420.

SUPPLEMENTARY INFORMATION: On 13 February 1990, the Coast Guard published a notice of proposed rule-making in the **Federal Register** for these regulations (55 FR 5029). Interested persons were requested to submit comments and no comments were received.

In the proposal, the time for the event and regulations for 30 June 1990 was from 3 p.m. (EDST) until 4:30 p.m. (EDST). After publication of the proposal, this time was changed to 4 p.m. (EDST) until 5:30 p.m. (EDST).

Drafting Information

The drafters of this regulation are Corey A. Bennett, Marine Science Technician First Class, U.S. Coast Guard, project officer, Search and Rescue Branch and M. Eric Reeves, Lieutenant Commander, U.S. Coast Guard, project attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulations

The Friendship Festival '90 Air Show will be conducted over the Niagara River and Buffalo Harbor on 30 June 1990 and on 1 July 1990. This event will have approximately 30, domestic and foreign, private and military aircraft performing low flying aircraft demonstrations and high performance aircraft aerobatics, which could pose hazards to navigation in the area. Any vessel desiring to transit the regulated areas may do so only with prior approval of the Patrol Commander (U.S. Coast Guard Station Buffalo, NY).

Economic Assessment and Certification

This regulation is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. This event will draw a large number of spectator craft into the area for the duration of the event. This should have a favorable impact on commercial facilities providing services to the spectators. Any impact on commercial traffic in the area will be negligible.

Since the impact of this regulation is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water).

Final Regulations

In consideration of the foregoing, part 100 of title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Part 100 is amended to add a temporary § 100.35–0901 to read as follows:

§ 100.35–0901 Friendship Festival '90 Air Show, Niagara River and Buffalo Harbor, Buffalo, NY.

(a) *Regulated Area:* The Niagara River and Buffalo Harbor from the Black Rock Canal Breakwall, at the Peace Bridge, westward along the south side of the bridge to the International Border; southward along the International Border to the Abandoned Light House, then eastward to the north end of the North Breakwater; southeast along the North Breakwater, and from the North Breakwater South End Light (LLNR 2660) to Black Rock Canal Lighted Buoy 1 (LLNR 2725), to Black Rock Canal Lighted Buoy 3 (LLNR 2735), to the south end of the Black Rock Canal Breakwall; then northward along the Black Rock Canal Breakwall to the Peace Bridge.

(b) *Special Local Regulations:* (1) The above area will be closed to navigation and anchorage, except when expressly authorized by the Coast Guard Patrol Commander, from 4 p.m. (EDST) until 5:30 p.m. (EDST) on 30 June 1990, and from 1 p.m. (EDST) until 5 p.m. (EDST) on 1 July 1990.

(2) The Coast Guard will patrol the regulated area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on channel 16 (156.8 MHZ) by the call sign "Coast Guard Patrol Commander". Any vessel desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. Vessels will be operated at a no wake speed to reduce the wake to a minimum, and in a manner which will not endanger participants in the event or any other craft. The rules contained in the above sentence shall not apply to participants in the event or patrol vessels operating in the performance of their assigned duties.

(3) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life and property.

(4) This section is effective from 4 p.m. (EDST) on 30 June 1990 until 5 p.m. (EDST) on 1 July 1990.

Dated: May 18, 1990.

J.G. Schmidtman,

Captain, U.S. Coast Guard, Acting Commander, Ninth Coast Guard District.

[FR Doc. 90–12394 Filed 5–29–90; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 100

[CGD 09–90–11]

Special Local Regulations: Wilhelm Offshore Classic, Presque Isle Bay, Lake Erie, PA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for the Wilhelm Offshore Classic to be held on Lake Erie and Presque Isle Bay, Erie, PA. This event will be held on 12 August 1990, from 10 a.m. (EDST) until 1 p.m. (EDST). The regulations are needed to provide for the safety of life and property on navigable waters during the event.

EFFECTIVE DATES: These regulations become effective at 10 a.m. (EDST) until 1 p.m. (EDST), 12 August 1990.

FOR FURTHER INFORMATION CONTACT: Corey A. Bennett, Marine Science Technician First Class, U.S. Coast Guard, Search and Rescue Branch, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH 44199, (216) 522–4420.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rule making has not been

published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. The application to hold this event was not received by the Commander, Ninth Coast Guard District until 1 May 1990, and there was not sufficient time remaining to publish proposed rules in advance of the event.

This event was held last year and no negative comments were received.

Drafting Information

The drafters of this regulation are Corey A. Bennett, Marine Science Technician First Class, U.S. Coast Guard, project officer, Search and Rescue Branch and M. Eric Reeves, Lieutenant Commander, U.S. Coast Guard, project attorney, Ninth Coast Guard District Legal Office.

Discussion of Regulations

The Wilhelm Offshore Classic will be conducted on Presque Isle Bay, Lake Erie, on 12 August 1990. This event will have an estimated 40 offshore power boats, which could pose hazards to navigation in the area. Any vessel desiring to transit the regulated area may do so only with prior approval of the Patrol Commander (Officer in Charge, U.S. Coast Guard Station Erie, PA).

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). Because of the short duration of these regulations, their economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary.

Since the impact of these regulations is expected to be minimal the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this rulemaking does not have sufficient federalism implications to warrant the preparation of a Fedealism Assessment.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water).

Final Regulations

In consideration of the foregoing, part 100 of title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Part 100 is amended to add a temporary § 100.35–0911 to read as follows:

PART 100—[AMENDED]

§ 100.35-0911 Wilhelm Offshore Classic, Presque Isle Bay, Lake Erie, Erie, PA

(a) *Regulated Area:* That portion of Lake Erie, Presque Isle Bay and Channel and the enclosed area from Erie Harbor Pier Head Light (LL# 3430) on a bearing of 052 degrees true to latitude 42 degrees 13.7 minutes North, longitude 79 degrees 56.9 minutes West, thence southeasterly to shore on a bearing of 155 degrees true.

(b) *Special Local Regulations:* (1) The above area will be closed to navigation and anchorage, except when expressly authorized by the Coast Guard Patrol Commander, from 10 a.m. (EDST) until 1 p.m. (EDST) on 12 August 1990.

(2) The Coast Guard will patrol the regulated area under the direction of a Coast Guard Patrol Commander to be designated by Officer in Charge, U.S. Coast Guard Station Erie, PA. The Patrol Commander may be contacted on Channel 16 (156.8 MHZ) by the call sign "Coast Guard Patrol Commander". Operators of vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. Vessels will be operated at a no wake speed, and in a manner which will not endanger participants in the event of any other craft. The rules contained in the above sentence shall not apply to participants in the event of patrol vessels operating in the performance of their assigned duties.

(3) The Patrol Commander may direct the anchoring, mooring, or movement of any boat or vessel within the regulated area. A succession of sharp, short signals by whistle or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels so signaled shall stop and shall comply with the orders of the Patrol Commander. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(4) The Patrol Commander may establish vessel size or speed limitations, and other operating conditions.

(5) The Patrol Commander may restrict vessel operation within the regulated area to vessels having particular operating characteristics.

(6) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life and property.

(7) This section is effective from 10 a.m. (EDST) until 1 p.m. (EDST) on 12 August 1990.

Dated: May 18, 1990.

J. G. Schmidtman,

Captain, U.S. Coast Guard, Acting Commander, Ninth, Coast Guard Distrct.

[FR Doc. 90–12396 Filed 5–29–90; 8:45 am]

BILLING CODE 4910-14-M

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 1–21; Notice 9]

RIN 2127–AC24

FMVSS 114; Theft Protection

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends requirements related to key-locking systems to ensure theft protection. The amendment is intended to reduce the potential for accidents caused by shifting the transmission lever on parked vehicles with automatic transmissions. The amendment requires that an automatic transmission vehicle with a "park" position must have a key-locking system that prevents removal of the key unless the transmission is locked in "park" or becomes locked in "park" as the direct result of removing the key. The rule is applicable to passenger cars, and trucks and multipurpose passenger vehicles with a Gross Vehicle Weight Rating of 10,000 pounds or less.

DATES: (*Effective Date:*) The changes made in this rule become effective for vehicles manufactured on or after September 1, 1992.

Petitions for Reconsideration: Any petition for reconsideration of this rule must be received by NHTSA not later than June 29, 1990.

ADDRESSES: Petitions for reconsideration should refer to the docket and notice number set forth at the beginning of this notice and be submitted to the following: Administrator, National Highway Traffic Safety Administration, 400

Seventh Street SW., Washington, DC 20590 (Docket hours: 9:30 a.m. to 4:00 p.m.). It is requested that 10 copies of the petition be submitted.

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Rutland, Office of Vehicle Safety Standards, NRM–11, NHTSA, 400 Seventh Street SW., Washington, DC 20590 (202–366–5267).

SUPPLEMENTARY INFORMATION:

1. General Background

Standard No. 114, Theft Protection, (49 CFR 571.114) specifies requirements for theft protection to reduce the incidence of accidents resulting from the unauthorized use of passenger cars, and trucks and multipurpose passenger vehicles with a Gross Vehicle Weight Rating of 10,000 pounds or less. In particular, section S4.2(b) requires that a vehicle have a key locking system that prevents the vehicle's steering or forward self-mobility, or both, when the key is removed.

A. Steering Lock-Up

On December 29, 1980, the National Highway Traffic Safety Administration (NHTSA) amended Standard 114 to include performance requirements to prevent a vehicle occupant from inadvertently locking up the steering column of a moving vehicle by removing the ignition key or shutting off the engine. (45 FR 85450). However, in response to petitions for reconsideration, the agency determined that inadvertent steering lock-up was not a significant enough problem, at the time, to require additional steps to prevent the possibility of inadvertent steering column lock-up, and therefore rescinded the requirement. The agency noted that it would continue to monitor complaints related to inadvertent steering column lock-up and would initiate rulemaking, if new data warranted an amendment. The agency also encouraged manufacturers to install voluntarily key locking systems that provide improved protection against inadvertent steering column lock-up on their vehicles. (46 FR 32251, June 22, 1981).

Since the 1981 notice, callers to NHTSA's Auto Safety Hotline have reported a small number of complaints related to steering lock-ups, both in automatic and manual transmission vehicles. These lock-ups occur most frequently when an occupant removes the key from a moving vehicle's ignition. Key removal typically occurs as a result of "horseplay" within a vehicle or by the driver in panic situations. If the key is removed, the steering will lock in the direction that the driving wheel was last turned.

B. Transmission Lever Shifting

NHTSA has also received complaints concerning serious injuries and deaths caused by shifting transmission levers in automatic transmission vehicles parked on an incline. This problem typically occurs when children shift the transmission lever from "park" to "neutral" in a stationary automatic transmission vehicle with the ignition turned off. As a result, the vehicle rolls down the incline. NHTSA is aware of several reported cases in which people, usually children, were seriously injured or killed.

Although the current Standard 114 does not prohibit systems which permit the transmission lever to be shifted when the vehicle is parked with the ignition locked, some manufacturers have voluntarily used a transmission shift lever lock to overcome this safety problem. These transmission shift lever lock designs typically have two critical elements. For automatic transmission vehicles, the transmission shift lever lock requires the transmission shift lever to be in "park" before a person can remove the ignition key. This device also prevents shifting the transmission lever from "park" to another position once the key is removed. For manual transmission vehicles, the transmission shift lever lock requires the transmission shift lever to be in "reverse" before a person can remove the ignition key. These transmission shift lever locking systems are designed to decrease transmission lever shifting accidents.

Notice of Proposed Rulemaking

On April 5, 1988, NHTSA issued a notice of proposed rulemaking (NPRM) in response to the problems of inadvertent steering column lock-up and inadvertent transmission lever shifting. (53 FR 11105). The existing Standard 114 requires that the key-locking system prevent, whenever the key is removed, normal activation of the vehicle's engine or other main source of motive power, and prevent either steering or forward self-mobility, or both. To prevent steering, manufacturers typically have included steering column locks, and to prevent forward self-mobility manufacturers typically have included transmission lever locks.

NHTSA proposed several amendments to paragraph S4.2 of Standard 114. For automatic transmission vehicles, the notice proposed to require the following: (1) An ignition-key locking system that would prevent the shifting of the transmission whenever the key is removed, (2) an ignition-key locking system that would prevent the removal of the key except when the transmission is locked in "park," and (3) for vehicles with a steering column lock, a system that would permit the steering column lock to be engageable only when the transmission was in "park," and the ignition key had deactivated the vehicle's engine or other main source of motive power.

For manual transmission vehicles with a steering column lock, the notice proposed to require that that lock would be engageable only when the ignition key had deactivated the vehicle's engine or other main source of motive power and the operator had performed an additional manual action involving a device other than the ignition key.

NHTSA also requested comments about several issues. First, the agency sought comments on whether the incidence of inadvertent steering column lock-up posed a significant safety problem. Second, the agency asked whether inadvertent transmission lever shifting posed a significant safety problem, especially for manual transmission vehicles. Third, the notice explained the anticipated costs of the proposals and sought additional information to help the agency develop more particularized cost estimates (e.g., unit costs for key locking and ignition systems, production volumes of different types of transmission levers, types of column and transmission lever locking systems). Fourth, NHTSA requested comments concerning alternative lower cost approaches and devices that might be able to reduce the problems of inadvertent steering column lock-up and inadvertent transmission lever shifting. Fifth, the agency sought general observations about whether anticipated designs associated with the proposed standard would be detrimental to theft protection or improperly restrict design flexibility.

The Comments and NHTSA's Response

In the NPRM, NHTSA requested comments by May 20, 1988; however, the agency extended the comment period until July 5, 1988, in response to a petition by the Motor Vehicle Manufacturers Association (MVMA). (53 FR 17732, May 18, 1988)

Forty comments were submitted to Docket 01–21–Notice 7 by motor vehicle manufacturers, insurance companies, police organizations, trade associations, and the public. In addition, in response to their requests, the agency met with several manufacturers (e.g., Mazda, Rolls Royce, Volkswagen) to analyze potential system designs. After

reviewing the comments, NHTSA has dediced to amend section S4.2(b) related to transmission lever shifting. However, the agency has decided not to amend Standard 114 in relation to steering lock-up. This notice addresses the most significant issues raised in the comments along with the agency's response to the comments.

Safety Need

NHTSA tentatively concluded in the NPRM and the Preliminary Regulatory Evaluation (PRE) that there was a safety problem related to both steering lock-up and transmission lever shifting. The PRE identified a relatively small number of complaints received by the agency related to thse safety problems. For instance, the review of incidents of steering column lock-up produced a listing of 13 accidents, 6 injuries, and 2 fatalities. The review of accidents related to transmission lever shifting produced a listing of 23 accidents, 5 injuries, and 4 fatalities related to the engine being turned off and the ignition key removed. In addition, there were another 17 rollaway crashes causing 5 injuries, (but in these cases it was not known whether the ignition key had been removed.) While NHTSA was aware that there was a relatively low level of reported accidents, the agency explained that it continued to receive complaints about these problems, particularly rollaways, resulting in serious injuries. The agency tentatively concluded that the proposed amendments would prevent some fatalities and serious injuries, especially involving children.

In the NPRM, the agency requested comments about whether steering lock-up or transmission lever shifting were significant safety problems for both manual and automatic transmission vehicles. As for key removal and subsequent steering lock-up while a vehicle is in motion, one commenter, who brought a lawsuit based on a fatal accident reportedly caused by such a situation, stated that there was a significant safety need for the proposed amendments. However, Nissan, the defendant in that lawsuit, stated that the jury rejected his allegations pertaining to key removal and subsequent steering lock-up. More generally, Nissan stated that it was unaware of any accidents that have resulted from steering column lock-up as a result of key removal.

The Automobile Importers Association (AIA), BMW, Chrysler, Fiat, Ford, Honda, Nissan, Suzuki, Volkswagen, and Winnebago commented that there was no safety need for measures that would protect against either steering lock-up or transmission lever shifting. For instance, Chrysler stated that the limited number of accidents cited in the PRE out of "billions of vehicle years of exposure" do not indicate that either problem is significant. BMW further stated that the benefits are far less than the costs even if some "accidents have gone unreported." The AIA stated that six fatalities (over 15 years) do not constitute a safety need, especially since the proposals may not be able to guard against accidents caused by "horseplay." In addition, AIA and Honda commented that accidents due to transmission lever shifting could be prevented by activating the parking brake. Suzuki stated that the agency failed to provide evidence that the proposed design changes would reduce the number of these accidents.

In response to these comments, NHTSA has reexamined its proposal to introduce requirements intended to reduce the dangers of steering lock-up and transmission lever shifting. The agency emphasizes that these two problems are distinct and must be analyzed separately. The first, steering lock-up, is associated with removing the key while the vehicle is in motion, thus creating a potential for loss of control due to locking the steering column. The few instances of steering lock-up identified by the agency appear to be associated with adults engaged in horseplay, purposely removing the key, or removing it in an emergency situation. The second, rollaway after the transmission shift lever has been moved to neutral, appears to be associated with children playing with the transmission shift lever.

The agency has searched its accident files and consumer complaint files to identify both types of accidents and the resulting injuries and fatalities. The results of that review are summarized in the Final Regulatory Evaluation (FRE), which has been placed in the docket. As for steering lock-up, the FRE identified three accidents with three injuries and two fatalities that were reported to have resulted from steering lock-up on moving vehicles that occurred after the ignition key was removed. Based on the extremely low number of injuries and fatalities over the course of approximately ten years, NHTSA has decided not to require additional measures designed to prevent the possibility of steering lock-up while the vehicle is in motion. Therefore, the proposal set forth in S4.2(b)(3) and S4.2(c)(2)(B) of the NPRM to prevent steering lock-up in automatic and manual transmission vehicles have not been adopted in this final rule. Nevertheless, as discussed later in this notice, the amendment to prevent transmission lever shifting accidents in automatic transmission vehicles will also serve to prevent the removal of a key while that type of vehicle is in motion, because the amendment permits key removal only when the transmission is in "park."

As for transmission lever shifting, the FRE concluded that 46 accidents, eight injuries, and five fatalities resulted from rollaway situations that the proposed amendments would address. An additional 27 rollaway crashes involving 6 injuries had less information about the status of the engine and the ignition key position, but may be potentially relevant. There were 325 additional accidents resulting when the vehicle "rolled away" or was "rolling." While not enough information was provided to categorize conclusively the accident as preventable by the amended standard, it is likely that some of them could have been prevented. The data indicate that children are the principal victims of transmission lever shifting accidents. The agency has also received several letters outlining similar injuries.

A study focusing on child-injuring rollaway accidents in Orange County, California confirms NHTSA's tentative determination that injuries caused by rolling vehicles pose a significant safety problem. (Agran, Phyllis; Winn, Diane; Castillo, Dawn. "Unsupervised Children in Vehicles: A Risk of Pediatric Trauma," accepted for publication in *Pediatric*, 1990). That study, which was funded by the Center for Disease Control, was conducted under the hospital monitoring program at the University of California, Irvine. Between April 1987 and March 1989, the study uncovered nine cases of children releasing the brake or moving the transmission shift lever, or both, causing a parked vehicle to roll and injure the child operating the controls or children near the vehicle. Even though two of the cases could be discounted for the purposes of this rulemaking because the vehicle's engine was running and there was insufficient information to draw conclusions about some other situations, the study does establish that the type of accident at issue in this rulemaking, i.e., a motor vehicle being set in motion by an unsupervised child, is occurring. Based on this study, the agency has estimated that there are roughly 400 to 800 relevant injury producing transmission lever shifting accidents each year nationwide. As the Final Regulatory Evaluation explains in detail, installation of the required technology in the cars and light trucks not voluntarily

equipped by the rule's effective date, will prevent an estimated 50 to 100 child-injuring rollaway accidents annually.

Based on the above information, NHTSA has determined that injuries caused in transmission lever shifting situations pose a significant risk to safety. The agency further notes it has a special obligation to reduce injuries involving children and believes this action is consistent with that obligation. In addition, NHTSA believes that these injuries can be prevented at a relatively low cost to manufacturers since most current systems would already comply with the amendments. The agency therefore concludes that there is a safety need which can be effectively met by amending Standard 114 to require automatic transmission vehicles to have key locking systems that prevent transmission lever shifting.

Voluntary Compliance

Chrysler and Ford commented that because they and other manufacturers voluntarily plan to place interlock systems on their vehicles, they did not believe the amendments to Standard 114 were warranted. While the agency welcomes these manufacturers' actions, it finds this argument unpersuasive, because without a mandatory requirement, some manufacturers might not adopt the more safety-oriented key locking systems to prevent accidents and their associated injuries and fatalities, due to transmission lever shifting. In addition, by specifying a requirement, the agency ensures that all manufacturers will introduce systems that will prevent accidents from transmission lever shifting.

Purpose of the Amendment

NHTSA's goal in amending the standard is to provide adequate protection against injuries caused by shifting the automatic transmission lever without compromising the theft protection features of the standard. The agency emphasizes that Standard 114 remains primarily a theft protection standard and that this amendment is not intended to decrease the level of theft protection.

Ford and NATB commented that the term "inadvertent" inaccurately describes some of the accidents because the vehicle occupant's intent is irrelevant to the resulting harm. For instance, a child may intentionally shift an automatic transmission vehicle's lever unaware that these actions will result in a crash. The problem centers on the fact that young children are often unaware of the consequences of their actions The agency agrees with the commenters that the term "inadvertent" does not appropriately describe many of the situations at issue and further notes that no descriptive term sufficiently describes these situations. Accordingly, NHTSA has decided against including any adjective in the role to describe the accidents addressed in this rulemaking.

Impact of Amendment on Theft Protection

Allstate Insurance Co., Farmers Insurance Group, National Auto Theft Bureau (NATB), Illinois and Ohio State Police, State Farm Mutual Insurance Co., and United Services Automobile Association commented that the proposal indicates that the agency is less concerned about protecting against vehicle thefts than under the existing standard. For instance, Allstate and the Travelers Companies commented that requiring the transmission lever locking device, which they viewed as a less effective theft protection device than the steering lock-up device, would adversely affect theft protection by encouraging manufacturers to eliminate the steering column lock.

NHTSA notes that all manufacturers commenting on the proposal stated that they plan to retain the current steering column locking mechanism. In addition, an agency review of the plans of non-commenting manufacturers indicated that most of them will include both the steering lock and the transmission lever shift lock. For instance, General Motors (GM) has been providing both devices for several years. This is consistent with Chrysler's prediction that it and other manfacturers would continue to use the steering column lock, because it allows a single generic column design across a product line and because it has been developed and perfected over the past twenty years. Ford noted that if it decided to comply with Standard 114 with only a transmission lever interlock, it would need an anti-theft shield to protect the cable running from the console to the ignition on the steering column.

After considering its proposal in light of the manufacturers' plans to produce vehicles that have both the steering locking devices and transmission shift interlocks, NHTSA concludes that there will not be a reduction in theft protection. In fact, the agency anticipates that the practical effect of these amendments will be to increase the degree of theft protection, since most manufacturers indicated that they will manufacture vehicles with both theft protection devices.

NHTSA is sympathetic to Allstate's and NATB's concern that the NPRM's scope and purpose section (S1) might create the false impression that the standard's focus was shifting away from theft protection. Therefore, section S1 of this final rule deletes the proposed language which would have expanded the "scope and purpose" of the standard beyond theft protection. The agency notes that this final rule merely specifies requirements for a theft protection device that is already being provided to effectuate the existing standard.

BMW, NATB, the Ohio State Police, and Travelers commented that the transmission lever proposal would be better addressed outside Standard 114, contending that the transmission lever locking device is a safety related mechanism that would erode the theft protection aspects of this standard. NHTSA disagrees with these comments based on the interrelationship between Standard 114's theft protection requirements and a vehicle's transmission. In particular, the agency notes that a transmission lever that locks in the "park" position upon key removal helps prevent an unauthorized person from moving the vehicle. Therefore, NHTSA concludes that the best place for this requirement is in Standard 114, rather than in a different safety standard.

Alternative Designs Related to Automatic Transmissions

Section S4.2(b) (1) and (2) of the NPRM proposed to require that automatic transmission vehicles have an ignition-key locking system that would prevent the shifting of the transmission whenever the key is removed and would prevent the removal of the key except when the transmission is locked in "park." In addition, S4.2(b)(3) proposed to require that if an automatic transmission vehicle had a steering column lock, that lock, would be engageable only when the transmission was in "park" and the ignition key had deactivated the vehicle's engine or other main source of motive power. The NPRM also requested comments on alternative approaches and devices that might be able to reduce the problems of steering lock-up and gear shifting. Fiat, Honda, Nissan, Rolls Royce, Subaru, and Toyota commented about these proposed requirements and suggested some alternative types of key locking/transmission lever shifting systems on automatic transmission vehicles.

Fiat and Nissan commented that the proposal established overly precise requirements, which would limit new designs and innovations. Fiat suggested that the agency specify more general requirements and leave the specific choice of design to the manufacturer. In

response to Fiat's suggestion, the agency has broadened the proposed requirements specified in the NPRM, wherever such changes would not adversely affect theft protection or safety. Nevertheless, NHTSA cannot agree with Fiat's suggestion to eliminate the proposed subparagraphs of S4.2(b), because specific performance requirements are necessary to promote safety. This notice will address the specific modifications below.

NHTSA notes that section S4.2(b)(1) in the NPRM proposed that "the ignition key-locking system shall also prevent shifting the transmission whenever the key is removed." After closer review, the agency concludes that section S4.2(b)(1) is not necessary because the requirements in S4.2(b)(2) automatically prevent the situation in S4.2(b(1). Therefore, the final rule does not include the proposed section S4.2(b)(1).

NHTSA notes that section S4.2(b)(2) in the NPRM proposed that "The key-locking system shall not permit removal of the key except when the *transmission is locked in "park."* (emphasis added). This provision was intended to lock either the transmission directly or the transmission shift lever and not just the transmission *per se*. Based on discussions with manufacturers indicating that this phrase was typically interpreted as referring to the transmission lever and the fact that most anti-shift locks act to lock the transmission by preventing the shifting of the transmission lever, NHTSA is satisfied that the phrase "transmission is locked in 'park' " was interpreted as a shorthand for "transmission or transmission lever is locked in 'park.' " The agency has therefore added a reference to the transmission lever in section S4.2(b) of the final rule and is confident that this clarification will not adversely affect any party.

Rolls Royce's Electrical Transmission Lock

Rolls Royce commented that its electrically activated transmission parking lock would meet the proposal's intent but not the proposed language specified in S4.2(b)(2). It explained that an electric gear range selector lever controls an electrically powered mechanical gear range actuator, which produces the mechanical energy needed to select a transmission range on all its automatic transmission vehicles. When the key is removed from the dashboard-mounted key and lock system, an electric switch automatically causes the electrically powered gear range actuator to lock the transmission in "park," irrespective of the gear selector lever's position. As a result, forward self mobility is prevented in compliance with the existing Stardard 114. In addition, this design adheres to the proposal's intent, because once the key is removed, moving the lever will not disengage the transmission lock, so the vehicle cannot roll away. However, it would not comply with the proposal's wording because the system is not "locked" instantaneously when the key is removed, but locks momentarily afterwards when the electric motor engages the lock. Rolls Royce requested that the agency modify the wording of section S4.2(b)(2) to allow their type of locking system.

After reviewing Rolls Royce's comments, NHTSA has decided to issue a final rule that will permit a design such as the one proposed by Rolls Royce. The agency believes that Rolls Royce's system will prevent the rolling of a vehicle as effectively as the other systems designed to comply with the language proposed in S4.2(b)(2). In the final rule, this provision is now designated S4.2(b) to reflect the changes in the final rule compared to the proposal. In addition, the agency notes that neither it nor Rolls Royce is aware of any accidents involving the roll away of these vehicles, which have been equipped with this system for over 20 years. Accordingly, the final rule permits a key locking system in which key removal directly causes the transmission or transmission lever to become locked in "park." In particular, this provision permits the Rolls Royce's key locking system in which there is a momentary shifting of the transmission before the automatic action locks the transmission in "park." The agency is confident that the time interval related to the momentary shifting will not pose a danger in roll-away situations. Therefore, a manufacturer may comply with section S4.2(b) in the final rule either by a key locking system similar to Rolls Royce's system or by a key locking system that prevents key removal unless the transmission or shift lever is locked in "park."

Electrical Transmission Shift Lock Systems

Emergency Overrides and Key Release Systems

The proposal to require a transmission shift lock on vehicles with automatic transmissions creates a potential compliance problem for a few manufacturers which have been planning to install electrical transmission shift lock systems. Honda, Mazda, Nissan, Subaru, and Toyota stated that electrical transmission shift lock systems could result in safety problems if the battery or electrical system failed. In such a situation, it would be impossible to move these vehicles unless there was an override device which would permit shifting the lever out of the "park" position.

The commenters stated that their electrical transmission shift lock systems would not comply with the requirements proposed in S4.2(b)(1) and S4.2(b)(2). Honda, Nissan, and Toyota requested that S4.2(b)(1) be modified to allow for an emergency override device so that a disabled vehicle could be moved. In addition, Nissan, Toyota, and Subaru requested that S4.2(b)(2) be modified to permit key removal, even if the transmission was not in "park." Subaru requested that the agency issue a supplemental notice to explore the problems related with a mechanical override.

Toyota explained that it was developing an electrically operated interlock override function to allow the transmission to be shifted from "park" to allow a disabled vehicle to be moved. This emergency override would engage only when the driver depresses and holds down the override button. Accordingly, Toyota requested that the agency amend S4.2(b)(1) to include the phrase "* * * except that an emergency override may be provided to enable movement of a disabled vehicle." Toyota further explained that the electrical interlock system is designed to automatically shut off, if the key is left in the "ACC" position for an hour. Therefore, it requested an emergency system to allow key release even if the transmission were not placed in "park."

Honda stated that if its electrical system failed, it would be impossible to shift the transmission lever out of "park" without a mechanical emergency override. Therefore, it requested the agency to allow such an override provided such a system would prevent inadvertent operation. From Honda's comments, it was not clear whether the override could be activated without the key in the ignition.

Nissan explained that it is developing a system which would prevent shifting the transmission lever out of the "park" position, unless the key is at the "on" position and the brake pedal is depressed. Nissan commented that along with an emergency override, the standard should allow for an emergency key release system by which a key could be removed even if the vehicle was not in "park." The commenter stated that this system was necessary in case the battery failed. Nissan concluded that Standard 114 should allow for an emergency gear shift

release system that could be released only by a "manual action other than normal gear shift lever manipulation."

Mazda demonstrated to NHTSA staff a prototype gear shift mechanism with an emergency release button. In this system, a spring loaded emergency release button located on the console near the base of the shifter allows the driver to disengage the gear shifter manually by pushing back and holding the emergency release button at the same time he or she moves the shifter out of park. The location and design of this device requires a two handed operation to release the lock. This override device could be activated without the key being in the locking system.

Subaru also stated that a release button should be required to permit moving the transmission lever out of "park" in the case of a dead battery. Subaru did not explain whether the key was necessary to operate this override. It also requested an emergency key release button to allow removing a key from the ignition switch if the transmission were not in "park." Because some of these systems might be inconsistent with the proposals in the NPRM, Subaru requested that the agency issue a supplemental notice.

After evaluating these comments, NHTSA concludes that a mechanical override system can be installed consistent with the NPRM, provided the override is only activated by the key used to control the vehicle. This permits the manufacturer to install a manual override system that is tied to either the ignition part of the key-locking system or an auxiliary part of the key-locking system that may be located near and/or is part of the manual override device. As a result, a vehicle could be moved if it experiences an electrical failure. The agency emphasizes that an override that could be operated without requiring a key might be detrimental to theft protection since an unauthorized person could operate that type of manual override. The agency has decide that a superior approach is to permit a manual override to the electrical shift system, but only if such an override has to be operated by the key used to control the vehicle. This appears consistent with Nissan's manual override system. The agency believes that this will permit a person to move a disabled vehicle without jeopardizing theft protection.

The agency acknowledges that this requirement may differ slightly from the override systems initially anticipated by some manufacturers, which could be activated regardless of the key being in the key locking system. However, the agency does not anticipate that compliance will be overly burdensome, especially since the rule permits a manufacturer to install a manual override system tied to either the ignition part of the key locking system or an auxiliary part of the key locking system near the manual override device.

As noted above, Toyota, Nissan and Subaru described systems that would permit key removal, even if the vehicle's transmission was not in "park." This would permit an individual to remove the key even though the battery or electrical system had failed. The commenters requested that S4.2(b)(2) be modified to allow key removal even if the transmission was not in "park."

In response to this concern about an electrical failure or a dead battery, the agency notes that this typically occurs when the vehicle is parked and the lights or another auxiliary systems are left on for long periods of time. In such situations, the vehicle would usually be in the "park" position. In the unusual situation of electrical failure when the vehicle's transmission is not in "park," a transmission with an electrical shift lock system could simply be mechanically shifted to "park," where the system could be designed to mechanically lock in "park" even without the electrical power so that the key could be removed. Therefore, the agency does not foresee the need to remove a key while the transmission is in a position other than "part." NHTSA concludes that changing the requirements to permit key removal while the transmission is in a position other than "park" is not necessary and would be detrimental to theft protection since an unauthorized person could oeprate that type of key release. Accordingly, NHTSA has decided not to modify the section, which is now S4.2(b), to allow for key removal when the transmission is in a position other than "park."

Miscellaneous Comments Related to Automatic Transmission Vehicles

Sections S4.2(b) (2) and (3) of the proposed amendment included references to the "park" position in automatic transmission vehicles. BMW commented that, while no safety standard requires the "park" position in automatic transmission vehicles, this proposal might be misinterpreted as requiring the "park" position for transmissions in such vehicles. The agency agrees with BMW that no safety standard requires the "park" position and takes this opportunity to clarify this understanding in S4.2(b). NHTSA further notes that requiring a "park" position would necessitate a rulemaking beyond the scope of this notice.

In sections S4.2 (a), (b), and (c) of the proposed amendment, the agency specified that each vehicle subject to the standard must have an *"ignition* key-locking system" (emphasis supplied). BMW commented that requiring an *"ignition* key-locking system" rather than the more general "key-locking system," was overly specific and might wrongly imply that the ignition is the component that must be interrupted in order to prevent normal activation of the engine. NHTSA agrees with BMW that including the term "ignition" is unnecessarily specific and thus has omitted this term in the final rule.

NHTSA notes that both the current Standard 114 at S4.(2)(a) an the NPRM at S4.2(a) and S4.2(b)(3) include the phrase "other main source of motive power." The agency interprets this phrase as being synonymous with the term "motor," since any known means of mechanical propulsion other than an engine requires some type of motor. Accordingly, in the interests of eliminating superfluous words, this final rule substitutes the term "motor" in place of the phrase "other main source of motive power."

Manual Transmission Vehicles

The NPRM asked whether inadvertent gear shifting presented a significant safety problem for manual transmission vehicles. The commenters indicated that there was no safety need related to the roll away of manual transmission vehicles, and the agency's independent review of the accident statistics confirmed this view. Accordingly, the agency has decided not to require manual transmission vehicles to contain an interlock.

With respect to the technology proposed for manual transmissions to protect against steering lockup, several commenters suggested changes that would be less design restrictive and more practical than proposed in the NPRM. While these comments may have merit, the agency's conclusion that steering lockup as the result of key removal is not a significant enough safety problem to justify additional requirements makes the issue moot.

Harmonization

The European Economic Community (ECE's) Regulation No. 18 provides comprehensive requirements related to theft protection. That regulation requires a manufacturer to install a protective device whose activation prevents one of three events: a vehicle being steered, its being driven, or its being moved forward under its own power. In other words, a manufacturer has the option of

complying with ECE Regulation No. 18 in one of three ways. In contrast, the amended Standard 114 requires an anti-shift device for any automatic transmission vehicle with a "park" position. In the PRE, NHTSA tentatively concluded that vehicles complying with the proposed amendments to standard 114 also would comply with ECE Regulation No. 18. However, the agency noted that some designs that comply with ECE Regulation No. 18 would have to be modified to comply with the new U.S. requirements. For instance, if a manufacturer wished to comply with ECE Regulation No. 18 with a steering lock, it would be possible to remove the key from the ignition of an automatic transmission vehicle conforming to Regulation No. 18 without locking up the transmission lever or gearshift control as required by this rulemaking.

Volkswagen, Mercedes, and Range Rover commented that the amendments present problems related to harmonization. Volkswagen stated that most manufacturers would not remove the steering column lock, because it was required by ECE Regulation No. 18. As a result, cost savings were not likely. (As noted above, the steering lock is an option and not a requirement of ECE Regulation No. 18.) Range Rover commented that while the amendments would comply with international standards, the amendments would cause conflicts with current designs used to meet these international standards and would result in additional costs, especially if the leadtime were unreasonably short. Mercedes stated that the amendments would be contrary to harmonization because they add requirements for locking systems that go beyond protection against theft.

After reviewing these comments, NHTSA concludes that even though the amendment introduces a requirement that ECE Regulation No. 18 does not specifically contain, this change will not significantly hinder harmonization. Because the new requirement does not significantly differ from ECE Regulation No. 18 and most manufacturers already comply or voluntarily plan to comply with this amendment, the agency believes that the practical effect of this rule will be minimal. In addition, NHTSA believes that the amendments provide the additional benefit of enhancing theft protection and safey since most manufacturers plan to use both a transmission lever interlock and a steering column lock. In addition, the agency has minimized any hardships related to harmonization by providing adequate leadtime. The agency believes that this will mitigate the problems associated with Volkswagen's and Range Rover's concerns and provide adequate time to allow manufacturers to modify any designs.

Leadtime

The NPRM proposed to give two years of leadtime between the publication of the final rule and the effective date of the amendments. AIA, BMW, Chrysler, Ford, Mercedes, and Jaguar noted that a three year leadtime, with an effective date of September 1, 1992 (model year 1993) was necessary to allow for the redesign, retooling, and product testing of vehicles. In the alternative, if the agency specified a two year leadtime, BMW, Chrysler, Ford, and Honda stated that a phase-in would be necessary to accommodate vehicle lines that were being phased-out. For instance, Ford requested that if the agency published a final rule with an effective date before model year 1993, then the agency should implement a phase-in process that would require no more than 90 percent of a manufacturer's production of automatic transmission vehicles to be in compliance by model year 1992 (with 100 percent compliance by model year 1993). Ford explained that it is voluntarily equipping all of its vehicles for floor mounted automatic transmission shift controls with an ignition/shift control interlock system by the 1993 model year. Ford requested a phase-in to accommodate those vehicles lines that are being redesigned over that time period. Chrysler also requested an effective date no earlier than September 1, 1992 (model year 1993), or in the alternative a two year phase-in beginning no earlier than September 1, 1991.

Volkswagen stated that a leadtime of two models years would be sufficient to allow compliance with the amendments. It emphasized that the effective date should refer to model year rather than "two years after the date on which the final rule is published" to avoid requiring mid-model year modifications. Range Rover stated that the proposed leadtime was unduly burdensome, especially on a small manufacturer such as itself, but did not specify a leadtime it viewed as adequate. Mitsubishi explained that a leadtime before model year 1992 would restrict unreasonably its plans for model year 1991 in which it plans to change four car lines and drop one line. Honda noted that at a minimum, a two year leadtime would be necessary. In the alternative, Honda stated that a phase-in program would ease the burdens of cost and leadtime.

After reviewing this issue, NHTSA has concluded that the proposed two-year leadtime is proper given that it would not unreasonably increase the costs associated with adopting these amendments. The agency believes that phasing in by a percentage of production is unnecessary given the provided leadtime. Accordingly, the Agency has determined that an effective date of September 1, 1992 is appropriate for this final rule.

Costs

In the NPRM, NHTSA estimated that the proposed amendments would cost the consumer approximately $6.25 for each automatic transmission vehicle. This was attributable primarily to adding a gear shift lever locking mechanism to vehicles with a console mounted automatic transmission. NHTSA estimated that the proposed amendments would affect 3.3 million cars and light trucks. The agency believed that there would be a cost savings of $2.50 per vehicle if the manufacturers decided to delete the steering column locks from all 11.2 million automatic transmission vehicles. This led the agency to conclude that there would be a net cost savings of $7.4 million annually if the manufacturers eliminated the steering column lock. In addition, the NPRM estimated that the proposal would affect 1.5 million manual transmission cars and light trucks at a consumer cost of about $2.50 per vehicle, or a total annual cost of $3.75 million. The NPRM sought additional data about the production volumes of different types of transmission shifts and column and gear shift lever locking systems to better estimate the costs associated with these amendments.

BMW, Chrysler, Ford, Honda, Range Rover, Subaru, Volkswagen, and Winnebago commented that the cost analysis understated the costs of the proposed amendment. Commenters' estimates of the cost of technologies that would meet the proposed requirements ranged from $7 to $70 dollars. In addition, BMW, Ford, Chrysler, Volkswagen, and Honda noted that they did not intend to eliminate the steering column lock. Therefore, there would be no cost savings related to the final rule. Ford noted that it had cost $11 to modify the key locking systems on its 1988 Tempo and Topaz vehicles to comply with a design similar to the proposal. Chrysler estimated that the retail price equivalent of compliance for automatic transmission vehicles would be approximately $14 for most of its vehicles, but for some vehicles with shorter life cycles the price could be as high as $29 per vehicle. Winnebago that the costs are unreasonable, especially for small manufacturers like itself,

Volkswagen stated that the modifications would be more expensive for it than other manufacturers because it currently does not provide a transmission lever lock which is operational when the ignition is turned off. Subaru stated that changes on automatic transmission vehicles would cost 10,000 yen (or approximately $70) for a system that includes an interlock with the brake. That company also estimated that changes on manual transmission vehicles would cost 1,000 to 5,000 yen (approximately $7 to $35), the higher cost being for a system that interconnects the ignition key lock to another safety system, such as the parking brake. Such systems go beyond what is being required; therefore, the agency did not use these higher unit costs in estimating the cost of the amendment. Range Rover disputed the NPRM's cost analysis, especially in relation to the agency's initial view of a cost savings. Rolls Royce estimated that it would cost $14.50, $19.50, or $29.50 per vehicle depending on the design it adopted. The agency notes that Rolls Royce's cost estimates may not be relevant because its current system will most likely comply with the final rule.

After reviewing these comments, NHTSA has determined that it should modify some of its cost estimates. For instance, the Agency agrees with the commenters that there will be no cost savings related to the removal of the steering column lock. The agency emphasizes that an important consideration is that many vehicles already comply or will be brought voluntarily into compliance with the amendments. For automatic transmission vehicles, the agency determined that 7,702,000 1987 MY cars and light trucks currently comply with the new requirements and that 3,536,000 do not. Of those not currently in complaince, 3,066,000 will be brought voluntarily into compliance by September 1, 1992. Therefore, the agency anticipates that an additional 470,000 vehicles will be modified as a result of the amendments.

In estimating the consumer cost of this amendment, NHTSA believes that its unit cost estimate in the PRE of between $5.75 and $6.75 is reasonably accurate for a system to meet the requirements for automatic transmission vehicles. However, the agency acknowledges the cost data provided by commenters and will use the PRE's value of $6.75 as the lower end of the cost estimate range. The agency has decided not to use Subaru's estimate of $70 per vehicle, because this system is also intended to protect against "unintended acceleration," and thus is more costly than technologies necessary to comply with the subject regulation. Accordingly, NHTSA estimates that the annual consumer cost of complying with the automatic transmission requirement as follows: $6.75 to $14.00 (cost per vehicle) × 470,000 vehicles (vehicles modified because of the standard)=$3,173,000 to $6,580,000.

In summary, NHTSA believes that the cost of this rulemaking is the cost of compliance for those manufacturers who would not have voluntarily modified their vehicles in order to meet the new requirement. Based on the above estimates, the agency anticipates the total annual cost for these amendments will range from $3.2 million and $6.6 million.

Regulatory Impacts

NHTSA has examined the impacts of this rulemaking action and determined that it is not "major" within the meaning of Executive Order 12291 nor "significant" within the meaning of the Department of Transportation's regulatory policies and procedures. The agency also has determined that the economic and other impacts of this rule are not major so that a full regulatory analysis is not required by Executive Order 12291. As explained above, the agency anticipates the costs of this rulemaking to be between $3.2 million and $6.6 million, a cost far below the $100 million threshold established by the regulations. As explained in the notice's section on safety need, the agency has estimated that there are roughly 400 to 800 relevant injury producing transmission lever shifting accidents each year nationwide. Installation of the required technology in the cars and light trucks not voluntarily equipped by the rule's effective date, will prevent an estimated 50 to 100 child-injuring rollaway accidents annually. The agency has prepared a Final Regulatory Evaluation (FRE) which provides the details of the cost and benefit estimates, and a copy of the FRE has been placed in the docket.

NHTSA has considered the effects of this rule under the Regulatory Flexibility Act. I hereby certify that it will not have a significant economic impact on a substantial number of small entities. Few if any vehicle manufacturers are small entities. Winnebago commented that it was a small entity, which would suffer a significant economic impact. The agency notes that Winnebago employs 3,600 people and thus is not considered a "small entity" under S.I.C. 3716 and S.I.C. 3792. Winnebago and other smaller manufacturers should be able to obtain the required parts, since suppliers apparently will be able to respond to other manufacturers' orders for newly designed parts. To the extent that these manufacturers experience a cost increase as a result of this rule, that increase will be minimal, as explained above. Likewise, small organizations and small governmental entities will not be significantly affected by this rule. Although such groups purchase vehicles, the potential price increases resulting from this rule will be minimal.

The agency also has analyzed this rule for the purposes of the National Environmental Policy Act and determined that the rule will not have any significant impact on the quality of the human environment.

Finally, NHTSA has considered the federalism implications of this final rule, as required by Executive Order 12612. NHTSA is unaware of any existing State requirements that would be preempted by this rule. After considering this rule in accordance with the principles and criteria contained in Executive Order 12612, NHTSA has determined that the rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

In consideration of the foregoing, 49 CFR 571.114 is amended as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for part 571 continues to read as follows:

Authority: 15 U.S.C. 1392, 1401, 1403, 1407; delegation of authority at 49 CFR 1.50

§ 571.114 Standard No. 114; Theft protection.

2. Section S1 of Standard 114 is revised to read as follows:

S1 *Purpose and scope.* This standard specifies requirements for theft protection to reduce the incidence of accidents resulting from the unauthorized operation of a vehicle.

3. S4.2 is revised to read as follows:

S4.2 Each vehicle shall have a key-locking system that, whenever the key is removed, prevents:

(a) The normal activation of the vehicle's engine or motor; and

(b) Either steering or forward self-mobility of the vehicle or both. For a vehicle equipped with an automatic transmission with a "park" position, the key-locking system shall prevent removal of the key unless the transmission or transmission shift lever

is locked in "park" or becomes locked in "park" as the direct result of removing the key.

4. S4.3 is revised to read as follows:

S4.3 The prime means for deactivating the vehicle's engine or motor shall not activate the key-locking system described in S4.2(b).

Issued on: May 22, 1990.

Jeffrey R. Miller,

Deputy Administrator.

[FR Doc. 90-2388 Filed 5-29-90; 8:45 a.m.]

BILLING CODE 4910-59-M

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49 CFR Part 571

[Docket No. 74-14; Notice 60]

Federal Motor Vehicle Safety Standards; Occupant Crash Protection

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule; technical amendment.

SUMMARY: This agency has discovered some errors in the most recent edition of title 49 of the Code of Federal Regulations, with respect to NHTSA's occupant crash protection standard. This notice corrects those errors, so that the replacement for this edition of the Code of Federal Regulations will be accurate. No new obligations or duties are imposed on any party as a result of these corrections, since the corrections merely remove obsolete provisions from the standard.

EFFECTIVE DATE: May 30, 1990.

FOR FURTHER INFORMATION CONTACT: Stephen Kratzke, Office of Chief Counsel, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Mr. Kratzke can be reached by telephone at (202) 366-2992.

SUPPLEMENTARY INFORMATION: On June 5, 1989 (54 FR 23986), NHTSA published a final rule amending Standard No. 208, Occupant Crash Protection (49 CFR 571.208). As of that date, S12 in Standard No. 208 set forth some optional test dummy positioning procedures that could be used in vehicles manufactured before September 1, 1987. Since the September 1, 1987 date had passed, NHTSA saw no continuing need to retain those optional positioning procedures in Standard No. 208. Accordingly, the June 5, 1989 final rule removed S12 from Standard No. 208. NHTSA believed that this amendatory language would remove all of S12, beginning with the introductory text through and including S12.2.3.2, from the Code of Federal Regulations.

However, the October 1, 1989 version of Title 49 of the Code of Federal Regulations shows only the introductory text of S12 removed from Standard No. 208. S12.1 through S12.2.3.2 still appear in the text of Standard No. 208. Additionally, the introductory text of S12 is designated as "reserved," even though the June 5, 1989 final rule did not reserve S12 in whole or in part. This is confusing to the reader and does not effectuate the agency's intention of removing this obsolete section. This amendment will ensure that the next revision of Title 49 of the Code of Federal Regulations removes all of S12 from Standard No. 208.

This amendment imposes no duties or responsibilities on any party, nor does it alter any existing obligations. Instead, this amendment will simply ensure that the public will have a correct copy of Standard No. 208 in title 49 of the Code of Federal Regulations. Accordingly, NHTSA finds for good cause that notice and opportunity for comment on this amendment are unnecessary, and this amendment is effective as soon as this notice is published.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, 49 CFR 571.208 is amended as follows:

PART 571—[AMENDED]

1. The authority citation for part 571 continues to read as follows:

Authority: 15 U.S.C. 1392, 1401, 1403, 1407; delegation of authority at 49 CFR 1.50.

§ 571.208 [Amended]

2. S12 [Reserved] through S12.2.3.2 are removed.

Issued on May 22, 1990.

Jeffrey R. Miller,

Deputy Administrator.

[FR Doc. 90-12415 Filed 5-29-90; 8:45 am]

BILLING CODE 4910-54-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 301

[Docket No. 900528-0128]

Pacific Halibut Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: The Assistant Administrator for Fisheries, NOAA, on behalf of the International Pacific Halibut Commission, publishes notice of regulations promulgated by that Commission and approved by the U.S. Government to govern the Pacific halibut fishery. These regulations are intended to enhance the conservation of Pacific halibut stocks in order to help rebuild and sustain them at an adequate level in the northern Pacific Ocean and Bering Sea.

EFFECTIVE DATE: May 24, 1990.

FOR FURTHER INFORMATION CONTACT: Executive Director, International Pacific Halibut Commission, P.O. Box 5009, University Station, Seattle, Washington 98105, telephone 206-624-1838.

SUPPLEMENTARY INFORMATION: International Pacific Halibut Commission (IPHC), under the Convention between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (signed at Ottawa, Ontario, on March 2, 1953), as amended by a Protocol Amending the Convention (signed at Washington, DC, on March 29, 1979), has promulgated new regulations governing the Pacific halibut fishery. The regulations have been approved by the Secretary of State of the United States of America and by the Governor-General of Canada by Order-in-Council. On behalf of the IPHC, these regulations are published in the **Federal Register** to provide notice of their effectiveness, and to inform persons subject to the regulations of the restrictions and requirements established therein.

The substantive changes from the previous IPHC regulations, published on May 9, 1989 (54 FR 19895) are as follows: (1) The eastern boundary of Regulatory 4E is extened into Bristol Bay; and (2) the boundary of the closed area in Bristol Bay is modified to accommodate expanded Regulatory Area 4E. These regulations are promulgated and approved in order to authorize a test commercial fishery in the waters of Bristol Bay within Regulatory Area 4E. Other regulations issued by the Secretary of Commerce, applicable to the 1990 Pacific halibut fishery, have been published in the **Federal Register** on March 30, 1990 (55 FR 11929) and elsewhere in this issue.

Classification

Because approval by the Secretary of State of the IPHC regulations, April 24, 1990, is a foreign affairs function, as determined in *Jensen* v. *National Marine*

Fisheries Service, 512 F. 2d 1189, 1191 (9th Cir. 1975), section 553 of the Administrative Procedure Act, Executive Order 11291, and the Regulatory Flexibility Act do not apply to the issuance of this rule. This rule does not contain collection of information requirements subject to the Paperwork Reduction Act.

List of Subjects in 50 CFR Part 301

Fish, Fisheries.

Dated: May 23, 1990.

James E. Douglas, Jr.

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 301 is amended as follows:

PART 301—PACIFIC HALIBUT FISHERIES

1. The authority citation for part 301 continues to read:

Authority: 5 U.S.C 5; TIAS 2900; 16 U.S.C. 773–773k.

2. In § 301.5, paragraph (j) is revised to read as follows:

§ 301.5 Regulatory areas.

* * * * *

(j) Area 4E includes all waters in the Bering Sea north and east of the closed area defined in § 301.8 of this part, east of longitude 168°00′00″ W., and south of latitude 65°34′00″ N.

* * * * *

3. Section 301.8 is revised to read as follows:

§ 301.8 Closed area.

All waters in the Bering Sea north of latitude 54°49′00″ N., in Isanotski Strait that are enclosed by a line from Cape Sarichef Light (latitude 54°36′00″ N., longitude 164°55′42″ W.) to a point at latitude 56°20′00″ N., longitude 168°30′00″ W.; thence to a point at latitude 58°21′25″ N., longitude 163°00′00″ W.; thence to Strogonof Point (latitude 56°53′18″ N., longitude 158°50′37″ W.); and thence along the northern coasts of the Alaska Peninsula and Unimak Island to the point of origin at Cape Sarichef Light are closed to halibut fishing and no person shall fish for halibut therein or have halibut in his possession while in those waters except in the course of a continuous transit across those waters.

[FR Doc. 90–12424 Filed 5–24–90; 12:48 pm]

BILLING CODE 3510-22-M

50 CFR Part 301

[Docket No. 900528–0129]

Pacific Halibut Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Interim final rule and request for comments.

SUMMARY: The Assistant Administrator for Fisheries, NOAA, adopts regulations for 1990 that are more restrictive than certain International Pacific Halibut Commission (IPHC) regulations in Part 301 to conserve the Pacific halibut resource in U.S. waters. The interim final rule implements regulations on commercial catch limits in Bristol Bay within Regulatory Area 4E, which are more restrictive than the existing IPHC regulations published in the **Federal Register** on May 9, 1989 (54 FR 19895) and elsewhere in this issue. This interim rule is intended to avoid localized depletion, and thus enhance the conservation, of Pacific halibut stocks to help rebuild and sustain them at an adequate level in the northern Pacific Ocean and Bering Sea. Public comments on this action are requested.

DATES: This rule is effective from May 24, 1990, until December 31, 1990. Comments are due by July 23, 1990.

ADDRESSES: Send comments to Steven Pennoyer, Regional Director National Marine Fisheries Service, Alaska Region, P.O. Box 21668, Juneau, AK, 99802.

FOR FURTHER INFORMATION CONTACT: Dale R. Evans at (907) 586–7229.

SUPPLEMENTARY INFORMATION: The International Pacific Halibut Commission (IPHC), under the Convention Between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (signed at Ottawa, Ontario, on March 2, 1953), as amended by a Protocol Amending the Convention (signed at Washington, DC, on March 29, 1979), has the authority to promulgate new regulations each year to govern the Pacific halibut fishery. In past years, the IPHC during its annual meeting has approved catch limits and new regulations as necessary to restrict the harvest to conserve Pacific halibut. However, during the January 29, to February 1, 1990, annual meeting, the IPHC adopted only regulations that extended the eastern boundary of Regulatory Area 4E into Bristol Bay for the purpose of authorizing a commercial test fishery in those waters. Those regulations were approved on April 24, 1990 by the United States and are published in the **Federal Register** elsewhere in this issue.

On other matters, the IPHC completed discussions and moved to adopt new catch limits, fishing periods, and other management measures for 1990. The IPHC did not approve final action on the 1990 management measures because the Canadian Commissioners abstained from voting on all management measures for U.S. fisheries because of their concern for halibut bycatch occurring in other U.S. fisheries off Alaska. All of the management measures that were considered for approval by the IPHC for 1990 were intended to further restrict the harvest of halibut over 1989 because the biological information presented by the IPHC scientists indicated that the total exploitable biomass of Pacific halibut is continuing to decline at a rate of six percent per year. The IPHC did propose and second the more restrictive management measures for U.S. waters in 1990, but the Canadian Commissioners abstained from voting and regulations for 1990 were not adopted. Without IPHC action to approve 1990 regulations, the 1989 halibut regulations of the IPHC at 50 CFR part 301 remained in effect because § 301.21 provides that the regulations shall be effective each succeeding year until superseded.

Because the 1990 management measures proposed and seconded by the IPHC are more restrictive than the IPHC's 1989 regulations and are necessary to conserve and protect Pacific halibut, the Secretary of Commerce, under the authority of Article I of the Protocol and the Northern Pacific Halibut Act of 1982 at 16 U.S.C. 773c, determined it was necessary to implement the management measures endorsed by the U.S. Commissioners in an emergency interim rule published in the **Federal Register** on March 30, 1990 (55 FR 11929).

The Secretary of Commerce has further determined that additional measures are necessary to preserve and protect the Pacific halibut resource in Bristol Bay within Regulatory Area 4E. Current regulations establish a total area catch limit of 100,00 pounds of Pacific halibut in Regulatory Area 4E. However, evidence suggests large potential fishing effort in 1990 in the waters of Bristol Bay within Regulatory Area 4E. Since February 1, 1990, over 100 Bristol Bay boats reportedly have indicated interest in the Pacific halibut test fishery within the waters of Bristol Bay. Under these circumstances, IPHC scientists have recommended subdividing the Regulatory Area 4E

catch limit between Bristol Bay and waters off Nelson Island in order to maintain equivalent exploitation rates in these areas and avoid localized depletions. Consequently, the Secretary of Commerce, under the authority of Article I of the Protocol and the Northern Pacific Halibut Act of 1982 at 16 U.S.C. 773c, has determined it is necessary to restrict the Pacific halibut catch in the waters of Bristol Bay within Regulatory Area 4E to no more than 30,000 pounds for 1990. This action is more restrictive than the regulations of the IPHC and is necessary to conserve and protect Pacific halibut. This interim final rule will lapse on December 31, 1990.

Classification

The Assistant Administrator for Fisheries, NOAA, has determined that this rule is necessary to respond to an emergency situation and is consistent with the Northern Pacific Halibut Act of 1982 and other applicable law.

Without immediate adoption of these regulations, the Pacific halibut stocks in Bristol Bay within Regulatory Area 4E would be harvested beginning June 1, 1990, at an unacceptability high rate that could result in localized depletion and overfishing. Accordingly, the Assistant Administrator finds there is good cause to promulgate these regulations on an expedited basis and that it is impracticable and contrary to the public interest to require prior notice and public comment, or to delay the effective date of the regulations, under the provisions of sections 553(b) and (d) of the Administrative Proceduare Act. Public comment is invited for 60 days following publication which will enable affected persons to evaluate their actual operation. This rule is exempt from the normal review procedures of Executive Order 12291 as provided in section 8(a)(1). This rule is being reported to the Director of the Office of Management and Budget with an explanation of why it is not possible to follow the procedures of E.O. 12291. In addition, NOAA has determined that this rule is not a major rule within the terms of E.O. 12291 because it will not have a major effect on the economy and will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions. This rule is exempt from the procedures of the Regulatory Flexibility Act because the rule is issued without opportunity for prior public comments.

The implementation of these regulations is not a major Federal action which would significantly affect the quality of the human environment within the meaning of section 102(2)(c) of the National Environmental Policy Act. The finding of no significant impact and the environmental assessment for this action is available at the above address.

This rule does not contain any collection of information requirement for purposes of the Paperwork Reduction Act.

This rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under Executive Order 12612.

List of Subjects in 50 CFR Part 301

Fisheries, Treaties.

Dated: May 23, 1990.

James E. Douglas, Jr.,

Deputy Assistant Administrator For Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 301 is amended from May 24, 1990, until December 31, 1990, as follows:

PART 301—PACIFIC HALIBUT FISHERIES

1. The authority citation for part 301 continues to read as follows:

Authority: 5 U.S.C. 5; TIAS 2900; 16 U.S.C. 773–773k.

2. Section 301.9(g) is renumbered § 301.9(h).

3. A new paragraph is added to § 301.9 as follows:

§ 301.9 [Amended]

(g) Notwithstanding paragraph (a) of this section, the portion of Area 4E that is south and east of a line from latitude 58°21′2″ N., longitude 163°00′00″ W., to Cape Newenham (latitude 58°30′00″ N., longitude 162°10′25″ W.) shall be closed to fishing for halibut when a catch limit of 30,000 pounds (13.6 metric tons) is taken.

[FR Doc. 90–12425 Filed 5–24–90; 12:48 pm]

BILLING CODE 3510–22–M

Proposed Rules

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1990

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 89-210]

9 CFR Part 92

Importation of Ostriches and Other Ratites

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the animal import regulations to allow flightless birds known as ratites (cassowaries, emus, kiwis, ostriches, and rheas), and hatching eggs of captive-bred ratites, to be imported into the United States. The importation of ratities has been prohibited since August 15, 1989, to prevent the introduction and dissemination of ectoparasites that could spread heartwater and East Coast fever, exotic and highly morbid diseases of livestock. This proposed rule would allow the importation of ratites to resume under conditions that we believe will prevent the introduction and dissemination of ectoparasites that could spread heartwater, East Coast fever, and other communicable diseases of livestock and poultry. This proposed rule also would allow the importation of hatching eggs of captive-bred ratites under conditions that appear necessary to prevent the introduction of communicable diseases of poultry. In addition, this proposed rule would prohibit ratites from foreign countries from transiting the United States en route to other destinations, because of the significant risk that disease-causing ectoparasites would be introduced during the in-transit movements.

DATES: Consideration will be given only to comments received on or before June 29, 1990.

ADDRESSES: To help ensure that your written comments are considered, send an original and three copies to Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, room 866, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please state that your comments refer to Docket 89-210. Comments we receive may be inspected at USDA, Room 1141, South Building, 14th Street and Independence Avenue, SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. Keith Hand, Senior Staff Veterinarian, Import-Export Animals Staff, VS, APHIS, USDA, room 766, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-8172.

SUPPLEMENTARY INFORMATION: The regulations in 9 CFR part 92 prohibit or restrict the importation of certain animals and birds, including ostriches and other flightless birds known as ratites, to prevent the introduction of communicable diseases of livestock and poultry.

As ostriches and ostrich products have become increasingly popular in the United States in recent years, importations of these birds have increased dramatically. Last year, exotic ticks capable of transmitting heartwater and East Coast fever were found on imported adult ostriches in Illinois, Ohio, Oklahoma, and Texas. Heartwater and East Coast fever are highly morbid diseases that affect cattle, sheep, goats, and other ruminants. These diseases do not exist in the United States. Prompted by these finds, we prohibited the importation of ratites (cassowaries, emus, ostriches and rheas) into the United States in an interim rule that was effective on August 15, 1989, and published in the **Federal Register** on August 21, 1989 (54 FR 34485-34487, Docket No. 89-123). We said in that document that we were reviewing data about ectoparasites of ratites and their role in disease transmission. We have also reviewed inspection methods and quarantine facility standards, to determine if any action less restrictive than prohibiting the importation of ratites could ensure protection against the introduction of these pests and the diseases they may carry. We solicited comments on the interim rule for a 60-day period ending October 20, 1989.

We received 21 written comments on the interim rule by the close of the comment period. They were from zoos, zoological organizations, ostrich importers, ostrich breeders, a State animal health commission, laboratory veterinarians, and other individuals.

Based on these comments and on other information collected by the Animal and Plant Health Inspection Service (APHIS), we have developed a proposed rule for the importation of ratites and hatching eggs of captive-bred ratites. We believe that ratites imported under the proposed rule would not present a significant risk of introducing ectoparasites that could spread communicable diseases of livestock or poultry. The proposed rule also contains provisions designed to prevent viral diseases of poultry, including exotic Newcastle disease, from being introduced into the United States by imported ratites or hatching eggs of ratites. In addition, the proposed rule would prohibit the in-transit movement of ratites through the United States to other destinations. This prohibition appears necessary to prevent the introduction of ectoparasites that could spread communicable diseases of livestock or poultry.

Ratites are defined in this proposed rule as "Cassowaries, emus, kiwis, ostriches, and rheas." Kiwis, a type of ratite native to New Zealand, were inadvertently omitted from the definition of ratites in the interim rule.

Specific provisions are discussed below.

Importation of Ratites Other Than Hatching Eggs

We are proposing to allow the importation of ratites, other than hatching eggs, under the following conditions:

(1) Health Certification

The ratites must be accompanied by a certificate, issued by a full-time salaried veterinary officer of the national government of the country from which the birds were exported, or issued by a veterinarian authorized by the national government of that country and endorsed by a full-time salaried veterinary officer of the national government of that country.

The certificate must state:

—That, at least 3 days but not more than 14 days before being loaded for shipment to the United States, the ratites were treated with a pesticide

of a type and concentration sufficient to kill ectoparasites on the ratites;
—That the pesticide was applied to all body surfaces of the ratites under the supervision of the veterinarian who issued the certificate; and
—That the ratites, after being treated for ectoparasites, did not have physical contact with or share a pen or bedding materials with any ratite not in the same shipment to the United States; and
—The name and concentration of the pesticide used to treat the ratites for ectoparasites.

Treating the ratites for ectoparasites in the country from which they will be exported should destroy most ectoparasites on the birds. The proposed timing of the treatment (at least 3 days but no more than 14 days before loading for shipment to the United States) is intended to accomplish two goals: (1) Place treatment as close to shipment as possible, to minimize the chances of reinfestation; and (2) allow sufficient time for the birds to recover from the stress of being treated before being subjected to the stress of travel. Prohibiting the ratites from having physical contact, or sharing a pen or bedding, with any ratite not in the same shipment to the United States would further reduce the chances of reinfestation.

As required by the current regulations for all birds imported into the United States, the certificate must also state:
—That all birds covered by the certificate have been inspected by the veterinarian issuing the certificate; and
—That no evidence of Newcastle disease, ornithosis, or other communicable disease of poultry was found among the birds; and
—That, insofar as has been possible to determine, the birds were not exposed to any such disease during the 90 days immediately preceding their exportation; and
—That the birds were placed into unused containers at the premises from which the birds were to be exported; and
—That the birds have not been vaccinated with Newcastle disease vaccine; and
—That Newcastle disease did not occur anywhere on the premises from which the birds were to be exported or on adjoining premises during the 90 days immediately preceding their exportation, and that these premises were not located in any area under quarantine for poultry diseases at any time during the 90 days immediately preceding their exportation.

We require that these conditions be met to help ensure that birds imported into the United States are not infected with or exposed to Newcastle disease, ornithosis, or any other communicable disease of poultry.

(2) Size Restrictions on Ostriches

The ratites, if ostriches, must not exceed either 36 inches in height (measured from the top of the head to the base of the feet) or 30 pounds in weight at the time of arrival in the United States.

This restriction is proposed to minimize the risk that adult ostriches will introduce ectoparasites into the United States. Based upon our experience to date with imported ostriches, it appears that adults, which can be difficult to inspect and treat, are more likely than younger ostriches to be infested with ectoparasites capable of transmitting communicable disease of livestock and poultry. The size restrictions proposed for ostriches are designed to limit importations to ostrich chicks.

(3) Quarantine in the United States

The ratites must be imported through the port of New York, New York, and quarantined at the New York Animal Import Center (NYAIC) at Newburgh, New York.

We propose to require that imported ratites be quarantined at the NYAIC because this is the only quarantine center at this time that has both the facilities and personnel with the expertise necessary to handle ratites. The nearest international port equipped to handle the ratites is the port of New York, New York. As required by the current regulations for all commercial or zoological birds imported into the United States, quarantine would be for a minimum of 30 days, on an all-in, all-out basis. A minimum of 30 days is required to complete all tests and treatments. Release from quarantine is on an all-in, all-out basis because if any bird in a lot is found to be infected with a communicable disease, all other birds in the same lot would have been exposed to that disease. In the case of ratites, if ectoparasites are found on any ratite, other ratites in the same lot are likely to be infested.

During the quarantine, the ratites must be treated for ectoparasites by an inspector until the inspector determines that the ratites are free of ectoparasites.

Although this proposal would require that the ratites be treated for ectoparasites in the exporting country, reinfestation could occur. Based on our experience in treating ratites for ectoparasites at the NYAIC, it appears that a minimum of two treatments should be required. An exact number of treatments cannot be specified, since the number would vary with the extent of infestation.

During the quarantine, the ratites must be tested for and found free of viral diseases of poultry, including Newcastle disease.

Testing for viral diseases of poultry is necessary to ensure that imported ratites do not spread viral diseases of poultry, including Newcastle disease, to poultry in the United States. We are not proposing to require tests for heartwater or East Coast fever, which are diseases of ruminants, because we have no evidence that ratites themselves carry the disease agents for these diseases.

(4) Other

The ratites must otherwise be imported in accordance with the provisions in Part 92 applicable to commercial or zoological birds. These provisions require a permit for the importation, inspection at the port of entry, reservation of space and payment of fees for quarantine at USDA facilities.

Hatching Eggs

Hatching eggs of ratites would not present a risk of introducing ectoparasites. It appears that hatching eggs from captive-bred ratites could be imported under certain conditions without presenting a significant risk of introducing poultry diseases. The importation of ratite hatching eggs has not previously been allowed because the eggs were assumed to be from wild birds of unknown health status. Without knowledge of the health of parent stock, importation of the hatching eggs has been considered too great a disease risk. Hatching eggs from captive-bred ratites would not present this high risk. Since the flock of origin could be determined, questions concerning its health status could be investigated.

Therefore, we are proposing to allow the importation of hatching eggs from captive-bred ratites under the following conditions:

(1) Health Certification

The hatching eggs must be accompanied by a certificate, issued by a full-time salaried veterinary officer of the national government of the country from which the hatching eggs were exported, or issued by a veterinarian authorized by the national government of that country and endorsed by a full-time salaried veterinary officer of the national government of that country.

The certificate must state:

- -That the veterinarian issuing the certificate inspected the flock of origin of the hatching eggs and found no evidence of Newcastle disease, ornithosis, or other communicable disease of poultry; and
- —That, insofar as it has been possible to determine, the flock of origin was not exposed to any communicable disease of poultry during the 90 days preceding the exportation of the hatching eggs; and
- —That the hatching eggs were placed into unused containers at the premises from which the hatching eggs were to be exported; and
- —That Newcastle disease did not occur on the premises from which the hatching eggs were to be exported during the 90 days preceding the exportation of the hatching eggs; and
- —That neither the premises from which the hatching eggs were to be exported nor any adjacent premises were located in any area under quarantine for poultry diseases at any time during the 90 days preceding the exportation of the hatching eggs.

These requirements appear necessary to help ensure that ratite hatching eggs imported into the United States are not infected with or exposed to Newcastle disease, ornithosis, or any other communicable disease of poultry.

(2) Other

Importation of the hatching eggs must otherwise be in accordance with the provisons in the regulations for importing commercial and zoological birds. These provisions require a permit for the importation, entry through ports specified in § 92.3 of the regulations, inspection at the port of entry, and quarantine upon arrival in the United States, either at a U.S. Department of Agriculture quarantine facility, when arrangements have been in advance, or at facilities that have been approved by the Administrator in accordance with § 92.11(f) of the regulations.

In-Transit Shipments

This proposal would prohibit ratites that do not meet the requirements for importation from transiting the United States to other destinations. These ratites may be infested with ectoparasites that could spread communicable diseases of livestock and poultry. Normal precautions for in-transit movement of animals—continuous confinement aboard means of conveyance or in holding facilities—would not be adequate to prevent the ectoparasites from escaping.

Miscellaneous

The current regulations require that the certificate accompanying birds be "issued" by a full-time salaried veterinary officer of the national government of the country from which the birds are exported. This requirement is intended to make the national govenment of the exporting country responsible for the accuracy of the information on these certificates. We are proposing to allow the certificate to be endorsed by a full-time salaried veterinary officer of the national government of the country from which the birds are exported, rather than issued by that individual, if the individual issuing the certificate is a veterinarian authorized by that same government. Such an endorsement would give the national government of the exporting country more flexibility in assigning personnel, without removing that government's responsibility for the information on the certificates.

The current regulations concerning health certification for birds require that birds be placed in "new" containers for shipment to the United States. We are proposing to change the word "new" to "unused" to clarify this requirement.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this proposed rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule." Based on information compiled by the Department, we have determined that this proposed rule would have an effect on the economy of less than $100 million; would not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and would not cause a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

In accordance with 5 U.S.C. 603, we have performed an Initial Regulatory Flexibility Analysis regarding the impact of this proposed rule on small entities.

In accordance with 21 U.S.C. 134c, the Secretary of Agriculture is authorized to promulgate regulations prohibiting or restricting the movement into the United States of animals likely to introduce or disseminate any communicable animal disease. This proposed rule would allow the importation of ratites, including hatching eggs, under restrictions that appear necessary to prevent the introduction or dissemination of communicable animal diseases.

This proposed rule would primarily affect domestic ostrich breeders and about 25 importers and brokers who import ostriches. About 5,000 ostriches are currently being raised commercially in the United States. They are owned by between 500 and 1,000 different persons and businesses, most of which are small entities. It will be several years before most of these entities could make any profit selling ostrich products, due to the time needed to increase their flock sizes and the current lack of tanneries and other processing facilities prepared to deal with ostrich products. For the near future, most profits associated with ostriches will come from the sale of breeding pairs of ostriches. This proposed rule would have a positive encomic impact on the affected importers and brokers, most of which are small entities. These importers and brokers imported approximately 600 ostriches in fiscal year 1988, and approximately 1,000 ostriches in fiscal year 1989. Most of the ostriches imported were sold as breeding pairs. This proposed rule would allow breeders to resume imports of ostriches and other ratites, and would allow the importation of hatching eggs from captive-bred ratites. Importations that may result from adoption of this proposed rule could encourage decreases in the price of ratites available in the United States.

This proposed rule would not result in any significant increase in reporting, recordkeeping, or compliance requirements.

Several alternatives to the provisions in this proposed rule were considered. We considered allowing the importation of ratities through privately owned quarantine facilities. This proposal was rejected because privately owned quarantine facilities may not provide the level of security and may not have personnel with the expertise necessary to handle ratites and ensure that the birds are free of ectoparasites that could introduce heartwater and East Coast fever into the United States. We also considered establishing procedures for the importation of ratite hatching eggs through quarantine facilities approved specifically for these types of hatching eggs, rather than through facilities approved in accordance with the current regulations for private bird quarantine facilities. This alternative is being studied. If we determine that quarantine through such facilities is feasible, proposed criteria for approval of such facilities will be published in the **Federal Register**.

We also considered taking no action and continuing the prohibition on importation of all ratites. This alternative was rejected because it would impose an unnecessary economic burden on ratite importers and breeders, as it appears that this proposed rule would allow the importation of ratites while preventing the introduction of ectoparasites on the ratites.

Paperwork Reduction Act

The regulations in this proposed rule contain no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372 which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

List of Subjects in 9 CFR Part 92

Animal diseases, Canada, Imports, Livestock and livestock products, Mexico, Poultry and poultry products, Quarantine, Transportation, Wildlife.

PART 92—IMPORTATION OF CERTAIN AMIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

Accordingly, we propose to amend 9 CFR part 92 as follows:

1. The authority citation for part 92 would continue to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 134a, 134b, 134c, 134d, 134f, and 135; 31 U.S.C. 9701; 7 CFR 2.17, 2.51, and 371.2(d).

§ 92.1 [Amended]

2. In § 92.1, the definition of "ratites" would be amended by adding the word "kiwis," immediately after the word "emus,".

§ 92.2 General prohibitions; exceptions.

3. In § 92.2, paragraph (b)(1) would be revised to read as follows:

* * * * *

(b)(1) Ostriches that exceed either 36 inches in height (as measured from the top of the head to the base of the feet) or 30 pounds in weight, and hatching eggs from ratites that are not captive-bred shall not be imported into the United States. Other ratites and hatching eggs of captive-bred ratites may be imported into the United States only in accordance with the provisions in this part for commercial and zoological birds and, where specified, the provisions for ratites or hatching eggs of captive-bred raties.

* * * * *

§ 92.2 [Amended]

4. In § 92.2 paragraph (b)(2) would be amended by removing the phrase "other than ratites" and by removing the word "or" and adding in its place the phrase "or, except for ratites".

5. In § 92.2, paragraph (d) would be amended by removing "(other than poultry)" and adding in its place "(other than ratites and poultry)".

§ 92.5 [Amended]

6. In § 92.5, paragraph (c) would be amended by removing the word "new" and adding in its place the word "unused".

7. In § 92.5, paragraph (c), up to and including the words "stating, would be revised; the remainder of the paragraph would be designated as paragraph (c)(1); and new paragraphs (c)(2) and (c)(3) would be added to read as follows:

§ 92.5 Certificate for ruminants, swine, poultry, pet birds, commercial birds, zoological birds, and research birds.

* * * * *

(c) *Birds.* All pet birds, except as provided for § 92.2(b) and (c) of this part; all research birds; and all commercial birds and zoological birds, including ratites and hatching eggs of captive-bred ratites, offered for importation from any part of the world, shall be accompanied by a certificate issued by a full-time salaried veterinary officer of the national government of the exporting country, or issued by a veterinarian authorized by the national government of the exporting country and endorsed by a full-time salaried veterinary officer of the national government of that country, stating that:

(1) * * *

(2) In addition, certificates for ratites other than hatching eggs must state:

(i) That, at least 3 days but not more than 14 days before being loaded for shipment to the United States, the ratites were treated with a pesticide of a type and concentration sufficient to kill ectoparasites on the ratites;

(ii) that the pesticide was applied to all body surfaces of the ratites under the supervision of the veterinarian who issued the certificate; and

(iii) That the ratites, after being treated for ectoparasites, did not have physical contact with or share a pen or bedding materials with any ratite not in the same shipment to the United States; and

(iv) The name and concentration of the pesticide used to treat the ratites for ectoparasites.

(3) the certificate for hatching eggs of captive-bred ratites must state:

(i) That the veterinarian issuing the certificate inspected the flock of origin of the hatching eggs and found no evidence of Newcastle disease, ornithosis, or other communicable disease of poultry; and

(ii) That, insofar as it has been possible to determine, the flock of origin was not exposed to any communicable disease of poultry during the 90 days preceding the exportation of the hatching eggs; and

(iii) That the hatching eggs were placed into unused containers at the premises form which the hatching eggs were to be exported; and

(iv) That Newcastle disease did not occur on the premises from which the hatching eggs were to be exported during the 90 days preceding the exportation of the hatching eggs; and

(v) That neither the premises from which the hatching eggs were to be exported nor any adjacent premises were located in any area under quarantine for poultry diseases at any time during the 90 days preceding the exportation of the hatching eggs.

§ 92.8 [Amended]

8. In § 92.8, paragraph (b) would be amended by removing the period after "Michigan" and adding in its place a semicolon, followed by "except that ratites other than hatching eggs shall be permitted entry only at the port of New York, New York."

§ 92.11 [Amended]

9. In § 92.11, the first sentence of paragraph (e) would be amended by removing the period after "paragraph (f) of this section" and adding in its place a semicolon, follwed by *"However,* ratites other than hatching eggs shall be quarantined only at the New York Aninal Import Center at Newburgh, New York, where they shall be tested for viral diseases of poultry, including Newcastle disease, and treated for ectoparasites by an inspector until the inspector determines that the ratites are free of ectoparasites. * * *

* * * * *

10. In § 92.11, the next to last sentence in paragraph (e) would be amended by adding "and, if ratites, free of ectoparasites," immediately after "evidence of communicable diseases of poulty".

11. In § 92.11, the last sentence in paragraph (e) would be amended by adding "and, if ratites, to be infested

with ectoparasites," immediately after "exposed to a communicable disease of poultry"; and by adding "and, if ratites, free of ectoparasites," immediately after "evidence of any communicable disease,".

Done in Washington, DC, this 24th day of May 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90-12451 Filed 5-29-90; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90-CE-15-AD]

Airworthiness Directives; Aerospace Technologies of Australia Pty Ltd. (ASTA) Nomad Models N22B, N22S, and N24A Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to adopt a new Airworthiness Directive (AD), applicable to all Nomad Models N22B, N22S, and N24A airplanes, which would require replacement of the stainless steel electrical studs with copper studs and brass nuts, and the installation of larger terminal lugs for the generator cables located in the wing leading edge at the firewalls. Instances have occurred in which the terminal lugs on these cables were severely damaged due to overheating. The actions specified in this proposed modification will prevent overheating and fire and the resultant loss of the airplane.

DATES: Comments must be received on or before July 18, 1990.

ADDRESSES: Nomad Alert Service Bulletin ANMD-24-5, Revision 1, dated August 4, 1989, applicable to this AD, may be obtained from Aerospace Technologies of Australia Pty, Ltd., 226 Lorimer Street, Port Melbourne, Victoria 3207, Australia; Telephone (61) 36-47-3111; Facsimile (61) 36-45-3424. This information also may be examined at the Rules Docket at the address below. Send comments on the proposal in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, attention: Rules Docket No. 90-CE-15-AD, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

FOR FURTHER INFORMATION CONTACT: Mr. Paul S. Wells, Aerospace Engineer, FAA, Northwest Mountain Region, Los Angeles Aircraft Certification Office, 3229 East Spring, Long Beach, California 90806-2425; Telephone (213) 988-5354; Facsimile (213) 988-5210; or John P. Dow Sr., Aerospace Engineer, FAA, Small Airplane Directorate, Aircraft Certificatioin Service, 601 E. 12th Street, Kansas City, Missouri 64106; Telephone (816) 426-6932; Facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of this proposal, will be filed in the Rules Docket.

Availability of NPRMS

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-15-AD, room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

Instances have occurred in which the terminal lugs on the generator cables in the wing leading edge at the engine firewalls were severely damaged by overheating on Nomad Models N22B, N22S, and N24A airplanes. This overheating situation can develop when electrical loads on the engine-driven generators are increased, even though these loads remain within the allowable limits specified in the original design data. As a result, ASTA has issued Nomad Alert Service Bulleting (ASB) ANMD-24-5, Revision 1, dated August 4, 1989, which incorporates remedial action to overcome the overheating problems associated with electrical terminal lug Part Number (P/N) 1/N-81-424. Modication No. N724, specified in this ASB, introduces a new lug, P/N 1/N-81-925, made from copper in lieu of the original stainless steel stud, brass nuts, and the installation of larger cable terminal lugs.

The Civil Aviation Authority (CAA), which has responsibility and authority to maintain the continuing airworthiness of these airplanes in Australia, has classified ANMD-24-5, Revision 1, dated August 4, 1989, and the actions recommended therein by the manufacturer as mandatory to assure the continued airworthiness of the affected airplanes. In addition, the CAA of Australia issued CAA-AD/GAF N22/54 dated October 5, 1989, on the same subject. On airplanes operated under Australian registration, this action has the same effect as an AD on airplanes certified for operation in the United States. The FAA relies upon the certification of the Civil Aviation Authority of Australia combined with FAA review of pertinent documentation in finding compliance of the design of these airplanes with the applicable United States airworthiness requirements and the airworthiness conformity of products of this type design certificated for operation in the United States. The FAA has examined the available information related to the issuance of Nomad Alert Service Bulletin ANMD-24-5, Revision 1, dated August 4, 1989, the mandatory classification of this Alert Service Bulletin by the CAA, and CAA-AD/GAF N22/54, dated October 5, 1989. Based on the foregoing, the FAA believes that the condition addressed by Nomad Alert Service Bulletin ANMD-24-5, Revision 1, dated August 4, 1989, is an unsafe condition that may exist on other products of this type design certificated for operation in the United States. Consequently, the proposed AD would require Nomad Models N22B, N24A, and N22S airplanes to be modified in accordance with the above bulletin.

The FAA has determined there are approximately 29 airplanes affected by the proposed AD. The cost of modifying these airplanes, as required by the proposed AD is estimated to be $280 per airplane. The total one time fleet cost is estimated to be $8,120. The cost of compliance with the AD is so small that the expense of compliance will not have a significant financial impact on any small entities operating these airplanes. The regulations proposed herein would

not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Therefore, I certify that this action (1) is not a "major rule" under the provisions of Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979; and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entitles under this criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the public docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "**ADDRESSES**".

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new AD:

Aerospace Technologies of Australia Pty Ltd: Applies to Nomad Models N22B, N22S, and N24A (all serial numbers) airplanes, certificated in any category.

Compliance: Required within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished. To prevent overheating of the terminal lugs connected to the generator cables at the wing leading edge engine firewall, accomplish the following:

(a) Modify the airplane electrical system per Nomad Modification No. N724, in accordance with the instructions in Part 3 of Nomad Alert Service Bulletin ANMD–24–5, Revision 1, dated August 4, 1989.

(b) The airplane may be flown in accordance with FAR 21.197 to a location where this AD may be accomplished.

(c) An alternate method of compliance or adjustment of the compliance time which provides an equivalent level of safety may be approved by the Manager, FAA, Northwest Mountain Region, Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California 90808–2425.

Note. The request should be forwarded through an FAA Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles Aircraft Certification Office.

All persons affected by this directive may obtain copies of the document referred to herein upon request to Aerospace Technologies of Australia Pty Ltd., 226 Lorimer Street, Port Melbourne, Victoria 3207 Australia; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on May 17, 1990.

Don C. Jacobsen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–12414 Filed 5–29–90; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 90–ANE–09]

Airworthiness Directives; General Electric Company (GE) CF6–6 Series Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt an airworthiness directive (AD) that would reduce the low cycle fatigue (LCF) retirement lives for certain low pressure turbine rotor (LPTR) components installed on GE CF6–6 series turbofan engines. The proposed AD also provides a removal schedule for those affected parts with reduced LCF retirement lives. The proposed AD is need to prevent LCF failure of certain LPTR components which could result in uncontained engine failure.

DATES: Comments must be received on or before July 25, 1990.

ADDRESSES: Comments on the proposal may be mailed in duplicate to Federal Aviation Administration, New England Region, Office of the Assistant Chief Counsel, Attn: Rules Docket No. 90–ANE–09, 12 New England Executive Park, Burlington, Massachusetts 01803, or delivered in duplicate to Room 311 at the above address.

Comments must be marked: Docket No. 90–ANE–09.

Comments may be inspected at the above location in room 311, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except federal holidays.

The applicable service bulletins may be obtained from General Electric Aircraft Engines, CF6 Distribution Clerk, Room 132, 111 Merchant Street, Cincinnati, Ohio 45246, or may be examined in the Regional Rules Docket.

FOR FURTHER INFORMATION CONTACT: Thomas Boudreau, Engine Certification Branch, ANE–142, Engine Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273–7096.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the FAA before any final action is taken on the proposed rule. The proposal contained in this notice may be changed in light of comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available both before and after the closing date for comments, in the Regional Rules Docket, New England Region, Office of the Assistant Chief Counsel, room 311, Burlington, Massachusetts 01803, for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of the proposed AD, will be field in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: Comments to Docket No. 90–ANE–09. The postcard will be date/time stamped and returned to the commenter.

The FAA has determined that certain LPTR first stage disks, LPTR second stage disks, and LPTR forward shafts, are susceptible to LCF failure prior to reaching their published LCF retirement lives. There have been eight LPTR second stage disks found cracked at the forward flange cooling air slots. A study using updated lifing analyses for the LPTR second stage disk and other LPTR components has revealed minimum

calculated crack initiation lives which are significantly lower than the published LCF retirement lives.

A removal program has been developed which provides a drawdown schedule with minimal operator impact for affected components near the new LCF retirement lives. Also, the schedule minimizes exposure beyond the minimum calculated time to failure (i.e., crack initiation life plus crack propagation life) for affected components significantly beyond the new LCF retirement lives.

Since this condition is likely to exist or develop on other engines of the same type design, the proposed AD would require reductions of the published LCF retirement lives for certain LPTR components and would provide a removal from service schedule for those affected parts with reduced LCF retirement lives on certain GE CF6–6 series turbofan engines.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this proposed regulation involves 487 engines and the approximate cost would be $14,500 per engine yielding an approximate total cost of $7,061,500. It has also been determined that few, if any, small entities within the meaning of the Regulatory Flexibility Act will be affected since the proposed rule affects only operators of McDonnell Douglas DC–10–10 aircraft in which GE CF6–6 engines are installed, none of which are believed to be small entities. Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained from the Regional Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration (FAA) proposes to amend 14 CFR part 39 of the Federal Aviation Regulations (FAR) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive (AD):

General Electric Company: Applies to General Electric Company (GE) CF6–6 turbofan engines installed on, but not limited to, McDonnell Douglas DC–10–10 aircraft.

Compliance is required as indicated, unless already accomplished.

To prevent low cycle fatigue (LCF) failure of the low pressure turbine rotor (LPTR) stage one disk, LPTR stage two disk, and LPTR forward shaft, which could result in uncontained engine failure, accomplish the following:

(a) Remove from service, LPTR stage one disks, Part Numbers (P/N) 9690M76P02, 9690M76P03, 9690M76P08, and 9079M51P01, in accordance with the following schedule based upon disk cycles since new (CSN) on the effective date of this AD:

(1) Remove within 400 cycles in service (CIS) after the effective date of this AD, disks with greater than or equal to 18,600 CSN.

(2) Remove at the next LPTR overhaul after the effective date of this AD, but no later than 4,500 CIS after the effective date of this AD or prior to accumulating 19,000 CSN, whichever occurs first, disks with greater than or equal to 10,700 CSN, but less than 18,600 CSN.

(3) Remove within 4,500 CIS after the effective date of this AD, disks with greater than or equal to 6,200 CSN, but less than 10,700 CSN.

(4) Remove prior to accumulating 10,700 CSN, disks with less than 6,200 CSN.

(5) Thereafter, remove disks from service and replace with a serviceable disk prior to accumulating the new LCF retirement life of 10,700 CSN.

(b) Remove from service, LPTR forward shafts, P/N 9690M90P04, 9690M90P05, 9690M90P07, 9174M87P02 and 9174M87P04, in accordance with the following schedule based upon shaft CSN on the effective date of this AD:

(1) Remove within 400 CIS after the effective date of this AD, shafts with greater than or equal to 19,600 CSN.

(2) Remove at the next LPTR overhaul after the effective date of this AD, but no later than 4,500 CIS after the effective date of this AD or prior to accumulating 20,000 CSN, whichever occurs first, shafts with greater than or equal to 15,000 CSN, but less than 19,600 CSN.

(3) Remove within 4,500 CIS after the effective date of this AD, shafts with greater than or equal to 10,500 CSN, but less than 15,000 CSN.

(4) Remove prior to accumulating 15,000 CSN, shafts with less than 10,500 CSN.

(5) Thereafter, remove shafts from service and replace with a serviceable shaft prior to accumulating the new LCF retirement life of 15,000 CSN.

(c) Replace LPTR stage two disks, P/N 9690M77P03, 9690M77P04, 9690M77P09, 9690M77P11, 9249M40P01, 9249M40P02, 9249M40P03, 9249M40P04, and 9249M40P05, with LPTR stage two disk, P/N 9690M77P14, at the next LPTR overhaul after the effective date of this AD, but not later than 4,500 CIS after the effective date of this AD or prior to exceeding the published LCF retirement life, whichever occurs first.

Notes: (1) For the purpose of this AD, an LPTR overhaul is defined as the induction of the engine into the shop where the subsequent maintenance entails LPTR disassembly.

(2) This action establishes the following new LCF retirement lives which are published in Chapter 5 of the CF–6 Maintenance and Shop manuals:

(a) 10,700 cycles for LPTR stage one disks, P/N 9690M76P02, 9690M76P03, 9690M76P08, and 9079M51P01,

(b) 15,000 cycles for LPTR forward shafts, P/N 9690M90P04, 9690M90P05, 9690M90P07, 9174M87P02, and 9174M87P04.

(3) CF6–6 Series Service Bulletin (SB) 72–944 introduces a new LPTR stage one disk, P/N 9079M51P03, which has an FAA approved LCF retirement life of 20,000 CSN.

(4) CF6–6 Series SB 72–945 introduces a FAA-approved rework procedure for the affected LPTR forward shafts to increase the FAA approved LCF retirement life to 20,000 CSN.

(d) Aircraft may be ferried in accordance with the provisions of FAR 21.197 and 21.199 to a base where the AD can be accomplished.

(e) Upon submission of substantiating data by an owner or operator through an FAA Airworthiness Inspector, an alternate method of compliance with the requirements of this AD or adjustments to the compliance (schedule) times specified in this Ad may be approved by the Manager, Engine Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

Issued in Burlington, Massachusetts, on May 21, 1990.

Jack A. Sain,

Manager Engine and Propeller Directorate Aircraft Certification Service.

[FR doc. 90-12413 Filed 5-29-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

RIN 1545-AM64

[GL-705-88]

Time and Place of Examination

AGENCY: Internal Revenue Sevice, Treasury.

ACTION: Correction to cross-reference notice of proposed rulemaking to temporary regulations (T.D. 8297).

SUMMARY: This document contains a correction to the cross-reference notice of proposed rulemaking to the temporary regulations which set forth the policy of the Internal Revenue Service concerning the time and place for conducting examinations.

FOR FURTHER INFORMATION CONTACT: Nancy O. Ryan, 202-535-9678 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The cross-reference notice of proposed rulemaking which is the subject of this correction was issued pursuant to section 6228(b) of subtitle J, title VI of the Technical and Miscellaneous Revenue Act of 1988, the Omnibus Taxpayer Bill of Rights.

Need for Correction

As published, the cross-reference notice of proposed rulemaking contains an error which may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the publication of the cross-reference notice of proposed rulemaking which was the subject of FR Doc. 90-7618, published April 13, 1990, is corrected as follows:

Paragraph 1. On page 12386, column 1, the "RIN" number in the preamble, which reads "RIN 1545-AM49" should be corrected to read "RIN 1545-AM64".

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 90-12245 Filed 5-29-90; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD7-90-22]

Drawbridge Operation Regulations; Okeechobee Waterway, FL

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the City of Fort Myers, the Coast Guard is considering a change to the regulations governing the Edison Memorial drawbridge on U.S. 41 across the Caloosahatchee River (Okeechobee Waterway) at Fort Myers by extending the existing regulated period. This proposal is being made because the evening period of peak vehicular traffic has increased. This action should accommodate the needs of vehicular traffic and still provide for the reasonable needs of navigation.

DATES: Comments must be received on or before July 16, 1990.

ADDRESSES: Comments should be mailed to Commander (oan) Seventh Coast Guard District, 909 SE 1st Ave., Miami, FL 33131-3050. The comments and other materials referenced in this notice will be available for inspection and copying at Brickell Plaza Federal Building, Room 484, 909 SE 1st Avenue, Miami, FL. Normal office hours are between 7:30 a.m. and 4 p.m., Monday through Friday except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: Ian MacCartney (305) 536-4103.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their names and addresses, identify the bridge, and give reasons for concurrence with or any recommended change in the proposal.

The Commander, Seventh Coast Guard District, will evaluate all communications received and determine a course of final action on this proposal. The proposed regulations may be changed in light of comments received.

Drafting Information

The drafters of this notice are Ian MacCartney, project officer, and LCDR D. G. Dickman, project attorney.

Discussion of Proposed Regulations

The drawbridge presently opens on signal except that, from 7:30 a.m. to 8:30 a.m. and from 5 p.m. to 6 p.m., Monday through Friday except federal holidays, the draw need not open. Exempt vessels shall be passed at any time. The City of Fort Myers has requested a change to the morning and afternoon closed periods to include the periods from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m. Analysis of highway traffic and bridge opening data indicates that increasing the evening regulated period by one hour may help reduce delays for the rush hour highway traffic. However, in view of the large number of vessels requiring passage through the bridge during this two hour period, periodic openings will be required to meet the reasonable needs of navigation.

The heaviest highway traffic occurs between 4:30 p.m. and 5:30 p.m. Therefore, it is proposed to include an opening at 4:30 p.m. and one at 5:30 p.m. The volume of highway traffic and number of bridge openings during the morning rush hours does not justify any change to the existing morning closure period.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Economic Assessment and Certification

These proposed regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and non-significant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because the rule exempts tugs with tows. Since the economic impact of the proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 117 of title 33, Code of Federal Regulations, as follows:

PART 117 DRAWBRIDGE OPERATION REGULATIONS

1. The Athority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

2. Section 117.317(j) is revised to read as follows:

§ 117.317 OKeechobee Waterway.

* * * * *

(j) Edison Memorial (US 41) bridge, mile 134.5 at Fort Myers. The draw shall open on signal; except that 7:30 a.m. to 8:30 a.m. and from 4 p.m. to 6 p.m. Monday through Friday except federal holidays, the draw need open only at 4:30 p.m. and 5:30 p.m. Exempt vessels shall be passed at any time.

* * * * *

Dated: May 15, 1990.

Martin H. Daniell,

Commander, Seventh Coast Guard District.

[FR Doc. 90–12395 Filed 5–29–90; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 721]

[OPTS–50571; FRL–3767–4]

Certain Aromatic Ether Diamines; Proposed Significant New Uses of Chemical Substances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for the following chemical substances: benzenamine, 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis- (CAS Number 94148–67–1, premanufacture notice (PMN) P–85–335); a reaction mixture consisting of 1,2,4,5-benzenetetracarboxylic acid, 1,4-diethyl ester, compd. with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] (1:1) and 1,2,4,5-benzenetetracarboxylic acid, 1,5-diethyl ester, compd. with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] (1:1) (PMN P–85–336); 1,2,4,5-benzenetetracarboxylic acid, 1,4-diethyl ester, compd. with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] (1:1), polymer with 4,4'-[[1,1'biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] 1,5-diethyl 1,2,4,5- benzenetetracarboxylate (1:1) (PMN P–85–337); and 1,2,4,5-benzenetetracarboxylic acid, 1,4-diethyl ester, compd. with 4,4'[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] (1:1), polymer with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] 1,5-diethyl 1,2,4,5- benzenetetracarboxylate (1:1), reaction products with phthalic anhydride (PMN P–86–1153). These substances are generically identified as certain aromatic ether diamines. Hereinafter, these substances will be referred to by their respective PMN numbers. EPA believes that this action is necessary because these substances may be hazardous to human health, and that the uses described in this proposed rule and activities associated with such uses may result in significant human exposure.

DATES: Written comments must be submitted to EPA by June 29, 1990.

ADDRESSES: Since some comments may contain confidential business information (CBI), all comments must be sent in triplicate to: TSCA Document Processing Center (TS–790), Office of Toxic Substances, Environmental Protection Agency, rm. L–100, 401 M St., SW., Washington, DC 20460.

Comments should include the docket control number OPTS–50571. Nonconfidential comments on this proposed rule will be placed in the rulemaking record and will be available for public inspection. Unit XI of this preamble contains additional information on submitting comments containing CBI.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS–799), Office of Toxic Substances, Environmental Protection Agency, rm. E–545, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554–1404, TDD: (202) 554–0551.

SUPPLEMENTARY INFORMATION: The proposed SNUR for P–85–335, P–85–336, P–85–337, and P–86–1153 would require persons to notify EPA at least 90 days before commencing the manufacture, import, or processing of these substances for the uses described in this proposed rule. The required notice would provide EPA with the information needed to evaluate an intended use and associated activities, and an opportunity to protect against potentially adverse exposure to P–85–335, P–85–336, P–85–337, and P–86–1153 before it can occur.

I. Authority

Section 5(a)(2) of TSCA (15 U.S.C. 2604(a)(2)) authorizes EPA to determine that a use of a chemical substance is a "significant new use." EPA must make this determination by rule after considering all relevant factors, including those listed in section 5(a)(2). Once EPA determines that a use of a chemical substance is a significant new use, section 5(a)(1)(B) of TSCA requires persons to submit a notice to EPA at least 90 days before they manufacture, import, or process the substance for that use.

Persons subject to this SNUR would comply with the same notice requirements and EPA regulatory procedures as submitters of premanufacture notices (PMNs) under section 5(a)(1)(A) of TSCA. In particular, these requirements include the information submission requirements of section 5(b) and (d)(1), the exemptions authorized by section 5(h)(1), (2), (3), and (5), and the regulations at 40 CFR part 720. Once EPA receives a SNUR notice, EPA may take regulatory action under section 5(e), 5(f), 6, or 7 to control the activities for which it has received a SNUR notice. If EPA does not take action, section 5(g) of TSCA requires EPA to explain in the **Federal Register** its reasons for not taking action.

Persons who intend to export a substance identified in a proposed or final SNUR are subject to the export notification provisions of TSCA section 12(b). The regulations that interpret section 12(b) appear at 40 CFR part 707.

II. Applicability of General Provisions

General regulatory provisions applicable to SNURs are codified at 40 CFR part 721, subpart A. On July 27, 1988 (53 FR 28354) and July 27, 1989 (54 FR 31298), EPA promulgated amendments to the general provisions which apply to this SNUR. In the **Federal Register** of August 17, 1988 (53 FR 31252), EPA promulgated a "User Fee Rule" (40 CFR part 700) under the authority of TSCA section 26(b). Provisions requiring persons submitting significant new use notices to submit certain fees to EPA are discussed in detail in that **Federal Register** document. Interested persons should refer to these documents for further information.

III. Summary of this Proposed Rule

The chemical substances which are the subjects of this proposed SNUR are P–85–335, P–85–336, P–85–337, and P–86–1153. EPA is proposing to designate the manufacture, import, or processing of P–85–336 and P–85–337 for any use as a significant new use. For P–85–335 and P–86–1153, EPA is proposing to designate the manufacture, import, or processing of certain annual volumes, determinable by the procedures described in Unit VIII of this preamble, for any use as significant new uses. The proposed rule would require persons who intend to manufacture, import, or process P–85–335, P–85–336, P–85–337, or P–86–1153 for

a use designated in this proposed rule to submit a significant new use notice to EPA at least 90 days before such manufacture, import, or processing. Persons interested in determining the applicability of this proposed rule to their manufacture, import, or processing activities should refer to Unit VIII of this preamble for further information.

IV. Background Information

A. Regulatory Background

On December 20, 1984, EPA received PMNs designated by the Agency as P–85–335, P–85–336, and P–85–337, respectively. EPA announced the receipt of these PMNs in the **Federal Register** of December 28, 1984 (49 FR 50444). The PMN submitter claimed the following as CBI in these PMNs: chemical identity, production volume, use, and process information. On June 11, 1986, EPA received a PMN for another substance which EPA identified as P–86–1153. The PMN submitter for this substance claimed identity, production volume, use, and process information as CBI. EPA announced the receipt of this PMN in the **Federal Register** of June 27, 1986 (51 FR 23463). EPA received notices of commencement of manufacture (NOC) regarding P–85–335 and P–86–1153 on May 12, 1986 and January 23, 1987, respectively. No NOC has been received by EPA regarding P–85–336 or P–85–337. On August 3, 1989, the PMN submitter waived its claim of confidentiality for the chemical identity of P–85–335; on March 23, 1990, confidentiality claims for the chemical identities of P–85–336, P–85–337, and P–86–1153 were waived. Under section 14(a)(4) of TSCA, EPA may disclose CBI relevant to any proceeding. "[D]isclosure in such a proceeding shall be made in such manner as to preserve confidentiality to the extent practicable without impairing the proceeding." EPA is not convinced that this rulemaking will be so impaired by these claims as to justify disclosure of CBI. Therefore, EPA has decided not to disclose any CBI at this time. EPA specifically requests comment on this approach for this SNUR rulemaking.

B. Health Effects

Toxicity data on P–85–335 received by EPA pursuant to TSCA section 8(e) (8EHQ–1085–0571 *S et. seq.*) form the basis of EPA's human health concern for the substances which are the subjects of this proposed SNUR. These data include a subchronic inhalation study of P–85–335, received by EPA on October 29, 1985, in which rats were exposed to a highly respirable form of the chemical substance for 6 hours per day, 5 days per week, for 2 weeks. This study resulted in findings consisting of compound related effects in the eyes, liver, spleen, and adrenal glands. Most significantly, bilateral chronic choroiditis of the eyes was observed at all levels of exposure. A second 2–week subchronic inhalation study, received by EPA on June 4, 1987, indicates the no-observable effect level (NOEL) for ocular injury to be 0.17mg/m^3. The June 4, 1987, TSCA section 8(e) submission also contains results of an acute dermal exposure study (rats), an acute inhalation exposure study (rats), and an acute oral exposure study (rabbits). These studies further describe the ocular toxicity produced by P–85–335. The reports indicate that a single exposure, by either a dermal, oral, or inhalation route, may cause retinopathy and choroiditis in the subject species. Furthermore, no NOEL for ocular injury via dermal exposure was demonstrated in the submitted acute dermal toxicity study.

Additionally, EPA is concerned that P–85–335 may be a developmental toxicant. Since P–85–335 causes ocular injury in adult test animals, there is concern for damage to the developing eye following prenatal exposure. Further, these concerns are based upon results of tests on structurally similar substances (other substituted diphenyl ethers) which have been shown to produce developmental and reproductive toxicity. The most potent of these is 2,4-dichloro-4'-nitrodiphenyl ether (nitrofen, CAS Number 1836–75–5) which causes significant developmental toxicity at levels markedly below those causing maternal toxicity and as low as 0.3 mg/kg/day when administered dermally.

On November 16, 1988 and September 8, 1989, EPA received further data regarding: (1) The ocular toxicity of P–85–335 in pigmented albino rats and beagle dogs and (2) a time course study on the ocular injury and a descriptive study on the ocular injury resulting from conjunctival administration of P–85–335 in rats, respectively. These data indicate that the ocular injury caused by P–85–335 may be irreversible. For further information regarding the toxicity of P–85–335, interested persons should refer to the TSCA section 8(e) submission (8EHQ–1085–0571 *S et seq.*) found in the public record for this proposed rule.

EPA is similarly concerned that P–85–336, P–85–337, and P–86–1153 may present risks to human health. These concerns are based primarily on the structural analogy of these substances to P–85–335. Because of this structural similarity, EPA believes P–85–336, P–85–337, and P–86–1153 may be toxicologically analogous to P–85–335.

V. Objectives and Rationale for the Proposed Rule

To determine what would constitute a significant new use of P–85–335, P–85–336, P–85–337, and P–86–1153, EPA considered relevant information on the toxicity of the substances, likely exposures associated with possible uses, and the four factors listed in section 5(a)(2) of TSCA. Based on these considerations, EPA wishes to achieve the following objectives with regard to the significant new uses that are designated in this proposed rule:

1. EPA wants to ensure that it would receive notice of any company's intent to manufacture, import, or process P–85–335, P–85–336, P–85–337, and P–86–1153 for a significant new use designated in this proposed rule.

2. EPA wants to ensure that it would have an opportunity to review and evaluate data submitted in a significant new use notice before the notice submitter begins manufacturing, importing, or processing P–85–335, P–85–336, P–85–337, or P–86–1153 for a significant new use designated in this proposed rule.

3. EPA wants to ensure that it would be able to regulate prospective manufacturers, importers, or processors of P–85–335, P–85–336, P–85–337, and P–86–1153 before the designated new use of these substances occurs, provided that the degree of potential health and environmental risk is sufficient to warrant such regulation.

EPA has received no NOC for either P–85–366 or P–85–337 and therefore concludes that there is no ongoing commercial use of either of the substances. EPA believes that any use of P–85–336 and P–85–337 may increase the magnitude and duration of exposure to the substances over that which currently exists. In light of the toxicities/potential toxicities of P–85–336 and P–85–337, and for EPA to have the opportunity to evaluate any intended use and potential exposures associated with such use before that activity begins, EPA is proposing "any use" as a significant new use for P–85–336 and P–85–337. EPA believes that it is appropriate to designate "any use" as a significant new use for these substances because a substantial amount of time (over 5 years) has elapsed since the original PMN submissions, the substances have not been manufactured or imported during that time, and the section 8(e) data were received well after PMN review ended.

The significant new uses being proposed for both P–85–335 and P–86–1153 are manufacture, import, or processing of annual confidential volumes for any use. Because these proposed significant new uses are derived from data claimed confidential by the PMN submitter, the proposed rule text does not incorporate the specific new use volumes. (However, persons may determine whether a specific use (manufacture, import, or processing volume) is subject to this proposed rule by following the procedures at proposed § 721.785(b).) EPA has determined that the manufacture, import, or processing of P–85–335 and P–86–1153 at levels at or above the volumes designated as significant new uses could significantly increase the magnitude and/or duration of human exposure to these substances over that which currently exists. Further discussion of the rationale on which EPA bases its significant new use determinations for P–85–335 and P–86–1153 will not be included in this notice as it is derived from information claimed as CBI. A sanitized copy of the document describing the rationale for the significant new use determinations is available in the public record for this proposed rule.

Neither P–85–335, P–85–336, P–85–337, nor P–86–1153 is currently subject to any Federal regulation that would notify the Federal Government of activities that might result in adverse exposures to these substances or provide a regulatory mechanism that could protect human health or the environment from potentially adverse exposures before they occurred.

Given the toxicity and/or potential toxicity of these substances, the reasonably anticipated situations that could result in exposure, and the lack of sufficient regulatory controls, individuals could be exposed to P–85–335, P–85–336, P–85–337, and P–86–1153 at levels which may result in adverse effects. For the foregoing reasons, EPA proposes to designate significant new uses for P–85–335, P–85–336, P–85–337, and P–86–1153 as set forth in proposed § 721.785(a)(2), (a)(3), and (a)(4).

VI. Alternatives

Before proposing this SNUR, EPA considered the following alternative regulatory actions for P–85–335, P–85–336, P–85–337, and P–86–1153:

1. Promulgate a section 8(a) reporting rule for these substances. Under such a rule, EPA could require any person to report information to EPA when they intend to manufacture, import, or process the substances for the uses designated in this proposed rule. However, for these particular substances, the use of section 8(a) rather than SNUR authority would have several drawbacks. First, EPA would not be able to take immediate follow-up regulatory action under section 5(e) or 5(f) to prohibit or limit the activity. In addition, EPA may not receive important information from small businesses, because such firms are exempt from section 8(a) reporting requirements. In view of the level of health concern for P–85–335, P–85–336, P–85–337, and P–86–1153, EPA believes that a section 8(a) rule for these substances would not meet EPA's regulatory objectives.

2. Regulate the substances under section 6 of TSCA. EPA may regulate under section 6 if there is a reasonable basis to conclude that the manufacture, import, processing, distribution in commerce, use, or disposal of a substance or mixture "presents or will present" an unreasonable risk of injury to human health or the environment. EPA at this time has made no final determination as to whether the substances will present an unreasonable risk. Therefore, EPA does not currently intend to take action under section 6 to regulate P–85–335, P–85–336, P–85–337, or P–86–1153.

3. Promulgate a TSCA section 4(a)(1)(A) test rule to require further testing for P–85–335, P–85–336, P–85–337, and/or P–86–1153. EPA believes that the manufacture, distribution in commerce, processing, use, and/or disposal of the chemical substances may present an unreasonable risk of injury to human health. Furthermore, there are insufficient data and experience upon which the effects of these activities on health can reasonably be determined or predicted. EPA concludes that testing of P–85–335, P–85–336, P–85–337, and/or P–86–1153 may be necessary to develop such data. Promulgation of a test rule is currently being considered. EPA specifically requests comments on this option.

VII. Applicability of Proposed Rule to Uses Occurring before Effective Date of Final Rule

EPA believes that the intent of section 5(a)(1)(B) is best served by designating a use as a significant new use as of the proposal date of the SNUR rather than as of the effective date of the final rule. If uses begun during the proposal period of a SNUR were considered ongoing as of the effective date of a SNUR, it would be difficult for EPA to establish SNUR notice requirements, because any person could defeat the SNUR by initiating the proposed significant new use before the rule became effective; this interpretation of section 5 would make it extremely difficult for EPA to establish SNUR notice requirements.

Persons who begin commercial manufacture, importation, or processing of P–85–335, P–85–336, P–85–337, or P–86–1153 for a significant new use designated in this proposed rule between the proposal and the effective date of the SNUR may comply with this proposed SNUR before it is effective. If a person were to meet the conditions of advance compliance as codified at 721.45(h) (53 FR 28354, July 27, 1988), the person will be considered to have met the requirements of the final SNUR for those activities. If persons who begin commercial manufacture, importation, or processing of the substance between the proposal and the effective dates of the SNUR do not meet the conditions of advance compliance, they must cease that activity before the effective date of the rule. To resume their activities, these persons would have to comply with all applicable SNUR notice requirements and wait until the notice review period, including all extensions, expires.

VIII. Applicability Determinations

A person who intends to manufacture, import, or process a substance which is the subject of a SNUR with a confidential significant new use, such as P–85–335 and P–86–1153, may ask EPA whether the intended use falls within the definition of the significant new use. EPA will answer such inquiries only if it determines that the person has a *bona fide* intent to manufacture, import, or process the chemical substance for commercial purposes. In the cases of P–85–335 and P–86–1153, the intended volume of manufacture, import, or processing must be included with the *bona fide* submission. For further information regarding applicability determinations, refer to 40 CFR 721.11 (53 FR 28354, July 27, 1988) and proposed § 721.785(b).

IX. Test Data and Other Information

EPA recognizes that under TSCA section 5, persons are not required to develop any particular test data before submitting a significant new use notice. However, in view of the potential health risk that may be posed by P–85–335, P–85–336, P–85–337, and P–86–1153 when used for uses designated in this proposed rule, EPA suggests potential SNUR notice submitters conduct tests that would permit a reasoned evaluation of risks posed by these substances when utilized for an intended new use. SNUR notices submitted without accompanying test data may increase the likelihood that EPA would take action under section 5(e).

EPA encourages persons to consult with EPA before selecting a protocol for testing P–85–335, P–85–336, P–85–337, or P–86–1153. As part of this optional prenotice consultation, EPA will discuss the test data it believes necessary to evaluate a significant new use of the substances. Test data should be developed according to TSCA Good Laboratory Practice Standards at 40 CFR part 792. Failure to do so may lead EPA to find such data to be insufficient to evaluate reasonably the health or environmental effects of the substances.

EPA urges SNUR notice submitters to provide detailed information on human exposure that may result from a significant new use of P–85–335, P–85–336, P–85–337, or P–86–1153. In addition, EPA encourages persons to submit information on potential benefits of the substances and information on risks posed by the substances compared to risks posed by potential substitutes.

X. Economic Analysis

EPA has evaluated the potential costs of SNUR reporting requirements for P–85–335, P–85–336, P–85–337, and P–86–1153. EPA's complete economic analysis is available in the public record for this proposed rule.

XI. Comments Containing Confidential Business Information

Any person who submits comments claimed as CBI must mark the comments as "confidential," "trade secret," or other appropriate designation. Comments not claimed as CBI at the time of submission will be placed in the public file. A complete public version must be submitted if the submitter claims any of the material CBI. Any comments marked as confidential will be treated in accordance with the procedures in 40 CFR part 2.

XII. Rulemaking Record

EPA has established a record for this rulemaking (docket control number OPTS–50571). The record includes basic information considered by EPA in developing this proposed rule. EPA will supplement the record with additional information as it is received and will identify the complete rulemaking record by the date of promulgation. A public version of this record containing nonconfidential materials is available for reviewing and copying from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Public Docket Office, located at rm. NE–G004, 401 M St., SW., Washington, DC.

XIII. Regulatory Assessment Requirements

A. Executive Order 12291

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore requires a Regulatory Impact Analysis. EPA has determined that this proposed rule would not be a "major" rule because it would not have an effect on the economy of $100 million or more, and it would not have a significant effect on competition, costs, or prices. While there is no precise way to calculate the total annual cost of compliance with the proposed rule, EPA estimates that the reporting cost for submitting a significant new use notice would be approximately $4,500 to $11,800 including a $2,500 user fee. EPA believes that, because of the nature of the proposed rule and the substances involved, there would be few significant new use notices submitted. Furthermore, while the expense of a notice and the uncertainty of possible EPA regulation may discourage certain innovation, that impact would be limited because such factors are unlikely to discourage an innovation that has high potential value.

This proposed rule was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 605(b)), EPA has determined that this proposed rule would not have a significant impact on a substantial number of small businesses. EPA has not determined whether parties affected by this proposed rule would likely be small businesses. However, EPA expects to receive few SNUR notices for the substances. Therefore, the Agency believes that the number of small businesses affected by the rule would not be substantial, even if all of the SNUR notice submitters were small firms.

C. Paperwork Reduction Act

OMB has approved the information collection requirements contained in this proposed rule under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, and has assigned OMB control number 2070–0038.

Public reporting burden for this collection of information is estimated to vary from 30 to 170 hours per response, with an average of 100 hours per response, including 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 Chief, Information Policy Branch, PM–223, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA." The final rule will respond to any OMB or public comments on the information collection requirements contained in this proposal.

List of Subjects in 40 CFR Part 721

Chemicals, Environmental protection, Hazardous materials, Reporting and recordkeeping requirements, Significant new uses.

Dated: May 16, 1990.

Victor J. Kimm,

Assistant Administrator for Pesticides and Toxic Substances.

Therefore, it is proposed that 40 CFR part 721 be amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 would continue to read as follows:

Authority: 15 U.S.C. 2604 and 2607.

2. By adding new § 721.785 to read as follows:

§ 721.785 Certain aromatic ether diamines.

(a) *Chemical substances and significant new uses subject to reporting.* (1) The following chemical substances, referred to by chemical identity, CAS Number (if assigned), and PMN number, are subject to reporting under this section for the significant new uses described in paragraphs (a)(2), (a)(3), and (a)(4) of this section: Benzenamine, 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis- (CAS Number 9148–67–1, P–85–335); a reaction mixture consisting of 1,2,4,5-benzenetetracarboxylic acid, 1,4-diethyl ester, compd. with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] (1:1) and 1,2,4,5-benzenetetracarboxylic acid, 1,5-diethyl ester, compd. with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] (1:1) (PMN P–85–336); 1,2,4,5-benzenetetracarboxylic acid, 1,4-diethyl ester, compd. with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] (1:1), polymer with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] 1,5-diethyl 1,2,4,5- benzenetetracarboxylate (1:1) (PMN P–85–337); and 1,2,4,5-benzenetetracarboxylic acid, 1,4-diethyl ester, compd. with 4,4'-[[1,1'-biphenyl]-

2,5-diylbis(oxy)]bis[benzeneamine] (1:1), polymer with 4,4'-[[1,1'-biphenyl]-2,5-diylbis(oxy)]bis[benzeneamine] 1,5-diethyl 1,2,4,5- benzenetetracarboxylate (1:1), reaction products with phthalic anhydride (PMN P–86–1153).

(2) The significant new use for P–85–335 is: Manufacture, import, or processing of a specified annual volume, which is confidential, for any use.

(3) The significant new use for P–85–336 and P–85–337 is: Any use.

(4) The significant new use for P–86–1153 is: Manufacture, import, or processing of a specified annual volume, which is confidential, for any use.

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Determining whether a specific use is subject to this rule.* (i) A person who intends to manufacture, import, or process a chemical substance identified in paragraphs (a)(2) or (a)(4) of this section may ask EPA whether the use for which the person intends to manufacture, import, or process the substance is a significant new use. EPA will answer such an inquiry only if EPA determines that the person has a *bona fide* intent to manufacture, import, or process the chemical substance.

(ii) To establish a *bona fide* intent to manufacture, import, or process a chemical substance the person must submit to EPA:

(A) All material and statements required under § 721.11.

(B) The specific use for which the person intends to manufacture, import, or process the chemical substance.

(iii) EPA will review the information submitted by the person under this paragraph to determine whether the person has a *bona fide* intent to manufacture, import, or process the chemical substance.

(iv) If EPA determines that the person has a *bona fide* intent to manufacture, import, or process the chemical substance, EPA will tell the person whether the use for which the person intends to manufacture, import, or process the substance is a significant new use. If EPA tells the person that the intended use is not a significant new use under paragraph (a)(2) or (a)(4) of this section, EPA will tell the person what activities would constitute a significant new use for that substance under this section.

(v) A disclosure to a person with a *bona fide* intent to manufacture, import, or process a chemical substance of the significant new uses subject to this section will not be considered public disclosure of confidential business information under section 14 of the Act.

(vi) EPA will answer an inquiry on whether a particular use is subject to this section within 30 days after receipt of a complete submission under paragraph (b)(1) of this section.

(2) *Persons who must report.* Section 721.5 applies to this section except § 721.5(a)(2). A person who intends to manufacture, import, or process for commercial purposes a substance identified in paragraph (a)(3) of this section and intends to distribute the substance in commerce must submit a significant new use notice.

(3) [Reserved]

(Approved by the Office of Management and Budget under OMB control number 2070–0038)

[FR Doc. 90-12470 Filed 5-29-90; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 90–05; Notice 2]

Federal Motor Vehicle Safety Standards; School Bus Passenger Seating and Crash Protection

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Request for comments.

SUMMARY: This notice announces the availability of a research report on the state-of-the-art in wheelchair securement and occupant restraints on school buses. It also requests comments on the report and other aspects of the pending rulemaking in which the agency is considering amendments to FMVSS 222, School Bus Pasenger Seating and Crash Protection, to establish requirements for schoolbus seating for handicapped students.

DATES: Comments on this notice must be received July 30, 1990.

ADDRESSES: Any comment on this notice should refer to docket 90–05–N02 and be submitted to Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washngton, DC 20590. Docket Hours are 9:30 to 4:00.

FOR FURTHER INFORMATION CONTACT: Mr. Charles Gauthier, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590. (202) 366–0842.

SUPPLEMENTARY INFORMATION: On February 23, 1990, NHTSA issued a notice announcing the grant of a petition from Mr. Lyle Stephens and Ms. Debra Simms for rulemaking to amend Federal Motor Vehicle Safety Standard (FMVSS) 222, School Bus Passenger Seating and Crash Protection (49 CFR 571.222), to establish requirements for handicapped students. (55 FR 7346, March 1, 1990). In that notice, the agency noted that in 1989 a NHTSA task force had undertaken a review of several issues concerning the transportation of handicapped individuals, and that as a result of the task force's work, NHTSA's Office of Research and Development had initiated a study of the state-of-the-art wheelchair securement and occupant protection systems on school buses to support possible future rulemakings. The notice further indicated that the agency expected that a final report on the research would be issued in the Spring of 1990, and that the agency would then place the final report in the docket and provide a public comment period on issues involved in the rulemaking.

The final report, entitled "Wheelchair and Occupant Restraint on School Buses," (DOT–HS–807–570; May 1990) has recently been issued. Based on the literature and the views of experts in the field, the report made conclusions about the apparent consensus related to the safe transportation of handicapped students on school buses. Among the conclusions are that

> persons being transported in wheelchairs on buses should be positioned so that their wheelchairs are facing the front of the bus,
>
> the wheelchair and its occupant should each be independently restrained to the vehicle,
>
> a combination torso and lap belt is one means of effective occupant restraint, and
>
> a tie-down system attaching the frame of the wheelchair to the floor of the vehicle with straps at four points (two rear and two front) is the most universally adaptable securement system currently available.

The report has been placed in Docket 90–05 and may be reviewed at the NHTSA docket section, Technical Reference Division, Room 5109, 400 7th Street SW., Washington, DC 20590 (tel. 202–366–2768), during normal agency business hours. Copies may be ordered from the Technical Reference Division in accordance with the established fee schedule. Also in the docket are documents reflecting the actions of several standards organizations and international agencies referenced in the notice (Notice 1) granting the rulemaking petition, and comments received to date in this rulemaking. Interested persons may wish to review these materials before preparing their comments.

Submission of Comments

Interested persons are invited to submit comments. It is requested but not required that 10 copies be submitted.

Comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR part 512.

All comments received before the close of business on he comment closing date indicated above for the notice will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the proposal will be considered as suggestions for further rulemaking action. Comments on the notice will be available for inspection in the docket. After reviewing the comments, the agency will be able to determine what appropriate measures, if any, are needed to address this situation. The determination of whether to issue a rule will be made in the course of the rulemaking proceeding in accordance with statutory criteria. NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

Authority: 15 U.S.C. 1392, 1401, 1497; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: May 23, 1990.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 90–12391 Filed 5–30–90; 8:45 am]

BILLING CODE 4910–59–M

Notices

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1990

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 90-063]

Availability of Environmental Assessment and Finding of No Significant Impact Relative to Issuance of Permit To Field Test Genetically Engineered Potato Plants

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that an environmental assessment and finding of no significant impact have been prepared by the Animal and Plant Health Inspection Service relative to the issuance of a permit to Monsanto Agricultural Company, to allow the field testing in Jersey County, Illinois, of potato plants genetically engineered to express the viral cost proteins from potato virus X, potato virus Y, and/or potato leaf roll virus, and potato plants genetically engineered to express the delta-endotoxin protein from *Bascillus thuringiensis* var. *tenebrionis* for resistance to select coleopteran insects. The assessment provides a basis for the conclusion that the field testing of these genetically engineered potato plants will not present a risk of the introduction or dissemination of a plant pest and will not have a significant impact on the quality of the human environment. Based on this finding of no significant impact, the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

ADDRESSES: Copies of the environmental assessment and finding of no significant impact are available for public inspection at Biotechnology, Biologics, and Environmental Protection, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, room 850, Federal Building, 6505 Belcrest Road, Hyattsville MD, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. James White, Biotechnologist, Biotechnology Permits, Biotechnology, Biologics, and Environmental Protection, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, room 844, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-7612. For copies of the environmental assessment and finding of no significant impact, write Mr. Clayton Givens at this same address. The environmental assessment should be requested under permit number 90-032-03.

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340 regulate the introduction (importation, interstate movement, and release into the environment) of genetically engineered organisms and products that are plant pests or that there is reason to believe are plant pests (regulated articles). A permit must be obtained before a regulated article can be introduced into the United States. The regulations set forth procedures for obtaining a limited permit for the importation or interstate movement of a regulated article and for obtaining a permit for the release into the environment of a regulated article. The Animal and Plant Health Inspection Service (APHIS) has stated that it would prepare an environmental assessment and, when necessary, an environmental impact statement before issuing a permit for the release into the environment of a regulated article (see 52 FR 22906)

Monsanto Agricultural Company, of St. Louis, Missouri, has submitted an application for a permit for release into the environment, to field test potato plants genetically engineered to express the viral coat proteins from potato virus X, potato virus Y, and/or potato leaf roll virus, and potato plants genetically engineered to express a delta-endotoxin protein from *Bacillus thuringiensis* var. *tenebrionis* for resistance to select coleopteran insects. The field trial will take place in Jersey County, Illionis.

In the course of reviewing the permit application, APHIS assessed the impact on the environment of releasing the potato plants under the conditions described in the Monsanto Agricultural Company application. APHIS concluded that the field testing will not present a risk of plant pest introduction or dissemination and will not have a significant impact on the quality of the human environment.

The environmental assessment and finding of no significant impact, which are based on data submitted by Monstanto Agricultural Company, as well as a review of other relevant literature, provide the public with documentation of APHIS' review and analysis of the environmental impacts associated with conducting the field testing.

The facts supporting APHIS' finding of no significant impact are summarized below and are contained in the environmental assessment.

1. Genes encoding the coat proteins of potato virus X, potato virus Y, potato leaf roll virus, and/or an insecticidal crystal protein from *Bacillus thuringiensis* var. *tenebrionis* have been inserted into the potato chromosome. In nature, chromosomal genetic material can only be transferred to other sexually compatible plants by cross-pollination. In this field trial, the introduced gene cannot spread to other plants by cross-pollination because the potato plants are sterile.

2. Neither the recombinant genes themselves, nor their gene products, confer on potato any plant pest characteristics. Traits that lead to weediness in plants are polygenic traits and cannot be conferred by adding a single gene.

3. The expression of the recombinant genes does not provide the transformed potato plants with any measurable selective advantages over nontransformed potato plants in their ability to be disseminated or to become established in the environment.

4. The vector used to transfer the recombinant gene to potato plants has been evaluated for its use in this specific experiment and does not pose a plant pest risk in the field test. The vector, although derived from a DNA sequence with known plant pest potential, has been disarmed; that is, genes that are necessary for producing plant disease have been removed from the vector. The vector has been tested and shown not to be pathogenic to any susceptible plants.

5. The vector agent, the bacterium that was used to deliver the vector DNA and the recombinant genes into the plant cells, has been shown to be eliminated and no longer associated with the transformed potato plants.

6. Horizontal movement of the introduced gent is not possible. The vector acts by delivering the genes to the plant genome (i.e., chromosomal DNA). The vector does not survive in the plants.

7. Select noncoding regulatory regions derived from plants pests have been incorporated into the plant chromosome but do not confer on potato any plant pest characteristics.

8. The microorganism from which the insecticidal protein was isolated is not a plant pest and is widely distributed in the environment as a soil inhabitant. Upon ingestion, the insecticidal protein kills only coleopteran insects. It is not toxic to other insects, wild or domestic birds, fish or mammals. Because of its safety, topical application on vegetable crops is permitted up to harvest time.

9. The field test site is small (less than 2 acres) and physically isolated by surrounding area of cultivated land.

The environmental assessment and findings of no signficant impact have been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4331 *et seq.*), (2) Regulations of the Council on Environmental Quality for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500–1509), (3) USDA Regulations Implementing NEPA (7 CFR Part lb), and (4) APHIS Guidelines Implementing NEPA (44 FR 50381–50384, August 28, 1979, and 44 FR 51272–51274, August 31, 1979).

Done in Washington, DC, this 23rd day of May 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90–12453 Filed 5–29–90; 8:45 am]

BILLING CODE 3410–34–M

[Docket No. 90–062]

Availability of Environmental Assessment and Finding of No Significant Impact Relative to Issuance of a Permit To Field Test Genetically Engineered Tomato Plants

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that an environmental assessment and finding of no significant impact have been prepared by the Animal and Plant Health Inspection Service relative to the issuance of a permit to the UpJohn Company, to allow the field testing in Kalamazoo County, Michigan, of tomato plants genetically engineered to express the viral coat protein of tobacco mosaic virus. The assessment provides a basis for the conclusion that the field testing of these genetically engineered tomato plants will not present a risk of the introduction or dissemination of a plant pest and will not have a significant impact on the quality of the human environment. Based on this finding of no significant impact, the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

ADDRESSES: Copies of the environmental assessment and finding of no significant impact are available for public inspection at Biotechnology, Biologics, and Environmental Protection, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, room 850, Federal Building, 6505 Belcrest Road, Hyattsville, MD, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. James White, Biotechnologist, Biotechnology Permits, Biotechnology, Biologics, and Environmental Protection, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, room 844, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–7612. For copies of the environmental assessment and finding of no significant impact, write Mr. Clayton Givens at this same address. The environmental assessment should be requested under permit number 90–043–02.

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340 regulate the introduction (importation, interstate movement, and release into the environment) of genetically engineered organisms and products that are plant pests or that there is reason to believe are plant pests (regulated articles). A permit must be obtained before a regulated article can be introduced into the United States. The regulations set forth procedures for obtaining a limit permit for the importation or interstate movement of a regulated article and for obtaining a permit for the release into the environment of a regulated article. The Animal and Plant Health Inspection Service (APHIS) has stated that it would prepare an environmental assessment and, when necessary, an environmental impact statement before issuing a permit for the release into the environment of a regulated article (see 52 FR 22906).

The UpJohn Company, of Kalamazoo, Michigan, has submitted an application for a permit for release into the environment, to field test tomato plants genetically engineered to express the viral coat protein of tobacco mosaic virus. The field trial will take place in Kalamazoo County, Michigan.

In the course of reviewing the permit application, APHIS assessed the impact on the environment of releasing the tomato plants under the conditions described in the UpJohn Company application. APHIS concluded that the field testing will not present a risk of plant pest introduction or dissemination and will not have a significant impact on the quality of the human environment.

The environmental assessment and finding of no significant impact, which are based on data submitted by the UpJohn Company, as well as a review of other relevant literature, provide the public with documentation of APHIS' review and analysis of the environmental impacts asssociated with conducting the field testing.

The facts supporting APHIS' finding of no significant impact are summarized below and are contained in the environmental assessment.

1. A gene encoding the coat protein of tobacco mosaic virus has been inserted into the tomato chromosome. In nature, chromosomal genetic material can only be transferred to other sexually compatible plants by cross-pollination. In this field trial, the introduced genes cannot spread to other plants by cross-pollination because the field test plot is sufficiently distant from any sexually compatible plants.

2. Neither the viral coat protein gene nor the coat protein confers on tomato any plant pest characteristics. Traits that lead to weediness are polygenic and cannot be conferred by adding a single gene.

3. The expression of the viral coat protein gene does not provide the transformed tomato plants with any measurable selective advantage over nontransformed tomato plants in the ability to be disseminated or to become established in the environment.

4. The vector used to transfer the viral coat protein gene to tomato plants has been evaluated for its use in this specific experiment and does not pose a plant pest risk in this field test. The vector, although derived from a DNA sequence with known plant pest potential, has been disarmed; that is, genes that are necessary for producing plant disease have been removed from the vector.

5. The vector agent, the bacterium that was used to deliver the vector DNA and the viral coat protein gene into the plant cell, has been shown to be eliminated and no longer associated with the transformed tomato plants.

6. Horizontal movement of the introduced gene is not possible. The vector acts by delivering the gene to the plant genome (i.e., chromosomal DNA).

The vector does not survive in the plants.

7. Select noncoding regualtory regions derived from plant pests have been incorporated into the plant chromosome but do not confer on tomato any plant pest characteristics.

8. The field test site is less than one acre in area and physically isolated by a chain-link fence.

The environmental assessment and finding of no significant impact have been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4331 *et seq.*), (2) Regulations of the Council on Environmental Quality for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500–1509), (3) USDA Regulations Implementing NEPA (7 CFR part 1b), and (4) APHIS Guidelines Implementing NEPA (44 FR 50381–50384, August 28, 1979, and 44 FR 51272–51274, August 31, 1979).

Done in Washington, DC, this 23rd day of May 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90–12452 Filed 5–29–90; 8:45 am]

BILLING CODE 3410–34–M

Forest Service

Mallard Creek Timber Sales; Nez Perce National Forest; Idaho County, ID

AGENCY: Forest Service, USDA.

ACTION: Notice; extension of review period

On April 20, 1990, notice was published by the Environmental Protection Agency on behalf of the Forest Service in the **Federal Register**, [55 FR 15018] that Environmental Impact Statement No. 900122, Draft, Mallard Creek Timber Sale and Road Construction, Implementation, Nez Perce National Forest, Idaho, was available for public and agency review. That notice specified that comments were due by June 4, 1990. The review period is hereby extended; comments will be received until the close of business on July 16, 1990.

Dated: May 22, 1990.

Tom Kovalicky,

Forest Supervisor.

[FR Doc. 90–12420 Filed 5–29–90; 8:45 am]

BILLING CODE 3410–11–M

Westside Integrated Resource Analysis; Wasatch-Cache National Forest, Summit County, Utah and Uinta County, WY

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Department of Agriculture, Forest Service will prepare an environmental impact statement for implementing Forest Plan management objectives on the western third of the Mountain View Ranger District.

DATES: Written comments and suggestions concerning the analysis should be received by June 20, 1990.

ADDRESSES: Send written comments to Wayne Anderson, District Ranger, Mountain View Ranger District, Wasatch-Cache National Forest, P.O. Box 129, Mountain View, Wyoming 82939.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and environmental impact statement should be directed to Kent O'Dell, Forester, Mountain View Ranger District, phone (307) 782–6555.

SUPPLEMENTARY INFORMATION: The Wasatch-Cache National Forest Land and Resource Management Plan has been prepared, and contains management objectives for all resources, including timber, range, minerals, recreation, wildlife and fish habitat. It is the purpose of this analysis to examine the application of the objectives in a more site specific analysis than was possible in the forest plan. Decisions to be made include determining forage needs and availability for wildlife and domestic livestock, availability of lands for oil and gas leasing, locations of timber sales, if any, and the approximate harvest volume.

A range of alternatives for this area will be considered. One of these will be no action. Other alternatives will consider various levels of timber harvest and livestock grazing, oil and gas leasing, wildlife and fish habitat improvement, and recreation opportunities. Locations and levels of development will be considered.

Preliminary scoping, data collection, and analysis for development of the environmental study have been in process for approximately 8 months. The scoping process has included public meetings, news releases, personal telephone conversations, interviews, and letters.

Federal, State, and local agencies and other individuals or organizations have participated in the scoping process. Comments already received will be included in the environmental impact statement preparation; duplicate copies need not be sent. Additional scoping will be conducted so that any additional agencies, organizations, or individuals may participate. This process will include:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Elimination of insignificant issues or those which have been covered by a previous environmental review.
4. Determination of potential cooperating agencies and assignment responsibilities.

The Bureau of Land Management, Department of Interior, will be invited to participate as a cooperating agency to evaluate potential impacts of oil and gas leasing, exploration, and development.

Susan Giannettino, Forest Supervisor, Wasatch-Cache National Forest is the responsible official.

The draft environmental impact statement should be available for public review by August 1, 1990. The comment period on the draft environmental impact statement will close 45 days from the date the Environmental Protection Agency's notice of availability appears in the **Federal Register**. It is very important that those interested in this proposed action participate at this time. To be the most helpful, comments on the draft environmental impact statement should be as specific as possible and may address the adequacy of the statement or the merits of the alternatives discussed (see The Council on Environmental Quality Regulations for Implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3). In addition, Federal court decisions have established that reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewers' position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NRDC*, 435 u.s. 519, 553 (1978). Environmental objections that could have been raised at the draft stage may be waived if not raised until after completion of the final environmental impact statement. *City of Angoon* v. *Hodel*, (9th Circuit, 1986) and *Wisconsin Heritages, Inc.* v. *Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). The reason for this is to ensure that substantive comments and objections are made available to the Forest Service at a time

when it can meaningfully consider them and respond to them in the final. The final environmental impact statement is scheduled to be completed by December, 1990.

Dated: May 21, 1990.

Susan Giannettino,

Forest Supervisor.

[FR Doc. 90-12444 Filed 5-24-90; 8:45 am]

BILLING CODE 3410-11-M

Soil Conservation Service

Environmental Statements; Availability, etc.: Upper Crab Orchard Creek Watershed, IL

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of availability of a record of decision.

SUMMARY: John J. Eckes, responsible Federal Official for projects administered under the provisions of Public Law 83-566, 16 U.S.C. 1001-1008, in the State of Illinois, is hereby providing notification that a record of decision to proceed with the installation of the Upper Crab Orchard Creek Watershed project is available. Single copies of this record of decision may be obtained from John J. Eckes at the address shown below.

FOR FURTHER INFORMATION CONTACT: John J. Eckes, State Conservationist, Soil Conservation Service, Springer Federal Building, 301 North Randolph, Champaign, Illinois 61820, telephone (217) 398-5267.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention. State and local review procedures for Federal and federally assisted programs and projects are applicable)

Dated: April 30, 1990.

John J. Eckes,

State Conservationist.

[FR Doc. 90-12445 Filed 5-29-90; 8:45 am]

BILLING CODE 3410-16-M

Wheeling Creek Watershed, WV and PA

AGENCY: Soil Conservation Service.

ACTION: Notice of Availability of a Record of Decision.

SUMMARY: Rollin N. Swank, responsible Federal official for projects administered under the provisions of Public Law 83-566, 16 U.S.C. 1001-1008, in the State of West Virginia, is hereby providing notification that a Record of Decision to proceed with the installation of the Wheeling Creek Watershed Supplemental project is available. Single copies of this Record of Decision may be obtained from Rollin N. Swank at the address shown below.

FOR FURTHER INFORMATION CONTACT: Rollin N. Swank, State Conservationist, Soil Conservation Service, 75 High Street, room 301, Morgantown, West Virginia 26505, telephone (304) 291-4151.

(This activity is listed in the Catalog of Federal Domestic Assistance under No. 10-904—Watershed Protection and Flood Prevention—and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials.)

Dated: May 7, 1990.

Rollin N. Swank,

State Conservationist.

[FR Doc. 90-12446 Filed 5-29-90; 8:45 am]

BILLING CODE 3410-16-M

Yellow Creek Watershed, PA

AGENCY: Soil Conservation Service, USDA.

ACTION: "Notice of a Finding of No Significant Impact".

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR part 1500); and the Soil Conservation Service Guidelines (7 CFR part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Yellow Creek Watershed, Bedford and Blair Counties, Pennsylvania.

FOR FURTHER INFORMATION CONTACT: Mr. Richard N. Duncan, State Conservationist, Soil Conservation Service, One Credit Union Place, suite 340, Harrisburg, Pennsylvania 17110-2993, telephone (717) 782-4453.

SUPPLEMENTARY INFORMATION: The environmental evaluation of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Richard N. Duncan, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns a plan for watershed protection. The planned works of improvement include the installation of fifty (50) agricultural waste/nutrient management systems and 9,000 acres of cropland erosion/runoff controls.

The "Notice of a Finding of No Significant Impact (FONSI)" has been forwarded to the Environmental Protection Agency and to various federal, State and local agencies, and interested parties. A limited number of copies of the FONSI is available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Richard N. Duncan.

No administrative action on implementation of the proposal will be taken until thirty (30) days after the date of this publication in the **Federal Register.**

(This activity is listed in the Catalog of Federal Domestic Assistance Program No. 10.904—Watershed Protection and Flood Prevention and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials)

William Hunt,

Deputy State Conservationist.

Dated: May 8, 1990.

[FR Doc. 90-12447 Filed 5-29-90; 8:45 am]

BILLING CODE 3410-16-M

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting; North Dakota Advisory Committee

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that the North Dakota Advisory Committee to the Commission will convene at 1 p.m. and adjourn at 3 p.m., on June 13, 1990, at the Sheraton Hotel, 6th and Broadway, Bismarck, North Dakota 58502. The purpose of the meeting is to discuss follow-up to its project on Native American housing issues and to plan future Committee projects.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson Bryce Streibel or Philip Montez, Director of the Western Regional Division (213) 894-3437, (TDD 213/894-0508). Hearing impaired persons who will attend the meeting and require the services of a sign language interpreter, should contact the Regional Division office at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, May 23, 1990.

Wilfredo J. Gonzalez,

Staff Director.

[FR Doc. 90-12458 Filed 5-29-90; 8:45 am]

BILLING CODE 6335-01-M

COMMISSION OF FINE ARTS

Meeting

The Commission of Fine Arts' next meeting is scheduled for 21 June 1990 at 10 a.m. in the Commission's offices in the Pension building, suite 312, Judiciary Square, 401 F Street, NW., Washington, DC 20001 to discuss various projects affecting the appearance of Washington, DC, including buildings, memorials, parks, etc.; also matters of design referred by other agencies of the government. Handicapped persons should call the Commission offices (202–504–2200) for details concerning access to meetings.

Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to Charles H. Atherton, Secretary, Commission of Fine Arts, at the above address or call the above number.

Dated in Washington, DC 21 May 1990.

Charles H. Atherton,

Secretary.

[FR Doc. 90–12442 Filed 5–24–90; 8:45 am]

BILLING CODE 6330–01–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Privacy Act of 1974; Systems of Records

AGENCY: Department of Defense (DoD).

ACTION: Republication of Official Mailing Address Listings for record system notices which are subject to the Privacy Act of 1974.

SUMMARY: The Department of Defense is republishing, for updating purposes, the Official Mailing Address Listings for the Departments of the Army, Navy, and Air Force, the Defense Contract Audit Agency, the Defense Mapping Agency, the Defense Communication Agency, and the Defense Logistics Agency. Administrative updates have been made which do not require public comment.

ADDRESSES: Questions may be directed to Mr. Aurelio Nepa, Jr., Defense Privacy Office, 400 Army Navy Drive, Room 205, Arlington, VA 22202–2884. Telephone (202) 694–3027.

SUPPLEMENTARY INFORMATION: The address listings, if the agency maintains one, appears at the end of each agency's compilation of record system notices subject to the Privacy Act of 1974, as amended (5 U.S.C. 552a). The last DoD Compilation was published in the **Federal Register** at 50 FR 22090, on May 29, 1985. The Department of the Navy Compilation was published in the **Federal Register** at 51 FR 18086, on May 16, 1986.

Dated: May 22, 1990.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Directory of United States Army, Army and Air Force Exchange Service (AAFES) and Federal Acquisition Institute (FAI) Addresses

This directory is published to enable users of record system notices to identify the location of such systems of records in order to request access to and amendment of records.

Headquarters, Department of the Army

The following elements of the Army constitute the Headquarters, Department of the Army:

Office of the Secretary of the Army, Washington, DC 20310–0101.

Office of the Director of Information Systems for Command, Control, Communications and Computers, Washington, DC 20310–0107.

Office of the Inspector General, Washington, DC 20310–0107.

Office of the Chief of Public Affairs, Washington, DC 20310–1500.

Office of the Comptroller of the Army (ASA-Installations and Logistics), Washington, DC 20310–0103.

Office of the Deputy Chief of Staff for Research, Development and Acquisition (ASA-Research, Development and Acquisition), Washington, DC 20310–0103.

Army Board for Correction of Military Records (ASA-Manpower and Reserve Affairs), Washington, DC 20310–0103.

Office of the Chief, Army Reserve, Washington, DC 20314–2400.

Office of the Chief of Chaplains, Washington, DC 20310–2700.

Office of the Chief of Engineers, Washington, DC 20314–1000.

Office of the Chief of Staff, Washington, DC 20310–0200.

Office of the Judge Advocate General, Washington, DC 20310–1700.

Office of the Deputy Chief of Staff for Logistics, Washington, DC 20310–0500.

Office of the Assistant Chief of Staff for Intelligence, Washington, DC 20310–1002.

Office of the Deputy Chief of Staff for Operations and Plans, Washington, DC 20310–0440.

Office of the Chief, Military History, Washington, DC 20310–0200.

Office of the Chief, National Guard Bureau, Washington, DC 20310–2500.

Office of the Deputy Chief of Staff for Personnel, Washington, DC 20310–4000.

Office of the Surgeon General, Falls Church, VA 22044–3258.

Major Commands

Commander, US Army Materiel Command, 5001 Eisenhower Avenue, Alexandria, VA 22332–0001.

Commander, US Army Military District of Washington, Ft Lesley J. McNair, Washington, DC 20319–5000.

Commander, US Army Criminal Investigation Command, Building 5611 Columbia Pike, Falls Church, VA 22041–5015.

Commander, US Army Information Systems Command, Ft Huachuca, AZ 85613–5000.

Commander, US Army Health Services Command, Ft Sam Houston, TX 73234–6000.

Commander, US Army Forces Command, Ft McPherson, GA 30330–6000.

Commander, US Army Recruiting Command, Ft Sheridan, IL 60037–6120.

Commander, US Military Traffic Management Command, 5611 Columbia Pike, Falls Church, VA 22041–5050.

Commander, US Army Training and Doctrine Command, Ft Monroe, VA 23561–5000.

Commander, US Army Intelligence and Security Command, Ft Belvoir, VA 22060–5370.

Commander, US Army Western Command, Ft Shafter, HI 96858–5100.

Commander, US Army Japan/IX Corps, APO San Francisco 96301–0054.

Commander, Eighth US Army Forces, APO San Francisco 96301–9000.

Commander in Chief, US Army Europe and Seventh Army, APO New York 09403–0010.

Commander in Chief, US European Command, APO New York 09128–4209.

Commander in Chief, US Southern Command, APO Miami 34003–5000.

Commander in Chief, US Special Operations Command, MacDill Air Force Base, FL 33608–6001.

Commander, US Military Entrance Processing Command, 2500 Green Bay Road, North Chicago, IL 60064–3094.

Commander, US Army Corps of Engineers, Washington, DC 20314–1000.

Commander, US Army South, APO Miami 34004–5000.

Commander, US Army Space Command, Peterson AFB, CO 80914–5000.

Commander, US Army Strategic Defense Command, PO Box 15280, Arlington, VA 22215–0280.

Army Field Operating Agencies, Subordinate Commands, and Major Installations

Alabama

Commander, Ft McClellan, Ft McClellan, AL 36205–5000.

Commander, US Army Aviation Center and Ft Rucker, Ft Rucker, AL 36362–5000.

Commander, US Army Aeromedical Center, Ft Rucker, AL 36362–5333.

Commander, US Army Missile Command, Redstone Arsenal, AL 35898–5000.

Commander, US Army Engineer District Mobile, PO Box 2288 Mobile, AL 36628–0001.

Commander, US Army Engineer Division Huntsville, PO Box 1600 Huntsville, AL 35807–4301.

Alaska

Commander, 172d Infantry Brigade, Ft Richardson, AK 99505–5000.

Commander, U.S. Army Cold Region Test Center, Ft Greely, AK APO Seattle 98733–5000.

Commander, US Army Engineer District Alaska, PO Box 898, Anchorage, AK 99506–0898.

Arizona

Commander, US Army Information Systems Command, Ft Huachuca, AZ 85613–5000.

Commander, US Army Intelligence Center and School, Ft Huachuca, AZ 85613–7000.

Commander, US Army Yuma Proving Ground, Yuma, AZ 85635–9102.

Arkansas

Commander, Ft Chafee, Ft Chafee, AR 72905–5000.

Commander, US Army Pine Bluff Arsenal, Pine Bluff, AR 71602–9500.

Commander, US Army Engineer District Little Rock, PO Box 867, Little Rock, AR 72203–0867.

California

Commander, 7th Infantry Division and Ft Ord, Ft Ord, CA 93941–5000.

Commander, Military Traffic Management Command, Oakland, CA 94626–5000.

Commander, US Army Information Systems Command, Western Area Oakland Army Base, Oakland, CA 94626–5000.

Commander, Letterman Army Medical Center, Presidio of San Francisco, CA 94129–6700.

Commander, Sixth US Army Presidio of San Francisico, CA 94129–5100.

Commander, US Army Engineer District Los Angeles, PO Box 2711, Los Angeles, CA 90053–2325.

Commander, US Army Engineer District Sacramento 650 Capital Mall, Sacramento, CA 95814–4794.

Commander, US Army Engineer Distict San Francisco, 211 Main Street, San Francisco, CA 94105–1905.

Commander, US Army Engineer Division South Pacific, 630 Sansome Street, Room 720, San Francisio, CA 94111–2206.

Colorado

Commander, Fitzimmons Army Medical Center, Denver, CO 80045–5001.

Commander, Rocky Mountain Arsenal Denver, Commerce City, CO 80022–2180.

Commander, 4th Infantry Division and Ft Carson, Ft Carson, CO 80913–5000.

District of Columbia

Administrator, US Army Civilian Appellate Review Agency, NASSIF Building, Falls Church, VA 22041–5019.

Commander, Ft Lesley J. McNair, 4th and P Streets SW, Washington, DC 20319–5000.

Commander, Walter Reed Army Medical Center, 6925 16th Street NW, Washington, DC 20307–5001.

Commander, US Army Physical Disability Agency FGS–WRAMC, Washington, DC 20307–5001.

Florida

Commander, US Army Engineer District, Jacksonville, PO Box 4970, Jacksonville, FL 32232–0019.

Georgia

Commander, US Army Infantry Center and Ft Benning, Ft Benning, GA 31905–5000.

Commander, US Army Signal Center and Ft Gordon, Ft Gordon, GA 30905–5000.

Commander, Dwight David Eisenhower Army Medical Center, Ft Gordon, GA 30905–5650.

Commander, Ft McPherson, Ft McPherson, GA 30330–5000.

Commander, 24th Infantry Division and Ft Stewart, Hinesville, GA 31313–5000.

Commander, US Army Engineer District Savannah, PO Box 889, Savannah, GA 31402–0889.

Commander, US Army Engineer Division South Atlantic, 77 Forsyth Street, SW Room 313, Atlanta, GA 30335–6801.

Hawaii

Commander, US Army Western Command, Ft Shafter, HI 96858–5100.

Commander, Tripler Army Medical Center, Honolulu, HI 96859–5000.

Commander, US Army Engineer Division, Pacific Ocean, Ft Shafter, HI 6858–5440.

Commander, US Army Engineer District, Honolulu, Ft Shafter, HI 96858–5440.

Illinois

Commander, Ft Sheridan, Ft Sheridan, IL 60037–5000.

Commander, US Army Military Enlistment Processing Command, Ft Sheridan, IL 60037–5000.

Commander, Rock Island Arsenal Rock Island, IL 61299–5000.

Commander, US Army Engineer District Chicago, 219 South Dearborn Street, Chicago, IL 60604–1797.

Commander, US Army Engineer District Rock Island, PO Box 2004, Rock Island, IL 61214–2004.

Commander, US Army Engineer Division North Central, 536 South Clark Street, Chicago, IL 60605–1892.

Indiana

Commander, US Army Administration Center and Ft Benjamin Harrison, Ft Benjamin Harrison, IN 46216–5000.

Commander, US Army Finance and Accounting Center, Ft Benjamin Harrison, IN 46216–5000.

Commander, US Army Institute of Administration, Ft Benjamin Harrison, IN 46216–5000.

Kansas

Commandant, US Army Command and General Staff College, Ft Leavenworth, KS 66027–5000.

Commander, US Army Disciplinary Barracks, Ft Leavenworth, KS 66027–5000.

Commander, 1st Infantry Division and Ft Riley, Ft Riley, KS 66442–5000.

Kentucky

Commander, 101st Airborne Division and Ft Campbell, Ft Campbell, KY 42223–5000.

Commander, US Army Armor Center, Ft Knox, KY 40121–5000.

Commander, Lexington-Blue Grass Army Depot, Lexington, KY 40511–5050.

Commander, US Army Engineer District Louisville, PO Box 59, Louisville, KY 40201–0059.

Louisiana

Commander, 5th Infantry Division and Ft Polk, Ft Polk, LA 71459–5000.

Commander, US Army Engineer District New Orleans, PO Box 60627, New Orleans, LA 70160–0267.

Maryland

Commander, Edgewood Arsenal, Aberdeen Proving Ground, MD 21005–5055.

Commander, US Army Aberdeen Proving Ground, Aberdeen Proving Ground, MD 21005–5000.

Commander, US Army Environmental Hygiene Agency, Aberdeen Proving Ground, MD 21005–5422.

Commander, US Army Ordnance Center, Aberdeen Proving Ground, MD 21005–5201.

Commander, US Army Test and Evaluation Command, Aberdeen Proving Ground, MD 21005–5000.

Commander, US Army Laboratory Command, 2800 Powder Mill Road, Adelphi, MD 20783–1145.

Commander, Ft Detrick, Frederick, MD 21701–5000.

Commander, US Army Medical Research and Development Ft Detrick, Frederick, MD 21701–5000.

Commander, Ft George G. Meade, Ft George G. Meade, MD 20755–5000.

Commander, Ft Ritchie, MD 21719–5010.

Commander, US Army Engineer District, Baltimore and Supervisor of Harbor Baltimore, PO Box 1715, Baltimore, MD 21203–1715.

Massachusetts

Commander, Ft Devens, Ft Devens, MA 01433–5000.

Commander, US Army Natick Research, Development, and Engineering Center, Natick, MA 01760–5000.

Commander, US Army Engineer Division New England, 424 Trapelo Road, Waltham, MA 02234–9149.

Michigan

Commander, US Army tank-Automotive Command, Warren, MI 48397–5000.

Commander, US Army Engineer District Detroit, PO Box 1027, Detroit, MI 48231–1027.

Minnesota

Commander, US Army Engineer District St Paul, 1421 US Post Office and Custom House, 180 East Kellogg Boulevard, St Paul, MN 55101–1479.

Mississippi

Commander, US Army Engineer District Vicksburg, PO Box 60, Vicksburg, MS 39181–0060.

Commander, US Army Engineer Division, Lower Mississippi Valley, PO Box 80, Vicksburg, MS 39181–0080.

Missouri

Commander, US Army Training Center, Engineer and Ft Leonard Wood, Ft Leonard Wood, MO 65473–5000.

Commander, US Army Reserve Personnel Center, 9700 Page Boulevard, St. Louis, MO 63132–5200.

Commander, US Army Engineer District Kansas City, 700 Federal Building, Kansas City, MO 64106–2896.

Commander, US Army Engineer District St Louis, 210 Tucker Boulevard N, St. Louis, MO 63101–1986.

Nebraska

Commander, US Army Engineer District Omaha, 215 North 17th Street, Omaha, NE 68102–4978.

Commander, US Army Engineer Division Missouri River, PO Box 103 Downtown Station, Omaha, NE 68101–0103.

New Jersey

Commander, Military Traffic Management Command Eastern Area, Bayonne, NJ 07002–5302.

Commander, Picatinny Arsenal, Dover, NJ 07801–5000.

Commander, US Army Training Center and Ft Dix, Ft Dix, NJ 98640–5000.

Commander, US Army Communications Research and Development Command, Ft Monmouth, NJ 07703–5000.

Commandant, US Military Academy Preparatory School, Ft Monmouth, NJ 07703–5000.

New Mexico

Commander, White Sands Missile Range, NM 88002–5031.

Commander, US Army Engineer District Albuquerque, PO Box 1580, Albuquerque, NM 87103–1580.

New York

Commandant, US Army Chaplain School Ft Wadsworth, Staten Island, NY 10305–5000.

Commander, US Army Military Academy West Point, NY 10996–2001.

Commander, US Army Engineer District Buffalo, 1776 Niagara Street, Buffalo, NY 14207–3199.

Commander, US Army Engineer District New York, 26 Federal Plaza, New York, NY 10278–0090.

Commander, US Army Engineer Division North Atlantic, 90 Church Street, New York, NY 10007–2979.

North Carolina

Commander, XVIII Airborne Corps-Ft Bragg, Ft Bragg, NC 28307–5000.

Commander, US Army Institute for Military Assistance, Ft Bragg, NC 28307–5000.

Commander, US Army Engineer District Wilmington, PO Box 1890, Wilmington, NC 28402–1890.

Ohio

Commander, US Army Engineer Division Ohio River, PO Box 1159, Cincinnati, OH 45201–1159.

Oklahoma

Commander, US Army Field Artillery Center and Ft Sill, Ft Sill, OK 73503–5000.

Commander, US Army Engineer District Tulsa, PO Box 61, Tulsa, OK 74121–0061.

Oregon

Commander, US Army Engineer District Portland, PO Box 2946, Portland, OR 97229–2946.

Commander, US Army Engineer Division North Pacific, PO Box 2870, Portland, OR 97208–2870.

Pennsylvania

Commander, US Army War College, Carlisle Barracks, PA 17013–5000.

Commander, Letterkenny Army Depot, Chambersburg, PA 17201–4150.

Commander, US Army International Logistics Command, New Cumberland Army Depot, New Cumberland, PA 17070–5000.

Commander, Tobyhanna Army Depot,Tobyhanna, PA 18466–5000.

Commander, US Army Engineer District Philadelphia, US Custom House, 2d and Chestnut Streets, Philadelphia, PA 19106–2991.

Commander, US Army Engineer District Pittsburgh, William S. Moorehead Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 1522–4186.

South Carolina

Commander, US Army Training Center and Ft Jackson, Ft Jackson, SC 29207–5000.

Commander, US Army Engineer District Charleston, PO Box 919, Charleston, SC 29402–0919.

Tennessee

Commander, US Army Engineer District Memphis, B–202 167 N Mid-America, Clifford Davis Federal Building, Memphis, TN 38103–1894.

Commander, US Army Engineer District Nashville, PO Box 1070, Nashville, TN 37202–1070.

Texas

Commander, William Beaumont Army Medical Center, El Paso, TX 79920–5001.

Commander, US Army Health Services Command, Ft Sam Houston, TX 78234–6000.

Commandant, Health Services Academy US Army, Ft Sam Houston, TX 78234–5000.

Commander, Brooke Army Medical Center, Ft Sam Houston, TX 78234–5000.

Commander, Fifth US Army, Ft Sam Houston, TX 78234–5000.

Commander, US Army Air Defense Center and Ft Bliss, Ft Bliss, TX 79916–5000.

Commander, III Corps and Ft Hood, Ft Hood, TX 76544–5000

Chief, US Army Patient Administration Systems and Biostatistics Activity, Ft Sam Houston, TX 78234–6070/

Commander, Red River Army Depot, Texarkana, TX 75507–5000.

Commander, US Army Engineer District Fort Worth, PO Box 17300, Ft Worth, TX 76102–0300.

Commander, US Army Engineer Division Southwestern, 1114 Commerce Street, Dallas, TX 75242–0216.

Utah

Commander, US Army Dugway Proving Ground, Dugway, UT 84022–5000.

Commander, Tooele Army Depot, Tooele, UT 84074–5000.

Virginia

Commander, Cameron Station Alexandria, VA 22304–5050.

Commander, US Total Army Personnel Command, Hoffman Building I, 200 Stovall St Alexandria, VA 22332–0400.

Commander, US Army Research Institute, 5001 Eisenhower Avenue, Alexandria, VA 22333–5600.

Commander, Arlington Hall Station, 400 Arlington Boulevard, Arlington, VA 22212–5000.

Commandant, The Judge Advocate General's School US Army, Charlottesville, VA 22903–1781.

Commander, US Army Operational Test and Evaluation Agency, Park Center 4, 4501 Fort Avenue, Alexandria, VA 22302–1458.

Commander, US Army Engineer Center and Ft Belvoir, Ft Belvoir, VA 22060–5000.

Commander, US Army Transportation Center and Ft Eustis, Ft Eustis, VA 23604–5000.

Commander, US Army Logistics Management Center, Ft Lee, VA 23801–5000.

Commander, US Army Quartermaster Center and Ft Lee, Ft Lee, VA 23801–5000.

Commander, US Army Engineer District Norfolk, 803 Front Street, Norfolk, VA 23510–1096.

Commander, US Army Middle East Africa, PO Box 2250, Winchester, VA 22601–1450.

Commander, US Army Engineer Activity Capital Area, Ft Meyer, VA 22211–5050.

Washington

Commander, 9th Infantry Division and Ft Lewis, Ft Lewis, WA 98433–5000.

Commander, Madigan Army Medical Center, Tacoma, WA 98431–5055.

Commander, US Army Engineer District Seattle, PO Box C–3755, Seattle, WA 98124–2255.

Commander, US Army Engineer District Walla Walla, Building 602, City-County Airport, Walla Walla, WA 99362–9265.

West Virginia

Commander, US Army Engineer District, Huntington 502 8th Street, Huntington, WV 25701–2070.

Wisconsin

Commander, Ft McCoy Sparta, WI 54656–5000.

Overseas

Commander, US Army South, APO Miami 34004–5000.

Commander, V Corps, APO New York 09097–0007.

Commander, VII Corps, APO New York 09107–0200.

Commander, 32d Army Air Defense Command, APO New York 09175–5000.

Commander, US Army Berlin Brigade, APO New York 09742–5000.

Commander, 7th Medical Command, APO New York 09102–3304.

Commander in Chief, US European Command, APO New York 09128–4209.

Commander, US Army Engineer Division Europe, APO New York 09757–5301.

Commander, I Corps—Ft Lewis, Ft Lewis, WA 98433–5000.

Commander, US Army Engineer District Far East, APO San Francisco 96301–0427.

Defense Mapping Agency Official Mailing Addresses

Defense Mapping Agency, 8613 Lee Highway, Fairfax, VA 22031–2137.

Defense Mapping Agency Component Activities

DMA Aerospace Center 3200 South Second Street, St. Louis, MO 63118–3399.

DMA Hydrographic/Topographic Center, Washington, DC 20315–0030.

DMA Combat Support Center, Washington, DC 20315–0010.

DMA Systems Center, 12100 Sunset Hills Road, Suite 200, Reston, VA 22090–3207.

DMA Reston Center, 12310 Sunrise Valley Drive, Reston, VA 22091–3414.

DMA Telecommunications Services Center, 8613 Lee Highway, Fairfax, VA 22031–2139.

Defense Mapping School, Fort Belvoir, VA 22060–5822.

Department of the Air Force Address Directory Office of the Secretary of the Air Force and Headquarters United States Air Force

Office of the Secretary of the Air Force, Washington, DC 20330–1000.

Assistant Secretary of the Air Force, Acquisitions, Washington, DC 20330–1000.

Assistant Secretary of the Air Force, Manpower, Reserve Affairs, Installations, and Environment, Washington, DC 20330–1000.

Assistant Secretary of the Air Force, Financial Management and Comptroller, Washington, DC 20330–1000.

Administrative Assistant to the Secretary of the Air Force, Washington, DC 20330–1000.

Office of the Secretary of the Air Force, Director, Legislative Liaison, Washington, DC 20330–1420.

Office of the Secretary of the Air Force, Director, Office of Public Affairs, Washington, DC 20330–1150.

Assistant Secretary for Space, Washington, DC 20330–1000.

Deputy Under Secretary of the Air Force, International Affairs, Washington, DC 20330–1000.

Office of the Secretary of the Air Force, Small and Disadvantaged Business Utilization, Washington, DC 20330–1000.

Inspector General of the Air Force, Washington, DC 20330–5100.

General Counsel of the Air Force, Washington, DC 20330–5000.

Office of the Secretary of the Air Force, Director of Information Management, Washington, DC 20330–1000.

Chief of Staff, United States Air Force, Washington, DC 20330–1000.

Vice Chief of Staff, United States Air Force, Washington, DC 20330–1000.

Assistant Vice Chief of Staff, United States Air Force, Washington, DC 20330–1000.

Chief Scientist, United States Air Force, Washington, DC 20330–5040.

Surgeon General, United States Air Force, Washington, DC 20330–6188.

The Judge Advocate General, United States Air Force, Washington, DC 20330–5120.

Assistant Chief of Staff, Intelligence, United States Air Force, Washington, DC 20330–5110.

Chief, National Guard Bureau, Washington, DC 20330–2500.

Chief, Air Force Reserve, Washington, DC 20330–5440.

Assistant Chief of Staff, Studies and Analyses, United States Air Force, Washington, DC 20330–5420.

Chief of Chaplains, United States Air Force, Washington, DC 20330–5000.

Assistant Chief of Staff, Systems for Command, Control, Communications and Computers, United States Air Force, Washington, DC 20330–5190.

Chief, Office of Air Force History, United States Air Force, Washington, DC 20330–6098.

Deputy Chief of Staff, Personnel, United States Air Force, Washington, DC 20330–5060.

Deputy Chief of Staff, Programs and Resources, United States Air Force, Washington, DC 20330–5240.

Deputy Chief of Staff, Plans and Operations, United States Air Force, Washington, DC 20330–5050.

Deputy Chief of Staff, Logistics and Engineering, United States Air Force, Washington, DC 20330–5130.

Air Force Major Commands (MAJCOM), Separate Operating Agencies (SOA), and Direct Reporting Units (DRU) (Arranged alphabetically)

Air Force Major Commands

Air Force Communications Commands (AFCC), Scott AFB, IL 62225–6001.

Air Force Logistics Command (AFLC), Wright-Patterson AFB, OH 45433–5001.

Air Force Space Command (AFSPACECOM), Peterson AFB, CO 80914–5001.

Air Force Systems Command (AFSC), Andrews AFB, DC 20334–5000.

Air Training Command (ATC), Randolph AFB, TX 78150–5001.

Air University (AU), Maxwell AFB, AL 36112–5001.

Alaskan Air Command (AAC), Elmendorf AFB, AK 99506–5001.

Electronic Security Command (ESC), San Antonio, TX 78243–5000.

Military Airlift Command (MAC), Scott AFB, IL 62225–5001.

Pacific Air Forces (PACAF), Hickam AFB, HI 96853–5001.

Strategic Air Command (SAC), Offutt AFB, NE 68113–5001.

Tactical Air Command (TAC), Langley AFB, VA 23665–5001.

United States Air Forces in Europe (USAFE), APO New York 09094–5001.

Separate Operating Agencies

Air Force Accounting and Finance Center (AFAFC), Denver, CO 80279–5000.

Air Force Audit Agency (AFAA), Norton AFB, CA 92409–6001.

Air Force Commissary Service (AFCOMS), Kelly AFB, TX 89241–6290.

Air Force Engineering and Services Center (AFESC), Tyndall AFB, FL 32403–6001.

Air Force Inspection and Safety Center (AFISC), Norton AFB, CA 92409–7001.

Air Force Intelligence Agency (AFIA), Ft Belvoir, VA 22060–5788.

Air Force Legal Services Center (AFLSC), Bolling AFB, DC 20332–5260.

Air Force Management Engineering Agency (AFMEA), Randolph AFB, TX 78150–6431.

Air Force Military Personnel Center (AFMPC), Randolph AFB, TX 78150–6001.

Air Force Office of Medical Support (AFOMS), Brooks AFB, TX 78235–5000.

Air Force Office of Special Investigations (AFOSI), Bolling AFB, DC 20332–6001.

Air Force Office of Security Police (AFOSP), Kirtland AFB, NM 87117–6001.

Air Force Operational Test and Evaluation Center (AFOTEC), Kirtland AFB, NM 87117–7001.

Air Force Reserve (AFRES), Robins AFB, GA 31098–6001.

Air Force Service Information and News Center (AFSINC), Kelly AFB, TX 78241–5000.

Air Reserve Personnel Center (ARPC), Denver, CO 80280–5000.

Direct Reporting Units

Air Force Center for Studies and Analyses (AFCSA), Washington, DC 20330–5000.

Air Force Center for International Programs (HQ USAF/AFCIP–PRI), Washington, DC 20330–5000.

Air Force Civilian Personnel Management Center (AFCPMC), Randolph AFB, TX 78150–6421.

Air Force Cost Center (AFCSTC), 1111 Jefferson Davis Highway, Suite 303, Arlington, VA 22202–2420.

Air Force Combat Operations Staff (AFCOS), Washington, DC 20330–5000.

Air Force Office of Special Investigations (AFOSI)

Air Force Office of Special Investigations (AFOSI), Bolling AFB, DC 20332–6001.

AFOSI District 1, Pease AFB, OH 03803–6337.

AFOSI Detachment 102, Hanscom AFB, MA 01731–6337.

AFOSI Detachment 106, Loring AFB, ME 04751–6337.

AFOSI Detachment 109, Griffiss AFB, NY 13441–6337.

AFOSI Detachment 111, Plattsburgh AFB, NY 12903–6337.

AFOSI Detachment 140, Pease AFB, NH 03803–6337.

AFOSI District 4, Andrews AFB, DC 20331–6338.

AFOSI Detachment 403, Dover AFB, DE 19902–6337.

AFOSI Detachment 411, Bolling AFB, DC 20332–6337.

AFOSI Detachment 412, 26 Federal Plaza, Room 1759, New York, NY 10007–1759.

AFOSI Detachment 413, McGuire AFB, NJ 08641–6337.

AFOSI Detachment 414, Ft George G Meade, MD 20755–5000.

AFOSI Detachment 440, Andrews AFB, DC 20331–6337.

AFOSI District 5, Wright-Patterson AFB, OH 45433–6338.

AFOSI Detachment 509, Wurtsmith AFB, MI 48753–6337.

AFOSI Detachment 512, K I Sawyer AFB, MI 49843–6337.

AFOSI Detachment 514, Chanute AFB, IL 61868–6337.

AFOSI Detachment 515, Grissom AFB, IN 46971–6337.

AFOSI Detachment 516, Scott AFB, IL 62225–6337.

AFOSI Detachment 518, Newark AFB, OH 43005–6337.

AFOSI Detachment 540, Wright-Patterson AFB, OH 45433–6337.

AFOSI District 7, Patrick AFB, FL 32925–6338.

AFOSI Detachment 707, Homestead AFB, FL 33039–6337.
AFOSI Detachment 709, MacDill AFB, FL 33608–6337.
AFOSI Detachment 710, Eglin AFB, FL 32542–6337.
AFOSI Detachment 711, Tyndall AFB, FL 32403–6337.
AFOSI Detachment 712, Robins AFB, GA 31098–6337.
AFOSI Detachment 716, Hurlburt Fld., FL 32544–6337.
AFOSI Detachment 717, Moody, AFB, GA 31699–6337.
AFOSI Detachment 721, APO Miami 34001–5000.
AFOSI Detachment 722, Ft Buchanan, PR 00934–5000.
AFOSI Detachment 740, Patrick AFB, FL 32925–6337.
AFOSI District 8, Maxwell AFB, AL 36112–6338.
AFOSI Detachment 810, Egland AFB, LA 71311–6337.
AFOSI Detachment 811, Columbus AFB, MS 39701–6337.
AFOSI Detachment 812, Keesler AFB, MS 39534–6337.
AFOSI Detachment 813, Little Rock AFB, AR 72099–6337.
AFOSI Detachment 814, Eaker AFB, AR 72315–6337.
AFOSI Detachment 815, Barksdale AFB, LA 71110–6337.
AFOSI Detachment 816, Arnold AFB, TN 37389–6337.
AFOSI Detachment 840, Maxwell AFB, AL 36112–6337.
AFOSI District 10, Randolph AFB, TX 78150–6338.
AFOSI Detachment 1001, Bergstrom AFB, TX 78743–6337.
AFOSI Detachment 1008, Goodfellow AFB, TX 76908–6337.
AFOSI Detachment 1012, Lackland AFB, TX 78236–6337.
AFOSI Detachment 1014, Laughlin AFB, TX 78843–6337.
AFOSI Detachment 1016, Kelly AFB, TX 78241–6337.
AFOSI Detachment 1018, Brooks AFB, TX 78235–6337.
AFOSI Detachment 1020, Altus AFB, OK 73523–6337.
AFOSI Detachment 1021, Dallas, TX 75222–0202.
AFOSI Detachment 1022, Carswell AFB, TX 76127–6337.
AFOSI Detachment 1023, Dyess AFB, TX 79607–6337.
AFOSI Detachment 1024, Sheppard AFB, TX 76311–6337.
AFOSI Detachment 1025, Reese AFB, TX 79480–6337.
AFOSI Detachment 1026, Tinker AFB, OK 73145–6337.
AFOSI Detachment 1040, Randolph AFB, TX 78150–6337.
AFOSI District 13, Offutt AFB, NE 68113–6338.
AFOSI Detachment 1302, Ellsworth AFB, SD 57706–6337.
AFOSI Detachment 1306, Bldg 1218, McConnell AFB, KS 67221–6337.
AFOSI Detachment 1312, Minot AFB, ND 58705–6337.
AFOSI Detachment 1313, Grand Forks AFB, ND 58205–6337.
AFOSI Detachment 1314, Whiteman AFB, MO 65305–6337.
AFOSI Detachment 1340, Offutt AFB, NE 68113–6337.
AFOSI District 14, Lowry AFB, CO 80230–6338.
AFOSI Detachment 1401, Peterson AFB, CO 80914–6337.
AFOSI Detachment 1402 F E Warren AFB, WY 82005–6337.
AFOSI Detachment 1404, Hill AFB, UT 84056–6337.
AFOSI Detachment 1405, USAF Academy, CO 80840–6337.
AFOSI Detachment 1406, Kirtland AFB, NM 87117–6337.
AFOSI Detachment 1407, Cannon AFB, NM 88103–6337.
AFOSI Detachment 1408, Holoman AFB, NM 88330–6337.
AFOSI Detachment 1440, Lowry AFB, CO 80230–6337.
AFOSI District 18, Norton AFB, CA 92409–6338.
AFOSI Detachment 1801, Edwards AFB, CA 93523–6337.
AFOSI Detachment 1802, George AFB, CA 92394–6337.
AFOSI Detachment 1803, March AFB, CA 92518–6337.
AFOSI Detachment 1810, Vandenberg AFB, CA 93437–6337.
AFOSI Detachment 1811, PO Box 92960, Los Angeles AFB, CA 90009–2960.
AFOSI Detachment 1812, Nellis AFB, NV 89191–6337.
AFOSI Detachment 1815, Luke AFB, AZ 85309–6337.
AFOSI Detachment 1816, Davis-Monthan AFB, AZ 85707–6337.
AFOSI Detachment 1817, Williams AFB, AZ 85224–6337.
AFOSI Detachment 1840, Norton AFB, CA 92409–6337.
AFOSI District 19, Travis AFB, CA 94535–6338.
AFOSI Detachment 1901, Beale AFB, CA 95903–6337.
AFOSI Detachment 1902, Castle AFB, CA 95342–6337.
AFOSI Detachment 1904, Mather AFB, CA 95655–6337.
AFOSI Detachment 1905, McClellan AFB, CA 95652–6337.
AFOSI Detachment 1910, Coast Guard Island, Alameda, CA 94501–6337.
AFOSI Detachment 1911, Hickam AFB, HI 96853–6338.
AFOSI Detachment 1940, Travis AFB, CA 94535–6337.
AFOSI District 20, McChord AFB, WA 98438–6338.
AFOSI Detachment 2001, PO Box 1332, Fairchild AFB, WA 99011–6337.
AFOSI Detachment 2004, Federal Bldg Room 2852, 915 Second Avenue, Seattle, WA 98174–6337.
AFOSI Detachment 2006, Malmstrom AFB, MT 59402–6337.
AFOSI Detachment 2007, Mt Home AFB, ID 83648–6337.
AFOSI Detachment 2010, Elmendorf AFB, AK 99506–6337.
AFOSI Detachment 2011, Eielson AFB, AK 99702–6337.
AFOSI Detachment 2040, McChord AFB, WA 98438–6338.
AFOSI District 21, Seymour-Johnson AFB, NC 27531–6337.
AFOSI Detachment 2101, Pope AFB, NC 28308–6337.
AFOSI Detachment 2102, Shaw AFB, SC 29152–6337.
AFOSI Detachment 2103, Charleston AFB, SC 29404–6337.
AFOSI Detachment 2104, Seymour-Johnson AFB, NC 27531–6337.
AFOSI Detachment 2105, Myrtle Beach AFB, SC 29579–6337.
AFOSI Detachment 2140, Langley AFB, VA 23665–6337.
AFOSI District 42, APO San Francisco, 96274–6338.
AFOSI Detachment 4201, APO San Francisco 96528–6337.
AFOSI Detachment 4203, APO San Francisco 96334–6337.
AFOSI Detachment 4240, APO San Francisco 96274–6337.
AFOSI District 45, APO San Francisco 96301–6338.
AFOSI Detachment 4502, APO San Francisco 96264–6337.
AFOSI Detachment 4504, APO San Francisco 96213–6337.
AFOSI Detachment 4506, APO San Francisco 96570–6337.
AFOSI Detachment 4540, APO San Francisco 96301–6337.
AFOSI District 46, APO San Francisco 96328–6337.
AFOSI Detachment 4606, APO San Francisco 96519–6337.
AFOSI Detachment 4607, APO San Francisco 96239–6337.
AFOSI Detachment 4640, APO San Francisco 96328–6337.
AFOSI District 62, APO New York 09083–6338.
AFOSI Detachment 6202, APO New York 09179–6337.
AFOSI Detachment 6203, APO New York 09194–6337.
AFOSI Detachment 6204, APO New York 09238–6337.
AFOSI Detachment 6205, APO New York 09755–6337.
AFOSI Detachment 6206, APO New York 09193–6337.
AFOSI Detachment 6208, APO New York 09125–6337.
AFOSI Detachment 6210, APO New York 09150–6337.
AFOSI District 68, APO New York 09283–6338.
AFOSI Detachment 6801, APO New York 09286–6337.
AFOSI Detachment 6802, APO New York 09406–6337.
AFOSI Detachment 6803, APO New York 09293–6337.
AFOSI Detachment 6804, APO New York 09240–6337.
AFOSI Detachment 6805, APO New York 09794–6337.
AFOSI Detachment 6806, APO New York 09223–6337.
AFOSI Detachment 6807, APO New York 09291–6337.

AFOSI Detachment 6808, APO New York 09520–6337.
AFOSI Detachment 6809, APO New York 09694–6337.
AFOSI Detachment 6840, APO New York 09283–6337.
AFOSI District 69, APO New York 09254–6338.
AFOSI Detachment 6901, APO New York 09289–6337.
AFOSI Detachment 6903, APO New York 09224–6337.
AFOSI Detachment 6905, APO New York 09380–6337.
AFOSI Detachment 6940, APO New York 09254–6337.
AFOSI District 70, APO New York 09634–6338.
AFOSI Detachment 7008, APO New York 09245–6337.
AFOSI Detachment 7010, APO New York 09097–6337.
AFOSI Detachment 7011, APO New York 09132–6337.
AFOSI Detachment 7013, APO New York 09154–6337.
AFOSI Detachment 7014, APO New York 09122–6337.
AFOSI Detachment 7024, APO New York 09094–6337.
AFOSI Detachment 7028, APO New York 09611–6337.
AFOSI Detachment 7030, APO New York 09292–6337.
AFOSI Detachment 7031, APO New York 09860–6337.
AFOSI Detachment 7032, APO New York 09136–6337.
AFOSI Detachment 7033, APO New York 09126–6337.
AFOSI Detachment 7034, APO New York 09669–6337.
AFOSI Detachment 7035, APO New York 09188–6337.
AFOSI Detachment 7036, APO New York 09027–6337.
AFOSI Detachment 7040, APO New York 09634–6337.

Air Force Reserve Officers Training Corps Units (AFROTC) HQ AFROTC, Maxwell AFB, AL 36112–6663

AFROTC Detachment 5, Auburn University, Auburn University, AL 36849–5511.
AFROTC Detachment 10, PO Box 1988, University of Alabama, University, AL 35486–9990.
AFROTC Detachment 12, Samford University, Birmingham, AL 35229–0001.
AFROTC Detachment 15, Tuskegee Institute, PO Box 1119, Tuskegee, AL 36088–1119.
AFROTC Detachment 17, Troy State University, Troy, AL 36082–0001.
AFROTC Detachment 19, Alabama State University, Montgomery, AL 36195–0301.
AFROTC Detachment 20, University of Arizona, Tucson, AZ 85721–0211.
AFROTC Detachment 25, Arizona State University, Room 340, Old Main, Tempe, AZ 85287–0999.
AFROTC Detachment 27, Northern Arizona University, NAU Box 15076, Flagstaff, AZ 86011–0045.
AFROTC Detachment 28, Embry-Riddle Aeronautical University, 3200 Willow Creek Road, Prescott, AZ 86301–8662.
AFROTC Detachment 30, University of Arkansas, Memorial Hall, Rm 319, Fayetteville, AR 72701–1201.
AFROTC Detachment 35, California State University-Fresno, Fresno, CA 93740–0040.
AFROTC Detachment 45, San Jose State University, San Jose, CA 95192–0051.
AFROTC Detachment 55, University of California at Los Angeles, Room 210, Men's Gym—UCLA, Los Angeles, CA 90024–1611.
AFROTC Operating Location 55A, Loyola Marymount University, 7101 West 80th Street, Los Angeles, CA 90045–2699.
AFROTC Operating Location 55B, California State University-Long Beach, 1250 Bellflower Blvd, Long Beach, CA 90840–0001.
AFROTC Detachment 60, University of Southern California, PED 115–A–0651, Los Angeles, CA 90089–0651.
AFROTC Detachment 75, San Diego State University, San Diego, CA 92182–0321.
AFROTC Detachment 80, San Francisco State University, 1600 Holloway Avenue, San Francisco, CA 94132–1789.
AFROTC Detachment 85, University of California, 10 Callaghan Hall, Berkeley, CA 94720–0001.
AFROTC Detachment 88, California State University—Sacramento, Sacramento, CA 95819–2694.
AFROTC Detachment 90, Colorado State University, Ft. Collins, CO 80523–0016.
AFROTC Detachment 100, University of Northern Colorado, Greeley, CO 80639–9986.
AFROTC Detachment 105, University of Colorado, Campus Box 371, Boulder, CO 80309–0001.
AFROTC Detachment 115, University of Connecticut, U-Box 81, 2141 Hillside Road, Storrs, CT 06268–2280.
AFROTC Detachment 128, University of Delaware, Newark, DE 19716–0001.
AFROTC Detachment 130, Howard University, PO Box 848, Washington, DC 20059–0001.
AFROTC Detachment 145, Florida State University, Tallahassee, FL 32306–3049.
AFROTC Detachment 150, University of Florida, Gainesville, FL 32611–0001.
AFROTC Detachment 155, University of Miami, PO Box 248164, Coral Gables, FL 33124–8164.
AFROTC Detachment 157, Embry-Riddle Aeronautical University, Daytona Beach, FL 32014–3891.
AFROTC Detachment 158, University of South Florida, 4202 E Fowler Avenue, Tampa, FL 33620–8250.
AFROTC Detachment 159, University of Central Florida, Orlando, FL 32816–0001.
AFROTC Detachment 160, University of Georgia, Athens, GA 30602–4390.
AFROTC Detachment 165, Georgia Institute of Technology, Atlanta, GA 30332–0120.
AFROTC Detachment 172, Valdosta State College, Valdosta, GA 31698–5000.
AFROTC Detachment 175, University of Hawaii, 1460 Lower Campus Rd, Honolulu, HI 96822–2371.
AFROTC Detachment 190, University of Illinois, 505 E Armory Street, 223 Armory Bldg, Champaign, IL 61820–6294.
AFROTC Detachment 195, Illinois Institute of Technology, 3201 S. Michigan Avenue, Chicago, IL 60616–3793.
AFROTC Detachment 205, Southern Illinois University-Carbondale, Carbondale, IL 62901–2832.
AFROTC Detachment 206, Southern Illinois University-Edwardsville, Edwardsville, IL 62026–1048.
AFROTC Detachment 207, Parks College of St. Louis, Cahokia, IL 62206–1998.
AFROTC Detachment 215, Indiana University, Bloomington, IN 47405–5701.
AFROTC Detachment 218, Indiana State University, Terre Haute, IN 47809–2245.
AFROTC Detachment 220, Purdue University, West Lafayette, IN 47907–0001.
AFROTC Detachment 225, University of Notre Dame, Notre Dame, IN 46556–5601.
AFROTC Detachment 250, Iowa State University, 131 Armory, Ames, IA 50011–3011.
AFROTC Detachment 255, University of Iowa, Iowa City, IA 52242–1191.
AFROTC Detachment 270, Kansas State University, Manhattan, KS 66506–7059.
AFROTC Detachment 280, University of Kansas, Lawrence, KS 66045–2520.
AFROTC Detachment 290, University of Kentucky, Lexington, KY 40506–0028.
AFROTC Detachment 295, University of Louisville, Louisville, KY 40292–0001.
AFROTC Detachment 305, Louisiana Tech University, Ruston, LA 71272–0001.
AFROTC Detachment 310, Louisiana State University and A&M College, PO Box 25126, Baton Rouge, LA 70894–5126.
AFROTC Detachment 311, Grambling State University, Grambling, LA 71245–0028.
AFROTC Detachment 315, University of Southwestern Louisiana, PO Box 4–0398 USL, Lafayette, LA 70504–0398.
AFROTC Detachment 320, Tulane University, New Orleans, LA 70118–1286.
AFROTC Detachment 326, University of Maine, 164 College Avenue, Orono, ME 04473–1589.
AFROTC Detachment 330, University of Maryland, College Park, MD 20742–1021.
AFROTC Detachment 340, College of the Holy Cross, Worcester, MA 01610–2390.
AFROTC Detachment 345, University of Lowell, 1 University Avenue, Lowell MA 01854–2894.
AFROTC Detachment 355, Boston University, 156 Bay State Road, Boston, MA 02215–1501.
AFROTC Detachment 365, Massachusetts Institute of Tech, 18 Vassar St. Bldg. 20E 111, Cambridge, MA 02139–4309.
AFROTC Detachment 370, University of Massachusetts, Amherst, MA 01003–5470.
AFROTC Detachment 380, Michigan State University, 122 Bessey Hall, East Lansing, MI 48824–1033.
AFROTC Detachment 390, University of Michigan, Ann Arbor, MI 48109–1085.
AFROTC Detachment 400, Michigan Technological University, Houghton, MI 49931–1295.
AFROTC Detachment 410, College of St. Thomas, St. Paul, MN 55105–1096.
AFROTC Detachment 415, University of Minnesota, Minneapolis, MN 55455–0105.
AFROTC Detachment 420, University of Minnesota-Duluth, Duluth, MN 55812–2403.

AFROTC Detachment 425, Mississippi State University, Mississippi State, MS 39762–5531.

AFROTC Detachment 430, University of Mississippi—Box 38, University, MS 38677–0038.

AFROTC Operating Location 430A, Mississippi Valley State University, PO Box 929, Itta Bena, MS 38941–1436.

AFROTC Detachment 432, University of Southern Mississippi, Hattiesburg, MS 39406–5145.

AFROTC Detachment 437, Southeast Missouri State University, Cape Girardeau, MO 63701–0797.

AFROTC Detachment 440, University of Missouri-Columbia, 217 Crowder Hall, Columbia, MO 65211–0001.

AFROTC Detachment 442, University of Missouri-Rolla, Rolla, MO 65401–0249.

AFROTC Detachment 450, Montana State University, Bozeman, MT 59717–0001.

AFROTC Detachment 465, University of Nebraska—Lincoln, M&N Building, Rm 209, Lincoln, NE 68588–0141.

AFROTC Detachment 470, University of Nebraska at Omaha, Omaha, NE 68182–0009.

AFROTC Detachment 475, University of New Hampshire, Durham, NH 03824–3583.

AFROTC Detachment 485, Rutgers, The State University of NJ, 9 Senior St, New Brunswick, NJ 08901–1199.

AFROTC Detachment 490, New Jersey Institute of Technology, 323 MLK Blvd, Newark, NJ 07102–1982.

AFROTC Detachment 505, New Mexico State University, Las Cruces, NM 88003–0076.

AFROTC Detachment 505A, University of Texas—El Paso, Box 610, El Paso, TX 79968–0610.

AFROTC Detachment 510, The University of New Mexico, 1901 Las Lomas, Albuquerque, NM 87131–1215.

AFROTC Detachment 520, Cornell University, Ithaca, NY 14853–1701.

AFROTC Detachment 535, Syracuse University, Room 202, Archbold Gym, Syracuse, NY 13244–1140.

AFROTC Detachment 536, Clarkson University, Smith House Bldg 10, Potsdam, NY 13676–1496.

AFROTC Detachment 538, Rochester, NY 14623–0887.

AFROTC Detachment 550, Rensselaer Polytechnic Institute, Troy, NY 12180–3590.

AFROTC Detachment 560, Manhattan College, Riverdale, NY 10471–4098.

AFROTC Detachment 585, Duke University, 303 North Bldg, Durham, NC 27706–2588.

AFROTC Detachment 590, University of NC—Chapel Hill, Chase Hall 132–A, Chapel Hill, NC 27514–6132.

AFROTC Detachment 592, Charlotte, NC 28223–0001.

AFROTC Detachment 595, North Carolina State University, PO Box 7308, Raleigh, NC 27695–7308.

AFROTC Detachment 600, East Carolina University, Greenville, NC 27858–4353.

AFROTC Detachment 605, North Carolina A&T State University, Box 14727, Greensboro, NC 27415–4727.

AFROTC Detachment 607, Fayetteville State University, Fayetteville, NC 28301–4297.

AFROTC Detachment 610, North Dakota State University of, A&AS, Fargo, ND 58105–5287.

AFROTC Detachment 620, Bowling Green State University, Bowling Green, OH 43403–0272.

AFROTC Detachment 630, Kent State University, Kent, OH 44242–9999.

AFROTC Detachment 640, Miami University, Oxford, OH 45056–1697.

AFROTC Detachment 643, Wright State University, 232 Frederick White Center, Dayton, OH 45435–0001.

AFROTC Detachment 645, The Ohio State University, 2121 Tuttle Park Pl, Columbus, OH 43210–1169.

AFROTC Detachment 650, Ohio University, Athens, OH 45701–2979.

AFROTC Detachment 660, University of Akron, Akron, OH 44325–0009.

AFROTC Detachment 665, University of Cincinnati, Cincinnati, OH 45221–0441.

AFROTC Detachment 670, Oklahoma State University, Stillwater, OK 74078–0207.

AFROTC Detachment 675, The University of Oklahoma, Norman, OK 73019–0604.

AFROTC Detachment 685, Oregon State University, Corvallis, OR 97331–4102.

AFROTC Detachment 695, University of Portland, Portland, OR 97203–5798.

AFROTC Detachment 715, Lehigh University, Bethlehem, PA 18015–3091.

AFROTC Detachment 720, The Pennsylvania State University, 109 Wagner Bldg, University Park, PA 16802–3896.

AFROTC Detachment 730, University of Pittsburgh, Pittsburgh, PA 15260–0001.

AFROTC Operating Location 730A, Carnegie-Mellon University, Pittsburgh, PA 15213–3890.

AFROTC Detachment 745, Grove City College, Grove City, PA 16127–2199.

AFROTC Detachment 750, St Josephs University, Philadelphia, PA 19131–1399.

AFROTC Detachment 752, Wilkes College, Wilkes Barre, PA 18766–0001.

AFROTC Detachment 755, University of Puerto Rico-Rio Piedras, G.PO Box BZ, San Juan, PR 00936–6275.

AFROTC Detachment 755A, University of Puerto Rico-Mayaguez Campus, College Station Box 5171, Mayaquez, PR 00709–5171.

AFROTC Detachment 765, The Citadel, The Military College South Carolina, Charleston, SC 29409–0765.

AFROTC Detachment 770, Clemson University, Clemson, SC 29634–0705.

AFROTC Detachment 772, Baptist College at Charleston, Charleston, SC 29411–0087.

AFROTC Detachment 775, University of South Carolina, Columbia, SC 29208–0062.

AFROTC Detachment 780, South Dakota State University, Box 2236, Brookings, SC 57007–1697.

AFROTC Detachment 785, Memphis State University, 4th Floor Jones Hall, Memphis, TN 38152–0001.

AFROTC Detachment 790, Tennessee State University, Nashville, TN 37209–1561.

AFROTC Detachment 800, University of Tennessee, Stokely Athletic Center-RM 215, Knoxville, TN 37996–3120.

AFROTC Detachment 805, Texas A&M University, PO Box 2620, College Station, TX 77841–2620.

AFROTC Detachment 810, Baylor University, UB Mail Room 385, Waco, TX 76798–9999.

AFROTC Detachment 820, Texas Technological University, PO Box 4589, Lubbock, TX 79409–4589.

AFROTC Detachment 825, The University of Texas-Austin, Austin, TX 78712–1183.

AFROTC Detachment 830, East Texas State University, Commerce, TX 75428–1902.

AFROTC Detachment 835, North Texas State University, PO Box 5398, Denton, TX 76203–5398.

AFROTC Detachment 840A, The University of Texas—San Antonio, San Antonio, TX 78285–0655.

AFROTC Detachment 842, San Antonio, TX 78285–0655.

AFROTC Detachment 845, Texas Christian University, Box 30784, Ft Worth, TX 76129–0001.

AFROTC Detachment 847, Angelo State University, San Angelo, TX 76909–9978.

AFROTC Detachment 850, University of Utah, Salt Lake City, UT 84112–1107.

AFROTC Detachment 855, Brigham Young University, Provo, UT 84602–1048.

AFROTC Detachment 860, Utah State University, Logan, UT 84322–9590.

AFROTC Detachment 865, St Michael's College, Winooski, VT 05404–2507.

AFROTC Detachment 867, Norwich University, Northfield, VT 05663–1097.

AFROTC Detachment 875, Virginia Polytechnic Institute and State University, Blacksburg, VA 24060–4496.

AFROTC Detachment 880, Virginia Military Institute, Lexington, VA 24450–2697.

AFROTC Detachment 890, University of Virginia, University Hall, Charlottesville, VA 22903–3290.

AFROTC Detachment 895, Central Washington University, Ellensburg, WA 98926–9989.

AFROTC Detachment 900, University of Puget Sound, Tacoma, WA 98416–0410.

AFROTC Detachment 905, Washington State University, Room 6, Thompson Hall, Pullman, WA 99164–2606.

AFROTC Detachment 910, University of Washington, Seattle, WA 98195–0001.

AFROTC Detachment 915, West Virginia University, Morgantown, WV 26506–6052.

AFROTC Detachment 925, University of Wisconsin—Madison, 1402 University Avenue, Madison, WI 53706–1531.

AFROTC Detachment 940, University of Wyoming, Box 3005 University Station, Laramie, WY 82071–3005.

AFROTC Wright-Patterson Field Training Unit, Wright-Patterson AFB, OH 45433–5000.

Numbered AFROTC Squadrons

3620th AFROTC Squadron, Maxwell AFB, AL 36112–6663.

3621st AFROTC Squadron, Mather AFB, CA 95655–5000.

3622d AFROTC Squadron, Bergstrom AFB, TX 78743–5000.

3623d AFROTC Squadron, McGuire AFB, NJ 08641–5000.

3624th AFROTC Squadron, Wright-Patterson AFB, OH 45433–5000.

Air National Guard Activities

Chief, National Guard Bureau, NGB/CC, Washington, DC 20310–2500.

Director, Air National Guard, NGB/CF, Washington, DC 20310–2500.

ANG Airlift Operations Center, ANGSC/XOC, Mail Stop 18, Andrews AFB, DC 20331–5000.

ANG Support Center, Andrews AFB, DC 20331–5000.

I.G. Brown ANG Professional Military Education Center (ANG PMEC), McGhee-Tyson Aprt, Knoxville, TN 37950–5360.

National Guard State Headquarters/State Adjutant General

(Listed alphabetically)

TAG Alabama, PO Box 3711, Montgomery, AL 36193–4701.

TAG Alaska, 800 E. Daimond Blvd 620, Suite 3–450, Anchorage, AK 99515–2097.

TAG Arizona, 5636 E McDowell Rd, Pheonix, AZ 85008–3495.

TAG Arkansas, Camp Robinson, N Little Rock, AR 72118–2200.

TAG California, 2829 Walt Avenue, Sacramento, CA 95821–4405.

TAG Colorado, 300 Logan Street, Denver, CO 80203–4072.

TAG Connecticut, 360 Broad Street, Hartford, CT 06105–3795.

TAG Delaware, First Regiment Road, Wilmington, DE 19808–2191.

National Guard Armory, 2001 E Capitol St, Washington, DC 20003–1719.

TAG Florida, State Arsenal, St Augustine, FL 32084–1008.

TAG Georgia, PO Box 17965–0965, Atlanta, GA 30316–0965.

TAG Guam, Box 94, NAS, FPO San Francisco, CA 96637–1293.

TAG Hawaii, 3949 Diamond Head Rd, Honolulu, HI 96816–4495.

TAG Idaho, PO Box 45, Boise, ID 83707–0045.

TAG Illinois, 1301 N. McArthur Blvd, Springfield, IL 62702–2399.

TAG Indiana, Military Dept of Indiana, PO Box 41326, Indianapolis, IN 46241–0326.

TAG Iowa, Camp Dodge, 7700 NW Beaver Dr, Johnston, IA 50131–1902.

TAG Kansas, PO Box C–300, Topeka, KS 66601–0300.

TAG Kentucky, Boone NG Center, Frankfort, KY 40601–6168.

TAG Louisiana, Jackson Bks, New Orleans, LA 70146–0330.

TAG Maine, Camp Keyes, Augusta, ME 04333–0033.

TAG Maryland, Fifth Regiment Armory, Baltimore, MD 21201–2288.

TAG Massachusetts, 25 Haverhill Sth Ave, Camp Curtis Building, Reading, MA 01867–1999.

TAG Michigan, 2500 S. Washington Ave, Lansing, MI 48913–5101.

TAG Minnesota, Veterans Svcs Building, St Paul, MN 55155–2098.

TAG Mississippi, PO Box 5027, Fondren Stn, Jackson, MS 39216–1027.

TAG Missouri, 1717 Industrial Dr., Jefferson City, MO 65101–1468.

TAG Montana, PO Box 4789, Helena, MT 59604–4789.

TAG Nebraska, 1300 Military Rd, Lincoln, NE 68508–1090.

TAG Nevada, 2525 S Carson St, Carson City, NV 89701–5502.

TAG New Hampshire, State Mil Reservation, #1 Aprt Rd, Concord, NH 03301–5353.

TAG New Jersey, Eggert Crossing Rd, CN 340, Trenton, NJ 08625–0340.

TAG New Mexico, PO Box 4277, Santa Fe, NM 87502–4277.

TAG New York, 330 Old Niskayuma Rd, Lathan, NY 12110–2224.

TAG North Carolina, 4105 Reedy Creek Rd, Raleigh, NC 27607–6410.

TAG North Dakota, Box 5511, Bismarck, ND 58502–5511.

TAG Ohio, 2825 West Granville Rd, Worthington, OH 43085–2712.

TAG Oklahoma, 3501 Military Circle, NE, Oklahoma City, OK 73111–4398.

TAG Oregon, 2150 Fairgrounds Rd, NE, Salem, OR 97303–3241.

TAG Pennsylvania, Fort Indiantown Gap, Annville, PA 17003–5002.

TAG Puerto Rico, PO Box 3786, San Juan, PR 00904–3786.

CG Rhode Island, 1051 North Main St, Providence, RI 02904–5714.

TAG South Carolina, 1 National Guard Road, Columbia, SC 29201–3117.

TAG South Dakota, 2823 West Main St, Rapid City, SD 57702–8186.

TAG Tennessee, PO Box 41502, Houston Barracks, Nashville, TN 37204–1501.

TAG Texas, PO Box 5218, Austin, TX 78763–5218.

TAG Utah, PO Box 1776, 12953 Minuteman Dr, Draper, UT 84020–9545.

TAG Vermont, Camp Johnson Bldg 1, Winooski, VT 05404–1697.

TAG Virgin Island, Alexandria Hamilton Airport, St Croix, U.S. VI 00850.

TAG Virginia, 501 E Franklin St, Richmond, VA 23219–2317.

TAG Washington, Camp Murray, Tacoma, WA 98430–0922.

TAG West Virginia, 1703 Coonskin Drive, Charleston, WV 25311–1085.

TAG Wisconsin, PO Box 8111, Madison, WI 53708–8111.

TAG Wyoming, PO Box 1709, Cheyenne, WY 82003–1709.

USAF Medical Treatment Activities

USAF Medical Centers and Regional Hospitals

David Grant USAF Medical Center (MAC), Travis AFB, CA 94535–5300.

Malcolm Grow USAF Medical Center (MAC), Andrews AFB, DC 20331–5300.

Wilford Hall USAF Medical Center (JMMC–SA), Lackland AFB, TX 78236–5300.

USAF Medical Center Keesler (ATC), Keesler AFB, MS 39534–5300.

USAF Medical Center Scott (MAC), Scott AFB, IL 62225–5300.

USAF Medical Center Wright-Patterson (AFLC), Wright-Patterson AFB, OH 45433–5300.

13th Air Force Medical Center (PACAF), APO San Francisco 96274–5300.

7100th Combat Support Wing Medical Center (USAFE), APO New York 09220–5300.

1st Tactical Regional Hospital (TAC), Langley AFB, VA 23665–5300.

USAF Regional Hospital Elmendorf (AAC), Elmendorf AFB, AK 99506–5300.

Air Force Systems Command Regional Hospital Eglin (AFSC), Eglin AFB, FL 32542–5300.

Air University Regional Hospital Maxwell (AU), Maxwell AFB, AL 36112–5300.

USAF Regional Hospital Minot (SAC), Minot AFB, ND 58705–5300.

USAF Regional Hospital Sheppard (ATC), Sheppard AFB, TX 76311–5300.

USAF Academy Hospital (USAFA), Colorado Springs, CO 80840–5300.

Ehrling Bergquist Strategic Hospital (SAC), Offutt AFB, NE 68113–5300.

Robert L. Thompson Strategic Hospital (SAC), Carswell AFB, TX 76127–5300.

United States Air Force Hospitals

USAF Hospital Altus (MAC), Altus AFB, OK 73523–5300.

USAF Hospital Chanute (ATC), Chanute AFB, IL 61868–5300.

USAF Hospital Columbus (ATC), Columbus AFB, MS 39701–5300.

USAF Hospital Dover (MAC), Dover AFB, DE 19901–5300.

Air Force Systems Command Hospital Edwards (AFSC), Edwards AFB, CA 93523–5300.

USAF Hospital Hill (AFLC), Hill AFB, UT 84056–5300.

USAF Hospital Kirtland (MAC), Kirtland AFB, NM 87117–5300.

USAF Hospital Lajes (MAC), APO New York 09406–5300.

USAF Hospital Laughlin (ATC), Laughlin AFB, TX 78843–5300.

USAF Hospital Little Rock (MAC), Little Rock AFB, AR 72099–5300.

USAF Hospital Mather (ATC), Mather AFB, CA 95655–5300.

Air Force Systems Command Hospital Patrick (AFSC), Patrick AFB, FL 32925–5300.

USAF Hospital Reese (ATC), Reese AFB, TX 79489–5300.

USAF Hospital Robins (AFLC), Robins AFB, GA 31098–5300.

USAF Hospital Tinker (AFLC), Tinker AFB, OK 73145–5300.

USAF Hospital Williams (ATC), Williams AFB, AZ 85224–5300.

Numbered Medical Groups, USAF Clinics, Hospitals and Strategic and Tactical Fighter Wing Hospitals

1st Medical Group (TAC), Langley AFB, VA 23665–5300.

1st Strategic Hospital (SAC), Vandenberg AFB, CA 93437–5300.

2nd Strategic Hospital (SAC), Barksdale AFB, LA 71110–5300.

4th Medical Group (TAC), Seymour Johnson AFB, NC 27531–5300.

8th Medical Group (PACAF), APO San Francisco 96264–5300.

9th Strategic Hospital (SAC), Beale AFB, CA 95903–5300.

15th Medical Group (PACAF), Hickam AFB, HI 96853–5300.

20th Tactical Fighter Wing Hospital (USAFE), APO New York 09194–5300.

23d Medical Group (TAC), England AFB, LA 71311–5300.

24th Medical Group (TAC), APO Miami 34001–5300.

27th Medical Group (TAC), Cannon AFB, NM 88103–5300.

31st Medical Group (TAC), Homestead AFB, FL 33039–5300.
36th Tactical Fighter Wing Hospital (USAFE), APO New York 09132–5300.
39th Tactical Group Hospital (USAFE), APO New York 09289–5300.
48th Tactical Fighter Wing Hospital (USAFE), APO New York 09179–5300.
50th Tactical Fighter Wing Hospital (USAFE), APO New York 09122–5300.
51st Medical Group (PACAF), APO San Francisco 96570–5300.
56th Medical Group (TAC), MacDill AFB, FL 33608–5300.
67th Medical Group (TAC), Bergstrom AFB, TX 78743–5300.
90th Strategic Hospital (SAC), F E Warren AFB, WY 82005–5300.
91st Strategic Hospital (SAC), Minot AFB, ND 58705–5300.
92nd Strategic Hospital (SAC), Fairchild AFB, WA 99011–5300.
93rd Strategic Hospital (SAC), Castle AFB, CA 95342–5300.
96th Strategic Hospital (SAC), Dyess AFB, TX 79607–5300.
97th Strategic Hospital (SAC), Eaker AFB, AR 72315–5300.
305th Strategic Hospital (SAC), Grissom AFB, IN 46971–5300.
313th Medical Group (PACAF), APO San Francisco 96239–5300.
325th Medical Group (TAC), Tyndall AFB, FL 32403–5300.
341st Strategic Hospital (SAC), Malmstrom AFB, MT 59402–5300.
347th Medical Group (TAC), Moody AFB, GA 31699–5300.
351st Strategic Hospital (SAC), Whiteman AFB, MO 48753–5300.
354th Medical Group (TAC), Myrtle Beach AFB, SC 29579–5300.
363d Medical Group (TAC), Shaw AFB, SC 29152–5300.
366th Medical Group (TAC), Mt Home AFB, ID 83648–5300.
379th Strategic Hospital (SAC), Wurtsmith AFB, MI 488753–5300.
380th Strategic Hospital (SAC), Plattsburg AFB, NY 23903–5300.
384th Strategic Hospital (SAC), McConnell AFB, KS 67221–5300.
401st Tactical Fighter Wing Hospital (USAFE), APO New York 09283–5300.
410th Strategic Hospital (SAC), K I Sawyer AFB, MI 49843–5300.
416th Strategic Hospital (SAC), Griffiss AFB, NY 13441–5300.
432d Medical Group (PACAF), APO San Francisco 96519–5300.
475th Medical Group (PACAF), APO San Francisco 96328–5300.
509th Strategic Hospital (SAC), Pease AFB, NH 03803–5300.
554th Medical Group (TAC), Nellis AFB, NV 89191–5300.
831st Medical Group (TAC), George AFB, CA 92394–5300.
832d Medical Group (TAC), Luke AFB, AZ 85309–5300.
833d Medical Group (TAC), Holloman AFB, NM 88330–5300.
836th Medical Group (TAC), Davis-Monthan AFB, AZ 85707–5300.

Numbered and USAF Clinics

10th Tactical Fighter Wing Clinic (USAFE), APO New York 09238–5300.
26th Tactical Reconnaissance Wing Clinic (USAFE), APO New York 09860–5300.
32nd Tactical Fighter Group Clinic (USAFE), APO New York 09292–5300.
36th Tactical Fighter Wing Clinic (USAFE), APO New York 09104–5300.
40th Tactical Group Clinic (USAFE), APO New York 09293–5300.
43d Strategic Clinic (SAC), APO San Francisco 96334–5300.
52nd Tactical Fighter Wing Clinic (USAFE), APO New York 09126–5300.
66th Electronic Combat Wing Clinic (USAFE), APO New York 09136–5300.
81st Tactical Fighter Wing Clinic (USAFE), APO New York 09755–5300.
128th Strategic Clinic (SAC), Barksdale AFB, LA 71110–5300.
315th USAF Clinic (Assoc) (MAC), Charleston AFB, SC 29404–5300.
316th Air Division Clinic (USAFE), APO New York 09094–5300.
349th USAF Clinic ((Assoc) (MAC), Travis AFB, CA 94535–5300.
406th Tactical Fighter Training Wing Clinic (USAFE), APO New York 09286–5300.
433d USAF Clinic (AFRES), Kelly AFB, TX 72241–5300.
434th USAF Clinic (AFRES), Grissom AFB, IN 46971–5300.
445th USAF Clinic (Assoc) (MAC), Norton AFB, CA 92409–5300.
446th USAF Clinic (Assoc) (MAC), McChord AFB, WA 98438–5300.
452d USAF Clinic (AFRES), March AFB, CA 92518–5300.
459th USAF Clinic (AFRES), Andrews AFB, DC 20331–5300.
485th Tactical Missile Wing Clinic (USAFE), APO New York 09188–5300.
487th Tactical Missile Wing Clinic (USAFE), APO New York 09694–5300.
501st Tactical Missile (USAFE), APO New York 09150–5300.
503d USAF Clinic (AFRES), Tinker AFB, OK 73145–5300.
512th USAF Clinic (Assoc) (AFRES), Dover AFB, DE 19902–5300.
514th USAF Clinic (Assoc) (AFRES), McGuire AFB, NJ 08641–5300.
906th Tactical Clinic (AFRES), Wright Patterson AFB, OH 45433–5300.
907th Tactical Clinic (AFRES), Rickenbacker ANGB, OH 43217–5300.
908th Tactical Clinic (AFRES), Maxwell AFB, AL 36112–5300.
910th Tactical Clinic (AFRES), Youngstown Muni Aprt, OH 44473–5300.
911th Tactical Clinic (AFRES), Pittsburgh IAP, PA 15231–5300.
913th Tactical Clinic (AFRES), Willow Grove Air Res, Facility, PA, 19090–5300.
914th Tactical Clinic (AFRES), Niagara Falls IAP, NY 14304–5300.
917th Tactical Clinic (AFRES), Barksdale AFB, LA 71110–5300.
919th Tactical Clinic (AFRES), Aux Fld 3, Eglin AFB, FL 32542–5300.
924th Tactical Clinic (AFRES), Bergstrom AFB, TX 78743–5300.

926th Tactical Clinic (AFRES), NAS, New Orleans, LA 70143–5300.
928th Tactical Clinic (AFRES), O'Hare AFB, IL 60666–5300.
931st Tactical Clinic (AFRES), Grissom AFB, IN 46971–5300.
932d Tactical Clinic (AFRES), Scott AFB, IL 62225–5300.
934th Tactical Clinic (AFRES), Minneapolis IAP, St Paul, MN 55450–5300.
939th Tactical Clinic (AFRES), Portland IAP, OR 97218–5300.
940th Tactical Clinic (AFRES), Mather AFB, CA 95655–5300.
7020th Air Base Group Clinic (USAFE), APO New York 09125–5300.
7217th Air Base Group Clinic (USAFE), APO New York 09254–5300.
7241st Air Base Group Clinic (USAFE), APO New York 09224–5300.
7274th Air Base Group Clinic (USAFE), APO New York 09193–5300.
7275th Air Base Group Clinic (USAFE), APO New York 09240–5300.
7276th Air Base Group Clinic (USAFE), APO New York 09291–5300.
USAF Clinic Brooks (SAJMMC), Brooks AFB, TX 78235–5300.
USAF Clinic Charleston (MAC), Charleston AFB, SC 29404–5300.
USAF Clinic Eielson (AAC), Eielson AFB, AK 99702–5300.
USAF Clinic Goodfellow (ATC), Goodfellow AFB, TX 76908–5300.
USAF Clinic Kelly (SAJMMC), Kelly AFB, TX 78241–5300.
Air Force Systems Command Hospital Hanscom (AFSC), Hanscom AFB, MA 01731–5300.
Air Force Systems Command Clinic Los Angeles (AFSC), PO Box 92960, Worldway Postal Center, Los Angeles, CA 90009–5300.
USAF Clinic Lowry (ATC), Lowry AFB, CO 80230–5300.
USAF Clinic McChord (MAC), McChord AFB, WA 98438–5300.
USAF Clinic McClellan (AFLC), McClellan AFB, CA 95652–5300.
USAF Clinic McGuire (MAC), McGuire AFB, NJ 08641–5300.
USAF Clinic Norton (MAC), Norton AFB, CA 92409–5300.
USAF Clinic Peterson (AFSPACECOM), Peterson AFB, CO 80914–5300.
USAF Clinic Pope (MAC), Pope AFB, NC 28308–5300.
USAF Clinic Randolph (SAJMMC), Randolph AFB, TX 78150–5300.
USAF Clinic Rhein Main (MAC), APO New York 09097–5300.
USAF Clinic Vance (ATC), Vance AFB, OK 73702–5300.

Numbered Hospitals

1st Strategic Hospital Vandenberg (SAC), Vandenberg AFB, CA 93437–5300.
2d Strategic Hospital Barksdale (SAC), Barksdale AFB, LA 71110–5300.
4th Tactical Hospital (TAC), Seymour Johnson AFB, NC 27531–5300.
9th Strategic Hospital Beale (SAC), Beale AFB, CA 95903–5300.
11th USAF Contingency Hospital, Lackland AFB, TX 78236–5300.
12th USAF Contingency Hospital, Travis AFB, CA 94535–5300.
13th USAF Contingency Hospital (AFRES), Scott AFB, IL 62225–5300.
22d Strategic Hospital (SAC), March AFB, CA 92518–5300.
22nd Air Transportation Hospital (SAC), March AFB, CA 92518–5300.
23rd Tactical Hospital (TAC), England AFB, LA 71311–5300.
26th Tactical Hospital (USAFE), APO New York 09860–5300.
27th Tactical Hospital (TAC), Cannon AFB, NM 88103–5300.
31st Tactical Hospital (TAC), Homestead AFB, FL 33039–5300.
35th Tactical Hospital (TAC), Luke AFB, AZ 85309–5300.
36th Tactical Hospital (USAFE), APO New York 09132–5300.
39th Tactical Hospital (USAFE), APO New York 09289–5300.
42d Strategic Hospital (SAC), Loring AFB, ME 04751–5300.
44th Strategic Hospital (SAC), Ellsworth AFB, SD 57706–5300.
48th Tactical Hospital (USAFE), APO New York 09179–5300.
50th Tactical Hospital (USAFE), APO New York 09122–5300.
56th Tactical Hospital (TAC), MacDill AFB, FL 33608–5300.
67th Tactical Hospital (TAC), Bergstrom AFB, TX 78743–5300.
86th Tactical Hospital (USAFE), APO New York 09094–5300.
90th Strategic Hospital F E Warren (SAC), F E Warren AFB, WY 82005–5300.
91st Strategic Hospital Minot (SAC), Minot AFB, ND 58705–5300.
92d Strategic Hospital Fairchild (SAC), Fairchild AFB, WA 99011–5300.
93d Strategic Hospital Castle (SAC), Castle AFB, CA 95342–5300.
94th Tactical Hospital (AFRES), Dobbins AFB, GA 30069–5300.
96th Strategic Hospital Dyess (SAC), Dyess AFB, TX 79607–5300.
97th Strategic Hospital Eaker (SAC), Eaker AFB, AR 72315–5300.
131st Tactical Hospital (TAC), Lambert Intl Aprt, St Louis, MO 63145–5300.
140th Tactical Hospital (TAC), Buckley ANGB, CO 80010–5300.
301st Tactical Hospital (AFRES), Carswell AFB, TX 76127–5300.
302d Tactical Hospital (AFRES), Peterson AFB, CO 80914–5300.
305th Strategic Hospital Grissom (SAC), Grissom AFB, IN 46971–5300.
310th USAF Contingency Hospital (USAFE), APO New York 09049–5300.
316th Tactical Hospital (USAFE), APO New York 09094–5300.
317th USAF Contingency Hospital (USAFE), APO New York 09194–5300.
321st Strategic Hospital Grand Forks (SAC), Grand Forks AFB, ND 58205–5300.
341st Strategic Hospital Malmstrom (SAC), Malmstrom AFB, MT 59402–5300.
347th Tactical Hospital (TAC), Moody AFB, GA 31699–5300.
351st Strategic Hospital Whiteman (SAC), Whiteman AFB, MO 65305–5300.
354th Tactical Hospital (TAC), Myrtle Beach AFB, SC 29579–5300.
363d Tactical Hospital (TAC), Shaw AFB, SC 29152–5300.
366th Tactical Hospital (TAC), Mt Home AFB, ID 83648–5300.
379th Strategic Hospital Wurtsmith (SAC), Wurtsmith AFB, MI 48753–5300.
380th Strategic Hospital Plattsburgh (SAC), Plattsburgh AFB, NY 12903–5300.
384th Strategic Hospital McConnell (SAC), McConnell AFB, KS 67221–5300.
401st Tactical Hospital (USAFE), APO New York 09283–5300.
403d Tactical Hospital (TAC), Keesler AFB, MS 39534–5300.
410th Strategic Hospital K I Sawyer (SAC), K I Sawyer AFB, MI 49843–5300.
416th Strategic Hospital Griffiss (SAC), Griffiss AFB, NY 13441–5300.
419th Tactical Hospital (TAC), Hill AFB, UT 84056–5300.
434th Tactical Hospital (AFRES), Grissom AFB, IN 46971–5300.
439th Tactical Hospital (AFRES), Westover AFB, MA 01022–5300.
440th Tactical Hospital (AFRES), Gen Mitchell IAP, 300 E College Ave, Milwaukee, WI 53207–5300.
442d Tactical Hospital (AFRES), Richards-Gebaur AFB, MO 64030–5300.
482d Tactical Hospital (AFRES), Homestead AFB, FL 33039–5300.
509th Strategic Hospital Pease (SAC), Pease AFB, NH 03803–5300.
601st Tactical Hospital (USAFE), APO New York 09136–5300.
607th USAF Contingency Hospital (USAFE), APO New York 09283–5300.
608th USAF Contingency Hospital (USAFE), APO New York 09238–5300.
609th USAF Contingency Hospital (USAFE), APO New York 09860–5300.
610th USAF Contingency Hospital (USAFE), APO New York 09633–5300.
622d USAF Contingency Hospital (ATC), Sheppard AFB, TX 76311-5465.

652d USAF Contingency Hospital (USAFE), APO New York 09131–5300.
653d USAF Contingency Hospital (USAFE), APO New York 09457–5300.
655th Tactical Hospital (PACAF), APO San Francisco 96328–5300.
656th Tactical Hospital (PACAF), APO San Francisco 96432–5300.
657th Tactical Hospital (PACAF), APO San Francisco 96432–5300.
658th USAF Contingency Hospital (PACAF), APO San Francisco 96214–5300.
832d Tactical Hospital (TAC), Luke AFB, AZ 85309–5300.
833d Tactical Hospital (TAC), Holloman AFB, NM 88330–5300.
869th USAF Contingency Hospital (USAFE), APO New York 09129–5300.
870th USAF Contingency Hospital (USAFE), APO New York 09198–5300.
927th Tactical Hospital (AFRES), Selfridge ANGB, MI 48045–5300.
7206th Air Base Group Hospital (USAFE), APO New York 09223–5300.
7276th Air Base Group Hospital (USAFE), APO New York 09291–5300.

ANG Hospitals and Clinics

101st USAF Clinic (TAC), Bangor IAP, Bangor, ME 04401–4393.
102d USAF Clinic (TAC), Otis ANGB, MA 02542–5001.
103d Tactical Clinic (TAC), Bradley ANGB, East Granby, CT 06026–5300.
104th Tactical Clinic (TAC), Barnes Muni Aprt, Westfield, MA 01085–1385.
105th USAF Clinic (MAC), Stewart IAP, New Burgh, NY 12550–0031.
106th Tactical Clinic (TAC), Suffolk ANGB, West Hampton Beach, NY 11978–1294.
107th USAF Clinic (MAC), Niagara Falls IAP, Niagara Falls, NY 14304–6000.
108th Tactical Clinic (TAC), McGuire AFB, NJ 08641–6004.
109th Tactical Clinic (TAC), Schenectady Co Aprt, Scotia, NY 12302–9752.
110th Tactical Clinic (TAC), PO Box 668, Battle Creek, MI 49016–1291.
111th Tactical Clinic (TAC), Willow Grove NAS, Willow Grove, PA 19090–5101.
112th Tactical Clinic (TAC), Pittsburgh IAP, Pittsburgh, PA 15231–0459.
113th Tactical Hospital (TAC), Andrews AFB, DC 20331–6519.
114th Tactical Clinic (TAC), PO Box 5044, Sioux Falls, SD 57117–5044.
115th Tactical Clinic (TAC), 3110 Mitchell St, Madison, WI 53704–2591.
116th Tactical Hospital (TAC), Dobbins AFB, GA 30069–6004.
117th Tactical Hospital (TAC), Sumpter Smith ANGB, Birmingham, AL 35217–3595.
118th Tactical Hospital (TAC), PO Box 17267, Nashville, TN 37217–0267.
119th USAF Clinic (SAC), PO Box 5536, Fargo, ND 58105–5536.
120th USAF Clinic (AFRES), Great Falls IAP, MT 59404–5300.
121st Tactical Hosptial (TAC), Rickenbacker ANGB, OH 43217–5007.
122d Tactical Hosptial (TAC), Baer Field, Ft Wayne, IN 46809–5300.
123d Tactical Hospital (TAC), Shewmaker ANGB, Louisville, KY 40213–2678.
124th Tactical Clinic (TAC), PO Box 45, Boise, ID 83701–4525.
125th USAF Clinic (TAC), PO Box 18018, Jacksonville, FL 32229–0018.
126th USAF Clinic (AFRES), PO Box 66486, O'Hare ARFF, Chicago, IL 60666–0486.
127th Tactical Clinic (TAC), Selfridge ANGB, MI 48045–5029.
128th Tactical Clinic (TAC), Gen Mitchell ANGB, Milwaukee, WI 53207–2591.
129th Tactical Hosptial (TAC), NAS Moffett Fld, CA 94035–5006.
130th Tactical Clinic (TAC), Yaeger Aprt, Charleston, WV 25311–5300.
131st Tactical Hospital (TAC), Lambert IAP (ANGB), 10800 Natural Bridge Road, Bridgeton, MO 63044–2371.
132d Tactical Hospital (TAC), 4200 SW 34 St, Des Moines, IA 50321–2799.
133d Tactical Hospital (TAC), Minneapolis-St Paul IAP, St Paul, MN 55111–4098.
134th USAF Clinic (AFRES), McGhee-Tyson Aprt, Knoxville, TN 37901–5300.
135th Tactical Clinic (TAC), 2701 Eastern Blvd, Baltimore, MD 21220–2899.
136th Tactical Hospital (TAC), Hensley Fld, Dallas, TX 75211–9503.
137th Tactical Hospital (TAC), P.O. Stn 18, Will Rogers World Aprt, Oklahoma City, OK 73169–5300.
138th Tactical Clinic (TAC), PO Box 15768, Admiral Stn, Tulsa, OK 74115–1699.
139th Tactical Clinic (TAC), Rosecrans Memorial Aprt, St Joseph, MO 64503–3247.
140th Tactical Hospital (TAC), Buckley ANGB, CO 30011–9599.
141st USAF Clinic (AFRES), Fairchild AFB, WA 99011–6434.
142d USAF Clinic (AFRES), Portland IAP, OR 97218–2797.
143d Tactical Hospital (TAC), Quonset State Aprt, North Kingstown, RI 02886–0794.
144th Tactical Hospital (TAC), Fresno ANGB, CA 93727–2199.
145th Tactical Clinic (TAC), Douglas Muni Aprt, Charlotte, NC 28208–5795.
146th Tactical Hospital (TAC), 8030 Balboa Blvd, Van Nuys, CA 91409–1195.
147th USAF Clinic (AFRES), Ellington AFB, TX 77209–5586.
148th USAF Clinic (AFRES), Duluth IAP, MN 55811–5300.
149th Tactical Clinic (TAC), Kelly AFB, TX 78421–7001.
150th Tactical Clinic (TAC), PO Box 551, Albuquerque, NM 87103–5510.
151st Tactical Clinic (TAC), PO Box 16087, Salt Lake City, UT 84115–2000.
152d Tactical Clinic (TAC), 1776 National Guard Way, Reno, NV 89502–4494.
153d Tactical Clinic (TAC), PO Box 2268 Muni Aprt, Cheyenne, WY 82005–2268.
154th Tactical Hospital (PACAF), Hickam AFB, HI 96853–5300.
155th Tactical Clinic (TAC), Lincoln Muni Aprt, NE 68524–1897.
156th Tactical Clinic (TAC), PO Box 12307, Loiza Stn, San Juan, PR 00914–2307.
157th USAF Clinic (AFRES), Pease AFB, NH 03803–6507.
158th Tactical Clinic (TAC), Burlington IAP, VT 05401–5300.
159th Tactical Clinic (TAC), NAS New Orleans, New Orleans, LA 70146–5300.
160th USAF Clinic (TAC), Rickenbacker ANGB, OH 43217–5006.
161st Tactical Clinic (TAC), 32 & Watkins Rd, Phoeniz, AZ 85034–6098.
162d Tactical Clinic (TAC), Tucson IAP, AZ 85076–1037.
163d Tactical Clinic (TAC), March AFB, CA 92518–5300.
164th Tactical Clinic (TAC), PO Box 18026 Memphis, TN 38118–0026.
165th Tactical Hospital (TAC), PO Box 7568, Garden City, GA 31404–7568.
166th Tactical Clinic (TAC), Greater Wilmington Aprt, New Castle, DE 19720–2495
167th Tactical Clinic (TAC), Eastern WV Regional Aprt, Martinsburg, WV 25401–0204.
169th Tactical Clinic (TAC), McEntire ANGB, Eastover, SC 29044–9690.
170th USAF Clinic (MAC), McGuire AFB, NJ 08641–5300.
171st USAF Clinic (AFRES), Pittsburgh IAP Pittsburgh, PA 15231–0459.
172d USAF Clinic (AFRES), PO Box 5810, Jackson, MS 39208–0810.
174th Tactical Clinic (TAC), Hancock Fld, Syracuse, NY 13225–7099.
175th Tactical Clinic (TAC), 2701 Eastern Blvd, Baltimore, MD 21220–2899.
176th Tactical Clinic (TAC), Kulis ANGB, 6000 Air Guard Rd, Anchorage, AK 99502–5300.
177th USAF Clinic (TAC), FAA Technical Center, Atlantic City Airport, NJ 08405–9500.
178th Tactical Hospital (TAC), Springfield ANGB, OH 45501–1780.
179th Tactical Clinic (TAC), Mansfield Lahm Aprt, OH 44901–5300.
180th Tactical Clinic (TAC), Toledo Express Aprt, Swanton, OH 43558–5005.
181st Tactical Clinic (TAC), Hulman Fld, Terre Haute, IN 47803–5300.
182d Tactical Clinic (TAC), Greater Peoria Aprt, Greater Peoria, IL 61607–1498.
183d Tactical Clinic (TAC), Capitol Muni Aprt, Springfield, IL 62707–5300.
184th Tactical Clinic (TAC), McConnell AFB, KS 67221–6225.
185th Tactical Clinic (TAC), PO Box 278, Sergeant Bluff, IA 51054–1002.
186th Tactical Clinic (TAC), PO Box 1825, Meridian, MS 39302–1825.
187th Tactical Clinic (TAC), Dannelly Fld, Montgomery, AL 36105–0001.
188th Tactical Clinic (TAC), Ft Smith MAP AR 72099–5300.
189th USAF Clinic (SAC), Little Rock AFB, AR 72099–5300.
190th USAF Clinic (AFRES), Forbes ANGB, Topeka, KS 66620–5300.
191st USAF Clinic (AFRES), Selfridge ANGB, MI 48045–5029.
192d Tactical Clinic (TAC), Byrd Fld, Sandston, VA 23150–0297.
193d Tactical Hospital (TAC), Harrisburg IAP, Middletown, PA 17057–2424.

USAF Numbered Air Forces

First Air Force (TAC), Langley AFB, VA 23665–5009.
Third Air Force (USAFE), APO New York 09127–5000.
Fourth Air Force (AFRES), McClellan AFB, CA 95652–6002.
Fifth Air Force (PACAF), APO San Francisco 96328–5000.
Seventh Air Force (PACAF), APO San Francisco 96570–5000.
Eighth Air Force (SAC), Barksdale AFB, LA 71110–5002.

Ninth Air Force (TAC), Shaw AFB, SC 29152–5002.

Tenth Air Force (AFRES), Bergstrom AFB, TX 78743–6002.

Twelfth Air Force (TAC), Bergstrom, AFB, TX 78743–5002.

Thirteenth Air Force (PACAF), APO San Francisco 96274–5000.

Fourteenth Air Force (AFRES), Dobbins AFB, GA 30069–5002.

Fifteenth Air Force (SAC), March AFB, CA 92518–5000.

Sixteenth Air Force (USAFE), APO New York 09283–5000.

Seventeenth Air Force (USAFE), APO New York 09136–5002.

Twenty-First Air Force (MAC), McGuire AFB, NJ 08641–5002.

Twenty-Second Air Force (MAC), Travis AFB, CA 94535–5002.

Twenty-Third Air Force (MAC), Scott AFB, IL 62225–5001.

Air Force Plant Representive Offices (AFPRO–XP)

AFPRO–XP, Pratt & Whitney, PO Box 109600, West Palm Beach, FL 33410–9600.

AFPRO–XP, Pratt & Whitney, 400 Main St, East Hartford, CT 06108–0969.

AFPRO–XP, Boeing Co, PO Box 3707, Seattle WA 98124–3707.

AFPRO–XP, Martin Marietta, Denver Operations, PO Box 179, Denver, CO 80201–0179.

AFPRO–XP, Rockwell Intl Corp, Rocketdyne Div, 6633 Canoga Avenue, Canoga Park, CA 91303–2790.

AFPRO–XP, Lockheed Msl & Space Co, Space Systems Div, PO Box 3504, Sunnyvale, CA 94088–3504.

AFPRO–XP, Rockwell Intl, North American Acft Division, PO Box 92098, Los Angeles IAP, CA 90009–2098.

AFPRO–XP, Rockwell Intl Corp Anaheim, 3370 Miraloma Ave, Anaheim, CA 92803–3110.

AFPRO–XP, Lockheed-Aeronautical Systems Co (LASC), Marietta, GA 30063–0001.

AFPRO–XP, General Dynamics, Ft Worth Division, PO Box 371, Forth Worth, TX 76101–0371.

AFPRO–XP, General Electric Co/MD–N1, Aircraft Engine Group, Cincinnati, OH 45215–6303.

AFCMD 31/FAS, MS AFPRO/2A, 8900 E. Washington Blvd, Rico Rivera, CA 90660–3783.

AFPRO–XP, Boeing Military Airplanes, PO Box 7730, Wichita, KS 67277–7730.

AFPRO–XP, Aerojet-General Corp, PO Box 15846, Sacramento, CA 95852–1866.

AFPRO–XP, Hughes Acft Co, PO Box 92463, Los Angeles, CA 90009–2463.

AFPRO–XP, Northrop Corp, One Northrop Ave, Hawthorne, CA 90250–3296.

AFPRO–XP, General Electric Co, Space Systems Div, PO Box 8555, Philadelphia, PA 19101–8555.

AFPRO–XP, AFPRO Textron Defense Systems, 201 Lowell St, Wilmington, MA 01887–2941.

AFPRO–XP, Morton Thiokol Inc, PO Box 524, MS–Z10, Brigham City, UT 84302–0524.

AFPRO–XP, Westinghouse Electric Corp, Defense & Electronics Center, PO Box 1693, Baltimore, MD 21203–1693.

AFPRO–XP, TRW Space & Defense Sector, One Space Park, Redondo Beach, CA 90278–1078.

AFPRO–XP, Douglas Aircraft Corp, 3855 Lakewood Blvd, Long Beach, CA 90846–0001.

Hughes Missile Systems Group, PO Box 11337, Emery Park Station, Tucson, AZ 85734–1337.

AFPRO Eaton Corp, AIL Div, Commack Road, Deer Park, NY 11729–9998.

AFCMD 50/FAS, F E Warren AFB, WY 82005–8110.

AFPRO/FAS, LTV Aerospace & Defense Co, PO Box 655907, Dallas, TX 78265–5907.

Alphabetical Listing of Air Force Activities

Academic Instructor School, Maxwell AFB, AL 36112–5712.

Aeronautical Systems Division (AFSC), Wright-Patterson AFB, OH 45433–6503.

Aerospace Audio Visual Service (MAC), Norton AFB, CA 92409–5439.

Aerospace Guidance & Metrology Center (AFLC), Newark AFB, OH 43057–5000.

Aerospace Maintenance and Regeneration Center (AFLC), Davis-Monthan AFB, AZ 85707–5000.

Air Command and Staff College, Maxwell AFB, AL 36112–5542.

Air Defense Operations Center (AFSPACECOM), Cheyenne Mt Complex AFB, CO 80914–5601.

Air Force Accounting and Finance Center (SOA), Denver, CO 80279–5000.

Air Force Armament Laboratory, Eglin AFB, FL 32542–5000.

Air Force Astronautics Laboratory (AFSTC), Edwards AFB, CA 93523–5000.

Air Force Audit Agency (AFAA) (SOA), Norton AFB, CA 92409–6001.

Air Force Audit Agency (AFAA) (SOA), Norton AFB, CA 92409–6001.

Air Force Broadcasting Service (AFSINC), Kelly AFB, TX 78241–5000.

Air Force Center for Studies and Analyses (DRU) (1100 RMG), Washington, DC 20330–5000.

Air Force Center for International Programs (DRU) (1100 RMG), Washington, DC 20330–5000.

Air Force Central Notice to Airmen (NOTAM) Facility (AFCC), Carswell AFB, TX 76127–6340.

Air Force Chaplain School (AU), Maxwell AFB, AL 36112–5712.

Air Force Civil Engineer Continental Europe Region (USAFE), APO New York 09094–5000.

Air Force Civil Engineer Northern Region (USAFE), APO New York 09241–5000.

Air Force Civilian Appellate Review Agency (AFRBO), Washington, DC 20330–1000.

Air Force Civilian Personnel Management Center (DRU), Randolph AFB, TX 78150–6421.

Air Force Combat Ammunition Center (SAC), Sierra Army Depot, Herlong, CA 96113–5000.

Air Force Combat Operations Staff (DRU), Washington DC 20330–5000.

Air Force Commissary Service (SOA), Kelly AFB, TX 78241–6290.

Air Force Communications Command (MAJCOM), Scott AFB, IL 62225–6001.

Air Force Communications Command Operational Test and Evaluation Center (AFCC), Wright Patterson AFB, OH 45433–5000.

Air Force Communications-Computer Systems Doctrine Office (AFCC), Keesler AFB, MS 39534–6340.

Air Force Comptroller Management Engineering Team (AFMEA), Lowry AFB, CO 80230–5000.

AFCC Systems Acquisition Support Office (AFCC), Hanscom AFB, MA 01731–5000.

Air Force Computer Acquisition Center (AFCC), Hanscom AFB, MA 01731–6340.

Air Force Contract Maintenance Center (AFLC), Wright-Patterson AFB, OH 45433–5000.

Air Force Contract Management Division (AFSC), Kirtland AFB, NM 87117–5000.

Air Force Coordinating Office Logistics Research, Wright-Patterson AFB, OH 45433–5000.

Air Force Cost Center (DRU) 5600 Columbia Pike, Room 203, Falls Church, VA 22041–5101.

Air Force Cryptologic Support Center (ESC), San Antonio TX 78243–5000.

Distribution Control Office (AFLC), Wright-Patterson AFB, OH 45433–5000.

Air Force Distribution Agency (AFLC), Wright-Patterson AFB, OH 45433–5000.

Air Force District of Washington (DRU), Bolling AFB, DC 20332–5000.

Air Force Drug Testing Laboratory (AFSC), Brooks AFB, TX 78235–5000.

Air Force Electronic Combat Office (AFSC), Wright-Patterson AFB, OH 45433–6503.

Air Force Electronic Warfare Center (ESC) San Antonio, TX 78243–5000.

Air Force Emergency Operations Center, Ft Ritchie, MD 21719–5010.

Air Force Engineering and Services Center (SOA), Tyndall AFB, FL 32403–6001.

Air Force Engineering and Services Management Engineering Team (AFMEA), Tyndall AFB, FL 32403–5601.

Air Force European Broadcasting Squadron (AFBS), APO New York 09012–5000.

Air Force District of Washington Accounting and Finance Office, Bolling AFB, DC 20332–5260.

Air Force Flight Test Center (AFSC), Edwards AFB, CA 93523–5000.

Air Force Frequency Management Center (AFCC), Washington, DC 20330–6340.

Air Force Geophysics Laboratory (AFSTC), Hansom AFB, MA 01731–5000.

Air Force Global Weather Central (MAC), Offutt AFB, NE 68113–5000.

Air Force Human Resources Laboratory (AMD), Brooks AFB, TX 78235–5601.

Air Force Inspection and Safety Center (SOA), Norton AFB, CA 92409–7001.

Air Force Institute of Technology (AU), Wright-Patterson AFB, OH 45433–6583.

Air Force Intelligence Management Engineering Team (AFMEA), Ft Belvoir, VA 22060–5000.

Air Force Intelligence Agency (SOA), Ft Belvoir, VA 22060–5788.

Air Force Judge Advocate General School (AU), Maxwell AFB, AL 36112–5712.

Air Force Judge Advocate Legal Information Services, Denver, CO 80279–5000.

Air Force Legal Services Center (SOA), Washington, DC 20330–5000.

Air Force Logistics Command (MAJCOM), Wright-Patterson AFB, OH 45433–5001.

AFLC International Logistics Center (AFLC), Wright-Patterson AFB, OH 45433–5000.

AFLC Inspection and Safety Center (AFLC), Wright-Patterson AFB, OH 45433–5000.

AFLC Logistics Support Group Saudia Arabia, APO New York 09038–5000.

AFLC Support Group Europe (AFLC), APO New York 09243–5000.

AFLC Cataloging and Standardization Center (AFLC), 74 N. Washington Ave, Battle Creek, MI 49017–3094.

Logistics Operations Center (AFLC), Wright-Patterson AFB, OH 45433–5000.

Logistics Management Systems Center (AFLC), Wright-Patterson AFB, OH 45433–5000.

Air Force Acquisition Logistics Center (AFLC), Wright-Patterson AFB, OH 45433–5000.

Air Force Contract Law Center (AFLC), Wright-Patterson AFB, OH 45433–5000.

Air Force Disaster Preparedness Center, Lowry AFB, CO 80230–5000.

Air Force Logistics, Management Center (AFLC), Gunter AFB, AL 36114–6693.

Air Force Legal Service Center, Washington, DC 20330–5000.

Air Force Logistics Management Engineering Team (AFMEA), Dover AFB, DE 19902–6437.

Air Force Management Engineering Agency (SOA), Randolph AFB, TX 78150–6431.

Air Force Military Personnel Center (SOA), Randolph AFB, TX 78150–6001.

Air Force Manpower and Personnel Management Engineering Team (AFMEA), Randoph AFB, TX 78150–6431.

Air Force Medical Logistics Office (USAF), Frederick, MD 21701–5006.

Air Force Medical Management Engineering Team (AFMEA), Maxwell AFB, AL 36112–5006.

Air Force Office of Medical Support (SOA), Brooks AFB, TX 78235–5000.

Air Force Military Training Center (ATC), Lackland AFB, TX 78236–5000.

Air Force Mortuary Services Office (AFESC), Bolling AFB, DC 20332–5000.

Air Force Office of Public Affairs, Midwest Region, 55 East Monroe, Suite 1525, Chicago, IL 60603–5707.

Air Force Office of Public Affairs, Western Region (AFSINC), Room 10114, 11000 Wilshire Blvd, Los Angeles, CA 90024–3602.

Air Force Office of Public Affairs, Eastern Region (AFSINC), 133 East 58th St, Suite 1500, New York, NY 10022–1236.

Air Force Office of Scientific Research (AFSC), Bolling AFB, DC 20332–6600.

Air Force Office of Security Police (SOA), Kirtland AFB, NM 87117–6001.

Air Force Professional Manpower & Personnel Management School (AU), Maxwell AFB, AL 36112–5712.

Air Force Professional Military Comptroller School (AU), Maxwell AFB, AL 36113–5712.

Air Force Publishing Distribution Center (SAF/AAI), Baltimore, MD 21220–2898.

Air Force Reserve (SOA), Robins AFB, GA 31098–5000

Air Force Rescue Coordination Center (MAC/ARRS), Scott AFB, IL 62225–5000.

Air Force Reserve Officers Training Corps (ATC), Maxwell AFB, AL 36112–6663.

Air Force Review Boards Office (DRU), Washington, DC 20330–5000.

Air Force Security Clearance Office (AFOSP), Washington, DC 20330–5000.

Air Force Security Police Management Engineering Team (AFMEA), Kirtland AFB, NM 87117–6004.

Air Force Service Information and News Center (SOA) Kelly AFB, TX 78241–5000.

Air Force Space Command (MAJCOM), Peterson AFB, CO 80914–5001.

Air Force Space Technology Center (AFSC), Kirtland AFB, NM 87117–5000.

Air Force Special Activities Center (AFIA), Ft Belvoir, VA 22060.

Air Force Special Staff Management Engineering Team (AFMEA), Peterson AFB, CO 80914–5000.

Air Force Systems Command (MAJCOM), Andrews AFB, DC 20331–5000.

Air Force Technical Applications Center (DRU), Patrick AFB, FL 32925–6001.

Air Force Telecommunications Certification Office (AFCC), Scott AFB, IL 62225–6001.

Air Force Wartime Manpower and Personnel Readiness Team (AFMEA), Ft Richie, MD 21719–5010.

Air Force Weapons Laboratory (AFSTC), Kirtland AFB, NM 87117–6008.

Air Force Wright Aeronautical Laboratories (ASD), Wright-Patterson AFB, OH 45433–5000.

Air Forces Iceland (TAC), APO New York 09673–2055.

Air Ground Operations School (TAC), Hurlburt Fld, FL 32544–5000.

Air National Guard Support Center (DRU), Andrews AFB, MD 20331–6008.

Air Reserve Personnel Center (SOA), Denver, CO 80280–5000.

Air Training Command (MAJCOM), Randoph AFB, TX 78150–5001.

ATC Civilian Automated Training Office (ATC), Lackland AFB, TX 78236–5000.

ATC OPSCEN Operations Center (ATC), Randoph AFB, TX 78150–5000.

Air Training Communications Division (AFCC), Randoph AFB, TX 78150–6343.

Air University (MAJCOM), Maxwell AFB, AL 36112–5001.

Armed Forces Staff College, 12 3825 Spt Gp (Acad), Norfolk, VA 23511–2020.

Air War College (AU), Maxwell AFB, AL 36112–5522.

Air Weather Service (MAC), Scott AFB, IL 62225–5008.

Airlift Communications (AFCC), Scott AFB, IL 62225–6343.

Alaskan Air Command (MAJCOM), Elmendorf AFB, AK 99506–5001.

Alaskan North American Aerospace Defense Command Region (NORAD), Elmendorf AFB, AK 99506–5000.

AFSC Armament Division (AFSC), Eglin AFB, FL 32542–5000.

Armed Forces Vocational Testing Group (ATC), Randolph AFB, TX 78150–5000.

Army and Air Force Exchange Service (DOD), PO Box 660202, Dallas, TX 75266–0202.

Arnold Engineering Development Center (AFSC), Arnold AFB, TN 37389–5000.

Ballistic Missile Office (AFSC), Norton AFB, CA 92409–6468.

HQ Defense Communications Agency (DOD), Washington, DC 20305–2000.

Defense Equal Opportunity Management Institute, Patrick AFB, FL 32925–6685.

Defense Mapping Agency Aerospace Center (DMA), 8900 S. Broadway, St Louis, MO 63118–2020.

Defense Medical Examination Review Board (DOD), Colorado Springs, CO 80840–5000.

Defense Reutilization Marketing Office (AFLC), Barksdale AFB, LA 71110–6100.

Director of Nuclear Surety (AFISC), Kirtland AFB, NM 87117–5000.

Electromagnetic Compatibility Analysis Center (AFSC), North Severn, Annapolis, MD 21402–1187.

Electronic Security Combat Operations Staff (ESC), Kelly AFB, TX 78243–5000.

Electronic Security Command (MAJCOM), San Antonio, TX 78243–5000.

Continental Electronic Security Division (ESC), San Antonio, TX 78243–5000.

European Electronic Security Division (ESC), APO New York 09094–6373.

Electronic Systems Division (AFSC), Hanscom AFB, MA 01731–5000.

Logistics Communications Division (AFCC), Wright-Patterson AFB, OH 45433–6343.

Military Airlift Command (MAJCOM), Scott AFB, IL 62225–5000.

National Personnel Record Center (Civilian), NPRC/CPR–AF, 111 Winnebago St, St Louis, MO 63118–2001.

National Personnel Record Center (Military), NPRC/MPR–AF, 9700 Page Blvd, St Louis, MO 63132–2001.

North American Aerospace Defense Command (NORAD), Peterson AFB, CO 80914–5002.

CONUS North American Aerospace Defense Command Region, Langley AFB, VA 23665–5009.

North American Aerospace Defense Airborne Command and Control Squadron, Tinker AFB, OK 73145–5000.

NORAD Computer Services Squadron, Tyndall AFB, FL 32403–6702.

Officer Training School (ATC), Lackland AFB, TX 78236–5000.

Ogden Air Logistics Center (AFLC), Hill AFB, UT 84056–6000.

Oklahoma City Air Logistics Center (AFLC), Tinker AFB, OK 73145–5000.

Operations Training Support Laboratory (SAC), Carswell AB, TX 76127–5000.

Pacific Air Combat Operations Staff (PACAF), Hickam AFB, HI 96853–5000.

Pacific Air Forces (MAJCOM), Hickam AFB, HI 96853–5001.

Pacific Communications Divisin (AFCC), Hickam AFB, HI 96853–6343.

PACAF Logistics Spt Center (PACAF), APO San Francisco 96239–5000.

Pacific Technical Operations Area (HQ PACTOA), Wheeler AFB, HI 96854–5000.

Defense Communications Agency Station List Directory* (Alphabetically by State)

Alaska

DCA Alaska Field Office, ATTN: DOL, Elmendorf AFB, AK 99506–5000.

Defense Commercial/Communications Office-Alaska, ATTN: RT, Elmendorf AFB, AK 99506–5000.

Arizona

Joint Interoperability Test Center (JTC3A), Ft Huachuca, AZ 85613–7020.

California

DCA Guam Field Office, Box 141, NAVCAMS WEST PAC, FPO San Francisco 96630–1837.

DCA Northwest Pacific Region, APO San Francisco 96328–5000.

DCA Korea Field Office, APO San Francisco 96301–0069.

DCA Southwest Pacific Region, APO San Francisco 96274–5000.

District of Columbia

Joint Data Systems Support Center, Washington, DC 20305–2000.

Headquarters Defense Communications Agency, Washington, DC 20305–2000.

National Communications System/Defense Communications Agency Operations Center, Washington, DC 20305–2000.

Commander, White House Communications Agency, Washington, DC 20374–0940.

Defense Communications System Organization, Washington, DC 20305–2000.

Director, Defense Mobilization Systems Planning Activity, Washington, DC 20301–4000.

Florida

DCA Field Office, Building 540, MacDill AFB, FL 33608–7001.

Georgia

DCA Field Office, ATTN: FCDJ–DCA, Ft McPherson, GA 30330–6000.

Hawaii

DCA–Pacific Area, Wheeler AFB, HI 96854–5000.

Defense Commercial Communications Office-Pacific, Ft Shafter, HI 96858–5490.

WSE–PAC, ATTN: C4S/STW, Box 29, Camp H. M. Smith, HI 96861–5025.

Illinois

Defense Commercial Communications Office, Building 3189, Scott AFB, IL 62225–8300.

Telecommunications Management Services Office, ATTN: QA, Scott AFB, IL 62225–8400.

New Jersey

Joint Interface Test Force (JTC3A), Ft Monmouth, NJ 85613–7020.

New York

DCA-European Area, APO New York 09131–4103.

DCA Field Office Turkey, JUSTMMAT, APO New York 09254–5365.

Defense Commercial Communications Office-Europe ATTN: RS, APO New York 09130–5000.

C4S-EUR, Patch Barracks, ATTN: STE, APO New York 09128–4145.

USDCFO US Mission NATO, ATTN: C4S/STN, APO New York 09667–7034.

Virginia

Defense Communications Engineering Center, 1860 Wiehle Avenue, Reston, VA 22090–5500.

Director, Center for Command, Control and Communications Systems, 3701 North Fairfax Drive, Arlington, VA 22203–0000.

Director, Joint Tactical Command, Control and Communications, 11440 Isaac Newton Square North, Reston, VA 22090–5006.

Washington

DCA-Okinawa Field Office, Box 959, FPO Seattle 98773–5001.

Addendum to DCA Station List Directory

The Director, DCA is also the Manager, National Communications Systems (NCS), and the Director, Worldwide Military Command and Communications System (WWMCCS) Systems Engineering. To the extent that the Director, DCA performs these other functions, the records systems described herein pertain to and are available to employees of these organizations and may be corrected by means of the same process described for DCA files systems, unless specified otherwise herein.

* The official military personnel records of military personnel assigned to DCA are maintained by the parent department and that department has the only complete official copies of the military members personnel records file. Responsibility for the completeness and accuracy of these files is invested in the military department. While the DCA commander or office chief may assist the military members in obtaining access or making corrections, DCA does not have the authority either to grant access or make corrections. The documents maintained by DCA on military personnel are nomination process, copies of personnel correspondence generated during the members tenure in DCA, promotion rosters furnished by the military departments, and copies of orders published by the departments. A few documents are maintained as a result of requirements imposed by the departments (leave forms for Army, Navy and Air Force personnel and SIDPERS for Army personnel).

Director of Department of the Navy Mailing Addresses

Assistance in obtaining any Navy mailing address not included in the following director may be obtained from the Chief of Naval Operations (OP–09B30), Navy Department, Room 5E521, Pentagon, Washington, DC 20350–2000. Telephone (202) 694–2004.

Assistance in obtaining any Marine Corps mailing address not included in the following directory may be obtained from the Commandant of the Marine Corps (Code MI–3), Washington, DC 20380–0001. Telephone (202) 694–4008.

Arizona

Commanding Officer, Naval and Marine Corps Reserve Readiness Center, 1201 North 35th Avenue, Phoenix, AZ 85009–3398.

Commanding Officer, Marine Corps Air Station, Yuma, AR 85364–5001.

California

Director, Navy Office of Information, West, 11000 Wilshire Boulevard, Los Angeles, CA 90024–3691.

Commanding Officer, Naval Weapons Station, Seal Beach, CA 90740–5000.

Commanding Officer, Naval Hospital, 7500 E. Carson Street, Long Beach, CA 90822–1000.

Commanding Officer, Naval Station, Long Beach, CA 90822–5000.

Director, Consolidated Civilian Personnel Office, Naval Station, Long Beach, CA 90822–5000.

Commanding Officer, Personnel Support Activity, Long Beach, CA 90822–5001.

Commanding Officer, Naval Legal Service Office, Naval Station, Long Beach, CA 90822–5075

Commanding Officer, Naval and Marine Corps Readiness Center, Long Beach, CA 90822–5092.

Commanding Officer, Naval Dental Clinic, Long Beach, CA 90822–5096.

Commanding General, Marine Corps Base, Camp Pendleton, CA 92055–5001.

Commanding Officer, Naval Dental Clinic, Camp Pendleton, CA 92055–5001.

Commanding General, 4th Marine Division, FMF, U.S. Marine Corps Reserve, Camp Pendleton, CA 92055–5001.

Commanding Officer, Naval Hospital, Camp Pendleton, CA 92055–5008.

Commanding General, 1st Marine Amphibious Force, FMF, Camp Pendleton, CA 92055–5401.

Commanding General, 1st Marine Division, FMF, Camp Pendleton, CA 92055–5501.

Commanding Officer, Naval Submarine Base, 140 Sylvester Road, San Diego, CA 92106–3521.

Commanding Officer, Naval and Marine Corps Reserve Readiness Center, 9955 Pomerado Road, San Diego, CA 92132–5001.

Commanding Officer, Naval Supply Center, 937 North Harbor Drive, San Diego, CA 92132–5044.

Commander, Naval Base, San Diego, CA 92132–5100.

Director, Naval Audit Service, Western Region, 1220 Pacific Highway, San Diego, CA 92132–5103.

Commanding Officer, Naval Education and Training Support Center, Pacific, San Diego, CA 92132–5105.

Commander, Naval Reserve Readiness Command, Region Nineteen, 960 North Harbor Drive, San Diego, CA 92132–5108.

Commanding Officer, Fleet Accounting and Disbursing Center, U.S. Pacific Fleet, 937 North Harbor Drive, San Diego, CA 92132–5110.

Commanding Officer, Southwest Division, Naval Facilities Engineering Command, San Diego, CA 92132–5190.

Commander, Naval Training Center, San Diego, CA 92133–5000.

Commanding Officer, Naval Hospital, San Diego, CA 92134–5000.

Commanding Officer, Naval School of Health Sciences, San Diego, CA 92134–6000.

Commanding Officer, Navy Drug Screening Laboratory, Navy Hospital, Building 10, San Diego, CA 92134–6900.

Commander, Naval Air Force, U.S. Pacific Fleet, Naval Air Station, North Island, San Diego, CA 92135–5100.

Commanding Officer, Naval Air Station, North Island, San Diego, CA 92135–5110.

Commanding Officer, Navy Regional Data Automation Center, Naval Air Station, North Island, San Diego, CA 92135–5110.

Commanding Officer, Naval Station, San Diego, CA 92136–5000.

Commanding Officer, Naval Legal Service Office, Naval Station, San Diego, CA 92136–5138.

Commanding Officer, Naval Dental Clinic, San Diego, CA 92136–5147.

Commanding Officer, Navy Resale and Services Support Office, Field Support Office, PO Box 150, Naval Station, San Diego, CA 92136–5150.

Commanding Officer, Naval Medical Clinic, Naval Station, San Diego, CA 92136–5153.

Commander, Amphibious Group 3, Box 201, San Diego, CA 92136–5201.

Commanding Officer, Personnel Support Activity, San Diego, CA 92136–5203.

Commanding Officer, Naval Health Research Center, PO Box 85122, San Diego, CA 92138–9174.

Commanding General, Marine Corps Recruit Depot, San Diego, CA 92140–5001.

Commanding Officer, Naval Alcohol Rehabilitation Center, Naval Air Station, Miramar, San Diego, CA 92145–5000.

Commanding Officer, Naval Air Station, Miramar, San Diego, CA 92145–5000.

Commander, Training Command, U.S. Pacific Fleet, San Diego, CA 92147–5030.

Commanding Officer, Fleet Combat Training Center Pacific, 200 Catalina Boulevard, San Diego, CA 92147–5060.

Commander, Naval Ocean Systems Center, San Diego, CA 92152–5000.

Commanding Officer, Navy Personnel Research and Development Center, San Diego, CA 92152–6800.

Commander, Naval Surface Force, U.S. Pacific Fleet, Naval Amphibious Base, Coronado, San Diego, CA 92155–5035.

Commanding Officer, Naval Amphibious Base, Coronado, Coronado, CA 92155–5035.

Director, Office of Civilian Personnel Management, Southwest Region, 880 Front Street, Room 5–S–29, San Diego, CA 92188–0410.

Commanding Officer, Naval Air Facility, El Centro, CA 92243–5001.

Commanding General, Force Troops FMF, Pacific, Marine Corps Base, Twentynine Palms, CA 92278–5001.

Commanding General, Marine Corps Base, Twentynine Palms, CA 92278–5001.

Commanding General, Marine Corps Logistics Base, Barstow, CA 92311–5001.

Commander, Marine Corps Air Bases Western Area, Marine Corps Air Station, El Toro, Santa Ana, CA 92709–5001.

Commanding General, Marine Corps Air Station, El Toro, Santa Ana, CA 92709–5001.

Commanding General, Marine Aircraft Wing 46, Marine Corps Air Station, El Toro, Santa Ana, CA 92709–5001.

Commanding Officer, Marine Corps Air Station (Helicopter), Tustin, CA 92710–5001.

Commanding Officer, Naval Air Station, Point Mugu, CA 93042–5000.

Commander, Pacific Missile Test Center, Point Mugu, CA 93042–5000.

Commanding Officer, Naval Ship Weapon Systems Engineering Station, Point Hueneme, CA 93043–5007.

Commanding Officer, Naval Medical Clinic, Port Hueneme, CA 93043–5007.

Commanding Officer, Naval Air Station, Lemoore, CA 93246–0001.

Commanding Officer, Naval Hospital, Lemoore, CA 93246–0001.

Officer in Charge, Navy Data Automation Facility Lemoore, Naval Air Station, Lemoore, CA 93246–0006.

Commander, Naval Weapons Center, China Lake, CA 93555–6001.

Director, Defense Resources Management Education Center, Naval Postgraduate School, Monterey, CA 93943–5000.

Superintendent, Naval Postgraduate School, Monterey, CA 93943–5000.

Director, Defense Personnel Security Research and Education Center, Naval Postgraduate School, Monterey, CA 93943–5000.

Commanding Officer, Naval Air Station, Moffett Field, CA 94035–5000.

Officer in Charge, Navy Data Automation Facility Moffett Field, Naval Air Station, Moffett Field, CA 94035–5021.

Commander, Western Division, Naval Facilities Engineering Command, PO Box 727, San Bruno, CA 94066–0720.

Naval Plant Representative Office, Strategic Systems Program Field Office, PO Box 3504, Sunnyvale, CA 94088–3504.

Commanding Officer, Naval Station Treasure Island, San Francisco, CA 94130–5018.

Commanding Officer, Personnel Support Activity San Francisco, Building 450, Treasure Island, San Francisco, CA 94130–5016.

Commander, Naval Base San Francisco, Naval Station, Treasure Island, San Francisco, CA 94130–5018.

Director, 12th Marine Corps District, Building 7, Naval Station, Treasure Island, San Francisco, CA 94130–5018.

Commanding Officer, Naval Legal Service Office, Naval Station, Treasure Island, San Francisco, CA 94130–5029.

Commanding Officer, Naval Dental Clinic, San Francisco, CA 94130–5030.

Commanding Officer, Naval Medical Clinic, San Francisco, CA 94130–5030.

Commander, Naval Reserve Readiness Command, Region Twenty, Building 1, Naval Station, Treasure Island, San Francisco, CA 94130–5032.

Commanding Officer, Navy Regional Data Automation Center San Francisco, Naval Air Station, Alameda, CA 94501–5007.

Officer in Charge, Navy Disease Vector Ecology and Control Center, Naval Air Station, Alameda, CA 94501–5039.

Commanding Officer, Naval Air Station, Alameda, CA 94501–5039.

Commanding Officer, Naval Weapons Station, Concord, CA 94520–5000.

Commanding Officer, Naval Station, Mare Island, Vallejo, CA 94592–5000.

Commanding Officer, Naval Supply Center, Oakland, CA 94625–5000.

Commander, Military Sealift Command, Pacific, Oakland, CA 94625–5010.

Commanding Officer, Naval Biosciences Laboratory, Naval Supply Center, Oakland, CA 94625–5015.

Commanding Officer, Navy Resale and Services Support Office, Field Support Office, Building 310, Naval Supply Center, Oakland, CA 94625–5025.

Commanding Officer, Naval Hospital, Oakland, CA 94627–5000.

Commanding Officer, Navy Drug Screening Laboratory, 8750 Mountain Boulevard, Oakland, CA 94627–5050.

Commanding Officer, Naval Communication Station Stockton, Stockton, CA 95203–5000.

Commanding Officer, Naval Facility, Centerville Beach, Ferndale, CA 95536–9766.

Connecticut

Commanding Officer, Naval Submarine Base, New London, Box 00, Groton, CT 06349–5000.

Commanding Officer, Naval Legal Service Office, Naval Submarine Base, New London, Box 10, Building 137, Groton, CT 06349–5010.

Commanding Officer, Personnel Support Activity, New London, Box 63, Naval Submarine Base, New London, Groton, CT 06349–5063.

Officer in Charge, Personnel Support Activity Detachment, New London, Box 88, Groton, CT 06349–5088.

Commanding Officer, Naval Security Group Activity, Box 99, Naval Submarine Base, New London, Groton, CT 06349–5099.

Director, Consolidated Civilian Personnel, P.O. Box 20, Naval Submarine Base, New London, Groton, CT 06349–5099.

Commanding Officer, Naval Submarine Medical Research Laboratory, Naval Submarine Base, New London, Groton, CT 06349–5099.

Commanding Officer, Naval Hospital, Groton, CT 06349–5099.

District of Columbia

Secretary of the Navy, Navy Department, Washington, DC 20350–1000.

Under Secretary of the Navy, Navy Department, Washington, DC 20350–1000.

Assistant Secretary of the Navy (Financial Management), Navy Department, Washington, DC 20350–1000.

Assistant Secretary of the Navy (Manpower and Reserve Affairs), Navy Department, Washington, DC 20350–1000.

Assistant Secretary of the Navy (Research, Engineering and Systems), Navy Department, Washington, DC 20350–1000.

Comptroller of the Navy, Navy Department, Washington, DC 20350–1100.

Chief of Information, Navy Department, Washington, DC 20350–1200.

Chief of Legislative Affairs, Navy Department, Washington, DC 20350–1300.

Chief of Naval Operations, Navy Department, Washington, DC 20350–2000.

Assistant Secretary of the Navy (Shipbuilding and Logistics), Navy Department, Washington, DC 20360–5000.

General Counsel, Navy Department, Washington, DC 20360–5110.

Commander, Naval Air Systems Command, Headquarters, Washington, DC 20361–1001.

Commander, Space and Naval Warfare Systems Command, Headquarters, Washington, DC 20363–5100.

Commander, Naval Sea Systems Command, Headquarters, Washington, DC 20362–5101.

Director, Naval Civilian Personnel Center, Washington, DC 20370–1000.

Commander, Naval Military Personnel Command, Navy Department, Washington, DC 20370–5000.

Executive Director, Board for Corrections of Naval Records, Navy Department, Washington, DC 20370–5100.

Officer in Charge, Personnel Support Activity Detachment, Crystal Mall 3, Room 100, Washington, DC 20371–5000.

President, Board of Inspection and Survey, Navy Department, Washington, DC 20372–5100.

Chief, Bureau of Medicine and Surgery, Navy Department, Washington, DC 20372–5120.

Director, Naval Historical Center, Washington Navy Yard, Washington, DC 20374–0571.

Officer in Charge, Navy Band, Washington Navy Yard, Washington, DC 20374–1052.

Officer in Charge, Navy-Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Washington Navy Yard, Washington, DC 20374–1111.

Commanding Officer, Navy Regional Data Automation Center Washington, Washington Navy Yard, Washington, DC 20374–1435.

Commander, Naval Data Automation Command, Washington Navy Yard, Washington, DC 20374–1662.

Commanding Officer, Navy Medical Clinic, Washington Navy Yard, Washington, DC 20374–1832.

Naval Inspector General, Building 200, Washington Navy Yard, Washington, DC 20374–2001.

Commander, Naval Imaging Command, Washington, DC 20374–2002.

Commandant, Naval District Washington, Washington Navy Yard, Washington, DC 20374–2002.

Commanding Officer, Personnel Support Activity, Building 92, Naval District Washington, Washington, DC 20374–2002.

Commanding Officer, Naval Legal Service Officer, Washington Navy Yard, Washington, DC 20374–2003.

Commander, Naval Reserve Readiness Command Region Six, Washington Navy Yard, Washington, DC 20374–2003.

Chief, Navy-Marine Corps Trial Judiciary, Washington Navy Yard, Washington, DC 20374–2004.

Commanding Officer, Navy Automatic Data Processing Selection Office, Washington Navy Yard, Washington, DC 20374–2181.

Director, Consolidated Civilian Personnel Office, Building 200, Washington Navy Yard, Washington, DC 20374–5006.

Commanding Officer, Navy Appellate Leave Activity, Building 176, Washington Navy Yard, Washington, DC 20374–5083.

Commanding Officer, Naval Research Laboratory, Washington, DC 20375–5000.

Commander, Naval Supply Systems Command, Headquarters, Washington, DC 20376–5000.

Commander, Navy Accounting and Finance Center, Navy Department, Washington, DC 20376–5001.

Director, Strategic Systems Program, Department of the Navy, Washington, DC 20376–5002.

Director, Naval Audit Service Capital Region, 1941 Jefferson Davis Highway, Crystal Mall #4, Room 309, Washington, DC 20376–5003.

Director, Consolidated Civilian Personnel Office, 1931 Jefferson Davis Highway, Crystal Mall 2, Washington, DC 20376–5006.

Commandant of the Marine Corps, Navy Department, Washington, DC 20380–0001.

Commander, Naval Investigative Service Command, Washington, DC 20388–5000.

Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389–5000.

Superintendent, Naval Observatory, 34th and Massachusetts Avenue NW., Washington, DC 20390–5100.

Commanding Officer, Naval Air Facility, Washington, DC 20390–5130.

Commanding Officer, Naval Polar Oceanography Center, Navy Department, 4301 Suitland Road, Washington, DC 20390–5180.

Commander, Military Sealift Command, Department of the Navy, Washington, DC 20390–5320.

Commanding Officer, Naval Security Station, 3801 Nebraska Ave. NW., Washington, DC 20393–5230.

Commanding, Naval Telecommunications Command, 4401 Massachusetts Ave. NW., Washington, DC 20394–5290.

Director, Navy Commercial Communications Office, 4401 Massachusetts Ave, NW, Washington, DC 20394–5290.

Commanding Officer, Naval Telecommunications Automation Support Center, Washington, DC 20397–5310.

Director, Marine Corps Institute, Marine Barracks, Washington, DC 22222–0001.

Florida

Commanding Officer, Navy Resale and Services Support Office, Field Support Office, Jacksonville, FL 32212–0013.

Commanding Officer, Regional Accounting and Disbursing Center, Box 15, Naval Air Station, Jacksonville, FL 32212–0015.

Officer in Charge, Navy Disease Vector Ecology and Control Center, Naval Air Station, Jacksonville, FL 32212–0043.

Commanding Officer, Naval Alcohol Rehabilitation Center, Naval Air Station, Jacksonville, FL 32212–0046.

Commanding Officer, Personnel Support Activity, Box 50, Naval Air Station, Jacksonville, FL 32212–0050.

Commanding Officer, Naval Dental Clinic, Jacksonville, FL 32212–0074.

Commander, Naval Reserve Readiness Command, Region Eight, Box 90, Naval Air Station, Jacksonville, FL 32212–0090.

Commanding Officer, Naval Supply Center, Jacksonville, FL 32212–0097.

Commanding Officer, Naval Legal Service Office, Naval Air Station, Jacksonville, FL 32212–0107.

Commanding Officer, Navy Regional Data Automation Center, Jacksonville, Naval Air Station, Jacksonville, FL 32212–0111.

Commander, Naval Base, Jacksonville, FL 32212–5000.

Commanding Officer, Navy Drug Screening Laboratory, Naval Hospital, Jacksonville, FL 32214–0113.

Commanding Officer, Naval Hospital, Jacksonville, FL 32214–0113.

Commanding Officer, Naval Air Station, Cecil Field, FL 32215–5000.

Commanding Officer, Naval Air Station, Jacksonville, FL 32215–5000.

Commanding Officer, Naval Aviation Depot, Naval Air Station, Jacksonville, FL 32216–0016.

Commanding Officer, Naval Station, Mayport, FL 32228–5000.

Commanding Officer, Naval Air Facility, Mayport, FL 32228–5000.

Commanding Officer, Naval Legal Service Office, Box 217, Naval Station, Mayport, FL 32228–0217.

Commanding Officer, Naval Coastal Systems Center, Panama City, FL 32407–5000.

Commanding Officer, Naval Air Station, Pensacola, FL 32508–5000.

Chief of Naval Education and Training, Naval Air Station, Pensacola, FL 32508–5100.

Officer in Charge, Navy Resale Activity, Naval Air Station, Pensacola, FL 32508–5350.

Commanding Officer, Naval Aerospace Medical Institute, Naval Air Station, Pensacola, FL 32508–5600.

Commanding Officer, Naval Aerospace Medical Research Laboratory, Naval Air Station, Pensacola, FL 32508–5700.

Commanding Officer, Naval Dental Clinic, Pensacola, FL 32508–5800.

Commanding Officer, Naval Legal Service Office, Naval Air Station, Pensacola, FL 32508–6000.

Commanding Officer, Navy Regional Data Automation Center, Naval Air Station, Pensacola, FL 32508–6100.

Commanding Officer, Naval Supply Center, Pensacola, FL 32508–6200.

Commanding Officer, Personnel Support Activity, Naval Air Station, Pensacola, FL 32508–6600.

Commanding Officer, Naval Education and Training Program Management Supply Activity, Pensacola, FL 32509–5000.

Commanding Officer, Naval Technical Training Center, Corry Station, Pensacola, FL 32511–5000.

Commanding Officer, Naval Hospital, Pensacola, FL 32512–5000.

Commanding Officer, Naval Air Station, Whiting Field, Milton, FL 32570–3000.

Officer in Charge, Navy Data Automation Facility, Orlando, Building 2040, Naval Training Center, Orlando, FL 32813–5000.

Commander, Naval Training Center, Orlando, FL 32813–5005.

Commanding Officer, Naval Training Station, Orlando, FL 32813–5010.

Commanding Officer, Personnel Support Activity, Orlando, FL 32813–5016.

Commanding Officer, Naval Hospital, Orlando, FL 32813–5200.

Commanding Officer, Naval Dental Clinic, Orlando, FL 32813–6400.

Commanding Officer, Naval Training Systems Center, Orlando, FL 32813–7100.

Commanding Officer, Naval Ordnance Test Unit, Cape Canaveral, FL 32920–1623.

Commanding Officer, Naval Security Group Activity, Homestead, FL 33039–6428.

Commanding Officer, Naval Medical Clinic, Key West, FL 33040–4594.

Commanding Officer, Naval Air Station, Key West, FL 33040–5000.

Georgia

Commanding Officer, Naval Air Station Atlanta, Marietta, GA 30060–5099.

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Commanding Officer, Naval Submarine Base, Kings Bay, GA 31547–5000.

Commanding General, Marine Corps Logistics Base, Atlantic, Albany, GA 31704–5000.

Hawaii

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Commanding Officer, Naval Magazine, Lualualei, HI 96792–4301.

Director, Consolidated Civilian Personnel Office, Pearl Harbor, 4300 Radford Drive, Honolulu, HI 96818–3298.

Commander, Pacific Division, Naval Facilities Engineering Command, Pearl Harbor, HI 96860–0860.

Commander, Naval Base, Pearl Harbor, HI 96860–5020.

Commanding Officer, Naval Dental Clinic, Box 111, Pearl Harbor, HI 96860–5030.

Commanding Officer, Naval Western Oceanography Center, Box 113, Pearl Harbor, HI 96860–5050.

Director, Office of Civilian Personnel Management, Pacific Region, Box 119, Pearl Harbor, HI 96860–5060.

Commanding Officer, Naval Alcohol Rehabilitation Center, Naval Station, Box 77, Pearl Harbor, HI 96860–5080.

Commanding Officer, Navy Medical Clinic, Box 121, Pearl Harbor, HI 96860–5080.

Officer in Charge, Navy Environmental and Preventive Medicine Unit No 6, Box 112, Pearl Harbor, HI 96860–5080.

Commander, Naval Base, Pearl Harbor, HI 96860–5100.

Commanding Officer, Naval Legal Service Office, Pearl Harbor, HI 96860–5110.

Officer in Charge, Navy Resale Activity, Naval Base, Pearl Harbor, HI 96860–5180.

Commanding Officer, Navy Data Automation Facility, Box 140, Pearl Harbor, HI 96860–5200.

Commanding Officer, Navy Supply Center, Box 300, Pearl Harbor, HI 96860–5300.

Commanding Officer, Naval Station, Pearl Harbor, HI 96860–6000.

Commanding Officer, Personnel Support Activity Hawaii, Box 302, Pearl Harbor, HI 96860–6000.

Commanding Officer, Navy Submarine Base, Pearl Harbor, HI 96860–6500.

Commander, Submarine Force, U.S. Pacific Fleet, Pearl Harbor, HI 96860–6550.

Commander, U.S. Naval Forces Central Command, Pearl Harbor, HI 96860–7000.

Commander in Chief, U.S. Pacific Fleet, Pearl Harbor, HI 96860–7000.

Commander, Fleet Intelligence Support Center Pacific, Pearl Harbor, HI 96860–7450.

Commander, Third Fleet, Pearl Harbor, HI 96860–7500.

Commanding General, Fleet Marine Force, Pacific, Camp H. M. Smith, HI 96861–5000.

Commander, Marine Corps Bases Pacific, Camp H.M. Smith, HI 96861–5001.

Commanding Officer, Naval Air Station, Barbers Points, HI 96862–5000.

Commanding Officer, Marine Corps Air Station, Kaneohe Bay, HI 96863–5001.

Idaho

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Illinois

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Officer in Charge, Navy Data Automation Facility, Great Lakes, Building 3400, North Chicago, IL 60064–3013.

Commanding Officer, Naval Training Station, Great Lakes, IL 60088–5100.

Commander, Naval Training Center, Great Lakes, IL 60088–5000.

Commanding Officer, Naval Legal Service Office, Room 230, Building 1, Great Lakes, IL 60068–50025.

Commander, Naval Reserve Readiness Command Region Thirteen, Building 1, Naval Training Center, Great Lakes, IL 60088–5026.

Commanding Officer, Navy Drug Screening Laboratory, Building 38–H, Great Lakes, IL 60088–5223.

Commanding Officer, Naval Hospital, Great Lakes, IL 60088–5230.

Commanding Officer, Naval Dental Clinic, Great Lakes, IL 60088–5258.

Commanding Officer, Naval Dental Research Institute, Great Lakes, IL 60088–5259.

Commanding Officer, Personnel Support Activity, Great Lakes, IL 60088–5500.

Commanding Officer, Naval Reserve Readiness Center, Building 2711, Naval Training Center, Great Lakes, IL 60088–5707.

Commanding Officer, Navy Regional Finance Center, Building 3400, Great Lakes, IL 60088–5797.

Director, Navy Office of Information, Midwest, 55 E. Monroe Street, Suite 1536, Chicago, IL 60603–5705.

Indiana

Commanding Officer, Naval and Marine Corps Readiness Center, Heslar Naval Armory, 30th and White Rover, Indianapolis, IN 46208–4998.

Commanding Officer, Naval Weapons Support Center, Crane, IN 47522–5000.

Kansas

Commander, Naval Reserve Readiness Command, Region 18, 301 Navy Drive, Industrial Airport, KS 66031–0031.

Director, 9th Marine Corps District, 10000 West 25th Street, Shawnee Mission, KS 66211–1408.

Kentucky

Commanding Officer, Naval Ordnance Station, Louisville, KY 40214–5000.

Louisiana

Commanding Officer, Naval Support Activity, New Orleans, LA 70142–5000.

Director, 8th Marine Corps District, New Orleans, LA 70142–5100.

Director, Consolidated Civilian Personnel Office, Naval Support Activity, New Orleans, LA 70142–5200.

Commanding Officer, Naval Medical Clinic, New Orleans, LA 71042–5300.

Commanding Officer, Personnel Support Activity, Naval Support Activity, Building 123, New Orleans, LA 70142–5400.

Commander, Naval Reserve Readiness Command Region Ten, Building 11, Naval Support Activity, New Orleans, LA 70142–5600.

Commanding Officer, Naval Air Station, New Orleans, LA 70143–5000.

Commanding Officer, Navy Regional Data Automation Center, New Orleans, LA 70145–7700.

Commanding Officer, Naval and Marine Corps Readiness Center, 5020 Lakeshore Drive, New Orleans, LA 70146–3310.

Commander, Naval Reserve Force, 4400 Dauphine Street, New Orleans, LA 70146–5000.

Commander, Naval Air Reserve Force, New Orleans, LA 70146–5200.

Director, Navy Air Logistics Officer, 4400 Dauphine Street, New Orleans, LA 70146–7500.

Commanding Officer, Naval Reserve Personnel Center, 4400 Dauphine Boulevard, New Orleans, LA 70149–7800.

Commanding Office, Enlisted Personnel Management Center, New Orleans, LA 70159–7900.

Commanding Officer, Naval Biodynamics Laboratory, PO Pox 29407, New Orleans, LA 70189–0407.

Maine

Officer in Charge, Personnel Support Activity Detachment Brunswick, Naval Air Station, Brunswick, ME 04001–5000.

Commanding Officer, Naval Air Station, Brunswick, ME 04011–5000.

Officer in Charge, Personnel Support Activity Detachment Cutler, East Machias, ME 04630–1000.

Commanding Officer, Naval Communications Unit Cutter, East Machias, ME 04630–1000.

Chief Petty Officer in Charge, Personnel Support Activity, Detachment Winter Harbor, ME 04693–0900.

Commanding Officer, Naval Security Group Activity, Winter Harbor, ME 04693–0900.

Maryland

Commander, David Taylor Research Center, Bethesda, MD 20084–5000.

Commanding Officer, Naval Ordnance Station, Indian Head, MD 20640–5000.

Commanding Officer, Naval Hospital, Patuxent River, MD 20670–5370.

Commanding Officer, Naval Air Station, Patuxent River, MD 20670–5409.

Commanding Officer, Naval Security Group Activity, Fort George G. Meade, MD 20755–5290.

Commanding Officer, Naval Hospital, Bethesda, MD 20814–5000.

Commanding Officer, Naval Health Sciences Education and Training Command, Bethesda, MD 20814–5022.

Commanding Officer, Naval School of Health Sciences, Bethesda, MD 20814–5033.

Commanding Officer, Naval Medical Research and Development Command, Bethesda, MD 20814–5044.

Commanding Officer, Naval Medical Research Institute, Bethesda, MD 20814–5055.

Commanding Officer, Naval Medical Data Services Center, Bethesda, MD 20814–5066.

Commanding Officer, Naval Dental Clinic, Bethesda, MD 20814–5077.

Superintendent, U.S. Naval Academy, Annapolis, MD 21402–5000.

Commanding Officer, Naval Medical Clinic, Annapolis, MD 21402–5050.

Commanding Officer, Naval Station, Annapolis, MD 21402–5054.

Massachusetts

Officer in Charge, Personnel Support Activity Detachment Chicopee, 17–19 Fourth Street, Westover Air Force Base, Chicopee, MA 01022–5299.

Commanding Officer, Naval Air Station, South Weymouth, MA 02190–5000.

Officer in Charge, Personnel Support Activity Detachment South Weymouth, Naval Air Station, Building 17, South Weymouth, MA 02190–5004.

Director, Navy Office of Information, New England, 408 Atlantic Avenue, Boston, MA 02210–2209.

Michigan

Commanding Officer, Naval Air Facility Detroit, Mt. Clemens, MI 48045–5008.

Commanding Officer, Naval and Marine Corps Reserve Readiness Center, 7600 East Jefferson Avenue, Detroit, MI 48214–2599.

Minnesota

Commander, Naval Reserve, Readiness Command, Region Sixteen, Building 715, Minneapolis-St. Paul International Airport, Minneapolis, MN 55450–2996.

Mississippi

Commanding Officer, Naval Air Station, Meridian, MS 39309–5000.

Governor, Naval Home, 01800 East Beach Boulevard, Gulfport, MS 39501–1793.

Commanding Officer, Naval Construction Battalion Center, Gulfport, MS 39511–5000.

Commanding Officer, Naval Oceanographic Office, Bay St. Louis, NSTL, MS 39522–5001.

Commander, Naval Oceanography Command, NSTL, MS 39529–5000.

Commanding Officer, Naval Ocean Research and Development Activity, NSTL, MS 39529–5004.

Supervisor of Shipbuilding, Conversion and Repair, USN, Pasagoula, MS 39568–2210.

Missouri

Director, Marine Corps Central Design and Programming Activity, 1500 East Bannister Road, Kansas City, MO 64197–0501.

Director, Marine Corps Reserve Forces, Administrative Center, 1500 East Bannister Road, Kansas City, MO 64197–0501.

Commanding Officer, Marine Corps Finance Center, Kansas City, MO 64197–0001.

Nevada

Commanding Officer, Naval Air Station, Fallon, NV 89406–5000.

New Hampshire

Officer in Charge, Personnel Support Activity Detachment Portsmouth, Box 2031, Naval Shipyard, Portsmouth, NH 03801–2031.

Commanding Officer, Naval Medical Clinic, Portsmouth, NH 03801–5000.

New Jersey

Commander, Military Sealift Command, Atlantic, Military Ocean Terminal, Building 42, Bayonne, NJ 07002–5000.

Commanding Officer, Naval Weapons Station, Earle, Colts Neck, NJ 07722–5000.

Director, Naval Audit Service Northeast Region, Central Camden Parkade, Building 215, 30 North 5th Street, Camden, NJ 08102–0740.

Commanding Officer, Naval Air Propulsion Center, PO Box 7176, Trenton, NJ 08628–0176.

Commanding Officer, Naval Air Engineering Center, Lakehurst, NJ 08733–5000.

New York

Director, Navy Office of Information, East, 133 E. 58th Street, 15th Floor, New York, NY 10022–1236.

Commander, Navy Resale and Services Support Office, Fort Wadsworth, Staten Island, NY 10305–5097.

Officer in Charge, Navy Motion Picture Service, Flushing and Washington Avenues, Brooklyn, NY 11251–8400.

Director, 1st Marine Corps District, 605 Stewart Avenue, Garden City Long Island, NY 11530–4761.

Officer in Charge, Naval Administrative Unit, Scotia, NY 12302–9460.

Officer in Charge, Personnel Support Activity Detachmnet Scotia, Scotia, NY 12302–9460.

Commander, Naval Reserve Readiness Command Region Two, Building 1, Scotia, NY 12302–9465.

North Carolina

Commanding General, Marine Corps Air Station, Cherry Point, NC 28533–5000.

Commander, Marine Corps Air Bases Eastern Area, Marine Corps Air Station, Cherry Point, NC 28533–5001.

Commanding Officer, Naval Hospital, Cherry Point, NC 28533–5008.

Commanding General, 2nd Marine Aircraft Wing, Marine Corps Air Station, Cherry Point, NC 28533–6000.

Commanding General, Marine Corps Base, Camp Lejeune, NC 28542–5001.

Commanding Officer, Naval Hospital, Camp Lejeune, NC 28542–5007.

Commanding Officer, Naval Dental Clinic, Camp Lejeune, NC 28542–5008.

Commanding General, 2nd Marine Division FMF, Camp Lejeune, NC 28542–5501.

Commanding General, Force Troops Atlantic, 2d Force Service Support, Group FMF, Camp Lejeune, NC 28542–5501.

Commanding Officer, Marine Corps Air Station, (Helicopter), New River, Jacksonville, NC 28545–5001.

Ohio

Commanding Officer, Navy Finance Center, Anthony J. Celebrezze Federal Building, Cleveland, OH 44199–2055.

Commanding Officer, Personnel Support Activity, Anthony J. Celebrezze Federal Building, Cleveland, OH 44199–2072.

Director, Navy Family Allowance Activity, Anthony J. Celebrezze Federal Building, 1240 East 9th Street, Cleveland, OH 44199–2087.

Commander, Naval Reserve Readiness Command Region Five, Building 1033, USAAP, Ravenna, OH 44266–9211.

Oregon

Commanding Officer, Naval Facility, Coos Head, PO Box 5660, Charleston, OR 97420–0623.

Pennsylvania

Commanding Officer, Navy Ships Parts Control Center, 5450 Carlisle Pike, PO Box 2020, Mechanicsburg, PA 17055–0788.

Commanding Officer, Navy Resale and Services Support Office, Field Support Office, Box 2050, Mechanicsburg, PA 17055–0791.

Commander, Naval Air Development Center, Warminster, PA 18974–5000.

Commanding Officer, Naval Air Station, Willow Grove, PA 19090–5010.

Commanding Officer, Naval Aviation Supply Office, 700 Robbins Avenue, Philadelphia, PA 19111–5098.

Commanding Officer, Naval Air Reserve Anti-Submarine Warfare, Training Center, Naval Air Station, Willow Grove, PA 19090–5010.

Director, Office of Civilian Personnel Management Northeast Region, Building 75–3, Naval Base, Philadelphia, PA 19112–5006.

Commander, Naval Reserve Readiness Command Region Four, Building 662, Naval Base, Philadelphia, PA 19112–5070.

Director, Consolidated Civilian Personnel Office, Building 75, Naval Base, Philadelphia, PA 19112–5073.

Commanding Officer, Naval Station, Philadelphia, PA 19112–5084.

Commanding Officer, Naval Dental Clinic, Philadelphia, PA 19112–5091.

Commanding Officer, Northern Division, Naval Facilities Engineering Command, Philadelphia, PA 19112–5094.

Commanding Officer, Naval Legal Service Office, Naval Base, Building 6, Room 106, Philadelphia, PA 19112–5096.

Commanding Officer, Personnel Support Activity, Philadelphia, PA 19112–5097.

Commander, Naval Base, Philadelphia, PA 19112–5098.

Commander, Naval Base Boston, Philadelphia, PA 19112–5098.

Director, 4th Marine Corps District, Building 75, Naval Base, Philadelphia, PA 19112–5098.

Commanding Officer, Naval Hospital, 17th Street and Pattison Avenue, Philadelphia, PA 19148–5199.

Puerto Rico

Commanding Officer, Camp Garcia, Fleet Marine Force, Atlantic Vieques, PR 00765–5000.

Rhode Island

Commander, Naval Education and Training Center, Newport, RI 02841–5000.

Commanding Officer, Naval Hospital, Newport, RI 02841–5003.

President, Naval War College, Newport, RI 02841–5010.

Commanding Officer, Naval Legal Service Office, Naval Education and Training Center, Newport, RI 02841–5010.

Commander, Naval Reserve Readiness Command Region One, Building 344, Naval Education and Training Center, Newport, RI 02841–5016.

Commanding Officer, Naval Justice School, Newport, RI 02841–5030.

Commanding Officer, Naval Dental Clinic, Newport, RI 02841–5046.

Commanding Officer, Naval Underwater Systems Center, Newport, RI 02841–5047.

Commanding Officer, Navy Data Automation Center, Newport, Building 1A, Newport, RI 02841–5053.

Commanding Officer, Personnel Support Activity, Naval Education and Training Center, Newport, RI 02841–5062.

Officer in Charge, Personnel Support Activity Detachment Newport, Naval Education and Training Center, Building K–61, Newport, RI 02841–5062.

Commanding Officer, Navy Resale and Services Support Office, Field Support Office, Davisville, North Kingstown, RI 02852–0799.

South Carolina

Commanding Officer, Naval Station, Naval Base, Charleston, SC 29408–5000.

Commander, Naval Base, Charleston, SC 29408–5100.

Commanding Officer, Naval Legal Service Office, Naval Base, Charleston, SC 29408–5400.

Commanding Officer, Personnel Support Activity, Charleston, SC 29408–5626.

Commanding Officer, Polaris Missile Facility, Atlantic, Charleston, SC 29408–5700.

Commanding Officer, Naval Dental Clinic, Charleston, SC 29408–5800.

Commander, Naval Reserve Readiness Command Region Seven, Naval Base, Charleston, SC 29408–6050.

Commanding Officer, Naval Security Group Activity, Naval Base, Charleston, SC 29408–6200.

Commanding Officer, Naval Supply Center, Charleston, SC 29408–6300.

Commanding Officer, Naval Hospital, Charleston, SC 29408–6900.

Commanding Officer, Naval Weapons Station, Charleston, SC 29408–7000.

Director, Consolidated Civilian Personnel Office, Naval Base, Charleston, SC 29408–8000.

Commanding Officer, Southern Division, Naval Facilities Engineering Command, PO Box 10068, Charleston, SC 29411–0068.

Commanding Officer, Marine Corps Air Station, Beaufort, SC 29902–5000.

Commanding Officer, Naval Hospital, Beaufort, SC 29904–5001.

Commanding Officer, Marine Corps Recruit Depot, Parris Island, SC 29905–5001.

Commanding Officer, Naval Dental Clinic, Parris Island, SC 29905–5009.

Tennessee

Commanding Officer, Naval Air Station, Memphis, Millington, TN 38054–5000.

Commanding Officer, Naval Legal Service Office, Naval Air Station, Memphis, Millington, TN 38054–5030.

Commander, Naval Reserve Readiness Command Region Nine, Building E35, Naval Air Station, Memphis, Millington, TN 38054–5048.

Chief of Naval Technical Training, Naval Air Station, Memphis, Millington, TN 38054–5056.

Commanding Officer, Personnel Support Activity, Naval Air Station, Memphis, Millington, TN 38054–5099.

Commanding Officer, Naval Hospital, Millington, TN 38054–5201.

Texas

Commanding Officer, Naval Air Station, Dallas, TX 75211–9501.

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Commanding Officer, Naval Air Station, Chase Field, Beeville, TX 78103–5000.

Director, Naval Civilian Personnel Data System Center, Randolph AFB, TX 78150–5000.

Commanding Officer, Naval Air Station, Kingsville, TX 78363–5000.

Commanding Officer, Naval Air Station, Corpus Christi, TX 78419–5000.

Commanding Officer, Naval Legal Service Office, Naval Air Station, Corpus Christi, TX 78419–5214.

Officer in Charge, Navy Data Automation Facility Corpus Christi, Building 10, Naval Air Station, Corpus Christi, TX 78419–5000.

Chief of Naval Air Training, Naval Air Station, Corpus Christi, TX 78419–5100.

Commanding Officer, Naval Hospital, Corpus Christi, TX 78419–5200.

Commanding Officer, Personnel Support Activity, Naval Air Station, Corpus Christi, TX 78419–5208.

Commanding Officer, Naval Legal Service Office, Naval Air Station, Corpus Christi, TX 78419–5214.

Virginia

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Commanding General, Marine Corp Development and Education Command, Quantico, VA 22134–5001.

Commanding Officer, Naval Medical Clinic, Quantico, VA 22134–6050.

Director, Office of Civilian Personnel Management, Capital Region, 801 North Randolph Street, Arlington, VA 22203–1927.

Director, Naval Council of Personnel Boards, Ballston Centre Tower #2, 801 North Randolph Street, Arlington, VA 22203–1989.

Commander, Navy Recruiting Command, 4015 Wilson Boulevard, Arlington, VA 22203–1991.

Director, Office of Civilian Personnel Management, 800 North Quincy Street, Ballston Tower #3, Room 110, Arlington, VA 22203–1998.

Commanding Officer, Headquarters Battalion, Headquarters, U.S. Marine Corps, Henderson Hall, Arlington, VA 22214–5001.

Commanding Officer, Marine Security Guard Battalion, Headquarters (State Department), U.S. Marine Corps Henderson Hall, Arlington, VA 22214–5001.

Chief of Naval Research, 800 North Quincy Street, Arlington, VA 22217–5000.

Commanding Officer, Navy Petroleum Office, Cameron Station, Alexandria, VA 22304–6180.

Senior Member, Board of Decorations and Medals, Hoffman II, Room 8N23, Alexandria, VA 22332–2100.

Commander, Naval Facilities Engineering Command, Headquarters, 200 Stovall Street, Alexandria, VA 22332–2300.

Commander, Naval Legal Service Command, Department of the Navy, 200 Stovall Street, Alexandria, VA 22332–2400.

Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332–2400.

Commander, Naval Surface Weapons Center, Dahlgren, VA 22448–5000.

Commander, Naval Space Command, Dahlgren, VA 22448–5170.

Officer in Charge, Cheatham Annex, Naval Supply Center, Norfolk, Williamsburg, VA 23187–8792.

Commanding Officer, Naval Security group Activity Northwest, Chesapeake, VA 23322–5000.

Director, Naval Audit Service Southeast Region, 5701 Thurston Avenue, Virginia Beach, VA 23455–3385.

Commanding Officer, Naval Air Station, Oceana, Virginia Beach, VA 23460–5120.

Commanding Officer, Fleet Combat Training Center Atlantic, Dam Neck, Virginia Beach, VA 23461–5200.

Commanding Officer, Naval Medical Clinic, Norfolk, VA 23508–1298.

Commanding Officer, Navy Resale and Services Support Office, Field Support Office, Building CD–1, Naval Base, Norfolk, VA 23511–0001.

Commanding Officer, Navy Environmental Health Center, Naval Station, Norfolk, VA 23511–2617.

Commanding Officer, Personnel Support Activity, Norfolk, VA 23511–5000.

Commanding Officer, Naval Hospital, Portsmouth, VA 23511–5000.

Commanding Officer, Fleet Intelligence Center Europe and Atlantic, Norfolk, VA 23511–5100.

Commander in Chief, U.S. Atlantic Fleet, Naval Air Station, Norfolk, VA 23511–5188.

Commander, Naval Air Force, U.S. Atlantic Fleet, Naval Air Station, Norfolk, VA 23511–5188.

Officer in Charge, Personnel Support Activity, Detachment, Atlantic Fleet Headquarters Support Activity, Norfolk, VA 23511–5188.

Commanding Officer, Naval Eastern Oceanograpy Center, McAdie Building (U–117), Naval Air Station, Norfolk, VA 23511–5399.

Commander, Naval Safety Center, Naval Air Station, Norfolk, VA 23511–5796.

Commanding Officer, Naval Air Station, Norfolk, VA 23511–6000.

Commander, Naval Base, Norfolk, VA 23511–6002.

Commanding Officer, Fleet Accounting and Disbursing Center, U.S. Atlantic Fleet, Building X–132, Naval Station, Norfolk, VA 23511–6096.

Commanding Officer, Naval Administrative Command, Armed Forces Staff College, Norfolk, VA 23511–6097.

Director, Office of Civilian Personnel Management Southeast Region, Building A–67, Naval Station, Norfolk, VA 23511–6098.

Commanding Officer, Naval Education and Training Support Center, Atlantic, Norfolk, VA 23511–6197.

Commanding Officer, Naval Legal Service Office, Naval Base, Norfolk, VA 23511–6198.

Commanding Officer, Naval Air Station, Norfolk, VA 23511–6285.

Commander, Atlantic Division, Naval Facilities Engineering Command, Norfolk, VA 23511–6287.

Officer in Charge, Navy Environmental and Preventive Medicine Unit No. 2, Norfolk, VA 23511–6288.

Commander Naval Surface Force, U.S. Atlantic Fleet, Norfolk, VA 23511–6292.

Commanding Officer, Naval Dental Clinic, Norfolk, VA 23511–6295.

Commanding Officer, Navy Drug Screening Laboratory, Naval Air Station, Building S–33, Norfolk, VA 23511–6295.

Commander, Submarine Force, U.S. Atlantic Fleet, Norfolk, VA 23511–6296.

Commanding Officer, Naval Alcohol Rehabilitation Center, Building J–50, Naval Station, Norfolk, VA 23511–6298.

Commanding Officer, Navy Regional Data Automation Center, Norfolk, VA 23511–6497.

Commander, Training Command, U.S. Atlantic Fleet, Norfolk, VA 23511–6597.

Commander, Oceanographic System Atlantic, Norfolk, VA 23511–6687.

Director, Fleet Home News Center, Norfolk, VA 23511–6698.

Director, Consolidated Civilian Personnel Office, Building N–26, Naval Base, Norfolk, VA 23511–6799.

Commanding Officer, Naval Communication Area Master Station LANT, Norfolk, VA 23511–6898.

Commanding Officer, Naval Supply Center, Norfolk, VA 23512–5000.

Commander, Military Sealift Command, Middle Atlantic, Building Y100A, Naval Supply Center, Norfolk, VA 23512–5000.

Commanding General, Fleet Marine Force Atlantic/Commanding General Fleet Marine Force Europe (Designate), Norfolk, VA 23515–5006.

Commanding Officer, Naval Amphibious Base, Little Creek, Norfolk, VA 22532–3462.

Commanding Officer, Naval Ophthalmic Support and Training Activity, Yorktown, VA 23690–5071.

Commanding Officer, Naval Weapons Station, Yorktown, VA 23691–5000.

Commanding Officer, Naval Hospital, Portsmouth, CA 23708–5000.

Commander, Norfolk Naval Shipyard, Portsmouth, VA 23709–5800.

Washington

Commanding Officer, Navy Resale and Services Support Office, Field Support Office, 2801 C Street, SW, Auburn, WA 98001–7499.

Commanding Officer, Naval Station Puget Sound, Seattle, WA 98115–5000.

Officer in Charge, Marine Corps Reserve Training Center, Hangar #1, Naval Station, Seattle, WA 98115–5004.

Commanding Officer, Naval Medical Clinic, Naval Station, Seattle, WA 98115–5004.

Commander, Naval Reserve Readiness Command, Region Twenty-Two, Building 9, Naval Station, Seattle, WA 98115–5009.

Commander, Naval Base, Seattle, WA 98115–5012.

Commanding Officer, Naval Air Station Whidbey Island, Oak Harbor, WA 98278–5000.

Commanding Officer, Naval Hospital, Oak Harbor, WA 98278–8800.

Commanding Officer, Naval Supply Center, Puget Sound, Bremerton, WA 98314–5100.

Commanding Officer, Naval Dental Clinic, Bremerton, WA 98314–5315.

Commanding Officer, Naval Hospital, Bremerton, WA 98314–5315.

Commanding Officer, Naval Submarine Base, Bangor, Bremerton, WA 98315–5000

Commanding Officer, Strategic Weapons Facility, Pacific, Bremerton, WA 98315–5500.

Commanding Officer, Personnel Support Activity, Puget Sound (Bangor), Bremerton, WA 98315–5700.

Commanding Officer, Naval Undersea Warfare Engineering Station, Keyport, WA 98345–0580.

Officer in Charge, Marine Corps Reserve Training Center, 1702 Tahoma Avenue, Yakima, WA 98902–5792.

APO/FPO Addresses

Commanding Officer, U.S. Naval Security Group Activity, (Athens, Greece), APO New York, NY 09223–6429.

Commanding Officer, U.S. Naval Security Group Activity, (San Vito DeiNormanni), APO New York, NY 09240–5000.

Commander, U.S. Naval Forces, Azores, APO New York, NY 90406–5000.

Commanding Officer, U.S. Naval Security Group Activity, (Terceira Island), APO New York, NY 09406–5000.

Commanding Officer, U.S. Naval Security Group Activity (Augsburg), APO New York, NY 09458–5000.

Commander, Sixth Fleet, FPO New York, NY 09501–6002.

Commander, Amphibious Group 2, FPO New York, NY 09501–6007.

Commander, Middle East Force, FPO New York, NY 09501–6008.

Commander, Second Fleet, FPO New York, NY 09506–6000.

Commander in Chief, U.S. Naval Forces Europe, FPO New York, NY 09510–0151.

Commanding Officer, Marine Barracks (London), U.S. Naval Activities, FPO New York, NY 09510–0500.

Counsel, European Branch, Office of the General Counsel, Department of the Navy, APO New York, NY 09510–0700.

Commanding Officer, Office of Naval Research, Branch Office Box 39 (London), FPO New York, NY 09510–0700.

Commanding Officer, U.S. Naval Medical Clinic, (London, United Kingdom), Box 31, FPO New York, NY 09510–1006.

Commander, Military Sealift Command, Europe, Box 3, FPO New York, NY 09510–3700.

Officer in Charge, U.S. Navy Resale Activity, Dunstable, England, PO Box 46, FPO New York, NY 09510–5000.

Commanding Officer, U.S. Navy Personnel Support Activity United Kingdom/Northern Europe, FPO New York, NY 09510–5000.

Commander, U.S. Naval Activities, United Kingdom, FPO New York, NY 09510–5000.

Commanding Officer, U.S. Naval Support Activity (Holy Loch), FPO New York, NY 09510–5000.

Commanding Officer, U.S. Naval Security Group Activity, (Edzell, Scotland), FPO New York, NY 09518–1000.

Commander, Fleet Air Mediterranean, FPO New York, NY 09521–2000.

Commanding Officer, U.S. Naval Hospital (Naples), PO Box 19, FPO New York, NY 09521–3439.

Commanding Officer, U.S. Naval Security Group Activity (Naples), Box 37, FPO New York, NY 09521–4000.

Commanding Officer, U.S. Naval Legal Service Office (Naples) U.S. Naval Support Activity, FPO New York, NY 09521–5000.

Commanding Officer, U.S. Naval Support Activity (Naples), FPO New York, NY 09521–5000.

Commanding Officer, U.S. Naval Dental Clinic (Naples), FPO New York, NY 09521–5000.

Officer in Charge, U.S. Navy Resale Activity (Naples), FPO New York, NY 09521–5000.

Commanding Officer, U.S. Navy Personnel Support Activity, Mediterranean, Box 20, FPO New York, NY 09521–5000.

Commanding Officer, U.S. Naval Air Station (Sigonella), FPO New York, NY 09523–5000.

Commanding Officer, U.S. Naval Communication Area Master Station MED, FPO New York, NY 09524–7000.

Commanding Officer, U.S. Naval Medical Research Unit #3 (Cairo), FPO New York, NY 09527–1600.

Commanding Officer, U.S. Naval Support Activity (Souda Bay), FPO New York, NY 09528–0051.

Officer in Charge, U.S. Navy Resale Activity (Rota), U.S. Naval Station, FPO New York, NY 09540–1000.

Commanding Officer, U.S. Naval Station (Rota), FPO New York, NY 09540–1000.

Commander, U.S. Naval Activities Spain, FPO New York, NY 09540–1003.

Commanding Officer, U.S. Naval Hospital (Rota), FPO New York, NY 09540–3500.

Commanding Officer, U.S. Naval Air Station (Bermuda), FPO New York, NY 09560–5000.

Officer in Charge, U.S. Navy Resale Activity (Bermuda), U.S. Naval Air Station, FPO New York, NY 09560–5000.

Commander, U.S. Naval Forces, Iceland, FPO New York, NY 09571–0500.

Commanding Officer, Naval Security Group Activity (Keflavik), FPO New York, NY 09571–0514.

Commanding Officer, U.S. Naval Station (Keflavik), FPO New York, NY 09571–0514.

Officer in Charge, U.S. Navy Resale Activity (Keflavik), U.S. Naval Station, FPO New York, NY 09571–0514.

Commanding Officer, U.S. Naval Station (Guantanamo Bay, Cuba), FPO New York, NY 09593–0141.

Commander, U.S. Naval Base (Guantanamo Bay, Cuba), Box 34, FPO New York, NY 09593–0141.

Commanding Officer, U.S. Naval Hospital, U.S. Naval Base (Guantanamo Bay, Cuba), FPO New York, NY 09593–0141.

Commanding Officer, U.S. Naval Security Group Activity (Guantanamo Bay, Cuba), U.S. Naval Base, Box 41, FPO New York, NY 09593–0141.

Officer in Charge, Personnel Support Activity Detachment, Argentina, Box 17, FPO New York, NY 09597–3003.

Commander, Fleet Air Caribbean, FPO Miami, FL 34051–8000.

Commander, U.S. Naval Forces Southern Command, FPO Miami, FL 34059–5000.

Commander, South Atlantic Force, U.S. Atlantic Fleet, FPO Miami, FL 34099–6004.

Commanding Officer, U.S. Naval Station (Roosevelt Roads), FPO Miami, FL 34051–1000.

Commanding Officer, U.S. Naval Hospital (Roosevelt Roads), FPO Miami, FL 34051–1000.

Commanding Officer, U.S. Naval Dental Clinic (Roosevelt Roads), FPO Miami, FL 34051–1000.

Commanding Officer, U.S. Naval Support Activity (Antigua), FPO Miami, FL 34054–1000.

Commanding Officer, U.S. Naval Security Group Activity (Galeta Island, Republic of Panama), FPO Miami, FL 34060–9998.

Commanding Officer, U.S. Naval Security Group Activity (Pyongtack, Republic of Korea), APO San Francisco, CA 96271–0134.

Commanding Officer, U.S. Naval Security Group Activity (Philippines), APO San Francisco, CA 96274–5000.

Commander, U.S. Naval Forces, Korea, APO San Francisco, CA 96301–0023.

Commanding Officer, U.S. Naval Communications Area Master Station WESTPAC, FPO San Francisco, CA 96630–1800.

U.S. Naval Security Group Activity, Tori Station, APO San Francisco, CA 96331–1608.

Commanding Officer, U.S. Naval Security Group Activity (Misawa, Japan), APO San Francisco, CA 96519–0006.

Commanding Officer, U.S. Naval Medical Research Unit No. 2 (Philippines), APO San Francisco, CA 96528–1600.

Commander, Cruiser Destroyer Group One, FPO San Francisco, CA 96601–4700.

Commander, Seventh Fleet, FPO San Francisco, CA 96601–6003.

Commander, Carrier Strike Force Seventh Fleet, FPO San Francisco, CA 96601–6005.

Commander, Amphibious Group 1, FPO San Francisco, CA 96601–6006.

Commanding General, 3D Marine Division FMF, FPO San Francisco, CA 96602–8601.

Commanding General, 1st Marine Aircraft Wing, FPO San Francisco, CA 96603–8701.

Commanding General, III Marine Amphibious Force FMF, FPO San Francisco, CA 96606–8401.

Commander, U.S. Naval Forces, Marianas, APO San Francisco, CA 96630–0051.

Commanding Officer, U.S. Naval Station (Guam), FPO San Francisco, CA 96630–1000.

Commander, U.S Naval Base (Guam), FPO San Francisco, CA 96630–1000.

Officer in Charge, U.S. Navy Resale Activity (Guam), U.S. Naval Station, FPO San Francisco, CA 96630–1000.

Commanding Officer, U.S. Naval Station (Guam), FPO San Francisco, CA 96630–1000.

Commanding Officer, U.S. Naval Hospital (Guam), FPO San Francisco, CA 96630–1600.

Commanding Officer, U.S. Naval Dental Clinic (Guam), FPO San Francisco, CA 96630–1670.

Commanding Officer, U.S. Navy Personnel Support Activity, U.S. Naval Station, Guam, Mariana Islands 96630–1700.

Commanding Officer, U.S. Naval Legal Service Office Guam, Box 177, U.S. Naval Station, Guam, FPO San Francisco, CA 96630–2400.

Commanding Officer, U.S. Naval Legal Service Office (Guam), Box 177, U.S. Naval Station, FPO San Francisco, CA 96630–2400.

Officer in Charge, U.S. Navy Resale Activity (Philippines), U.S. Naval Station, FPO San Francisco, CA 96651–0003.

Commander, U.S. Naval Forces, Philippines, Box 30, FPO San Francisco, CA 96651–0051.

Commander, U.S. Naval Forces, Marianas, FPO San Francisco, CA 96630–0051.

Commander, U.S. Naval Forces, Japan, FPO San Francisco, CA 98762–0051.

Officer in Charge, Naval Support Force Antarctica, FPO San Francisco, CA 96692–1000.

Commanding Officer, U.S. Naval Station (Philippines), FPO San Francisco, CA 96651–1000.

Commanding Officer, U.S. Naval Dental Clinic (Philippines), FPO San Francisco, CA 96651–1600.

Commanding Officer, U.S. Navy Personnel Support Activity (Philippines), Box 45, FPO San Francisco, CA 96651–1700.

Commanding Officer, U.S. Naval Legal Service Office (Philippines), U.S. Facility, FPO San Francisco, CA 96651–2400.

Commanding Officer, U.S. Naval Hospital (Philippines), FPO San Francisco, CA 96652–1600.

Commanding Officer, U.S. Naval Air Station (Cubi Point, Philippines), FPO San Francisco, CA 96654–1200.

Officer in Charge, U.S. Navy Resale Activity (Australia), U.S. Naval Communication Station, FPO San Francisco, CA 96680–1800.

Commanding Officer, U.S. Naval Support Activity (Diego Garcia), FPO San Francisco, CA 96685–2000.

Commander, Military Sealift Command, Far East FPO Seattle WA 98760–2600.

Commander, U.S. Naval Forces Japan, FPO Seattle WA 98762–0051.

Commander, Fleet Activities (Yokosuka, Japan), FPO Seattle WA 98762–1100.

Officer in Charge, U.S. Naval Resale Activity (Yokosuka), Fleet Activities, FPO Seattle WA 98762–1600.

Commanding Officer, U.S. Naval Personnel Support Activity Far East (Yokosuka, Japan), FPO Seattle WA 98762–1700.

Commanding Officer, U.S. Naval Legal Service Office (Yokosuka), Box 14, FPO Seattle WA 98762–2400.

Commanding Officer, Marine Corps Air Station (Iwakuni), FPO Seattle WA 98764–5001.

Commanding Officer, U.S. Naval Dental Clinic (Yokosuka), FPO Seattle WA 98765–1600.

Commanding Officer, U.S. Naval Hospital (Yokosuka), FPO Seattle WA 98765–1600.

Commander, Fleet Activities (Sasebo, Japan), FPO Seattle WA 98766–1140.

Commander, Fleet Air, Western Pacific, FPO Seattle WA 98767–2700.

Commanding Officer, U.S. Naval Security Group Activity (Kamiseya), FPO Seattle WA 98768–1810.

Commander, Fleet Activities (Chinhae, Korea), FPO Seattle WA 98769–1100.

Commander, Fleet Activities, U.S. Naval Air Facility (Kadena, Japan), FPO Seattle WA 98770–1100.

Commanding Officer, U.S. Marine Corps Air Station, (Helicopter) (Futemma, Okinawa), FPO Seattle WA 98772–5001.

Commanding General, Marine Corps Base, Camp Smedley D. Butler, (Kawasaki, Okinawa), FPO Seattle WA 98773–5000.

Commanding Officer, Naval Security Group Activity (Adak), FPO Seattle WA 98777–1800.

Commanding Officer, U.S. Naval Dental Clinic (Okinawa), FPO Seattle WA 98778–1600.

Commanding Officer, U.S. Naval Hospital (Okinawa), FPO Seattle WA 98778–1610.

Commanding Officer, U.S. Naval Air Station (Adak), FPO Seattle WA 98791–1200.

Defense Contract Audit Agency Offices (Alphabetically by State and City) California

DCAA Southwestern Regional Office, Attention: RCI–4, 2500 Wilshire Blvd, Suite #405, Los Angeles, CA 90057–4367.

DCAA Western Regional Office, Attention: RCI–7, 450 Golden Gate Avenue, Box 36116, San Francisco, CA 94102–3563.

Georgia

DCAA Eastern Regional Office, Attention: RCI–1, 805 Walker Street, Marietta, GA 30060–2731.

Massachusetts

DCAA Boston Regional Office, Attention: RCI–2, 424 Trapelo Road, Waltham, MA 02154–6397.

Pennsylvania

DCAA Mid-Atlantic Regional Office, Attention: RCI–6, 600 Arch Street, Room 4400, Philadelphia, PA 19106–1604.

Texas

DCAA Central Regional Office, Attention: RCI–3, 106 Decker Court, Suite 300, Irving, TX 75062–2795.

Virginia

DCAA Headquarters, Attention: CMR, Camero, Station, Alexandria, VA 22304–6178.

Defense Logistics Agency Official Mailing Addresses

Headquarters, Defense Logistics Agency, Cameron Station, Alexandria, VA 22304–6100. The following officials are located at the Headquarters address.
Assistant Director, Information Systems and Technology
Assistant Director, Policy and Plans
General Counsel
Comptroller
Staff Director, Congressional Affairs
Staff Director, Public Affairs
Staff Director, Command Security
Staff Director, Administration
Staff Director, Civilian Personnel
Staff Director, Installation Services and Environmental Protection
Staff Director, Contracting Integrity
Staff Director, Military Personnel
Staff Director, Small and Disadvantaged Business Utilization
Executive Director, Contracting
Executive Director, Supply Operations
Executive Director, Technical and Logistics Services
Executive Director, Contract Administration
Executive Director, Quality Assurance

Defense Logistics Agency Primary Level Field Activities

(Alphabetically by State)

California

Defense Contract Administration, Services Region, Los Angeles, 222 N. Sepulveda Boulevard, El Segundo, CA 90245–4320.

Defense Depot Tracy, Tracy, CA 95376–5000

Georgia

Defense Contract Administration, Services Region, Atlanta, 805 Walker Street, Marietta, GA 30060–2789.

Illinois

Defense Contract Administration, Services Region, Chicago, O'Hare International Airport, 6400 North Mannheim Road, PO Box 66475, Chicago, IL 60666–0475.

Massachusetts

Defense Contract Administration, Services Region, Boston, 495 Summer Street, Boston, MA 02210–2184.

Michigan

Defense Logistics Services Center, Federal Center, Battle Creek, MI 49017–3084.

Defense Reutilization and Marketing Service, Federal Center, Battle Creek, MI 49017–3092.

Missouri

Defense Contract Administration, Services Region, St. Louis, 1222 Spruce Street, St. Louis, MO 63103–2811.

New York

Defense Contract Administration, Services Region, New York, 201 Varick Street, New York, NY 10014–4811.

Ohio

Defense Contract Administration, Services Region, Cleveland, Anthony J. Celebrezze Federal Building, 1240 East Ninth Street, Cleveland, OH 44199–2063.

Defense Construction Supply Center, PO Box 3990, Columbus, OH 43216–5000.

Defense Logistics Agency Systems, Automation Center, PO Box 1605, Columbus, OH 43216–5002.

Defense Electronics Supply Center, 1507 Wilmington Pike, Dayton, OH 45444–5000.

Defense Depot Columbus, c/o DGSC, Columbus, OH 43217–5000.

Defense Logistics Agency Finance Center, PO Box 182317, Columbus, OH 43218–2317.

Pennsylvania

Defense Depot Mechanicsburg, 5450 Carlisle Pike, PO Box 2030, Mechanicsburg, PA 17055–0789.

Defense Contract Administration, Services Region, Philadelphia, 2800 South 20th Street, Philadelphia, PA 19101–7478.

Defense Industrial Supply Center, 700 Robbins Avenue, Philadelphia, PA 19111–5096.

Defense Personnel Support Center, 2800 South 20th Street, Philadelphia, PA 19101–6419.

Tennessee

Defense Depot Memphis, Memphis, TN 38114–5297.

Defense Industrial Plant, Equipment Center, 2163 Airways Boulevard, Memphis, TN 38114–5051.

Texas

Defense Contract Administration, Services Region, Dallas, 1200 Main Street, Dallas, TX 75202–4399.

Utah

Defense Depot Ogden, Ogden, UT 84407–5000.

Virginia

Defense Technical Information Center, Cameron Station, Alexandria, VA 22304–6145.

Defense Fuel Supply Center, Cameron Station, Alexandria, VA 22304–6160.

Defense Logistics Agency Administrative, Support Center, Cameron Station, Alexandria, VA 22304–6130.

Defense General Supply Center, Richmond, VA 23297–5000.

Defense Depot Richmond, c/o DGSC, Richmond, VA 23297–5000.

Defense National Stockpile Center, 1745 Jefferson Davis Highway, Arlington, VA 22202–5000.

[FR Doc. 90–12339 Filed 5–29–90; 8:45 am]

BILLING CODE 3810–01–M

Department of the Navy

Expansion of the Electronic Funds Transfer (EFT) Pilot Program for Universities and Non-profit Organizations

AGENCY: Office of the Chief of Naval Research, DOD.

ACTION: Notice of invitation to universities and non-profit organizations to participate in the Office of Naval Research (ONR) electronic payment program.

SUMMARY: The Office of the Chief of Naval Research has completed development and testing of an electronic payment program. Universities and nonprofit organizations, who meet certain criteria listed below are invited to identify interest in participating in this program.

Under this program, participants electronically transmit billings for payment under ONR contracts and grants. ONR Administrative Contracting Officers review, approve and forward these invoices electronically to the Navy Regional Finance Center in Washington, D.C. Payment is made via EFT to the participant's bank and includes detailed advice of payment information. Under this program, invoices are only being accepted for ONR contracts or grants administered by the Resident Representative Offices.

DATES: Applications to participate must be received on or before 16 July 1990.

ADDRESSES: Interested institutions should submit their application to The Office of Naval Research, University Business Affairs Directorate, Code 14, 800 N. Quincy St., BCT #1, Arlington, VA 22217–5000.

FOR FURTHER INFORMATION CONTACT: Mr. James W. Carbonara at the address above, telephone # (202) 696–4601.

SUPPLEMENTARY INFORMATION: Successful applicants must meet the following criteria: (1) At the time of application, the applicant institution must have 20 or more active ONR contracts or grants; (2) in fiscal year 1989, the applicant institution must have had $250,000 of billable invoices under ONR contracts or grants; (3) the Navy Regional Finance Center, Washington must be the payment center used to meet the preceding requirement; (4) the institution must have or be willing to obtain the following computer hardware: 1 IBM compatible 286 micro computer, 640K RAM, 20 MB hard disk (minimum), 12 Mhz speed (preferred), 1 serial port, 1 parallel port, 1 bit matrix printer, 1 1200 or 2400-bps Hayes compatible modem with auto dial/

answer feature; (5) the institution must have or be willing to obtain the following software—Electronic Data Interchange (EDI) translator software and transaction sets; and (6) the institution must have a dedicated telephone line available for this program. It is estimated the initial hardware and software costs will be approximately $5,000. Maintenance and communication costs are estimated to be approximately $1,500 annually. Initial training costs on the EDI/EFT process are in addition to the above estimates.

Additionally, the organization must have or be willing to develop a computer program to extract outbound data from the participant's financial management database for transfer to the EDI translator.

The contractor's or grantee's financial institutions must have or be willing to obtain: (1) An electronic money transfer system; (2) CTX processing; (3) CTX Strip/Mod program (except embedded ANSI X12 820 T-Set); (4) interface with the ONR-identified EDI Network; and (5) release of X12 820 to EDI Network.

Applications

A written response by an official authorized to commit the organization is required. Respondents shall reply to the criteria supplementary information above and include the name, address and telephone number of a point of contact for technical inquiries. An implementation schedule will be developed with each successful applicant.

Dated: May 24, 1990.

Thomas J. Dolan, Jr.,

Director, University Business Affairs.

[FR Doc. 90-12426 Filed 5-29-90; 8:45 am]

BILLING CODE 3810-AE-M

DEPARTMENT OF EDUCATION

Grants and Cooperative Agreements Availability etc.; Regional Educational Laboratory Program

AGENCY: Department of Education.

ACTION: Notice of availability of amendments to the 1989-90 National Defense and Perkins (National Direct) Student Loan Program Directory of low-income schools.

SUMMARY: Institutions and borrowers participating in the National Defense and Perkins (National Direct) Student Loan Program and other interested persons are advised that they may obtain information regarding the amendments to the 1989-90 National Defense and Perkins (National Direct) Student Loan Program Directory of Designated Low-Income Schools (Directory). The amendments identify changes in the list of schools that qualify borrowers for teacher cancellation benefits under each of the loan programs.

DATES: The amendments to the Directory are currently available.

ADDRESSES: Information concerning specific schools listed in the amendments to the Directory may be obtained from Ronald W. Allen, Campus-Based Programs Branch, Division of Program Operations and Systems, Office of Student Financial Assistance, U.S. Department of Education, 400 Maryland Avenue SW (room 4651, ROB-3), Washington, DC 20202-5453. Telephone (202) 732-3730.

FOR FURTHER INFORMATION CONTACT: The amendments to the Directory are available at (1) each institution of higher education participating in the Perkins Loan Program, (2) each of the fifty-seven (57) State and Territory Departments of Education, (3) each of the major Perkins Loan billing services, and (4) the U.S. Department of Education.

SUPPLEMENTARY INFORMATION: The Secretary of Education published a notice in the **Federal Register** on October 6, 1989 (54 FR 41328) that the 1989-90 National Defense and Perkins (National Direct) Student Loan Program Directory was available. The Secretary has revised the Directory due to the opening and closing of schools, school name changes, and the need for other corrections. These revisions are included in the amendments to the Directory.

The procedures for selecting the schools that qualify borrowers for cancellation benefits are described in the Perkins Loan Program regulations at 34 CFR 674.53 and 674.54. The Secretary has determined that for the 1989-90 academic year full-time teaching in the schools set forth in the amendments to the Directory and the Directory qualifies a borrower for cancellation.

The Secretary is providing the amendments to the Directory to each institution participating in the Perkins Loan Program. Borrowers and other interested parties may check with their lending institutions, the appropriate State Department of Education, regional offices of the Department of Education, or the Office of Student Financial Assistance of the Department of Education concerning the identity of qualifying schools for the 1989-90 academic year.

The Office of Student Financial Assistance will retain, on a permanent basis, copies of past, current, and future amendments and the Directories.

Catalog of Federal Domestic Assistance Number 84.037; National Defense/Direct and Perkins Student Loan Cancellations)

Dated: May 18, 1990.

Leonard L. Haynes III,

Assistant Secretary for Postsecondary Education.

[FR Doc. 90-12404 Filed 5-29-90; 8:45 am]

BILLING CODE 4000-01-M

[CFDA No. 84-117]

Regional Educational Laboratory Program; Notice Announcing Competition To Award Contracts

Purpose of Program: To support institutional operations of regional education laboratories.

Competition: The Department of Education is conducting a competition to award contracts for the operation of 10 regional educational laboratories for the period December 1, 1990 to November 30, 1995. The Department has issued a Request for Proposal (RFP); the proposal due date is June 18, 1990. In accordance with the Federal Acquisition Regulations, the Department has published a notice of the RFP in the *Commerce Business Daily* (Issue No. PSA-0043; Tuesday, March 6, 1990).

FOR FURTHER INFORMATION CONTACT: For information about the laboratory competition, contact Mrs. LaVerne G. Reddick, Contract Specialist; U.S. Department of Education; Grants and Contracts Service; GSA Building, Room 3660; 7th and D Streets, SW.; Washington, DC 20202; telephone: (202) 732-4222. To obtain a copy of the RFP, contact Ms. Sharon Ross, U.S. Department of Education, Grants and Contracts Service; GSA Building, Room 3633; 7th and D Streets, SW.; Washington DC 20202; telephone: (202) 732-2498.

Authority: 20 U.S.C. 1221e.

Dated: May 23, 1990.

Christopher T. Cross,

Assistant Secretary for Educational Research and Improvement.

[FR Doc. 90-12403 Filed 5-29-90; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Environmental Impact Statement; Plutonium Recovery Modification Project Rocky Flats Plant, Colorado

AGENCY: Department of Energy (DOE).

ACTION: Notice of Intent.

SUMMARY: The DOE announces its intent to prepare an Environmental Impact

Statement (EIS), pursuant to the National Environmental Policy Act (NEPA) of 1969, to evaluate the environmental impacts of the proposed construction and operation of a Plutonium Recovery Modification Project (PRMP) at the Rocky Flats Plant (RFP) near Golden, Colorado. The proposed action is to construct and operate PRMP in a modified Building 371 with operations scheduled to commence in the late 1990s. The proposed PRMP would replace the current site capacity for recovering plutonium metal from scrap and site returns (outdated triggering devices), and provide the capability to process residues to reduce the backlog of stored material. Primary plutonium recovery operations are currently performed in Buildings 771 and 776, which are aging facilities. PRMP would replace these aging facilities and various outmoded plutonium recovery technologies with state-of-the-art processes that are demonstrated to be safer, more efficient, and in compliance with current, more stringent, applicable health, safety, and environmental requirements.

If a decision is made to relocate the current RFP site operations, the plutonium residues remaining onsite as a result of past and current site operations would need to be recovered as part of site-wide decommissioning/cleanup activities. PRMP could be used in support of these tasks.

The EIS will consider reasonable alternatives to the proposed action including: (1) The no-action alternative; (2) total relocation of plutonium recovery operations to another DOE site; and (3) partial relocation of plutonium recovery operations to another DOE site. Preparation of the EIS will be in accordance with the Council on Environmental Quality (CEQ) regulations (40 CFR parts 1500–1508) for implementing NEPA, and the DOE NEPA guidelines (52 FR 47662).

To give the public an opportunity to obtain information and have questions answered regarding the proposed PRMP, DOE will hold a public information meeting on June 12, 1990, from 7 p.m. to 10 p.m. at the Regency Hotel, 3900 Elati Street, Denver, Colorado. This meeting is intended to enhance public participation in the PRMP NEPA scoping meetings, the details of which are discussed below.

Invitation to Comment:

To ensure that the full range of issues related to this proposal is addressed, DOE invites comments on the proposed scope and content of the EIS from all interested parties. Written comments or suggestions to the DOE should be postmarked no later than June 29, 1990. Comments received after that date will be considered to the extent practicable. Also, agencies, organizations, and the general public are invited to present oral comments or suggestions concerning the preparation of the EIS at public scoping meetings scheduled as follows: (1) June 18, 1990, Clarion Harvest House, 1345 28th Street, Boulder, Colorado; and (2) June 20, 1990, Westminister City Park Recreation Center, 10455 Sheridan Boulevard, Westminister, Colorado. Both meetings are scheduled from 9 a.m. to 9 p.m. with breaks from 1 to 2 p.m. and 5 to 7 p.m. Written and oral comments will be given equal weight and will be considered in determining the scope of the draft EIS. The draft EIS is expected to be completed in January 1991, at which time its availability will be announced in the Federal Register, and public comments will again be solicited. Comments on the draft EIS will be considered in preparing the final EIS.

Written comments or suggestions on the scope of the EIS, requests to speak at the scoping meeting, requests for copies of the draft EIS, or questions concerning the project should be addressed to: Ms. Beth Brainard, Office of Public Affairs, *Attn:* PRMP, U.S. Department of Energy, Rocky Flats Office, P.O. Box 928, Golden, Colorado 80402–0928, Phone 1–800/446–7640.

For general information on the EIS process, contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Project Assistance, U.S. Department of Energy (EH–25), 1000 Independence Avenue, SW., Washington, DC 20585, Phone (202) 586–4600.

Background

The Rocky Flats Plant was established in 1952 as a government-owned, contractor-operated facility located near Golden, Colorado, with the primary mission of producing nuclear weapon components. Building 371 at the RFP is a plutonium recovery building that was designed and constructed in the 1970s to handle all RFP plutonium recovery operations. It was designed to meet then current site-wide Design Basis Event (DBE) criteria, e.g., DBE earthquake, tornado, etc. (For more detail see the Building 371 Final Safety Analysis Report dated July 15, 1981.) Plutonium recovery operations were conducted for a period of time in Building 371 in the early 1980s. However, recovery was inhibited by maintenance difficulties on remotely operated equipment. Additionally, new, more stringent requirements for safeguarding special nuclear material could not be met by the facility. As a result, primary recovery operations have remained in facilities within Buildings 771 and 776. These buildings do not satisfy all aspects of current design criteria for DOE nuclear facilities.

Need for the Proposed Action

Plutonium recovery is essential for DOE to comply with the President's stockpile memorandum for fulfilling national defense requirements. PRMP is needed as a replacement of outmoded plutonium recovery processes and technologies with a state-of-the-art facility that is safe, efficient, and in full compliance with applicable health, safety and environmental requirements. PRMP would facilitate reduction of the backlog of recoverable plutonium residues at RFP (which currently cannot be eliminated despite recovery work being performed at other DOE facilities offsite).

Relocation of RFP operations is under consideration and review, and a recent report by the National Research Council has questioned the need to proceed with the PRMP. If a decision is made to move RFP operations, implementation of that decision is estimated to require RFP operations to continue for approximately 20 years to maintain the reprocessing and production missions. Thus, even if a decision is made to relocate RFP operations, the PRMP may be needed to enhance the safety and efficiency of recovery operations and to maintain critical mission elements during the period of time required to relocate such operations. The PRMP EIS will address issues associated with potential relocation of RFP operations as they pertain to the proposed PRMP and alternatives.

Proposed Action

The proposed action is to house PRMP in a modified Building 371 to replace the existing capacity to recover the plutonium from residues and other materials generated in both the fabrication and recovery operations at RFP. The PRMP would involve the replacement or addition of necessary utility services, replacement of existing plutonium processing equipment such as reagent supply systems and gloveboxes; installation of redesigned pyrochemical, aqueous, and support systems (including new instrumentation and control equipment); and enlargement of Building 371 for plutonium processing equipment, required redundant ventilation equipment, and emergency generating equipment. The Plutonium Recovery Option Verification Exercise project currently located in Building 371 would be converted to support PRMP residue

processing activities and will be included in the PRMP EIS analyses.

The PRMP could also be used to help decontaminate and decommission (D&D) the rest of the plant and would be designed in a modular fashion making the future D&D of other parts of Building 371 more practical while recovery and fabrication operations continue.

Alternatives

1. Under the no-action alternative, all current recovery operations would continue at RFP. Certain types of recoverable materials would have to be shipped offsite for processing and returned to the RFP.

2. Under the alternative of total relocation of plutonium recovery to another suitable location, the construction of a new facility with the structural integrity of Building 371 would be required. All plutonium process residues generated at RFP would have to be shipped to the new facility for processing. The recovered plutonium would then be shipped back to RFP for use in fabrication.

3. Under the partial relocation alternative, site returns (outdated triggering devices) would be shipped from the Pantex Plant in Amarillo, Texas, to a new facility for recovery of plutonium. The plutonium residues generated at RFP would continue to be processed onsite. The new facility would have the same structural integrity as Building 371 and would have the capacity and capabilities of the existing systems at RFP for processing site returns. The plutonium recovered at the new facility would then be shipped to RFP for use in fabrication. Residues from that site return processing would need to be returned to RFP or some other location for processing. The remaining recovery operations at RFP would be consolidated in Building 371.

Environmental Issues

The following issues have been tentatively identified for analysis in the EIS.

1. Public and Occupational Safety and Health. The radiological and nonradiological impacts on workers and the public from routine operations and potential accidents.

2. Water Resources and Water Quality. The qualitative and quantitative effects on water resources in the region.

3. Air Quality. The effects of radiological and nonradiological air emissions.

4. Regulatory compliance. Compliance with all applicable federal, state, and local statutes and regulations including the Resource Conservation and Recovery Act and the Comprehensive Environmental Response, Compensation, and Liability Act to the extent relevant.

5. Biological Resources. The disturbance or destruction of habitat including potential effects on threatened or endangered species of flora and fauna.

6. Waste Management. The environmental effects of management and disposal of solid and liquid wastes including nuclear, hazardous and mixed transuranic and low-level wastes.

7. Socioeconomics. The impacts of construction and operations on the local community.

8. Cultural Resources. The potential impacts on historical, archaeological, scientific, or culturally important sites.

9. Transportation. Impacts of the transportation of materials, equipment, products, and wastes onsite and offsite.

10. Decommissioning and Decontamination (D&D). D&D of areas within Building 371 that would house PRMP processes. To the extent that information is available, the EIS will also evaluate impacts that may result from the future deactivation of the completed PRMP facility.

The above list is not all inclusive nor does it imply any predetermination of potential impacts. Additions or deletions to this list may occur as the result of the scoping process. The EIS will address the environmental impacts of the proposed action including routine operations and potential accidents during facility construction and operation. In accordance with CEQ NEPA regulations (40 CFR 1500.4 and 1502.21), other environmental documents, as appropriate, may be incorporated by reference, in whole or in part into the impact analyses.

Related Documentation

Available documents containing background information related to the proposed action include:

U.S. Department of Energy, "Final Environmental Impact Statement, Rocky Flats Plant Site," DOE/EIS–0064, Washington, DC, April 1980.

U.S. Atomic Energy Commission, "Environmental Statement: Plutonium Recovery Facility, Rocky Flats Plant, Colorado," WASH–1507, January 1972.

Scoping Meetings

In addition to receiving written comments, DOE will conduct public scoping meetings to assist DOE in determining the appropriate scope of the EIS and the significant environmental issues to be addressed. The meetings are scheduled on June 18 and June 20, 1990, at the two sites identified earlier in this notice. The purpose of the scoping meetings is to offer all interested persons the opportunity to comment on the proposed content and scope of the EIS. The DOE will designate a presiding officer to chair the meeting. The meetings will not be conducted as evidentiary hearings and there will be no questioning of the speakers; however, the presiding officer may ask for clarification of statements made to ensure that DOE fully understands the comments and suggestions. The presiding officier will establish the order of speakers and provide any additional procedures necessary for conduct of the meetings. To assure that all persons wishing to make presentations can be heard, a 5 minute limit for each speaker has been established. Speakers who wish to provide further information for the record should submit such information to the DOE Rocky Flats Office address above, postmarked no later than June 29, 1990. Comments postmarked after that date will be considered to the extent practicable. Individuals who do not make an advance arrangement to speak may register to speak at the time of the meetings; after all previously scheduled speakers have been given an opportunity to make their presentations, an opportunity will be provided to these registrants to speak, as time permits. The DOE reserves the right to change the location of the meetings, dates and the procedures for the conduct of the scoping meetings, if necessary. Notification of changes in the meeting locations and/or time will be announced by advertisements placed in the appropriate news media.

The DOE will prepare transcripts of the scoping meetings. The public may review the transcripts, other related reference material, NEPA documents, and unclassified background information on this project at the DOE public reading rooms during normal business hours. Addresses of these reading rooms are given below:

1. U.S. Department of Energy, Freedom of Information Act Reading Room, room IE–190, Forrestal Building, 1000 Independence Avenue SW., Washington, DC, 20585, phone (202) 586–6020.

2. Rocky Flats Public Reading Room, Front Range Community college Library, 3645 West 112th Avenue, Westminster, Colorado, 80030, phone (303) 469–4435.

Signed in Washington, DC this 22nd day of May 1990, for the United States Department of Energy.

Peter N. Brush,

Acting Assistant Secretary, Environment, Safety and Health.

[FR Doc. 90–12473 Filed 5–29–90; 8:45 am]

BILLING CODE

Federal Energy Regulatory Commission

[Docket Nos. ER90–369–000, et al.]

Central Maine Power Co., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

May 22, 1990.

Take notice that the following filings have been made with the Commission:

1. Central Maine Power Co.

[Docket No. ER90–369–000]

Take notice that on May 14, 1990, Central Maine Power Company (CMP), tendered for filing the following Rate Schedules for transmission service:

1. Rate Schedule for transmission service effective June 1, 1988 through October 31, 1988.
2. Rate Schedule for transmission service effective November 1, 1988 through November 30, 1989.

Utilities for which transmission services have been furnished under these rate schedules are: Boston Edison Company, Public Service of New Hampshire, New England Power Company, and Unitil Power Corp.

CMP requests that the Commission waive its notice and filing requirements to permit these Rate schedules to become effective and to terminate in accordance with their terms.

CMP has served copies of the filing on affected customers and on the Maine Public Utilities Commission.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

2. Pacific Gas and Electric Co.

[Docket No. ER90–364–000]

Take notice that on May 11, 1990, Pacific Gas and Electric Company (PG&E) tendered for filing changes to Rate Schedule FERC No. 77 for the State of California Department of Water Resources (DWR). PG&E proposes to (a) increase transmission rates under Rate Schedule No. 77 for 1989 and 1990, (b) change Rate Schedule FERC No. 77, to delete special facilities changes associated with the Buena Vista, Wheeler Ridge, and Wind Gap Pumping Plants, (c) include the Midway-Wheeler Ridge Contract as Supplement No. 10 to the PG&E-DWR Comprehensive Agreement and incorporate the semi-annual operation and maintenance charge described in the Midway-Wheeler Ridge Contract as part of Rate Schedule FERC No. 77, and (d) revise the investment basis upon which special facilities rates are charged for DWR's Barker Slough/Cordelia pumping plants.

Copies of this filing were served upon DWR and the California Public Utilities Commission.

Comment Date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

3. Northeast Utilities Service Co.

[Docket No. ER90–373–000]

Take notice that on May 17, 1990, Northeast Utilities Service Company (NUSCO) as agent for the Connecticut Light and Power Company and Western Massachusetts Electric Company (collectively referred to as the NU Companies) tendered for filing three Transmission Service Agreement between the NU Companies and the United States Illuminating Company (UI), one dated May 1, 1989 and two dated May 1, 1990.

NUSCO states that these Agreements provide for service to UI for the transmission of purchasers and sales of electric system capacity and associated energy.

NUSCO requests that the Commission waive its filing requirements to the extent necessary to permit the rate schedules to become effective as of May 1, 1989 and May 1, 1990, respectively.

NUSCO states that copies of the appropriate rate schedules have been mailed to UI.

NUSCO further states that the filing is in accordance with section 35 of the Commission's Regulations.

Comment date: June 8, 1990, in accordance with standard Paragraph E at the end of this notice.

4. Maine Electric Power Co.

[Docket No. ER90–370–000]

Take notice that on May 14, 1990, Maine Electric Power Company (MEPCO), tendered for filing the following transmission service contracts:

1. Transmission Contract between Massachusetts Municipal Wholesale Electric Company and Maine Electric Power Company effective November 1, 1988.
2. Transmission Contract between Commonwealth Electric Company and Maine Electric Power Company effective November 1, 1988.

MEPCO requests that the Commission waive its notice and filing rquirements to permit each of these agreements to become effective on November 1, 1988, in accordance with their terms.

MEPCO has served copies of the filing on the affected customers and on the Maine Public Utilities Commission.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

5. Maine Electric Power Co.

[Docket No. ER90–371–000]

Take notice that on May 14, 1990, maine Electric Power Company (MEPCO), tendered for filing the following Transmission Service Agreements:

1. Transmission Service Agreement effective December 1, 1985 between Maine Electric Power Company and Central Maine Power Company.
2. Transmission Service Agreement effective November 1, 1987 between Maine Electric Power Company and Bangor Hydro-Electric Company.
3. Transmission Service Agreement effective June 1, 1988 between Maine Electric Power Company and Public Service Company of New Hampshire.
4. Transmission Service Agreement effective July 1, 1988 between Maine Electric Power Company and Boston Edison Company.
5. Transmission Service Agreement effective November 1, 1988 between Maine Electric Power Company and New England Power Company.
6. Transmission Service agreement effective May 1, 1989 between Maine Electric Power Company and Unitil Power Corp.

MEPCO requests that the Commission waive its notice and filing rquirements to permit these Transmission Service Ageements to become effective and to terminate in accordance with their terms.

MEPCO has served copies of the filing on the affected customers and on the Maine Public Untilities Commission.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be

considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a part must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12459 Filed 5-29-90; 8:45 am]

BILLING CODE 1717-01-M

[Docket Nos. ER-285-000, et al.]

Florida Power & Light Co., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

May 23, 1990.

Take notice that the following filings have been made with the Commission:

1. Florida Power & Light Co.

[Docket Nos. ER90-285-000]

Take notice that Florida Power & Light Company (FPL), on May 21, 1990, tendered for filing a document entitled First Revised Amendment Number Five to Contract for Interchange Service between Tampa Electric Company (Tampa Electric) and Florida Power & Light Company. The Contract for Interchange Service is designated as FPL Rate schedule No. 23 and Tampa Electric Rate Schedule FPC No. 7. FPL's filing includes a Certificate of Concurrence executed by Tampa Electric in lieu of an independent filing.

FPL states that First Revised Amendment No. Five amends Service Schedule A to reduce the length of time that a copy can receive emergency capacity and energy under Service Schedule A. FPL states that this Service Schedule will now be consistent with service schedules that FPL has recently negotiated with other parties.

FPL requests that waiver of § 35.3 of the Commission's Regulatiions be granted and that the proposed Amendment made effective on June 1, 1990. FPL states that copies of the filing were served on Tampa Electric.

Comment date: June 8, 1990, in accordance with Standard Paragraph E end of this notice.

2. Northeast Utilities Service Co.

[Docket No. ER90-376-000]

Take notice that on May 17, 1990, Northeast Utilities Service Company (NUSCO) as agent for the Connecticut Light and Power Company and Western Massachusetts Electric Company (collectively referred to as the NU Companies) tendered for filing a Transmission Service Agreement, between the NU Companies and Long Island Lighting Company (LILCO), dated June 1, 1988.

NUSCO states that this Agreement provides for service to LILCO for the transmission of purschases of electric system capacity and/or energy.

NUSCO requests that the Commission waive its filing requirements to the extent necessary to permit the rate schedule to become effective as of June 1, 1988.

NUSCO states that a copy of the rate schedule has been mailed to LILCO.

NUSCO further states that the filing is in accordance with section 35 of the Commission's Regulations.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

3. Northeast Utilities Service Co.

[Docket No. ER90-374-000]

Take notice that on May 17, 1990, Northeast Utilities Service Company (NUSCO) as agent for the Connecticut Light and Power Company and Western Massachusetts Electric Company (collectively referred to as the "NU Companies") tendered for filing two Transmission Service Agreements, between the NU Companies and Green Mountain Power Corp. (GMP), dated January 1, 1989.

NUSCO states that these Agreements provide for service to GMP for the tranmission of purchase of electric system capacity and associated energy.

NUSCO requests that the Commission waive its filing requirements to the extent necessary to permit the rate schedules to become effective as of January 1, 1989.

NUSCO states that copies of the appropriate rate schedules have been mailed to GMP.

NUSCO further states that the filing is in accordance with section 35 of the Commission's Regulations.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

4. Commonwealth Edison Co.

[Docket No. ER90-379-000]

Take notice that on May 17, 1990, Commonwealth Edison Company (Edison) tendered for filing Amendment No. 1 dated January 31, 1990, to the Electric Coordination Agreement (Village Agreement), dated December 31, 1988, between Edison and the Village of Winnetka, Illinois (Village). Amendment No. 1 with the Village provides the option of purchasing Limited Term Power from Edison.

Edison also tendered for filing Addenda, dated May 1, 1990, to the Village Agreement and to the Electric Coordination Agreement, dated December 31, 1988, between Edison and the City of Rochelle, Illinois (City). The rate schedules submitted increase the ceilings for Edison's Short Term Power and General Purpose Energy rates. In addition, Edison tendered for filing an Addemdum, dated May 1, 1990, to the Interconnection Agreement dated July 20, 1956, between Edison and Indiana Michigan Power Company (Indiana Company). This rate schedule increases the ceiling for Edison's Short Term Power rate.

Edison requests expedited consideration of the filing and an effective date of May 15, 1990. Accordingly, Edison requests a waiver of the Commission's Notice Requirements to the extent necessary.

Copies of this filing were served upon the City, the Village, Indiana Company, the Illinois Commerce Commission, and the Indiana Utility Regulatory Commission.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

5. Arkansas Power & Light Co.

[Docket No. ER90-378-000]

Take notice that on May 17, 1990, Arkansas Power & Light Company (AP&L) submitted for filing the Fifteenth Amendment to the Power Coordination, Interchange and Transmission Service Agreement between AP&L and Arkansas Electric Cooperative Corporation (AECC). The Amendment provides for the transfer of capacity at one point of delivery, an increase in capacity at eight points of delivery, and modification of names or effective delivery dates for seven points of delivery.

AP&L requests that the Commission waive any requirements with which AP&L has not already complied.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of the notice.

6. Mid-Atlantic Energy Co. of PA., Inc.

[Docket No. QF86-896-004]

On May 9, 1990, Mid-Atlantic Energy Company of PA., Inc. (Applicant), of Penn Center West Four suite 300, Pittsburgh, Pennsylvania 15276, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulation. No determination has been made that the submittal constitutes a complete filing.

The small power production facility will be located in Piney Township, Clarion County, Pennsylvania. The facility will consist of a circulating fluidized bed boiler, an extraction steam turbine generator, and related auxiliary equipment. The net electric power production capacity of the facility will be 29.9 megawatts. The primary energy source for the facility will be "waste" in the form of bituminous coal refuse.

The original certification was issued on January 8, 1987 (38 FERC ¶ 62,001) and a recertification was issued on June 1, 1987 (39 FERC ¶ 61,317). The instant recertification is filed to reflect a change in ownership from Clarion Power Company to Mid-Atlantic Energy Company of PA., Inc., and an increase in the net electric power production capacity of the facility from 26 megawatts to 29.9 megawatts. In addition, Applicant proposes to change the average quality characteristics of the "waste" coal which serves as the primary energy source, and has identified other possible sources of "waste" coal for use as the primary energy source.

Comment date: Thirty days from publication in the **Federal Register** in accordance with Standard Paragraph E at the end of this notice.

7. Interstate Power Co.

[Docket No. ER90-356-000]

Take notice that on May 4, 1990, Interstate Power Company (Interstate) tendered for filing a new Electric Service Agreement between the City of Windom and Company, along with Amendment Number One of the Interconnection Facilities Agreement between the City of Luverne and Company.

Name	FERC rate schedule No.
Windom, Minnesota	123
Luverne, Minnesota	129

Interstate indicates that the Windom agreement includes language outlining the type of service provided, billing information and a number of miscellaneous changes.

Interstate further indicates that the Luvern Amendment provides changes for emergency service, wheeling power, revised maintenance charges and other miscellaneous changes.

Comment date: June 8, 1990, in accordance with Standard Paragraph E end of this notice.

8. Northeast Utilities Service Co.

[Docket No. ER90-375-000]

Take notice that on May 17, 1990, Northeast Utilities Service Company (NUSCO), as agent for the Connecticut Light and Power Company and Western Massachusetts Electric Company (collectively referred to as the NU Companies), tendered for a Transmission Service (Agreement), between the NU companies and Hudson Light and Power Department (Hudson), dated May 1, 1990.

NUSCO states that the Agreement provides service to Hudson for transmission of unit capacity and associated energy from Holyoke Gas and Electric Department.

NUSCO requests that the Commission waive its filing requirements to the extent necessary to permit the rate schedule to become effective as of May 1, 1990.

NUSCO states that a copy of the rate schedule has been mailed to Hudson.

NUSCO further states that the filing is in accordance with section 35 of the Commission's Regulations.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

9. Wisconsin Power & Light Co.

[Docket No. ER90-365-000]

Take notice that on May 11, 1990, Wisconsin Power & Light Company tendered for filing a wholesale power contract between itself and the City of Juneau, Wisconsin.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

10. Wisconsin Power & Light Co.

[Docket No. ER90-377-000]

Take notice that on May 17, 1990, Wisconsin Power & Light Company tendered for filing a wholesale power contract between itself and the Village of New Glarus, Wisconsin.

Comment date: June 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary

[FR Doc. 90-12460 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP90-1363-000, et al.]

Natural Gas Pipeline Co. of America et al.; Natural Gas Certificate Filings

Take notice that the following filings have been made with the Commission:

1. Natural Gas Pipeline Co. of America

[Docket No. CP90-1363-000]

May 22, 1990.

Take notice that on May 15, 1990, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, P.O. Box 1208, Lombard, Illinois 60148, filed in Docket No. CP90-1363-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of pipeline loop and compression facilities which would enable Natural to expand the capacity of its existing Line A/G, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Natural proposes to construct and operate:

- A new 16,560 horsepower (hp) compressor station to be located near Paris, Lamar County, Texas; and
- 8.3 miles of 30-inch diameter pipeline loop of Natural's Line A/G, immediately downstream of the proposed new compressor station in Lamar County, Texas

Natural states that Line A/G, originally designated the "NGPL Interconnect", stretches from the Anardarko Basin in Oklahoma southeastward into northern Texas. Natural explains that Line A/G, with the exception of the Texoma Segment, was certificated by the Commission by order issued September 18, 1989, in Docket No. CP88-708-000 and was designed to provide a direct connection between Natural's Amarillo Line and its Gulf Coast Mainline.

It is indicated that the proposed facilities would enable Natural to expand the capacity of the Texas Segment of Line A/G from 350,000 Mcf

per day (Ncfd) to 650,000 Mcfd and the Texoma Segment of Line A/G from 500,000 Mcfd to 800,000 Mcfd.

Although Line A/G has been in service only since February 1990, Natural's purpose in proposing an expansion for the line is two-fold: (1) To accommodate the much greater than anticipated demand for firm transportation services on Line A/G and (2) to provide downstream capacity for a lateral line which Natural states that it plans to construct (under NGPA Section 311) from the Arkoma Basin production area to an interconnection with Line A/G. Natural indicates that Line A/G is essentially fully contracted and that as of May 1, 1990, it had been unable to satisfy requests on the Oklahoma, Texoma, and Texas Segments of Line A/G totalling 749,000 Mcfd, 1,100,000 Mcfd, and 689,000 Mcfd, respectively. Additionally, Natural asserts that there is tremendous production potential in Arkoma Basin, Natural intends to extend its system. Natural notes that the Arkoma Basin has been estimated to contain at least 8 Tcf of potential reserves and that current deliverability in the basin far exceeds existing pipeline capacity. The proposed Line A/G expansion, it is asserted, would permit Natural to provide service from the Arkoma Basin.

Natural estimates that the proposed project would cost $27.4 million, which would be financed from funds on hand. Natural projects that the loop line could be completed two and one half months after construction is commenced, while the compressor station would require approximately nine months to complete.

Comment date: June 13, 1990, in accordance with Standard paragraph F at the end of this notice.

2. Northern Natural Gas Co., Division of Enron Corp.

[Docket No. CP90–1385–000]

May 23, 1990.

Take notice that on May 17, 1990, Northern Natural Gas Company, Division of Enron Corp. (Northern), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP90–1385–000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the increase of 800 Mcf of natural gas per day of sales entitlements for St. Croix Valley Natural Gas Company (St. Croix), a local distribution company serving communities in Wisconsin, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that in order for St. Croix to serve increased requirements in and around the community of River Falls, Wisconsin, Northern requests authorization to increase its current sales entitlements to St. Croix by a total of 800 Mcf per day in the following manner: 200 Mcf per day of additional service under Rate Schedule CD–1; 369 Mcf per day of additional service under Rate Schedule SS–1 and 231 Mcf per day of new service under Rate Schedule WPS–1. Northern states that the end use of the natural gas will be primarily commercial and residential. In addition, Northern states that pursuant to the respective executed service agreements, all dated April 6, 1990, the increased sales service will become effective on: December 1, 1990 or such date as approved by the Commission, whichever is later and continue through October 26, 1993 for Rate Schedule CD–1; November 1, 1990 or such date as approved by the Commission, whichever is later and continue through March 26, 1992 for Rate Schedule SS–1; and December 15, 1990 or such date as approved by the commission, whichever is later and continue through March 16, 1993 for Rate Schedule WPS–1. It is further stated that the additional sales of St. Croix will be accomplished without constructing new facilities or rearranging presently authorized facilities.

Comment date: June 14, 1990, in accordance with Standard Paragraph F at the end of this notice.

3. Great Lakes Gas Transmission Co.

[Docket Nos. CP66–110–040 *et al.*, CP81–225–009 *et al.*, CP87–467–007 *et al.*, CP88–145–001, CP88–397–005 *et al.*, CP88–539–005, and CP89–1251–002 *et al.*]

May 23, 1990.

Take notice that on May 18, 1990, Great Lakes Gas Transmission Company (Great Lakes), 2100 Buhl Building, Detroit, Michigan 48226, filed in Docket Nos. CP66–110–040, *et al.*, CP81–225–009, *et al.*, CP87–467–007, *et al.*, CP88–145–001, CP88–397–005, CP88–539–005, *et al.*, and CP89–1251–002, *et al.*, a petition to amend existing certificates of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act to extend the authorized terms of service and in certain cases to add receipt or delivery points, all as more fully set forth in the petition which is on file with the commission and open to public inspection.

By this petition, Great Lakes requests authorization to provide firm transportation service under separate case-specific authorizations under section 7(c) of the Natural Gas Act for its existing firm service customers for the full contract terms. Great Lakes indicates that in each case the authorization is currently limited to a term expiring on the earlier of one year from the date of order issuing authorization or the date Great Lakes accepts a blanket certificate pursuant to § 284.221 of the Commission's Regulations. In addition, Great Lakes requests that the authorization issued in Docket No. CP87–467–007, *et al.*, be amended to include a point at St. Clair, Michigan as an additional authorized delivery point. Also, Great Lakes requests that the authorization issued in Docket No. CP81–225–009, *et al.*, be amended to include an existing interconnection between the facilities of Great Lakes and Northern Natural Gas Company located at Carlton, Minnesota as both a receipt point for gas delivered to Great Lakes in the summer period and an exchange point for gas to be received by the shipper during the winter period. No other changes to the current authorizations is proposed.

Comment date: June 14, 1990 in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

4. Northern Natural Gas Co., Division of Enron Corp.

[Docket No. CP90–1386–000]

May 23, 1990.

Take notice that on May 17, 1990, Northern Natural Gas Company, Division of Enron Corporation (Northern), 1400 Smith Street, P.O. Box 1188, Houston, Texas 77251–1188, filed a request with the Commission in Docket No. CP90–1386–000, pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (NGA), for authorization to abandon and transfer by sale to Peoples Natural Gas Company, Division of Utilicorp, Inc. (Peoples), minor pipeline facilities in Clay County, Iowa, under its blanket certificate issued in Docket No. CP82–401–000 pursuant to section 7 of the NGA, all as more fully set forth in the request which is open to public inspection.

Northern proposes to abandon and transfer by sale to Peoples approximately 1,650 feet of its Spencer 4-inch branch line and appurtenant facilities in Clay County, Iowa. Northern states that Peoples would use this pipeline as a distribution line for natural gas deliveries to the community of Spencer, Iowa. Northern also states that it would not terminate any services nor take any other facilities out of service as a result of this proposal.

Comment date: July 9, 1990, in accordance with Standard Paragraph G at the end of this notice.

5. Texas Gas Transmission Corporation, Northern Natural Gas Co., Division of Enron Corp.

[Docket No. CP90-1383-000, Docket No. CP90-1384-000, Docket No. CP90-1387-000]

May 23, 1990.

Take notice that on May 17, 1990, Texas Gas Transmission Corporation (Texas Gas), 3800 Federica Street, Owensboro, Kentucky 42301, and Northern Natural Gas Company, Division of Enron Corp. (Northern), 1400 Smith Street, P.O. Box 1188, Houston, Texas 77251-1188, filed in the respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under Texas Gas' blanket certificate issued in Docket No. CP88-686-000 and Northern's blanket certificate issued in Docket No. CP86-435-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.[1]

Information appliable to each transaction, including the identify of the shipper, the peak day, average day and annual volumes, and the initiation service dates and related docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by Texas gas and Northern and is summarized in the attached appendix.

Texas Gas and Northern state that each of the proposed services would be provided under an executed transportation agreement, and that Texas Gas and Northern would charge the rates and abide by the terms and conditions of the appropriate transportation rate schedules. It is asserted that each of the transportation services would be rendered on an interruptible basis. It is explained that the gas would be received by Texas Gas and Northern at designated points on their respective systems and would be delivered for the shippers' accounts at designated points of interconnection.

Comment date: July 9, 1990, in accordance with Standard Paragraph G at the end of this notice.

[1] These prior notice requests are not consolidated.

APPENDIX

Docket No.	Shipper name	Peak day [2] average annual	Start-up date	Related [3] dockets
CP90-1383-000	Amoco Production Company	200,000 50,000 21,300,000	4/27/90	ST90-2921
CP90-1384-000	Amoco Production Company	400,000 50,000 21,300,000	4/27/90	ST90-2922
CP90-1387-000	Access Energy Corp.	20,000 15,000 7,300,000	3/22/90	ST90-2525

[2] Quantities are shown in MMBtu equivalent.
[3] Texas Gas and Northern reported their 120-day transportation service in the referenced ST dockets.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE. Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 5 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12461 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP90-1396-000 et al.]

Northern Natural Gas Co., et al.; Natural Gas Certificate Filings

Take notice that the following filings have been made with the Commission:

1. Northern Natural Gas Co. Division of Enron Corp.

[Docket No. CP90–1396–000, Docket No. CP90–1397–000, Docket No. CP90–1398–000]

May 21, 1990.

Take notice that Northern Natural Gas Company, Division of Enron Corp. (Applicant), 1400 Smith Street, P.O. Box 1188, Houston, Texas 77251–1188, filed in the above-referenced dockets prior notice requests pursuant to Sections 157–205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under its blanket certificate issued in CP86–435–000, pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the requests that are on file with the Commission and open to public inspection.[1]

Information applicable to each transaction, including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related ST docket numbers of the 120-day transactions under Section 284.223 of the Commission's Regulations, has been provided by Applicant and is summarized in the attached appendix.

Applicant states that each of the proposed services would be provided under an executed transportation agreement, and that Applicant would charge the rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: July 5, 1990, in accordance with Standard Pargaraph G at the end of this notice.

[1] These prior notice requests are not consolidated.

Docket number (date filed)	Shipper name (type)	Peak day, average day, annual MMBtu	Receipt points	Delivery points	Contract date, rate schedule, service type	Related docket, start up date.
CP90–1396–000 (5–18–90)	Phibro Distributors Corporation (marketer).	300,000 225,000 109,500,000	Various	Various	3–30–90, IT–1, Interruptible.	ST90–2603–000, 3–30–90.
CP90–1397–000 (5–18–90)	Anadarko Trading Company (marketer).	100,000 75,000 36,500,000	OK, KS, TX, NM	KS, TX, WI, IA, OK	4–1–90, IT–1, Interruptible.	ST90–2606–000, 4–1–90.
CP90–1398–000 (5–18–90)	Adobe/Midland Joint Venture (marketer).	100,000 75,000 36,500,000	TX	TX	4–1–90, IT–1, Interruptible.	ST90–2602–000, 4–1–90.

2. Panhandle Eastern Pipe Line Co.

[Docket No. CP90–1376–000]

Tennessee Gas Pipeline Co.

[Docket No. CP90–1378–000]

Texas Gas Transmission Corp.

[Docket No. CP90–1379–000]

May 22, 1990.

Take notice that the above referenced companies (Applicants) filed in the respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under the blanket certificates issued pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.[2]

Information applicable to each transaction, including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by the Applicants and is summarized in the attached appendix.

Applicants state that each of the proposed services would be provided under an executed transportation agreement, and that Applicants would charge the rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: July 6, 1990, in accordance with Standard Paragraph G at the end of this notice.

[2] These prior notice requests are not consolidated.

Docket number (date filed)	Applicant	Shipper	Peak day,[2] average annual	Points of receipt	Points of delivery	Start up date (rate schedule)	Related dockets [3]
CP90–1376–000 (5–16–90)	Panhandle Eastern Pipe Line Company, P.O. Box 1642, Houston, Texas 77251–1642.	Coastal Gas Marketing Company.	300,000 Dth 100,000 Dth 36,500,000 Dth	CO, KS, OK, TX	KS	3–21–90 (PT)	CP86–585–000, ST90–2644–000.
CP90–1378–000 (5–16–90)	Tennessee Gas Pipeline Company, P.O. Box 2511 Houston, Texas 77252.	Columbia Gas Development Corporation.	50,000 Dth 50,000 Dth 18,250,000 Dth	PA	PA, OH	4–18–90 (IT)	CP87–115–000, ST90–2917–000.

Docket number (date filed)	Applicant	Shipper	Peak day,[2] average annual	Points of receipt	Points of delivery	Start up date (rate schedule)	Related dockets [3]
CP90-1379-000 (5-16-90)	Texas Gas Transmission Corporation, 3800 Frederica Street, Owensboro, Kentucky 42301.	Amoco Production Company.	200,000 50,000 21,300,000	LA, IN, KY, TX, IL, AR, OH.	TN, KY	4-27-90 (IT)	CP88-686-000, ST90-2923-000

[2] Quantities are shown in MMBtu unless otherwise indicated.
[3] The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

Williams Natural Gas Co., Southern Natural Gas Co., Natural Gas Pipeline Co. of America, Natural Gas Pipeline Co., of America, Natural Gas Pipeline Co. of America

[Docket Nos. CP90-1388-000,[3] CP90-1390-000, CP90-1393-000, CP90-1394-000, and CP90-1395-000]

May 22, 1990.

Take notice that on May 17 and May 18, 1990, Applicants filed in the above referenced dockets, prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under their blanket certificates issued pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection and in the attached appendix.

Information applicable to each transaction, including the identity of the shipper, the type of transportation service, the appropirate transportation rate schedule, the peak day, average day and annual volumes, and the docket numbers and initiation dates of the 120-day tansactions under § 284.223 of the Commission's Regulations has been provided by the Applicants and is included in the attached appendix.

Applicants state that each of the proposed services would be provided under an executed transportation agreement, and that the Applicants would charge rates and abide by the terms and conditions of the referenced transportation rate schedule(s).

Comment date: July 6, 1990, in accordance with Standard Paragraph G at the end of this notice.

[3] These prior notice requests are not consolidated.

Docket number (date filed)	Applicant	Shipper name	Peak day,[2] average annual	Points of—		Start up date rate scheudle	Related [3] dockets
				Receipt	Delivery		
CP90-1388-000 (5-17-90)	Williams Natural Gas Company, P.O. Box 2400, Tulsa, OK 74102.	Phibro Distributors Corporation.	50,000Dt 50,000Dt 18,250,000Dt	KS	KS, OK, TX	3-30-90, ITS	CP86-631-000, ST90-2864-000
CP90-1390-000 (5-17-90)	Southern Natural Gas Company, P.O. Box 2563, Brimingham, AL 35202-2563.	Tex/Con Gas Marketing Company.	50,000 10,000 3,650,000	AL, LA MS, TX OFF LA, OFF TX	MS	3-19-90, IT	CP88-316-000, ST90-2440-000
CP90-1393-000 (5-18-90)	Natural Gas Pipeline Company of America, 701 E. 22nd St., Lombard, IL 60148.	Union Exploration Partners, Ltd.	20,000 10,000 3,650,000	AK, IL LA, TX OFF LA, OFF TX	TX, OFF LA, OFF TX	3-15-90 ITS	CP86-582-000. ST90-2488-000.
CP90-1394-000 (5-18-90)	Natural Gas Pileline Company of America, 701 E. 22nd St., Lombard, IL 60148.	Seagull Marketing Services,Inc.	100,000 35,000 12,775,000	OK	TX	3-24-90, ITS	CP86-582-000.ST90-2588-000.
CP90-1395-000 (5-18-90)	Ntural Gas Pipeline Company of America, 701 E. 22nd St., Lombard, IL 60148.	Chevron USA, Inc	100,000 40,000 14,600,000	KS, LA, OK, NE NM, TX, WY, OFF LA, OFF TX	IL, LA, TX	3-19-90, ITS	CP86-582-000, ST90-2541-000.

[2] Quantities are shown in MMBtu unless otherwise indicated.
[3] The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120/day transportation service was reported in it.
[4] Quantities are shown in MMBtu unless otherwise indicated.
[5] The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day tranportation service was reported in it.

4. Northern Natural Gas Co., Division of Enron Corp.

[Docket No. CP90-1354-000]

May 22, 1990.

Take notice that on May 14, 1990, Northern Natural Gas Company, Division of Enron Corp. (Northern), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP90-1354-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the increase of firm sales entitlements for Midwest Gas, a Division of Iowa Public Service Company (Midwest Gas), a local distribution company serving communities in Minnesota, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that in order for Midwest Gas to serve anticipated increased requirements in and around the community of Oak Grove, in Anoka County, Minnesota, Northern requests authorization to increase its current firm sales entitlements by 600 Mcf per day for Midwest Gas under Northern's Contract Demand Rate Schedule CD–1. Northern states that Oak Grove will be served through the additional firm entitlements to be assigned to Ham Lake Township. Northern states that the end use of the natural gas will be primarily commercial and residential. In addition, Northern states that pursuant to an executed service agreement dated March 8, 1990, the increase in CD–1 firm sales service will become effective on December 1, 1990 or such date as approved by the Commission, whichever is later and continue through October 26, 1991. It is further stated that the additional sales service to Oak Grove will be accomplished without constructing new facilities or rearranging presently authorized facilities.

Comment date: June 13, 1990, in accordance with Standard Paragraph F at the end of this notice.

5. Trunkline Gas Co.

[Docket No. CP90–1364–000, Docket No. CP90–1365–000]

May 22, 1990.

Take notice that the above referenced companies (Applicants) filed in respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under blanket certificates issued pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.[4]

Information applicable to each transaction including the identify of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the docket numbers and initiation dates of the 120-day transactions under § 284.223 of the Commission's Regulations has been provided by the Applicants and is included in the attached appendix.

The Applicants also states that each would provide the service for each shipper under an executed transportation agreement, and that the Applicants would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: July 6, 1990, in accordance with Standard Paragraph G at the end of this notice.

6. Tennessee Gas Pipeline Co.

[Docket No. CP89–1511–002]

May 22, 1990.

Take notice that on May 17, 1990, Tennessee Gas Pipeline Company (Tennessee), P.O. Box 2511, Houston, Texas 77252, filed in Docket No. CP89–1511–002 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to amend the authorization issued in Docket Nos. CP89–1511–000 and CP89–1511–001 involving an interruptible transportation service for gas lift purposes for Chevron USA, Inc. (Chevron), a producer, under the blanket certificate issued in Docket No. CP87–115–000, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Tennessee states that pursuant to an amendment dated April 27, 1990, to the Chevron transportation agreement dated April 18, 1989, the parties have added ten additional offshore Louisiana delivery points for additional gas lift and emergency start-up purposes. Further, Tennessee states that the contract maximum daily quantity has been increased to 50,000 dekatherms per day from 21,500 dekatherms per day.

Prior to commencement of the amended transportation service, Tennessee requests, pursuant to §157.211 of the Regulations and blanket certificate authority granted to Tennessee in Docket No. CP82–413–000, authorization to construct ten tie-in connection assemblies in order to effectuate delivery of the natural gas. Tennessee states that the proposed offshore Louisiana delivery points would be located at South Pass Blocks 49A and 49C; and Ship Shoal Blocks 170A, 182C, 198H, 154E, 168D, 181B, 198F, and 198J.

Comment date: July 6, 1990, in accordance with Standard Paragraph G at the end of this notice.

7. Columbia Gulf Transmission Co.

[Docket No. CP90–1366–000, Docket No. CP90–1367–000, Docket No. CP90–1368–000, Docket No. CP90–1369–000]

May 22, 1990.

Take notice that the above referenced companies (Applicants) filed in respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under blanket certificates issued pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.[5]

Information applicable to each transaction including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the docket numbers and initiation dates of the 120-day transactions under § 284.223 of the Commission's Regulations has been provided by the Applicants and is included in the attached appendix.

The Applicants also state that each would provide the service for each shipper under an executed transportation agreement, and that the Applicants would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: July 6, 1990, in accordance with Standard Paragraph G at the end of this notice.

[4] These prior notice requests are not consolidated.

[5] These prior notice requests are not consolidated.

Docket number (date filed)	Applicant	Shiper name	Peak Day,[1] average annual	Points of		Start up date rate schedule	Related [2] dockets
				Receipt	Delivery		
CP90–1366–000 (5/15/90).	Columbia Gulf Transmission Company, 3805 W. Alabama, Houston, Texas 77027.	Enserch Gas Company.	200,000 50,000 18,250,000	LA	LA, Off. LA	ITS–1 & ITS–2 Interruptible, 4/1/90.	ST90–2902–000, CP86–239–000.

Docket number (date filed)	Applicant	Shiper name	Peak Day,[1] average annual	Points of		Start up date rate schedule	Related [2] dockets
				Receipt	Delivery		
CP90-1367-000 (5/15/90).	Columbia Gulf Transmission Company, 3805 W. Alabama, Houston, Texas 77027.	Yuma Gas Corporation.	30,000 10,000 3,650,000	On. LA, Off. LA	LA	ITS-2 Interruptible, 4/5/90.	ST90-2927-000, CP86-239-000.
CP90-1368-000 (5/15/90).	Columbia Gulf Transmission Company, 3805 W. Alabama, Houston, Texas 77027.	Rangeline Corporation.	30,000 10,000 3,650,000	Off. LA	LA	ITS-2 Interruptible, 4/5/90.	ST90-2953-000, CP86-239-000.
CP90-1369-000 (5/15/90).	Columbia Gulf Transmission Company, 3805 W. Alabama, Houston, Texas 77027.	Yuma Gas Corporation.	30,000	Off. LA	LA	ITS-2 Interruptible, 4/1/90.	ST90-2928-000, CP86-239-000.

[1] Quantities are shown in MMBtu unless otherwise indicated.
[2] The CP docket corresponds to apaplicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

Standard Paragraphs

F. Any person desirig to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE. Washngton, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulation under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protests, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary

[FR Doc. 90-12462 Filed 5-29-90 8:45]

BILLING CODE 6717-01-M

[Docket No. RP90-107-001]

Columbia Gulf Transmission Co.; Tariff Filing

May 22, 1990.

Take notice that on May 15, 1990, Columbia Gulf Transmission Company (Columbia Gulf) tendered for filing substitute revised tariff sheets to its FERC Gas Tariff, First Revised Volume No. 1, as follows:

Substitute First Revised Sheet No. 072.
Substitute First Revised Sheet No. 148.

On April 30, 1990, Columbia Gulf had tendered for filing revised tariff sheets to its FERC Gas Tariff, First Revised Volume No. 1. The tariff sheets bore an issue date of April 30, 1990. Columbia Gulf had requested an effective date of June 1, 1990 and further requested the Commission to suspend their effectiveness for the full statutory notice and suspension period, until November 1, 1990.

Columbia Gulf states that in the April 30, 1990 filing Section 3 of Columbia Gulf's FTS-1 and FTS-2 Rate Schedules was modified to provide for interruptible receipt and delivery points under firm transportation service agreements. Columbia Gulf states that in modifying section 3 to effect this change, the relevant paragraph was inadvertently omitted in the transcription of section 3. Columbia Gulf also states that it has subsequently corrected the error and has resubmitted the tariff sheets, bearing an issue date of May 15, 1990 and an effective date of June 1, 1990.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE. Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1989). All such protests should be filed on or before May 29, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12463 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. MT90-10-000]

High Island Offshore System; Filing

May 23, 1990.

Take notice that on May 17, 1990, High Island Offshore System (HIOS) tendered the following tariff sheets for filing pursuant to Order No. 497-A, the Commission's companion Order of December 18, 1989, in Docket Nos. RM87-5-002 and MG88-21-000, *et al.*, and § 250.16 of the Commission's Regulations, as part of HIOS' FERC Gas Tariff, First Revised Volume No. 1:

Second Revised Sheet No. 3
Original Sheet No. 3A
First Revised Sheet No. 48A
Original Sheet No. 49
First Revised Sheet No. 50
Second Revised Sheet No. 51
Second Revised Sheet No. 52
Second Revised Sheet No. 53
Second Revised Sheet No. 54
Original Sheet No. 54A
First Revised Sheet No. 78
First Revised Sheet No. 79
First Revised Sheet No. 80
First Revised Sheet No. 81

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rule 211 or Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before June 7, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party to the proceeding must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12464 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA90-1-59-003, TQ90-2-59-001]

Northern Natural Gas Co., Division of Enron Corp.; Proposed Changes in FERC Gas Tariff

May 23, 1990

Take notice that Northern Natural Gas Company, Division of Enron Corp. (Northern), on May 15, 1990, tendered for filing changes in its FERC Gas Tariff, Third Revised Volume No. 1 (Volume No. 1 Tariff) and Original Volume No. 2 (Volume No. 2 Tariff).

Northern is filing the revised tariff sheets to adjust its Base Average Gas Purchase Cost in accordance with the Commission Letter Order dated April 30, 1990. This filing also adjusts the subsequent quarterly filing, TQ90-2-59, filed March 1, 1990, to reflect the change in the Current Commodity Rate Adjustment. This filing is in accordance with the Commission's Order Nos. 483 and 483-A.

The instant filing adjusts the quarterly Base Average Gas Purchase Cost from $2.9120 to $2.7944 in the annual filing, Docket TA90-1-59-000. There is no change to the ceiling rate established in the second quarter filing, TQ90-2-59.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE. Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1989). All such protests should be filed on or before May 31, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Northern states that copies of this filing were served upon the company's jurisdictional sales customers and interested state commissions.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12465 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. EL90-26-000]

North Carolina Electric Membership Corp. v. Virginia Electric and Power Company, Doing Business as North Carolina Power Co.; Filing

May 23, 1990.

Take notice that on April 23, 1990 North Carolina Electric Membership Corporation (NCEMC) tendered for filing a complaint against Virginia Electric and Power Company (VEPCO) seeking relief from inferior bulk power supply and transmission service. NCEMC requests that the Commission investigate and remedy unreliable and discontinuous bulk power and transmission service provided by VEPCO to NCEMC for ultimate retail service to 100,000 persons in northeastern North Carolina.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before June 22, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. Answers to the complaint shall be due on or before June 22, 1990.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12466 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP84-94-006]

Trailblazer Pipeline Co.; Proposed Changes in FERC Gas Tariff

May 23, 1990.

Take notice that on May 18, 1990, Trailblazer Pipeline Company (Trailblazer) submitted for filing Original Volume No. 1: Ninth Revised Sheet No. 4, Second Revised Sheet No. 104, and First Revised Sheet No. 104A; and Original Volume No. 1A: First Revised Sheet No. 4, to be a part of its FERC Gas Tariff. Trailblazer states that these sheets were submitted in compliance with the Federal Energy Regulatory Commission Order issued February 16, 1990 at Docket No. RP84-94, *et al.* (February 16th Order). Concurrent with this compliance filing, Trailblazer is filing a motion for extension of time with respect to the subject compliance filing pending action upon its Request for Rehearing filed March 19, 1990. Also provided are worksheets detailing the rate derivation included on the revised tariff sheets.

In addition, pursuant to the Commission's Ordering paragraph (F), Trailblazer hereby files its plan to refund excess deferred income taxes and a reconciliation of its book and tax plant at December 31, 1989.

In making the compliance filing, Trailblazer reserves its right to seek rehearing of the February 16th Order as set out in Trailblazer's Request for Rehearing filed March 19, 1990.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance

with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1989). All such protests should be filed on or before May 31, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12467 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA90-1-11-003]

United Gas Pipe Line Co.; Filing of Revised Tariff Sheets

May 23, 1990.

Take Notice that on May 17, 1990 United Gas Pipe Line Company (United) tendered for filing the following revised set of FERC Form No. 542-PGA schedules and additional workpapers in compliance with the Commission's April 2, 1990 Letter Order (April Order) in this Docket.

United states that this filing has the following impact on its gas cost as shown in the following tariff sheets to be effective October 1, 1989:

Second Revised Volume No. 1

Substitute Original Sheet No. 4
Substitute Original Sheet No. 4A
Substitute Original Sheet No. 4B
Substitute Original Sheet No. 4D
Substitute Original Sheet No. 4I

United states that the proposed surcharge of $.0167 is the result of United's compliance to the Commission's September 29, 1989 Order. The D1 reduction for the DG and PL customers (and a corresponding $.0091 commodity reduction for G customers) is due to removing from this filing the impact of the direct bill of Sea Robin's deferred account.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1989)). All such protests should be filed on or before May 31, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12468 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP90-91-002]

United Gas Pipe Line Co.; Compliance Filing

May 23, 1990.

Take notice that on May 18, 1990, United Gas Pipe Line Company (United) submitted for filing the following tariff sheets and workpapers in response to the Commission's April 20, 1990, Order in Docket No. PR90-91, *et al.*

Effective April 1, 1990:

Second Substitute Second Revised Sheet No. 4L
Second Substitute Original Sheet No. 4L.1
Second Substitute Original Sheet No. 4L.2
Second Substitute Original Sheet No. 4L.3
Second Substitute Original Sheet No. 4L.4
Substitute Original Sheet No. 4L.5

United states that certain workpapers are being submitted under seal and subject to § 388.112 of the Commission's regulations. United states that since the proceeding in Docket No. RP90-91 has been consolidated with Docket Nos. RP88-27, RP88-264, and RP89-138, United has requested that the Protective Order issued in Order No. RP88-27 be extended to Docket No. RP90-91, whereupon United will make this information available to those eligible persons who have executed a non-disclosure certificate pursuant to the Protective Order.

United states that the workpapers will be available for review by appointment in United's Houston, Texas office or arrangements will be made for review in a Washington, DC location.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 N. Capitol Street, NE., Washington, DC 20426, in such accordance with §§ 385.214 and 385.211 of the Commission's regulations. All such motions of protest should be filed on or before May 31, 1990.

Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-12469 Filed 5-29-90; 8:45 am]

BILLING CODE 6717-01-M

Office of Hearings and Appeals

Cases Filed During Week of March 30 Through April 6, 1990

During the Week of March 30 through April 6, 1990, the appeals and applications for other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under DOE procedural regulations, 10 CFR part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC 20585.

Dated: May 23, 1990.

George B. Breznay,

Director, Office of Hearings and Appeals.

List of Cases Received by the Office of Hearings and Appeals

[Week of March 30 through April 6, 1990]

Date	Name and location of applicant	Case No.	Type of submission
Apr. 2, 1990	Amoco I, Amoco II, Coline, Nat'l. Helium, Belridge, & Perry Gas/New Mexico, Santa Fe, New Mexico.	RM21-170, RM251-171, RM2-172, RM3-173, RM8-174, RM183-175	Request for Modification/Rescission in the Amoco I, Amoco II, Coline, Nat'l. Helium, Belridge, and Perry Gas Second Stage Refund Proceeding. If granted: The March 28, 1989 Decision and Order (Case Nos. RM21-147, RM251-148, RM2-149, RM3-150, RM8-151 and RM183-152 issued to New Mexico would be modified regarding the state's application for refund submitted in the Amoco I, Amoco II, Coline, Nat'l. Helium, Belridge & Perry Gas second stage refund proceeding
Apr. 2, 1990	Amoco, Belridge/Maryland, Baltimore, Maryland	RM21-176, RM8-177	Request for Modification/Rescission in the Amoco and Belridge Second Stage Refund Proceeding. If granted: The June 4, 1985 Decision and Order (Case No. RQ21-152 and RQ8-151) issued to Maryland would be modified regarding the state's application for refund submitted in the Amoco and Belridge second stage refund proceeding.
Apr. 2, 1990	Coline, Nat'l. Helium, and Perry Gas/Maryland, Baltimore, Maryland.	RM2-178, RM3-179, RM183-180	Request for Modification/Rescission in the Coline, Nat'l. Helium and Perry Gas Second Stage Refund Proceeding. If granted: The January 28, 1986 Decision and Order (Case No. RQ2-230, RQ3-228, RQ183-229) would be modified regarding Maryland's application for refund submitted in the Coline, Nat'l. Helium and Perry Gas second stage refund proceeding.
Apr. 2, 1990	Exxon/Suburban Propane, Vangas, and Pargas, Inc., Whippany, New Jersey.	RR307-5, RR307-6, RR307-7	Request for Modification/Rescission in the Exxon Refund Proceeding. If granted: The March 2, 1990, Decision and Order (Case No. RF307-8848, RF307-8849 and RF307-8850) issued to Suburban Propane, Vangas, Inc. and Pargas, Inc. would be modified regarding the firm's application for refund submitted in the Exxon refund proceeding.
Apr. 3, 1990	Lantern Petroleum Corp. and John Mills, Washington, D.C.	LEF-0016	Implementation of Special Refund Procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 C.F.R., part 205, subpart V, in connection with the March 5, 1990, District Court Order entered into with Lantern Petroleum Corporation and John Mills.
Apr. 4, 1990	Amoco II/Maryland, Baltimore, Maryland	RM251-181	Request for Modification/Rescission in the Amoco II Second Stage Refund Proceeding. If granted: The October 20, 1988 Decision and Order (Case No. RQ251-482) issued to Maryland would be modified regarding the state's application for refund submitted in the Amoco II second stage refund proceeding.
Apr. 6, 1990	Gulf/Peter F. Vaira, Philadelphia, Pennsylvania	RR300-9	Request for Modification/Rescission in the Gulf Refund Proceeding. If granted: The March 9, 1990 Decision and Order (Case No. RF300-8952) issued to Peter F. Vaira would be modified regarding the firm's application for refund submitted in the Gulf refund proceeding.
Apr. 6, 1990	Covington & Burling, Washington, D.C.	LFA-0036	Appeal of an Information Request Denial. If granted: The March 5, 1990, Freedom of Information Request Denial issued by the Assistant Manager for Administration, San Francisco Operations Office, would be rescinded, and Covington & Burling would receive access to documents pertaining to DOE's Request for Proposals for a Simplified Passive Advanced Light Water Reactor Plant Program.
Apr. 6, 1990	Salomon, Inc., New York, New York	LRR-0004	Request for Modification/Rescission. If granted: The March 15, 1990, Decision and Order issued to Salomon, Inc. (Case No. KRD-0720) would be rescinded regarding DOE's denial of Salomon's Motion to Dismiss and DOE's failure to grant oral argument.
Apr. 6, 1990	Vickers/Oklahoma, Oklahoma City, Oklahoma	RQ1-552, RM1-182	Request for Modification/Rescission in the Vickers Refund Proceeding. If granted: The October 13, 1989 Decision and Order (Case No. RQ1-530) issued to Oklahoma would be modified regarding the State's application for refund submitted in the Vickers second stage refund proceeding.

Refund Applications Received

[Week of March 20 through April 6, 1990]

Date received	Name of refund proceeding/name of refund applicant	Case number
3/30/90 thru 4/6/90	Texaco Oil Refund, Applications Received	RF321-2848 thru RF321-3260
3/30/90 thru 4/6/90	Crude Oil Refund, Applications Received	RF272-78552 thru RF272-78563
3/30/90 thru 4/6/90	Atlantic Richfield, Applications Received	RF304-11672 thru RF304-11680
3/20/90 thru 4/6/90	Gulf Oil Refund, Applications Received	RF315-9909 thru RF315-9928
3/30/90	The City of Des Moines	RC272-83
4/2/90	Huges Spur	RF309-1393
4/2/90	Squires Street Spur	RF309-1394
4/2/90	Williamson Spur Oil	RF309-1395
4/2/90	Sand Banks Service Station	RF300-11079
4/2/90	Alberto Ortiz Gulf	RF300-11080
4/3/90	Amber Oil Corporation	RF300-11081

REFUND APPLICATIONS RECEIVED—Continued

[Week of March 20 through April 6, 1990]

Date received	Name of refund proceeding/name of refund applicant	Case number
4/6/90	Massey Service Station	RF300-11082

[FR Doc. 90-12474 Filed 5-29-90; 8:45 am]
BILLING CODE 6450-01-M

Issuance of Proposed Decision and Order for the Office of Hearings and Appeals Week of May 7 Through May 11, 1990

During the week of May 7 through May 11, 1990, the proposed decision and order summarized below was issued by the Office of Hearings and Appeals of the Department of Energy with regard to an application for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR part 205, subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggreived person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections wthin 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of this proposed decision and order are available in the Public Reference Room of the Office of Hearings and Appeals, room 1E-234, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except federal holiday.

Dated: May 23, 1990.

George B. Breznay,

Director, Office of Hearings and Appeals.

Brilad Oil Company, Vidalia, Georgia, Lee-0009, Reporting Requirements

Brilad Oil Company filed an Application for Exception from the provisions of the Energy Information Administration (EIA) reporting requirements. The exception request, if granted, would relieve Brilad Oil Company of the requirment to file Form EIA-782B, entitled "Reseller/Retailers' Monthly Petroleum Product Sales Report." On May 7, 1990, the Department of Energy issued a Proposed Decision and Order which determined that the exception requested be denied.

[FR Doc. 90-12475 Filed 5-29-90; 8:45 am]
BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-44552; FRL 3765-8]

TSCA Chemical Testing; Receipt of Test Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the receipt of test data on 2,3,5,6-tetrachloro-2,5-cyclohexadiene-1,4-dione (chloranil) (CAS No. 118-75-2), submitted pursuant to a final test rule under the Toxic Substances Control Act (TSCA). Publication of this notice is in compliance with section 4(d) of TSCA.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, rm. E-543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551.

SUPPLEMENTARY INFORMATION: Section 4(d) of TSCA requires EPA to publish a notice in the **Federal Register** reporting the receipt of test data submitted pursuant to test rules promulgated under section 4(a) within 15 days after it is received.

I. Test Data Submissions

Test data for chloranil was submitted by A and D International, Inc., and by Chugai Boyeki (America) Corporation pursuant to a test rule at 40 CFR 766.35. The submission by A and D International, Inc., was received by EPA on May 1, 1990. The submission by Chugai Boyeki (America) Corporation was received on January 3, 1990. The submissions describe the analytical testing of chloranil for contamination with dioxins and furans. This testing is required by this test rule. This chemical is used as an intermediate to pigment violet 23, also known as carbazole violet, which is used in inks, paints and plastics.

EPA has initiated its review and evaluation process for these data submissions. At this time, the Agency is unable to provide any determination as to the completeness of the submissions.

II. Public Record

EPA has established a public record for this TSCA section 4(d) receipt of data notice (docket number OPTS-44552). This record includes copies of all studies reported in this notice. The record is available for inspection from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Public Docket Office, rm. NE-G004, 401 M St., SW., Washington, DC 20460.

Authority: 15 U.S.C. 2603.

Dated: May 17, 1990.

James B. Willis,

Acting Director, Existing Chemical Assessment Division, Office of Toxic Substances.

[FR Doc. 90-12471 Filed 5-29-90; 8:45 am]
BILLING CODE 6560-50-D

FEDERAL DEPOSIT INSURANCE CORPORATION

Statement of Policy Regarding Liability of Commonly Controlled Depository Institutions

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Policy statement.

SUMMARY: The FDIC has adopted a statement of policy which sets forth the procedures and guidelines the FDIC will use in assessing liability against commonly controlled despository insitutions under section 5(e) of the Federal Deposit Insurance Act. The policy statement adresses the circumstances under which the FDIC will assess liability, the manner in

which the FDIC will assess the amount of loss incurred by the FDIC, and the manner in which each liable institution's share of that loss will be determined. The policy statement also sets forth the factors involved in the FDIC's consideration of whether to waive or reduce liability.

EFFECTIVE DATE: May 30, 1990.

FOR FURTHER INFORMATION CONTACT: Richard Heiar, Chief, Special Situations and Application Section, Division of Supervision, (202) 898–6771, or Andrea Winkler, Counsel, Legal Division, (202) 898–3764, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION: The Board of Directors of the FDIC has adopted a Statement of Policy Regarding Liability of Commonly Controlled Depository Institutions. Such liability is a consequence of new section 5(e) of the Federal Deposit Insurance Act ("Act"), 12 U.S.C. 1815(e), which was added by the passage of section 206(a)(7) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989. Section 5(e) creates liability for commonly controlled insured depository institutions for losses incurred or anticipated by the FDIC in connection with (i) the default of a commonly controlled insured depository institution; or (ii) any assistance provided by the FDIC to any commonly controlled insured depository institution in danger of default. The purpose of section 5(e) is to ensure that the assets of healthy depository institution subsidiaries within the same holding company structure, or of a healthy institution which controls a failing institution, will be available to the FDIC to help offset the cost of resolving the failed subsidiary. While the FDIC seeks to recover its losses associated with failing institutions, it also seeks to encourage the acquisition of troubled institutions by those capable of rehabilitating them and to avoid instances in which the assessment of liability against an otherwise healthy institution will cause its failure, thus exposing the FDIC and the insurance funds to greater loss. The policy statement attempts to balance these considerations in setting forth guidelines and procedures that the FDIC will use in assessing liability and in granting waivers thereof.

The policy statement provides for the issuance of a Notice of Assessment of Liability Findings of Fact and Conclusions of Law, an Order to Pay and a Notice of Hearing; a good faith estimate of the FDIC's loss, and the determination of the method and schedule of repayment. Generally, liability will be assessed except in instances of the acquisition of a distressed institution by an unaffiliated entity. Waivers will be considered when, as determined within the sole discretion of the Board of Directors of the FDIC, the exemption is in the best interests of either of the insurance funds administered by the FDIC; where waiver facilitates an alternative that is in the best interests of the FDIC; or if the assessment of liability would threaten the viability of the affiliated institution and cause a greater loss to the insurance fund than if no liability had been assessed. Institutions which believe that an assessment of liability would be inappropriate are required to submit supporting documentation. The text of the policy statement follows:

Statement of Policy Regarding Liability of Commonly Controlled Depository Institutions

Introduction

Section 5(e) of the Federal Deposit Insurance Act, as added by section 206(a)(7) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, creates liability for commonly controlled insured depository institutions for losses incurred or anticipated by the Federal Deposit Insurance Corporation ("FDIC") in connection with (i) the default of a commonly controlled insured depository institution; or (ii) any assistance provided by the FDIC to any commonly controlled insured depository institution in danger of default. In addition to certain statutory exceptions and exclusions contained in sections 5(e) (6), (7), and (8), the Act also permits the FDIC, in its discretion, to exempt any insured depository institution from this liability if it determines that such exemption is in the "best interests of the Bank Insurance Fund or the Savings Association Insurance Fund".

It is the general policy of the FDIC to assess liability in all instances except: (i) Where an unaffiliated party acquires control of a distressed institution and held no financial interest, directly or indirectly, prior to acquisition; or (ii) where the cumulative projected losses to the FDIC is greater than the cost of not assessing the liability.

Guidelines for Assessment of Liability

Whenever the FDIC determines that assessment of liability in connection with a commonly controlled insured depository institution(s) is appropriate, a Notice of Assessment of Liability, Findings of Fact and Conclusions of Law, Order to Pay, and Notice of Hearing ("Notice of Assessment") will be served upon the liable institution. In assessing the amount of the FDIC's loss and the liable institution(s) method of payment, the following guidelines shall apply:

(1) A good faith estimate of the amount of loss the FDIC will incur shall be based upon (a) the application of an historic cost test analysis of losses previously incurred by FDIC in connection with defaulted institutions, generally; (b) the actual sale or calculation of loss from a review of the assets and liabilities of the institution prior to default or the granting of assistance; or (c) any other cost estimate bases as explained in the Notice of Assessment.

(2) The FDIC, after consulting with the appropriate Federal and State financial institution regulatory agencies, shall establish in each case the procedures and schedules under which reimbursement will occur.

(3) If there is more than one commonly controlled depository institution to be assessed, each such institution shall be jointly and severally liable for all losses; however, the FDIC shall make a good faith estimate of the liability of each institution as determined by (a) first assessing an initial amount on a pro rata capital basis that brings about parity in the capital ratios of the liable institutions and (b) then apportioning any residual assessment on a pro-rata size basis utilizing the most recent Report of Condition. Any final assessment can be based on an independent determination by the FDIC and/or negotiations with the liable institutions.

(4) In the event that any liable institution is closed without payment of an assessment, the full amount of its assessment may be assessed against the remaining liable institution(s).

Guidelines for Waiver of Liability

The FDIC may unilaterally choose not to assess liability based upon analysis of a particular situation, and it may entertain requests for waivers or liability reductions from affiliated or unaffiliated parties of an institution in default or in danger of default. The following guidelines apply to exempting any insured depository institution from liability or possible liability incurred under the provisions of this section:

1. The determination of whether an exemption is in the best interests of either insurance fund rests solely with the Board of Directors of the FDIC.

(2) A waiver of liability will be considered in those cases where the waiver facilitates an alternative that would be in the best interests of the

FDIC; for example, the waiver may be granted when requisite additional capital and managerial resources are being provided which substantially lessen exposure to the affected Fund. When waivers are granted to an otherwise unaffiliated acquirer of a failing or failed institution they will normally be granted for a short fixed period, generally not to exceed a period of time reasonably required for existing problems to be identified and resolved.

(3) If an institution other than as in paragraph (2) above is making such an application, it must demonstrate that its viability would be seriously jeopardized by such liability and that the loss to the FDIC funds would be greater than the loss from the one failure. If one or more institutions in a commonly controlled relationship is solvent, well managed, and viable it may be in the best interest of the FDIC to waive or reduce claims against such entities. In determining whether a waiver is appropriate, consideration will be given to actions of a holding company which contribute to or diminish the FDIC's losses, as well as proposals to strengthen other weakened institutions, if any.

(4) In the event an application for a waiver of liability is made, the applicant should provide the FDIC information indicating the basis for requesting a waiver; the existence of any significant events (e.g., change of control, capital injection, etc.) that may have an impact upon the applicant or a potentially liable institution(s); current and, if applicable, proforma financial information regarding the applicant and potentially liable institution(s); and the benefits resulting from the waiver and any related events. Additional information may be requested. Requests for waivers should be filed with the FDIC Regional Directors for the region in which the liable institution is located.

By order of the Board of Directors. Dated at Washington, DC, this 22nd day of May, 1990.

Federal Deposit Insurance Corporation.

Hoyle Robinson,

Executive Secretary.

[FR Doc. 90-12405 Filed 5-29-90; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement to the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 212-011234-006.

Title: U.S.A./South Europe Pool Agreement.

Parties:

Compania Trasatlantica Espanola, S.A.
Costa Container Lines, S.p.A.
Evergreen Marine Corporation.
Italia di Navigazione S.p.A.
Lykes Lines (Lykes Bros. Steamship Co., Ltd.).
Nedlloyd Lines (Nedlloyd Lijnen B.V.).
P & O Containers (TFL) Ltd.
Sea-Land Service, Inc.
Zim Israel Navigation Company, Ltd.

Synopsis: The proposed modification would extend the pool period commencing December 1, 1989 through January 31, 1991. It would also add a new Article 14.G, which provides that the members may unanimously agree to settle a dispute which is subject to arbitration at anytime prior to the issuance of a decision by an arbitrator or arbitrators.

By Order of the Federal Maritime Commission.

Dated: May 24, 1990.

Joseph C. Polking,

Secretary.

[FR Doc. 90-12472 Filed 5-29-90; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

The Bank of New York Co., Inc.; Formation of, Acquisition by, or Merger of Bank Holding Companies, and Acquisition of Nonbanking Company

The company listed in this notice has applied under § 225.14 of the Board's Regulation Y (12 CFR 225.14) for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) to become a bank holding company or to acquire voting securities of a bank or bank holding company. The listed company has also applied under § 225.23(a)(2) of regulation Y (12 CFR 225.23(a)(2)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies, or to engage in such an activity. Unless otherwise noted, these activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 18, 1990.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. *The Bank of New York Company, Inc.*, New York, New York, and BNY Co. Sub, New York, New York; to acquire 100 percent of the voting shares of Northeast Bancorp, Inc., New Haven, Connecticut, and thereby indirectly acquire Union Trust Company, Stamford, Connecticut. BNY Co. Sub, New York, New York also proposes to become a bank holding company.

In connection with this application, Applicant also proposes to acquire 100 percent of the voting shares of NBI Mortgage Investment Corporation, New Haven, Connecticut, and thereby engage in the placement and servicing of large commercial mortgage loans pursuant to § 225.25(b)(1); and to acquire 5.83 percent of the voting shares of The New York Switch Corporation, Hackensack, New Jersey, and thereby engage in data

processing and related activities pursuant to § 225.25(b)(7) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, May 23, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90–12419 Filed 5–29–90; 8:45 am]

BILLING CODE 6210–01–M

CNB Bancshares, Inc.; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 18, 1990.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *CNB Bancshares, Inc.*, Evansville, Indiana; to acquire Valley Federal Savings Bank, Terre Haute, Indiana, and thereby engage in operating a savings and loan association pursuant to §225.25(b)(9); and indirectly engage in full service brokerage activities through the savings association's direct subsidiary, Central Financial Service Corporation, Terre Haute, Indiana, pursuant to § 225.25(b)(15) of the Board's Regulation Y. These activities will be conducted out of the main office in Terre Haute, Indiana, and out of branch offices located in Terre Haute, Clinton, Brazil, Rockville, Lafayette, West Lafayette and Fowler, Indiana

Board of Governors of the Federal Reserve System, May 23, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90–12416 Filed 5–29–90

BILLING CODE 6210–01–M

Hartsville Bancshares, Inc., Employee Stock Ownership Plan, et al.; Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the applications have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than June 18, 1990.

A. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Hartsville Bancshares, Inc. Employee Stock Ownership Plan*, Hartsville, Tennessee; to become a bank holding company by acquiring 42.2 percent of the voting shares of Bank of Hartsville, Hartsville, Tennessee.

B. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Prairie Farm Bank Shares, Inc.*, Prairie Farm, Wisconsin; to become a bank holding by acquiring 100 percent of the voting shares of First State Bank of Prairie Farm, Inc., Prairie Farm, Wisconsin.

Board of Governors of the Federal Reserve System, May 23, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90–12417 Filed 5–29–90; 8:45 am]

BILLING CODE 6210–01–M

Manufacturers Hanover Corp. et al.; Acquisitions of Companies Engaged in Nonbanking Activities

The organizations listed in this notice have applied under § 225.23 (a) or (f) of the Board's Regulation Y (12 CFR 225.23 (a) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity. Unless otherwise noted, such activities will be conducted throughout the United States.

The applications are available for immediate inspection at the Federal Reserve Bank indicated. Once the applications have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 18, 1990.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Manufacturers Hanover Corporation*, New York, New York; to engage *de novo* through its subsidiary, Manufacturers Hanover Futures & Options, Inc., London, England, in executing and clearing futures contracts on the FT–SE 100 Equity Index traded on the London International Financial Futures Exchange, Ltd ("LIFFE") and to become a member of the LIFFE, the London Clearing House (formerly the International Commodities Clearing House) and the Association of Futures Brokers and Dealers, a self-regulatory organization.

B. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *First Chicago Corporation*, Chicago, Illinois; to engage *de novo* through its subsidiary, First Chicago Capital Markets, Inc., Chicago, Illinois, in underwriting and dealing in, to a limited extent, all types of debt securities, acting as agent in the private placement of all types of securities; including providing related advisory services; buying and selling all types of securities on the order of investors as a riskless principal; and full-service brokerage activities including selling of shares in mutual funds and unit investment trusts.

Board of Governors of the Federal Reserve System, May 23, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

FR Doc. 90–12418 Filed 5–29–90; 8:45 am]

BILLING CODE 6210–01–M

GENERAL SERVICES ADMINISTRATION

Intent To Prepare an Environmental Impact Statement Internal Revenue Service Center Annex (IRS)

REFERENCE: 41 CFR Part 1501.7.

SUMMARY: The General Services Administration (GSA) intends to prepare an Environmental Impact Statement (EIS) for the lease construction of a new IRS Service Center Annex. The facility will contain approximately 541,000 occupiable square feet of space and house approximately 1,900 employees.

The EIS will evaluate the following alternatives:

1. No Action.
2. Construction on the existing IRS site.
3. Acquisition of an existing facility.
4. Alternative sites for construction.

SCOPING: Comment received as a result of this notice will be used to assist GSA in identifying potential impacts to the quality of the human environment. Individuals and organizations may participate in the scoping process by written comments. Questions and comments should be made within 30 days of the publication of this notice in the **Federal Register** and directed to: Mr. Thomas J. Maguire, General Services Administration, Director, Planning Staff (4PL), 401 West Peachtree Street NW., suite 2500, Atlanta, Georgia 30365–2550, (404) 331–3107.

Dated: May 7, 1990.

Larry Allison,

Deputy Regional Administrator.

[FR Doc. 90–12443 Filed 5–29–90; 8:45 am]

BILLING CODE 6820–23–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Indian Health Service Research Program; Grants Application Announcement

AGENCY: Indian Health Service, HHS.

ACTION: Notice of Competitive Grant Applications for the Indian Health Service Research Program.

SUMMARY: The Indian Health Service (IHS) announces that competitive applications for Fiscal Year 1991 are now being accepted for the Indian Health Service Research Program authorized by Section 208 of the Indian Health Care Improvement Act, as amended, 25 U.S.C. 1621g. There will be only one funding cycle during Fiscal Year 1991.

DATES: An original and two (2) copies of the completed grant application must be received by the Office of Contracts and Grants, Office of Health Program Research and Development, Indian Health Service, 7900 South J. Stock Road, Tucson, AZ 85746 on or before August 1, 1990.

Applications shall be considered as meeting the deadline if they are either: (1) Received on or before the deadline with hand carried applications received by close of business 4:30 p.m., or (2) postmarked on or before the deadline and received in time to be reviewed along with all other timely applications. A legibly dated receipt from a commercial carrier or the U.S. Postal Service will be accepted in lieu of a postmark. Private metered postmarks will not be accepted as proof of timely mailing.

Applications received after the announced closing date will not be considered for funding and will be returned to the applicant.

Additional dates:

A. Application Review:

Indian Health Research Study Section—October 12, 1990

Indian Health Research Advisory Board—November 16, 1990

B. Applicants Notified of Results (approved, approved unfunded, or disapproval): December 15, 1990.

C. Earliest Anticipated Start Date: January 1, 1991.

FOR FURTHER INFORMATION CONTACT:

A. Programmatic: Paul Nutting, M.D., Director, IHS Research Program, or Donna Pexa, Research Program Coordinator, Office of Research and Development, Office of Health Program Research and Development, 7900 South J. Stock Road, Tucson, AZ 85746, (602) 670–6310, or the following Area Research Coordinators:

Indian health area offices and states	Research office contact & telephone
Aberdeen Area Office, Federal Building, 115 4th Avenue, Aberdeen, SD 57401; North Dakota, South Dakota, Nebraska, Iowa.	Cecilia Kitto, M.D. (Aberdeen), (605) 226–7581, FTS 782–7581; Thomas Welty, M.D. (Rapid City), (605) 348–1990.
Alaska Area Native Health Service, P.O. Box 7–741, Anchorage, AK 99501; Alaska	David H. Barrett, M.D., (907) 257–1263, FTS 257–1263.
Albuquerque Area Office, IHS, 505 Marquette N.W., Suite 1502, Albuquerque, NM 87102; New Mexico, Colorado.	Judith A. Kitzes, M.D., (505) 766–2151, FTS 474–2151.
Bemidji Area Office, IHS, 203 Federal Building, Bemidji, MN 56601; Minnesota, Michigan, Wisconsin.	John L. Robinson, D.D.S., (218) 751–7701, FTS 784–1701.
Billings Area Office, IHS, P.O. Box 2143, Billings, MT 59103; Montana, Wyoming	Robert Ashmore, M.P.H., (406) 657–6348, FTS 585–6348.
California Area Office, IHS, 2999 Fulton Avenue, Sacramento, CA 95821; California	Robert Dawson, M.D., (916) 978–4202, FTS 460–4202.

Indian health area offices and states	Research office contact & telephone
Nashville Area Office, IHS, 1101 Kermit Drive, Suite 810, Nashville, TN 37217; Mississippi, North Carolina, Florida, New York, Maine, Rhode Island and Louisiana.	William Betts, Ph.D., (615) 736-5104, FTS 852-5104.
Navajo Area Office, IHS, P.O. Box G, Window Rock, AZ 86515; Navajo Reservation	Douglas G. Peter, M.D., (602) 871-8213, FTS 572-8213.
Oklahoma City Area Office, IHS, 215 Dean A. McGee Street, NW, Oklahoma City, OK 73102; Oklahoma, Kansas, Texas.	Clark Marquart, M.D., (405) 231-4796, FTS 735-4796.
Phoenix Area Office, IHS, 3738 N. 16th Street, Phoenix, AZ 85016; Arizona, Nevada, Utah.	N. Burton Attico, M.D., (602) 640-2187, FTS 261-2187.
Portland Area Office, IHS, 3114 Federal Building, 915 Second Avenue, Seattle, WA 98174; Oregon, Idaho, Washington.	Ernest H. Kimball, M.P.H., (206) 442-5422, FTS 399-5422.
Office of Health Program and Research Development, 7900 South J. Stock Road, Tucson, AZ 85746; Southern Arizona (Tucson Area).	Robert Wirth, M.D., (602) 670-6600, FTS 762-6600.

B. Grants and Business: M. Kay Carpentier, Grants Management Officer, Grants Management Branch, Division of Acquisition and Grants Operations, Indian Health Service, room 6A-33, 5600 Fishers Lane, Rockville, MD 20857, (301) 443-5204.

SUPPLEMENTARY INFORMATION: This announcement provides information on the general program purpose, programmatic priorities, eligibility requirements, funding availability, and application procedures for the Indian Health Service Research Program for Fiscal Year 1991. This program is within the Catalog of Federal Domestic Assistance Number 13.905. Executive Order 12372 requiring intergovernmental review is not applicable to this program.

General Program Purpose

To conduct research and development activities which impact the health care of the American Indian/Alaska Natives (AI/AN) and which are within the responsibilities of the Indian Health Service.

To further the development of research skills among IHS and tribal health professionals.

Areas of Consideration

Fiscal Year 1991 research funding consideration will be given to proposals of the following types.

Studies involving the basic epidemiology, risk factors and/or preventive strategies involving Chronic Diseases, such as cancer, cardiovascular disease, type II diabetes mellitus, degenerative arthritis or other chronic disease affecting the AI/AN people.

Studies to improve the understanding of behavioral changes and their acceptance in Indian communities, regarding smoking cessation, diet, exercise and other health promotion/disease prevention strategies which rely on Individual, Family, or Community Acceptance of Responsibility for improving health status.

Studies focused on the etiology, morbidity, adjunctive treatment alternatives of preventive strategies for dealing with Alcohol, Substance Abuse, or Mental Health Problems and their impact on non-afflicted family members.

Studies that examine the functional status, burden of illness or social support systems for Health Care of the Elderly, and estimates of demand for extended care services.

Studies regarding the involvement of Professional Nursing in reproductive health care, infant care, patient education, compliance with self-care, and the influence of social support systems on the behavior of pregnant women, as well as questions of job-satisfaction in nursing.

Studies of intervention alternatives for Family Dysfunction problems such as interpersonal violence, alcohol or drug abuse, poor school or work performance, mental health problems and inappropriate utilization of health services.

Studies of Alternative Configurations for the Delivery of Health Care Services, including innovative approaches to provider staffing, funding mechanisms, flexible benefits packages and/or more effective use of health care facilities.

Studies on the prevention, treatment and prioritization of Oral Health Problems among the AI/AN people, with particular interest in consumer attitudes and behavioral variables.

Studies involving other areas of convern within the functional health care responsibilities of the IHS

Eligibility

There are two groups of eligible applicants: (1) IHS components, including Service Units and Area Offices, and (2) Indian tribes or tribal organizations which have contracts with the IHS under the authority of the Indian Self-Determination and Education Assistance Act, Public Law 93-638. In accordance with the authorizing legislation, Public law 93-638 contractors will be given an equal opportunity to compete with IHS components for receipt of research grants.

Fund Availability

Subject to the availability of Fiscal Year 1991 funds, it is estimated that between $500,000-$600,000 will be available to support approximately 20-25 research grants. It is expected that individual project funding needs will vary widely. The anticipated maximum level for a project is $30,000.

Funding is available for a 1-year project period; however, it is expected that in subsequent years continuation applications will be competed and given priority consideration for future funding.

Application process

An IHS Research Grant Application Kit, including required form PHS 5161-1 (rev. 3/89), may be obtained from the Office of Contracts and Grants, Office of Health Program Research and Development, Indian Health Service, 7900 South J. Stock Road, Tucson, Arizona 85746.

A complete detailed grant proposal narrative, describing what will be accomplished and how, shall be prepared in accordance with the instructions contained in the Application Kit. The proposal narrative is collected under the Office of Management and Budget number 0937-0189.

The following mandatory approvals and documentation must be provided with the application:

—Letters of support

1. Tribal Applicants—

a. If the applicant is a tribe or tribal organization, support of the project must be evidenced by signature of the Tribal Chairperson or the Chairperson's designee.

b. If more than one tribe is effected it is urged that letters of support be submitted with the application.

2. IHS Components

a. IHS components which are submitting applications must have

letters of support from tribes involved in the research.

b. Letter(s) of support from IHS Service Unit(s) affected by the research proposed must be submitted.

c. IHS components which apply must also obtain clearance signatures from the Area Contracting Officer if any purchasing, contracting, or consultant hiring actions are requested in the project.

—Human subjects—If an application proposes the use of human subjects, the applicant must submit a Form HHS 596. It is recommended that an applicant who anticipates using human subjects contact the appropriate Area Research Coordinators listed in this announcement for technical assistance as the application is being developed.

—Data confidentiality and patient privacy—Applicants must provide documentation of the process which will be established to protect the confidentiality of data collected and the privacy of patients to include protection of patient records.

Pre-Review Process

All applications will be reviewed by the IHS Institutional Review Board for compliance with human subject concerns.

Review Process

Applications judged to be conforming, responsive, and competitive will be reviewed for technical merit in accord with IHS objective review procedures. The technical review process is a dual review with nationwide competition.

In the initial review stage, the Indian Health Research Study Section (IHRSS) ensures that each application is consistent with the research grant program requirements, satisfies the program announcement criteria, and has technical merit. The IHRSS is comprised only of non-Federal reviewers with appropriate expertise. The IHRSS reviews all applications based upon the established rating criteria. The reviewers assign a numerical score to each application based on its technical merit.

In the second stage of review, the applications are submitted to the Indian Health Research Advisory Board (IHRAB). The IHRAB, comprised of Federal and non-Federal reviewers, reviews and scores each application against established health service responsibility priority factors.

The final score of an application is a composite of the IHRSS score (40%) and the IHRAB score (60%). Funding decisions will be based upon this final score.

Criteria and Factors Considered in Review

1. IHRSS Criteria—The IHRSS will score applications using the following criteria to determine technical merit.

—Clarity of Study Question (0–30 points)—Is the study question stated clearly and precisely? Does the body of the proposal follow logically from the precisely stated study question?

—Evidence of Understanding the Problem (0–20 points)—Documentation regarding appropriate literature review, demonstrated knowledge of data sources, and recognition of the difficulties of carrying out the study.

—Methodological Approach and Study Design (0–20 points)—Assessment of the approach proposed, including appropriateness of statistical, epidemiological and technical research design to be used, as well as description of analysis and methodology to be used.

—Staff Experience (0–20 points)—Does there appear to be adequate experience among the study team assembled by the principal investigator for carrying out the proposed project? Will new resources or liaisons be developed for strengthening research capabilities?

—Feasibility of Study (0–10 points)—Will the budget support the proposed method?

2. IHRAB Factors—The IHRAB will consider the following factors related to health service responsibility priorities in making recommendations for funding.

—Is the study question relevant to the health of American Indian-Alaska Native people? (0–30 points)

—Can the study be done only (or best) in an American Indian/Alaska Native population? (0–10 points)

—Will the project lead to a useful product, outcome or information in the near future? (0–20 points)

—Will the project develop the capability for research in the IHS or the tribes? (0–10 points)

—Is the expected product/outcome reasonable relative to the cost? (0–20 points)

—Is IHS the appropriate funding source? (0–10 points)

Dated: April 10, 1990.

Everett R. Rhoades,

Assistant Surgeon General, Director, Indian Health Service.

[FR Doc. 90–12423 Filed 5–29–90; 8:45 am]

BILLING CODE 4160–16–M

Health Resources and Services Administration

Program Announcement and Funding Priority for Nursing Education Opportunities for Individuals From Disadvantaged Backgrounds

The Health Resources and Services Administration (HRSA) announces that applications for fiscal year (FY) 1991 will be accepted for grants for Nursing Education Opportunities for Individuals from Disadvantaged Backgrounds authorized by section 827, title VIII of the Public Health Service Act, as amended by Public Law 100–607.

The Administration's budget request for FY 1991 includes $4 million for this program. Approximately $800,000 is needed for projects which have been previously recommended for continuing support. An estimated $3.2 million would be available for 21 competitive grants averaging approximately $150,000.

Section 827 of the Public Health Service Act authorizes grants to increase opportunities for individuals from disadvantaged backgrounds to pursue a nursing education. Grants may be awarded to eligible applicants to meet the costs of special projects to increase nursing education opportunities for individuals from disadvantaged backgrounds:

1. By identifying, recruiting and selecting such individuals;

2. By facilitating the entry of such individuals into schools of nursing;

3. By providing counseling or other services designed to assist such individuals to complete successfully their nursing education;

4. By providing, for a period prior to the entry of such individuals into the regular course of education at a school of nursing, preliminary education designed to assist them to complete successfully such regular course of education;

5. By paying such stipends as the Secretary may determine for such individuals for any period of nursing education;

6. By publicizing, especially to licensed vocational or practical nurses, existing sources of financial aid available to persons enrolled in schools of nursing or who are undertaking training necessary to qualify them to enroll in such schools; and

7. By providing training, information or advice to the faculty of such schools with the respect to encouraging such individuals to complete the programs of nursing education in which the individuals are enrolled.

Public and nonprofit private schools of nursing and other public or nonprofit private entities are eligible for grant support.

Review Criteria

The review of applications will take into consideration the following criteria, as established in FY 1990:

(1) The national or special local need which the particular project proposes to serve;

(2) The potential effectiveness of the proposed project in carrying out such purposes;

(3) The administrative and managerial capability of the applicant to carry out the proposed project;

(4) The adequacy of the facilities and resources available to the applicant to carry out the proposed project;

(5) The qualifications of the project director and proposed staff;

(6) The reasonableness of the proposed budget in relation to the proposed project; and

(7) The potential of the project to continue on a self-sustaining basis after the period of grant support.

In addition, the following mechanisms may be applied in determining the funding of approved applications.

1. Funding preferences—funding of a specific category or group of approved applications ahead of other categories or groups of applications, such as competing continuations ahead of new projects.

2. Funding priorities—favorable adjustment of review scores when applications meet specified objective criteria.

3. Special considerations—enhancement of priority scores by merit reviewers based on the extent to which applicants address special areas of concern.

Funding Priority for Fiscal Year 1991

In determining the order of funding of approved applications, the following funding priority established in FY 1990, after public comment, is being extended in FY 1991:

Applications from nursing schools that have a minority and low income student enrollment of 35 percent or more, or can document a 20 percent annual increase in the number of minority and low income students matriculating into the nursing major for the past three years.

Requests for grant application materials and questions regarding grants policy should be directed to: Grants Management Officer (D–19), Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, room 8C–26, Rockville, Maryland 20857, Telephone: (301) 443–6857.

Applications materials should also be mailed to the Grants Management Officer at the above address. Should additional programmatic information be required, please contact: Division of Nursing, Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, room 5C–26, Rockville, Maryland 20857, Telephone: (301) 443–6193.

The standard application form PHS 6026–I, HRSA Competing Training Grant Application, General Instructions and supplement for this program has been approved by the Office of Management and Budget under the Paperwork Reduction Act. The OMB Clearance number is 0915–0060.

The application deadline date for FY 1991 is October 1, 1990. Applications shall be considered as meeting the deadline if they are either:

1. *Received* on or before the deadline date, or

2. *Postmarked* on or before the deadline and received in time for submission to the independent review group. A legibly dated receipt from a commercial carrier or the U.S. Postal Service will be accepted in lieu of a postmark. Private metered postmarks shall not be acceptable as proof of timely mailing.

This program is listed at 13.178 in the *Catalog of Federal Domestic Assistance*. It is not subject to the provisions of Executive Order 12372, Intergovernmental Review of Federal Programs, (as implemented through 45 CFR part 100).

Dated: April 17, 1990.

Robert G. Harmon,

Administrator.

[FR Doc. 90–12422 Filed 5–29–90; 8:45 am]

BILLING CODE 4160–15–M

Program Announcement and Proposed Funding Priority for Nursing Special Project Grants

The Health Resources and Services Administration (HRSA) announces that applications for Fiscal Year (FY) 1991 Nursing Special Project Grants are being accepted under the authority of sections 820 (a), (b), (c) and (d) of the Public Health Service Act, as amended by Public Law 100–607, and invites comments on the proposed funding priorities set forth below. The special consideration and funding priorities being extended for FY 1991 were established in FY 1990 after an invitation for public comments. No public comments were received.

The Administration's budget request for FY 1991 does not include funding for this program. Applicants should be advised that this program announcement is a contingency action being taken to ensure that should funds bcome available for this purpose, they can be awarded in a timely fashion consistent with the needs of the programs as well as to provide for even distribution of funds throughout the fiscal year. This notice regarding applications does not reflect any change in this policy.

Eligible applicants are public or nonprofit private schools of nursing and other public or nonprofit private entities.

Nursing Special Project Grants

Special Project Grants and Contracts are authorized under title VIII, section 820 of the Public Health Service Act to improve nursing practice through projects that increase the knowledge and skills of nursing personnel, enhance their effectiveness in care delivery, and reduce vacancies and turnover in professional nursing positions.

Section 820(a) authorizes grants and contracts to public or nonprofit private schools of nursing or other public or nonprofit private entities to improve the quality and availability of nurse training through projects that carry out one of the following purposes:

1. Provide continuing education for nurses;

2. Demonstrate, through geriatric health education centers and other entities, improved geriatric training in preventive care, acute care, and long-term care (including home health care and institutional care);

3. Increase the supply of adequately trained nursing personnel (including bilingual nursing personnel) to meet the health needs of rural areas; and provide nursing education courses to rural areas through telecommunications via satellite;

4. Provide training and education to (a) Upgrade the skills of licensed vocational or practical nurses, nursing assistants, and other paraprofessional nursing personnel with priority given to rapid transition programs toward achievement of professional nursing degrees; and (b) develop curricula for the achievement of baccalaureate degrees in nursing by registered nurses and by individuals with baccalaureate degrees in other fields;

5. Demonstrate methods to improve access to nursing services in noninstitutional settings through support of nursing practice arrangements in communities; and

6. Collect data to facilitate communications between health facilities and nursing students and nursing personnel in respect to agreements under which the individuals would serve as nurses in the health facilities in exchange for repayment of their educational loans by the facilities. (This activity will be carried out under contract with the Division of Nursing.)

Section 820(b) authorizes grants and contracts to accredited schools of nursing to assist in meeting the costs of privding projects:

1. To improve the education of nurses in geriatrics;

2. To develop and disseminate curricula relating to the treatment of the health problems of elderly individuals;

3. To expand and strengthen instruction in methods of such treatment;

4. To support the training and retraining of faculty to provide such instruction;

5. To support continuing education of nurses who provide such treatment; and

6. To establish new affiliations with nursing homes, chronic and acute disease hospitals, ambulatory care centers, and senior centers in order to provide students with clinical training in geriatric health care.

Section 820(c) authorizes grants to public and nonprofit private entities for projects to demonstrate innovative hospital nursing practice models designed to reduce vacancies in professional nursing positions and to make such positions a more attractive career choice. Projects must include initiatives:

1. To restructure the role of the professional nurse to ensure that the expertise of such nurses is efficiently utilized and that they are engaged in direct patient care during a larger proportion of their work time;

2. To test innovative wage structures for professional nurses in order to (a) Reduce vacancies in work shifts during unpopular work hours; and (b) provide financial recognition based upon experience and education; and

3. To evaluate effectiveness of providing benefits for professional nurses as a means of increasing their loyalty to health care institutions and reducing turnover in nursing positions.

Section 820(d) authorizes grants to public and nonprofit private entities accredited for the education of nurses for the purpose of:

1. Demonstrating innovative nursing practice models for (a) The provision of case-managed health care services (including adult day care) and health care services in the home or (b) the provsion of health care services in long-term care facilities or;

2. Developing projects to increase the exposure of nursing students to clinical practice in nursing homes, home health care, and gerontologic settings through collaboration between such accredited entities and entities that provide health care in such settings.

Demonstration models must be designed (a) To increase the recruitment and retention of nurses to provide nursing care for individuals needing long-term care; and (b) to improve nursing care in home health care settings and nursing homes.

To receive support, applicants must meet the requirements of 42 CFR part 57, subpart T.

Review Criteria

The review of applications will take into consideration the following criteria:

1. The national or special local need which the particular project proposes to serve;

2. The potential effectiveness of the proposed project in carrying out such purposes;

3. The administrative and managerial capability of the applicant to carry out the proposed project;

4. The adequacy of the facilities and resources available to the applicant to carry out the proposed project;

5. The qualifications of the project director and proposed staff;

6. The reasonableness of the proposed budget in relation to the proposed project; and

7. The potential of the project to continue on a self-sustaining basis after the period of grant support.

In addition, the following mechanisms may be applied in determining the funding of approved applications.

1. *Funding preferences*—funding of a specific category or group of approved applications ahead of other categories or groups of applications, such as competing continuations ahead of new projects.

2. *Funding priorities*—favorable adjustment of review scores when applications meet specified objective criteria.

3. *Special considerations*—enhancement of priority scores by merit reviewers based on the extent to which applicants address special areas of concern.

For this program, the following statutory requirements, special consideration and established funding priorities will be applied. An additional funding priority for section 820 (c) and(d) is being proposed.

Statutory Requirements

Section 820(g)(2) of the statute requires that not less than 20 percent of Special Project Grant funds be allocated for Purpose 2 of section 820(a), and section 820(b). Not more than $2 million per year could be obligated for geriatric health education center projects.

Section 820(g)(2) further requires that not less than 20 percent of Special Project Grant funds be allocated for Purpose No. 3 of section 820(a).

Section 820(g)(2) also requires that not less than 10 percent of funds for Special Project Grants be allocated for Purpose No. 4 of section 820(a).

Special Consideration for Fiscal Year 1991:

Section 820(a)(1)

Special consideration will be given to projects which provide expansion of current or development and implementation of new curriculum concerning the needs of persons with HIV/AIDS was established in FY 1990 and is being extended in FY 1991.

Nursing personnel are increasingly required to provide a wide range of services to HIV infected persons. This special consideration is designed to encourage new curricula for continuing education offerings for practicing nurses.

Funding Priorities for Fiscal Year 1991

Section 820(a)(1)

A funding priority will continue to be given to applications for continuing education programs in the area of Quality Assurance/Risk Management for nurses. This priority was established in FY 1990 and is being extended in FY 1991. Assuring quality in the health care system is increasingly becoming the responsibility of the health care providers. This priority is designed to encourage increased emphasis on the principles and methods of health care quality assurance and risk management.

Section 820(a)(4) (A) & (B)

Funding priorities for the following were established in FY 1990 and are being extended for FY 1991:

1. Projects for rapid transition programs toward achievement of professional nursing degrees. The large pool of licensed vocational nurses and paraprofessional nursing personnel would be offered opportunity for planned career mobility. Additionally the number of professional nurses to provide care in hospitals and in communities would be increased.

2. Projects for rapid transition programs toward achievement of professional nursing degrees. Registered nurses who wish to achieve a baccalaureate degree in nursing or persons who have achieved a baccalaureate degree in another field who wish to achieve a baccalaureate degree in nursing will be substantially assisted by rapid transition programs. The health care field will be enhanced by the presence of nurses who have additional education.

Section 820(a)(5)

Funding priorities for the following were established in FY 1990 and are being extended for FY 1991:

1. Projects which include a target population of minority or disadvantaged persons. This would help to ensure that grant funds are awarded to educational institutions with a demonstrated need for them.

2. Projects which demonstrate efforts to recruit and retain minority nurses. This would increase the percentage of minority enrollment of students in nursing programs. Minority students are currently underrepresented in these programs.

Proposed Funding Priority

Section 820 (c) & (d)

It is proposed to give a funding priority to applications for innovative hospital nursing practice models (section 820(c)) and innovative long-term care nursing practice demonstrations (section 820(d)) which demonstrate efforts to recruit and retain minority nurses. Minority nurses continue to be underrepresented in the nursing profession and varying practice settings. The proposed funding priority is designed to help address this problem.

Interested persons are invited to comment on the proposed funding priority. Normally, the comment period would be 60 days. However, due to the need to implement any changes for the Fiscal Year 1991 award cycle, the comment period has been reduced to 30 days. All comments received on or before June 29, 1990 will be considered before the proposed funding priority is established. No funds will be allocated or final selections made until a final notice is published indicating whether the proposed funding priority will be applied.

Written comments should be addressed to: Director, Division of Nursing, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, room 5C–26A, 5600 Fishers Lane, Rockville, Maryland 20857.

All comments received will be available for public inspection and copying at the Division of Nursing, Bureau of Health Professions, at the above address, weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5 p.m.

The application deadline date for FY 1991, is October 1, 1990. Applications shall be considered as meeting the deadline date if they are either:

1. Received on or before the deadline date, or

2. *Postmarked on* or before the deadline date, and received in time for submission to the independent review group. A legibly dated receipt from a commercial carrier or U.S. Postal Service will be accepted in lieu of a postmark. Private metered postmarks shall not be acceptable as proof of timely mailing.

The standard application form and general instructions, PHS 6025–1 HRSA Competing Training Grant Application and supplement for this program has been approved by the Office of Management and Budget under the Paperwork Reduction Act. The OMB clearance number is 0915–0060.

For information regarding this program contact: Division of Nursing, Bureau of Health Professions, Nursing Education Practice Resources Branch, Health Resources and Services Administration, Parklawn Building, room 5C–14, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443–5763.

For program guidelines and application kits or questions regarding grants policy contact: Grants Management Officer (D10), Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, room 8C–26, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443–6857.

Completed applications should be forwarded to the Grants Management Officer at the above address.

This program is listed at 13.359 in the Catalog of Federal Domestic Assistance and is not subject to the provisions of Executive order 12372, Intergovernmental Review of Federal Programs (as implemented through 45 CFR part 100).

Dated: April 17, 1990.

Robert G. Harmon,

Administrator.

[FR Doc. 90–12421 Filed 5–29–90; 8:45 am]

BILLING CODE 4610–15–M

National Vaccine Injury Compensation Program; List of Petitions Received

AGENCY: Health Resources and Services Administration, Public Health Service, HHS.

ACTION: Notice.

SUMMARY: The Public Health Service (PHS) is publishing this notice of petitions received under the National Vaccine Injury Compensation Program ("the Program"), as required by section 2112(b)(2) of the PHS Act, as amended. While the Secretary of Health and Human Services is named as the respondent in all proceedings brought by the filing of petitions for compensation under the Program, the United States Claims Court is charged by statute with responsibility for considering and acting upon the petitions.

FOR FURTHER INFORMATION CONTACT: For information about requirements for filing petitions, and the Program generally, contact the Clerk, United States Claims Court, 717 Madison Place, NW., Washington, DC 20005, (202) 633–7257. For information on the Public Health Service's role in the Program, contact the Administrator, Vaccine Injury Compensation Program, Parklawn Building, 5600 Fishers Lane, room 7–90, Rockville, MD 20857, (301) 443–6593.

SUPPLEMENTARY INFORMATION: The Program provides a system of no-fault compensation for certain individuals who have been injured by specified childhood vaccines. Subtitle 2 of title XXI of the PHS Act, 42 U.S.C. 300aa–10 *et seq*, provides that those seeking compensation are to file a petition with the U.S. Claims Court and to serve a copy of the petition on the Secretary of Health and Human Services, who is named as the respondent in each proceeding. The Secretary has delegated his responsibility under the Program to PHS. The Claims Court is directed by statute to appoint special masters who take evidence, conduct hearings as appropriate, and make initial decisions as to eligibility for, and amount of, compensation.

A petition may be filed with respect to injuries, disabilities, illnesses, conditions, and deaths resulting from vaccines described in the Vaccine Injury Table set forth at section 2114 of the PHS Act. This Table lists for each covered childhood vaccine the conditions which will lead to compensation and, for each condition, the time period for occurrence of the first symptom or manifestation of onset or of significant aggravation after vaccine administration. Compensation may also be awarded for conditions not listed in the Table and for conditions that are manifested after the time periods specified in the Table, but only if the petitioner shows that the condition was caused by one of the listed vaccines.

Section 2112(b)(2) of the PHS Act, 42 U.S.C. 300aa–12(b)(2), requires that the Secretary publish in the **Federal Register** a notice of each petition filed. Set forth below is a list of petitions received by PHS from January 19, 1990, through April 23, 1990. Section 2112(b)(2) also provides that the special master "shall afford all interested persons an opportunity to submit relevant, written information" relating to the following:

1. The existence of evidence "that there is not a preponderance of the evidence that the illness, disability, injury, condition, or death described in the petition is due to factors unrelated to the administration of the vaccine described in the petition," and

2. Any allegation in a petition that the petitioner either:

(a) "Sustained, or had significant aggravated, any illness, disability, injury, or condition not set forth in the Vaccine Injury Table (see section 2114 of the PHS Act) but which was caused by" one of the vaccines referred to in the table, or

(b) "Sustained, or had significantly aggravated, any illness, disability, injury, or condition set forth in the Vaccine Injury Table the first symptom or manifestation of the onset or significant aggravation of which did not occur within the time period set forth in the Table but which was caused by a vaccine" referred to in the Table.

This notice will also serve as the special master's invitation to all interested persons to submit written information relevant to the issues described above in the case of the petitions listed below. Any person choosing to do so should file an original and three (3) copies of the information with the Clerk of the U.S. Claims Court at the address listed above (under the heading "For Further Information Contact"), with a copy to PHS addressed to Director, Bureau of Health Professions, 5600 Fishers Lane, room 8–05, Rockville, Maryland 20857. The Court's caption (Petitioner's Name v. Secretary of Health and Human Services) and the docket number assigned to the petition should be used as the caption for the written submission.

Chapter 35 of title 44, United States Code, related to paperwork reduction, does not apply to information required for purposes of carrying out the Program.

List of Petitions

1. Dorothy Earls on behalf of Vance Earls, Fremont, California, Claims Court Number 90–70 V
2. Sherrie Vire on behalf of Cassaundra Vire, Deceased, Claremore, Oklahoma, Claims Court Number 90–84 V
3. Ibrahim Aoraha on behalf of Haveen Aoraha, Detroit, Michigan, Claims Court Number 90–86 V
4. Daniel Ziegler on behalf of Daniel Ziegler, Jr., Chester, Pennsylvania, Claims Court Number 90–113 V
5. Michael and Phyllis Martin on behalf of Derek Martin, Deceased, Ocala, Florida, Claims Court Number 90–114 V
6. Morris Sumrall on behalf of Angeline Sumrall, Emmett, Idaho, Claims Court Number 90–135 V
7. Christina Leung on behalf of Jennifer Leung, San Jose, California, Claims Court Number 90–137 V
8. Orletha Johnson on behalf of Emil Johnson, Deceased, Lawrence, Kansas, Claims Court Number 90–148 V
9. Hadley and Hanna Wilson on behalf of Kathryn Wilson, Charlotte, North Carolina, Claims Court Number 90–149 V
10. Joan Johnson on behalf of Tiffany Johnson, Mobile, Alabama, Claims Court Number 90–150 V
11. Marcie Beck on behalf of Don Beck, Jr., Prichard, Alabama, Claims Court Number 90–151 V
12. Carol Carr on behalf of Sarah Carr, Salem, Massachusetts, Claims Court Number 90–170 V
13. Kelly and Cullen Waddell, Jr., on behalf of Cullen Lee Waddell, III, Memphis, Tennessee, Claims Court Number 90–197 V
14. James and Arlene Van Duser on behalf of Dawn Van Duser, Wisconsin Rapids, Wisconsin, Claims Court Number 90–206 V
15. Marquetia Wasson on behalf of Joshua Wasson, Hannibal, Missouri, Claims Court Number 90–208 V
16. Joan and Sever Anghel on behalf of Marlene Anghel, Princeton, New Jersey, Claims Court Number 90–210 V
17. Ellen Kleinert on behalf of Wes Kleinert, Boston, Massachusetts, Claims Court Number 90–33 V
18. Elly Scheinfeld on behalf of Mieke Scheinfeld, Boston, Massachusetts, Claims Court Number 90–212 V
19. Duane Wood, Hollister, California, Claims Court Number 90–123 V
20. Janice Bielot on behalf of Derek Bielot, Denvers, Massachusetts, Claims Court Number 90–219 V
21. Elizabeth and Ken Stevens on behalf of Amy Stevens, Pauls Valley, Oklahoma, Claims Court Number 90–211 V
22. Susan Workman on behalf of Abby Workman, Deceased, Mesa, Arizona, Claims Court Number 90–225 V
23. Lisa Estes on behalf of Amanda Estes, Tahoka, Texas, Claims Court Number 90–54 V
24. Charles and Pat Slatter on behalf of Charles Slatter, Galveston, Texas, Claims Court Number 90–235 V
25. Collette Cogliandro on behalf of Anna Cogliandro, Norfolk, Virginia, Claims Court Number 90–238 V
26. Haley and Clyde Raines on behalf of Joseph Raines, Morristown, New Jersey, Claims Court Number 90–240
27. Kenneth and Janice Milnes on behalf of Valerie Milnes, Fremont, California, Claims Court Number 90–241 V
28. Lucille Layne on behalf of Terence Layne, Westwood, New Jersey, Claims Court Number 90–242 V
29. Tracy Plutt on behalf of Cassandra Plutt, Pueblo, Colorado, Claims Court Number 90–243 V
30. Gail O'Connor on behalf of Brian O'Connor, Newark, New York, Claims Court Number 90–249 V
31. David and Christine Cullenberg on behalf of Travis Cullenberg, Hanover, New Hampshire, Claims Court Number 90–259 V
32. Joni Lynn Waage on behalf of Anthony Waage, Mason City, Iowa, Claims Court Number 90–260 V
33. Janet Steffy on behalf of Joseph Steffy, Ames, Iowa, Claims Court Number 90–261 V
34. John W. Parks on behalf of John A. Parks, Houston, Arkansas, Claims Court Number 90–268 V
35. Ann Beltran on behalf of Brian Beltran, Paterson, New Jersey, Claims Court Number 90–275 V
36. David McCutcheon on behalf of Nicholas McCutcheon, Deceased, Rye, New York, Claims Court Number 90–279 V
37. Gail Bingham on behalf of Heather Bingham, Wichita Falls, Texas, Claims Court Number 90–287 V
38. Shirley Osborne on behalf of George Gribbins, Lebanon, Kentucky, Claims Court Number 90–291 V
39. Herman and Patricia Nelson on behalf of Sara Nelson, Lakewood, Colorado, Claims Court Number 90–293 V
40. John and Eileen Butler on behalf of John Butler, Westfield, Massachusetts, Claims Court Number 90–303 V
41. Dorothy Gamalski on behalf of Jennifer Gamalski, Mt. Clemens, Michigan, Claims Court Number 90–314 V
42. Sandra Lacour on behalf of Aaron Lacour, Madisonville, Kentucky, Claims Court Number 90–318 V
43. Anne Boehmer on behalf of Ann Boehmer, Whippany, New Jersey, Claims Court Number 90–317 V
44. Garnell and Pat Richardson on behalf of Brooke, Richardson, Baltimore, Maryland, Claims Court Number 90–324 V
45. Nicholas and Laura Schott on behalf of James Schott, Fort Wayne, Indiana, Claims Court Number 90–328 V
46. Lynda Furrate on behalf of Joseph Furrate, Deceased, East Baton Rouge, Louisiana, Claims Court Number 90–330 V
47. Dawn Solheid on behalf of Adsam Solheid, Maplewood, Minnesota, Claims Court Number 90–331 V
48. Donna Wullenberg on behalf of Amanda Wullenberg, Mt. Clemens, Michigan, Claims Court Number 90–333 V
49. Dorothy Overgard on behalf of Russell Overgard, Wheatridge, Colorado, Claims Court Number 90–334 V
50. Zenobia Berry on behalf of Annette Berry, Russellville, Kentucky, Claims Court Number 90–339 V
51. Diana Forbes on behalf of Breffni Forbes, Deceased, Beverly, Massachusetts, Claims Court Number 90–340.

Dated: May 22, 1990.

Robert G. Harmon,

Administrator.

[FR Doc. 90–12350 Filed 5–29–90; 8:45 am]

BILLING CODE 4160–15–M

Office of Human Development Services

Intent to Reallot Basic Support and Protection and Advocacy Funds to States for Developmental Disabilities Expenditures

AGENCY: Administration on Developmental Disabilities, Office of Human Development Services, HHS.

ACTION: Notice of intent to reallot funds.

SUMMARY: The Administration on Developmental Disabilities herein gives notice of intent to reallot funds which are not available to the Trust Territories of the Pacific Islands under the terms of the Compact of Free Association. This notice is given in accordance with section 125(d) of the Developmental Disabilities Assistance and Bill of Rights Act. Any State or Territory which cannot use the additional funds for Fiscal Year 1990 should notify Bettye J. Mobley, Chief, Formula Grants Management, room 341F HHH Building, 200 Independence Avenue SW., Washington DC 20201, within thirty days of the day of this promulgation.

FOR FURTHER INFORMATION CONTACT: Bettye J. Mobley, (202) 245–7220.

The allotments are set forth below.

ADMINISTRATION ON DEVELOPMENTAL DISABILITIES FY90 FORMULA GRANT

	Basic services	Reallotment	Revised allotment
Total	$61,939,123	$0	$61,939,123
Alaska	350,000	1,410	351,410
Alabama	1,252,039	5,045	1,257,084
Arkansas	714,801	2,880	717,681
American Samoa	200,000	805	200,805
Arizona	736,179	2,966	739,145
California	5,092,636	20,884	5,113,520
Colorado	613,399	2,471	615,870
Connecticut	615,685	2,481	618,166
District of Columbia	350,000	1,410	351,410
Delaware	350,000	1,410	351,410
Florida	2,525,152	10,176	2,535,328
Georgia	1,554,683	6,265	1,560,948
Guam	200,000	805	200,805
Hawaii	350,000	1,410	351,410
Iowa	728,755	2,936	731,691
Idaho	350,000	1,410	351,410
Illinois	2,475,753	9,977	2,485,730
Indiana	1,385,367	5,583	1,390,950
Kansas	550,720	2,219	552,939
Kentucky	1,161,885	4,682	1,166,567
Louisiana	1,317,182	5,308	1,322,490
Massachusetts	1,198,393	4,829	1,203,222
Maryland	876,334	3,531	879,865
Maine	350,000	1,410	351,410
Michigan	2,215,428	8,928	2,224,356
Minnesota	939,491	3,786	943,277
Missouri	1,244,146	5,013	1,249,159
Mississippi	910,637	3,669	914,306
Montana	350,000	1,410	351,410
North Carolina	1,740,521	7,014	1,747,535
North Dakota	350,000	1,410	351,410
Nebraska	381,345	1,536	382,881
New Hampshire	350,000	1,410	351,410
New Jersey	1,441,176	5,807	1,446,983
New Mexico	413,625	1,666	415,291
Northern Mariana Islands	200,000	805	200,805
Nevada	350,000	1,410	351,410
New York	3,869,768	15,595	3,885,363
Ohio	2,684,806	10,819	2,695,625
Oklahoma	828,689	3,339	832,028
Oregon	618,562	2,492	621,054
Pennsylvania	2,931,501	11,813	2,943,314
Puerto Rico	2,277,501	9,178	2,286,679
Rhode Island	350,000	1,410	351,410
South Carolina	995,551	4,012	999,563
South Dakota	350,000	1,410	351,410
Tennessee	1,362,103	5,489	1,367,592
Texas	3,748,998	15,108	3,764,106
Trust Territories*	287,562	-248,786	38,776
Utah	460,630	1,856	462,486
Virginia	1,285,592	5,180	1,290,772
Virgin Islands	200,000	805	200,805
Vermont	350,000	1,410	351,410
Washington	926,188	3,740	931,928
Wisconsin	1,191,394	4,801	1,196,195
West Virginia	682,946	2,752	685,698
Wyoming	350,000	1,410	351,410
*Trust Territories consists of:			
Palau	38,776	0	38,776
Micronesia	158,552	-158,552	0
Marshall Islands	90,234	-90,234	0

ADMINISTRATION ON DEVELOPMENTAL DISABILITIES FY90 FORMULA GRANT

	Protection and advocacy	Reallotment	Revised allotment
Total	$20,483,898	$-0-	$20,483,898
Alaska	200,000	881	200,881
Alabama	375,514	1,656	377,170
Arkansas	214,491	945	215,436
American Samoa	107,000	471	107,471
Arizona	238,539	1,051	239,590
California	1,529,327	6,908	1,536,235
Colorado	213,370	940	214,310
Connecticut	208,865	921	209,786
District of Columbia	200,000	881	200,881
Delaware	200,000	881	200,881
Florida	758,394	3,344	761,738
Georgia	466,520	2,057	468,577
Guam	107,000	471	107,471
Hawaii	200,000	881	200,881
Iowa	218,544	963	219,507
Idaho	200,000	881	200,881
Illinois	742,794	3,275	746,069
Indiana	415,688	1,833	417,521
Kansas	200,000	881	200,881
Kentucky	348,379	1,536	349,915
Louisiana	395,208	1,742	396,950
Massachusetts	359,234	1,584	360,818
Maryland	262,996	1,159	264,155
Maine	200,000	881	200,881
Michigan	664,266	2,929	667,195
Minnesota	281,892	1,243	283,135
Missouri	373,208	1,645	374,853
Mississippi	273,212	1,204	274,416
Montana	200,000	881	200,881
North Carolina	522,192	2,302	524,494
North Dakota	200,000	881	200,881
Nebraska	200,000	881	200,881
New Hampshire	200,000	881	200,881
New Jersey	432,142	1,905	434,047
New Mexico	200,000	881	200,881
Northern Mariana	107,000	471	107,471
Nevada	200,000	881	200,881
New York	1,159,855	5,114	1,164,969
Ohio	805,179	3,550	808,729
Oklahoma	248,820	1,097	249,917
Oregon	202,742	894	203,636
Pennsylvania	878,942	3,876	882,818
Puerto Rico	683,406	3,013	686,419
Rhode Island	200,000	881	200,881
South Carolina	298,756	1,317	300,073
South Dakota	200,000	881	200,881
Tennessee	408,631	1,802	410,433
Texas	1,126,244	4,966	1,131,210
Trust Territories*	107,000	−89,986	17,014
Utah	200,000	881	200,881
Virginia	385,710	1,700	387,410
Virgin Islands	107,000	471	107,471
Vermont	200,000	881	200,881
Washington	278,784	1,229	280,013
Wisconsin	357,299	1,575	358,874
West Virginia	219,755	969	220,724
Wyoming	200,000	881	200,881
* Trust Territories consists of:			
Palau	17,014	-0-	17,014
Micronesia	58,996	−58,996	-0-
Marshall Islands	30,990	−30,990	-0-

(Catalog of Federal Assistance Program Number 13.630 Developmental Disabilities—Basic Support and Advocacy Grants)

Dated: May 2, 1990.

Deborah L. McFadden,

Commissioner, Administration on Developmental Disabilities.

Approved: May 23, 1990.

Mary Sheila Gall,

Assistant Secretary for Human Development Services.

[FR Doc. 90-12377 Filed 5-29-90; 8:45 am]

BILLING CODE 4130-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Public and Indian Housing

[Docket No. N-90-3091]

Public Housing Drug Elimination Program; Submission of Proposed Information Collection to OMB

AGENCY: Office of Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and should be sent to: Scott Jacobs, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: David S. Cristy, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410, telephone (202) 755-6050. This is not a toll-free number. Copies of the documents submitted to OMB may be obtained from Mr. Cristy.

SUPPLEMENTARY INFORMATION: This Notice informs the public that the Department of Housing and Urban Development has submitted to OMB, for emergency processing, an information collection package with respect to the Public Housing Drug Elimination Program. The Department is requesting OMB approval by June 4, 1990 so that it can expeditiously allocate funds under the $97,409,000 appropriation for the Public Housing Drug Elimination Program. The allocation of these funds is critical to the Department's efforts to eliminate drug-related crime in Public and Indian housing projects. Any control number issued by OMB to cover this emergency situation would be valid for no more than 90 days.

To ensure that the public has an adequate opportunity to comment on these information collection requirements, HUD also intends to submit the Public Housing Drug Elimination Program to OMB for regular paperwork review. The public will then have an additional 60-day period in which to comment on the paperwork requirements.

The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the description of the need for the information and its proposed use; (4) the agency form number, if applicable; (5) what members of the public will be affected by the proposal; (6) how frequently information submissions will be required; (7) an estimate of the total number of hours needed to prepare the information submission including number of respondents, frequency of response, and hours of response; (8) whether the proposal is new or an extension, reinstatement, or revision of an information collection requirement; and (9) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Authority: Section 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535 (d).

Proposal: Public Housing Drug Elimination Program (FR-2592 and FR-2815).

Office: Public and Indian Housing.

Description: The information collection requirements contained in this paperwork package are necessary to allow HUD to evaluate Public and Indian housing authorities on their suitability for implementing drug elimination programs in accordance with the selection criteria specified under the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901, et. seq.)

Form Number: None.

Respondents: Public and Indian Housing Authorities.

Frequency of Submissions: One-time.

Reporting Burden:

TABULATION OF ANNUAL REPORTING BURDEN—FINAL RULE—PUBLIC HOUSING DRUG ELIMINATION PROGAM

Description of information collection	Section of 24 CFR affected	Number of respondents	Number of responses per respondents	Total annual responses	Hours per response	Total hours
Plan for addressing drug-related crime problem(s) includes assessment, current activities, strategy.	961.15	1,000	1	1,000	24	24,000
Request for tenant comments on plan and application	961.18	5,000	1	5,000	1	5,000
Application requirements: SF-424, certifications, narratives, copies to tenant comments.	961.20	1,000	1	1,000	30	30,000
Plan requirements for implementation of Subpart D, Mini-Grants	961.28(a)	1,000	3 times (avg)	3,000	10	30,000
Application requirements for Mini-Grants	961.28(b)	1,000	3 times (avg)	3,000	15	45,000
Periodic reports on fund expenditures, data tracking drug-related crime	961.35(a)	1,000	2 times	2,000	24	48,000
Post Plan report after 90 days	961.35(b)	1,000	1	1,000	8	8,000
Total reporting burden						190,000

Estimated Burden Hours: 190,000.

Status: Revision.

Contact: Sharmeen Dosky, HUD, (202) 755–7055; Scott Jacobs, OMB (220) 395–6880.

Dated: May 24, 1990.

Thomas Sherman,

Acting General Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. 90–12652 Filed 5–29–90; 8:45 am]

BILLING CODE 4210–33–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–920–00–4120–11: WYW119551]

Invitation for Coal Exploration License, Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Invitation for coal exploration licenses.

SUMMARY: The Carter Mining Company, a division of Exxon Coal USA, Inc. hereby invites all interested parties to participate on a pro rata cost sharing basis in its coal exploration program concerning federally owned coal underlying the following described land in Campbell County, Wyoming:

T. 48 N., R. 71 W., 6th P.M., Wyoming
Sec. 26: N2 of Lot 9, containing 20.23 acres.

All of the coal in the above land consists of unleased Federal coal within the Powder River Basin known coal leasing area. The purpose of the exploration program is to drill exploration core holes.

ADDRESSES: A detailed description of the proposed drilling program is available for review during normal business hours in the following offices (under serial number *WYW119551*): Bureau of Land Management, Wyoming State Office, 2515 Warren Avenue, P.O. Box 1828, Cheyenne, WY 82003; and, Bureau of Land Management, Casper District Office, 1701 East "E" Street, Casper, WY 82601.

SUPPLEMENTARY INFORMATION: This notice of invitation will be published in The News-Record of Gillette, Wyoming, once each week for two (2) consecutive weeks beginning the week of May 28, 1990, and in the **Federal Register**. Any party electing to participate in this exploration program must send written notice to both the Bureau of Land Management and The Carter Mining Company, a division of Exxon Coal USA, Inc., no later than thirty (30) days after publication of this invitation in the **Federal Register**. The written notice should be sent to the following addresses: The Carter Mining Company, a division of Exxon Coal USA, Inc., Attn: Mr. Joseph A. DeMarte, P.O. Box 3007, Gillette, Wyoming 82717–3007, and the Bureau of Land Management, Wyoming State Office, Attn: Chief, Branch of Mining Law and Solid Minerals, P.O. Box 1828, Cheyenne, Wyoming 82003.

The foregoing is published in the **Federal Register** pursuant to title 43 Code of Federal Regulations, § 3410.2–1(c)(1).

F. William Eikenberry,

Acting State Director.

[FR Doc. 90–12449 Filed 5–29–90; 8:45 am]

BILLING CODE 4120–11–M

[MT–070–09–4050–91]

District Grazing Advisory Board Meeting; Montana

AGENCY: Bureau of Land Management, Butte District Office, Interior.

ACTION: Notice of meeting.

SUMMARY: A meeting of the Butte District Grazing Advisory Board will be held Tuesday June 26, in the conference room of the Butte District office, 106 North Parkmont, Butte. The meeting will begin at 9 a.m. The agenda will include (1) utilization of 8100 and 8200 range improvement funds, (2) AMP's planned for FY91, (3) a discussion of the drought situation, (4) allotment evaluations ongoing (FY90) and planned for FY91, (5) new BLM initiatives/budget; and (6) state land leases in Cooperative Management Plan areas.

The meeting is open to the public. Interested persons may make oral statements to the board or file written statements for the board's consideration. Anyone wishing to make oral statements should make prior arrangements with the district manager.

Summary minutes of the meeting will be maintained in the district office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

FOR FURTHER INFORMATION CONTACT: James R. Owings, District Manager, Butte District, Bureau of Land Management, Box 3388, Butte, Montana 59702.

Dated: May 18, 1990.

James R. Owings,

District Manager.

[FR Doc. 90–12376 Filed 5–29–90; 8:45 am]

BILLING CODE 4310–DN–M

[NM–010–4212–13/GPO–0109]

Notice of Realty Action; Exchange of Lands in New Mexico

AGENCY: Bureau of Land Management, Albuquerque District, Interior.

ACTION: Notice of Realty Action NM65196, Exchange of public land and private lands in San Juan County, New Mexico.

SUMMARY: The following described lands have been determined suitable for disposal by exchange under section 206 of the Federal Land Policy and Management Act of October 21, 1976, 43 U.S.C. 1716.

New Mexico Principal Meridian

T. 31 N., R. 10 W.,
Sec. 4, Lot 5.
T. 30 N., R. 11 W.,
Sec. 2, Lot 5;
Sec. 10, Lot 2;
Sec. 15, Lots 5, 6, 7.
T. 31 N., R. 11 W.,
Sec. 35, E½SE¼, SW¼SE¼.

Containing/aggregating 340.67 acres of public land.

In exchange for this land, the United States will acquire the following described land from Mr. and Mrs. Robert Chaffee.

New Mexico Principal Meridian

T. 31 N., R. 10 W.,
Sec. 10 W½SE, NE¼SE¼;
Sec. 14, SE¼NW¼;
Sec. 15, S½NE¼, SE¼NW¼;
Sec. 23, NE¼SE¼; N½SE¼;
Sec. 24, NW¼SW¼.

Containing/aggregating 440.00 acres of private land.

COMMENT DATES: July 16, 1990. For a period of 45 days from date of publication in the **Federal Register**, interested parties may submit comments to the Bureau of Land Management at the address given below. Any adverse comments will be evaluated by the Bureau of Land Management, New Mexico State Director, who may sustain, vacate, or modify this realty action. In the absence of any objections this realty action will become the final determination of the Department of the Interior.

FURTHER INFORMATION: Information related to this exchange, including the environmental assessment, is available for review at the Bureau of Land Management, Farmington Resource Area, 1235 LaPlata Highway, Farmington, NM 87401.

SUPPLEMENTARY INFORMATION: The publication of this notice segregates the public land described above from settlement, sale, location, and entry under the public land laws, including the mining laws, but not from exchange

pursuant to section 206 of the Federal Land Policy and Management Act of October 21, 1976 for a period of two (2) years from the date of publication of this notice in the **Federal Register**. The segregative effect will terminate upon issuance of patent to Mr. and Mrs. Robert Chaffee, or two (2) years from the date of this publication, whichever occurs first.

Transfer of the public land in the exchange is subject to the following:

1. A reservation to the United States of a right-of-way for ditches or canals in accordance with 43 U.S.C. 945.
2. The reservation to the United States of all minerals.
3. All valid existing rights (e.g., rights-of-way and leases of record).
4. Value equalized by cash payments or acreage adjustments.
5. The exchange must meet the requirements of 43 CFR § 4110.4–2(b).

This exchange is consistent with Bureau of Land Management policies and land use planning. The estimated intended time of the exchange is September 1990. The public interest will be served by completion of this exchange because it will enable the Bureau of Land Management to consolidate land with high public values, and will increase management efficiency of public land in the area.

Patricia E. McLean.

Assoc. District Manager.

[FR Doc. 90–12448 Filed 5–29–90; 8:45 am]

BILLING CODE 4310–FB–M

Fish and Wildlife Service

[File No. PRT 691972]

Receipt of Application for Permit

The public is invited to comment on the following application for a permit to conduct certain activities with marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*), regulations governing marine mammals (50 CFR part 18).

Applicant Name: Carle Foundation Hospital, 611 West Park, Urbana, IL.

Type of Permit: Scientific Research.

Name of Animals: Polar bear (*Ursus maritimus*) 40 per year.

Summary of Activity to be Authorized: The applicant proposes to import approximately 600 serum samples, 300 urine samples, and 300 adipose tissue samples per year to examine the seasonal ability of the polar bear to use specialized protein sparing metabolic adaptations to facilitate long-term fasting during their over-winter hibernation.

Source of Marine Mammals for Display: Canada.

Period of Activity: Annually.

Concurrent with the publication of this notice in the **Federal Register**, the Office of Management Authority is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Written data or comments, requests for copies of the complete application or requests for a public hearing on this application should be submitted to the Director, Office of Management Authority (OMA), 4401 N. Fairfax Drive, room 432, Arlington, VA 22203, within 30 days of the publication of this notice. Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such hearing is at the discretion of the Director.

Documents submitted in connections with the above application are available for review druing normal business hours (7:45 am to 4:15 pm) at 4401 N. Fairfax Drive, room 430, Arlington, VA 22203.

Dated: May 24, 1990.

Karen Willson,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 90–12491 Filed 5–29–90; 8:45 am]

BILLING CODE 4310–55–M

National Park Service

Martin Van Buren National Historic Site, Kinderhook, NY; Public Review Period For Amendment to the 1986 Development Concept Plan

In accordance with the National Park Service Planning Guidelines in the preparation of Development Concept Plans and Environmental Assessments, notice is hereby given that the National Park Service is amending the 1986 Developent Concept Plan/ Environmental Assessment for Martin Van Buren National Historic Site Park Operations and Visitor Facilities. A final document, which contains a proposal for a new park operations and visitors service building, is available for review from the superintendent beginning June 1, 1990. Comments on the final document should be submitted in writing by June 30, 1990, to the Superintendent, Martin Van Buren National Historic Site, P.O. Box 545, Rt. 9H, Kinderhook, New York 12106. The National Park Service prepares Development Concept Plans to ensure adequate consideration of reasonable alternatives in advance of undertaking development proposals.

Dated: May 22, 1990.

Marie Rust,

Acting Regional Director.

[FR Doc. 90–12398 Filed 5–29–90; 8:45 am]

BILLING CODE 4310–70–M

Environmental Impact Statement; Mining in Alaska National Park System Units

ACTION: Notice of Availability of the Final Environmental Impact Statements for mining in Yukon Charley Rivers National Preserve, Denali National Park and Preserve, and Wrangell-St. Elias National Park and Preserve, Alaska.

SUMMARY: This notice announces the availability of final Environmental Impact Statements (EIS) for mining in three units of the national park system in Alaska. The part units are Denali National Park and Preserve, Wrangell-St. Elias National Park and Preserve, and Yukon Charley Rivers National Preserve. These EISs evaluate the effects, including cumulative effects, of multiple mining operations in these park units. The EISs were required by the U.S. District Court (District of Alaska) pursuant to litigation filed by the Northern Alaska Environmental Center, Alaska Chapter of the Sierra Club, and Denali Citizens Council (J85–009 Civil).

DATES: The 30 day no-action period following the Environmental Protection Agency's notice of availability of the final EISs will end June 30, 1990.

ADDRESSES: Public reading copies of the final EISs will be available at the following locations:

Office of Public Affairs, National Park Service, Department of the Interior, 18th and C Streets, NW., Washington, DC 20013–7217 (telephone (202) 208–6843);

National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, Alaska 99503 (telephone (907) 257–2616);

Denali National Park and Preserve Headquarters, P.O. Box 9, Milepost 237, George Parks Highway, Denali National Park, Alaska 99755 (telephone (907) 683–2294);

Wrangell-St. Elias National Park and Preserve Headquarters, P.O. Box 29, Mile 105.5, Richardson Highway, Glennallen, Alaska 99588 (telephone (907) 822–5234); and

Yukon-Charley Rivers National Preserve Headquarters, P.O. Box 64, Front Street, Eagle, Alaska 99738 (telephone (907) 547–2233).

SUPPLEMENTARY INFORMATION: The final EISs present four alternatives for managing mining activity, analyzing

cumulative effects, and mitigating environmental impacts in the three park units. Based upon public comments and an evaluation of the environmental impacts, the proposed action in the final document is now Alternative D. Alternative D involves the acquisition of all patented and valid unpatented mining claims, subject to availability of funding. The National Park Service will process mining plans of operations received during the acquisition phase according to existing National Park Service regulations for mining and mining claims at 36 CFR subpart 9A and other applicable federal and state requirements. Alternative A (post-1985 status quo/no action) involves the review of mining activity according to existing regulations and requirements and emphasizes a qualitative approach for reviewing proposed mining plans of operations and assessing cumulative effects. Alternative B involves the review of mining activity according to existing regulations and requirements with emphasis on a quantitative approach for reviewing proposed mining plans of operations and assessing cumulative effects. Alternative C is identical to Alternative B and also entails patent restrictions for new mineral patents and a strengthened program for mining claim acquisition. The alternatives were analyzed for impacts on wetlands, water resources, wildlife resources, subsistence, recreation, visual quality, wilderness values, cultural resources, and socioeconomic environment.

FOR FURTHER INFORMATION CONTACT: Boyd Evison, Alaska Regional Office, National Park Service, 2525 Gambell Street, Anchorage, Alaska 99503 (telephone (907) 257–2690).

Dated: May 23, 1990.

James W. Stewart,

Assistant Director, Planning.

[FR Doc. 90–12400 Filed 5–29–90; 8:45 am]

BILLING CODE 4310–70–M

Cape Cod National Seashore, South Wellfleet, MA, Cape Cod National Seashore Advisory Commission; Meetings

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770, 5 U.S.C. App. 1 sec. 10), that two meetings of the Cape Cod National Seashore Advisory Commission will be held in June. The first is scheduled for Friday, June 22. The second is scheduled for Friday, June 29.

The Commission was reestablished pursuant to Public Law 99–349, Amendment 24. The purpose of the Commission is to consult with the Secretary of the Interior, or his designee, with respect to matters relating to the development of the Cape Cod National Seashore, and with respect to carrying out the provisions of sections 4 and 5 of the Act establishing the Seashore. The meeting on June 22, 1990, will convene at the Salt Pond Visitor Center in Eastham, Massachusetts at 10 a.m. for an all-day tour and orientation trip in the park.

The meeting on June 29, 1990, will convene at the headquarters of Cape Cod National Seashore, Marconi Station, South Wellfleet, Massachusetts, at 1 p.m. for the following purposes:

1. Approval of minutes from meeting on May 8, 1990;
2. Superintendent's report;
3. Review of issues discussed in touring the park on June 22, 1990;
4. Review of Draft Statement for Management for Cape Cod National Seashore;
5. Review organization of Advisory Commission;
6. Planning Workshops;
7. Opportunity for Public Comments; and
8. Other Business.

Both meetings are open to the public. The field trip meeting on June 22, 1990, will be held at various locations in the park. No public transportation will be provided; however, the public may follow the vehicle transporting the Commission and listen to the discussions at various stops along the way. It is expected that 50 persons will be able to attend the meeting on June 29, 1990, in addition to the Commission members. Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made to the park superintendent prior to the meeting. Further information concerning this meeting may be obtained from the Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts 02663.

Dated: May 27, 1990.

Marie Rust,

Acting Regional Director.

[FR Doc. 90–12399 Filed 5–29–90; 8:45 am]

BILLING CODE 4310–20–M

Farmington Wild and Scenic River Study Massachusetts and Connecticut Farmington River Study Committee; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770, 5 U.S.C. App. 1 s 10), that a meeting of the Farmington River Study Committee will be held Thursday, June 14, 1990.

The Committee was established pursuant to Public Law 99–590. The purpose of the Committee is to consult with the Secretary of the Interior and to advise the Secretary in conducting the study of the Farmington River segments.

The meeting will convene at 7:30 p.m. at the Sandisfield Town Hall, Sandisfield, Massachusetts, for the following purposes:

1. Welcome, introductions and study overview;
2. Approval of minutes from April 5, 1990;
3. Discussion of budget status;
4. Report from Water Resources Subcommittee—final comments on June 7 public workshop;
5. Report from River Conservation Planning and Public Involvement;
6. Opportunity for public comment; and
7. Other business.

Interested persons may make oral/written presentations to the Committee or file written statements. Such requests should be made to the official listed below prior to the meeting.

Further information concerning this meeting may be obtained from the Public Affairs Officer, National Park Service, North Atlantic Region, 15 State Street, Boston, MA 02109 (617) 223–5199.

Dated: May 22, 1990.

Marie Rust,

Acting Regional Director.

[FR Doc. 90–12397 Filed 5–29–90; 8:45 am]

BILLING CODE 4310–70–M

DEPARTMENT OF JUSTICE

Lodging of Consent Decree; Cleveland Montessori Association, Inc.

In accordance with Departmental Policy, 28 CFR § 50.7, notice is hereby given that on April 23, 1990, a proposed Consent Decree in *United States* v. *Cleveland Montessori Association, Inc.*, Civil Action No. 190–CV–0725, was lodged with the United States District Court for the Northern District of Ohio (Eastern Division). This action, brought under Section 113 of the Clean Air Act, 42 U.S.C. 7413, arose from the failure to give proper advance notice of the removal of asbestos from a building in Rocky River, Ohio. Under the decree, Defendent Cleveland Montessori Assoc. Inc. agrees to pay a civil penalty for past violations.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree

Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Cleveland Montessori Association, Inc.*, Ref. No. 90–5–2–1–1378.

The proposed Decree may be examined at the Offices of the United States Attorney, Civil Division, 1404 E. Ninth St., Cleveland, OH 44114; at the United States Environmental Protection Agency (Region V), Office of Regional Counsel, 111 West Jackson Street, 3rd Floor, Chicago, IL 60604; and at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, room 1647, 9th Street and Pennsylvania Avenue NW., Washington, DC 20530. A copy of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice.

George W. Van Cleve,

Acting Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 90–12437 Filed 5–29–90; 8:45 am]

BILLING CODE 4410–10–M

Lodging of First Amended Consent Decree; United States v. the Parish of St. John the Baptist and the State of Louisiana

In accordance with Department of Justice policy, 28 CFR § 50.7, notice is hereby given that on May 9, 1990, a proposed First Amended Consent Decree in *United States* v. *The Parish of St. John the Baptist and The State of Louisiana*, Civil Action No. 88–3090, section F, mag 5, was lodged with the United States District Court for the Eastern District of Louisiana.

The complaint in this enforcement action was filed on July 19, 1988, against The Parish of St. John the Baptist (the Parish) under sections 309(b) and (d) of the Clean Water Act (the Act), 33 U.S.C. 1319(b) and (d), seeking civil penalties and other relief for the discharge of pollutants into the navigable waters of the United States in violation of National Pollutant Discharge Elimination System (NPDES) permits issued to the Parish. The proposed First Amended Consent Decree (Amended Decree) requires the Parish to comply with a revised compliance/construction schedule and interim effluent limits to attain, and thereafter maintain, compliance with the NPDES permits' discharge limits. The Amended Decree sets forth stipulated penalties for failure to comply with the interim effluent limits and the reporting requirements. It further provides for payment of a $20,000 civil penalty for violations of the original Consent Decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed First Amended Consent Decree. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States* v. *The Parish of St. John the Baptist and The State of Louisiana*, D.J. No. 90–5–1–1–3009.

The proposed First Amended Consent Decree may be examined at the office of the United States Attorney, Hale Boggs Federal Building, 500 Camp Street, New Orleans, Louisiana and at the United States Environmental Protection Agency, Region VI, 1445 Ross Avenue, Dallas, Texas 75202–2733. Copies of the proposed First Amended Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, room 1521, U.S. Department of Justice, 9th and Pennsylvania Avenue NW, Washington, DC 20530. In requesting a copy please enclose a check in the amount of $1.50 payable to the Treasurer of the United States.

Richard B. Stewart,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 90–12440 Filed 5–29–90; 8:45 a.m.]

BILLING CODE 4410–01–M

Lodging of Consent Decreee; United States v. Tzavah Urban Renewal Corp et al.

In accordance with Department Policy 28 CFR § 50.7, 38 Fed. Reg. 19029, notice is hereby given that a proposed Consent Decree in *United States* v. *Tzavah Urban Renewal Corp., et al.*, Civil Action No. 88–3647 (AJL) was lodged in the United States District Court for the District of New Jersey on May 17, 1990. The proposed Decree, if entered, will resolve the liability of Tzavah Urban Renewal Corp., Harry W. Hampel, Datsun Investments, Pinros Gar, Henry Roth, and Sol Mayer for civil penalties and injunctive relief under Sections 112 and 113 of the Clean Air Act, 42 U.S.C. 7412 and 7413, and section 103(a) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9603(a), for violations of the Clean Air Act, section 103(a) of CERCLA, and the National Emission Standards for Hazardous Air Pollutants for asbestos, 40 CFR part 61, subpart M, as alleged in a Complaint filed August 19, 1988. The violations that are the subject of this suit are alleged to have occurred during renovation operations at the Old Miltiary Park Hotel, in Newark, New Jersey.

The Department of Justice will receive, for a period of thirty (30) days from the date of publication of this notice, written comments relating to the proposed Decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Tzavah Urban Renewal Corp.*, Department of Justice No. 90–5–2–1–1289.

The proposed Decree may be examined at the office of the United States Attorney, 502 Federal Building, 950 Broad St., Newark, NJ 07102; at the Region II office of the United States Environmental Protection Agency, Jacob K. Javits Federal Building, New York NY 10278; and at the Environmental Enforcement Section, Environment and Natural Resources Division, United States Department of Justice, room 1647(D), Ninth Street and Pennsylvania Avenue NW., Washington, DC 20530. A copy of the proposed Decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, United States Department of Justice, at the above address. In requesting a copy, please enclose a check in the amount of $1.40 (10 cents per page reproduction costs), payable to the Treasurer of the United States.

Richard B. Stewart,

Assistant Attorney General, Environment & Natural Resources Division.

[FR Doc. 90–12441 Filed 5–29–90; 8:45 am]

BILLING CODE 4410–01–M

Antitrust Division

National Cooperative Research Notifications; Petroleum Environmental Research Forum

Notice is herby given that, on April 19, 1990, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. section 4301, *et seq.* ("the Act"), the Petroleum Environmental Research Forum ("PERF") filed a written notification simultaneously with the Attorney General and with the Federal Commission disclosing a change in the membership of PERF. The notification was filed for the purpose of invoking the Act's provisions limiting the recovery of

antitrust plaintiffs to actual damages under specified circumstances.

Specifically, the notification stated that the following additional party has become a member of PERF: Petro-Canada Hydrocarbons Inc., 150 Sixth Street SW., Calgary, Alberta, Canada T2 3E3.

No other changes have been made in either the membership or the planned activities of PERF.

On February 10, 1986, PERF filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to section 6(b) of the Act on March 14, 1986 (51 FR 8903). On May 6, 1986, May 27, 1986, June 23, 1986, February 3, 1989, March 21, 1989, and October 31, 1989, PERF filed additional written notifications. The Department published notices in the Federal Register in response to these additional notifications on June 9, 1986 (51 FR 20697), June 19, 1986 (51 FR 22365), July 17, 1986 (51 FR 25957), March 1, 1989 (54 FR 8607), April 20, 1989 (54 FR 16014), and December 8, 1989 (54 FR 50661), respectively.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 90-12438 Filed 5-29-90; 8:45 am]

BILLING CODE 4410-01-M

U.S. DEPARTMENT OF JUSTICE

National Cooperative Exchange of Technical Information Regarding Renewable Energy Technologies

Notice is hereby given that, on April 20, 1990, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), the U.S. Export Council for Renewable Energy ("US/ECRE") filed a written notification simultaneously with the Attorney General and the Federal Trade Commision disclosing (1) The identities of the parties to a joint venture and (2) the nature and objective of the joint venture. The notification was filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to acual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties to the joint venture and its general area of planned activities are given below.

The parties to the venture will be the members of US/ECRE (American Wind Energy Association, Cogeneration & Independent Power Coalition of America, National Geothermal Association, National Hydropower Association, National Wood Energy Association, Passive Solar Industries Council, Renewable Fuels Association, Solar Energy Industries Association, Volunteers in Technical Assistance and Wood Heating Alliance) and the United States Environmental Protection Agency.

The industries represented by the members of US/ECRE manufacture energy technologies which they believe will provide alternatives to the burning of fossil fuels and radical deforestation, and will thereby allleviate the emission of gases that contribute to global warming and other aspects of global climate change. The objectives of the joint venture are to coordinate and promote the worldwide development of renewable energy technology. It plans to promote those objectives by, among other things, developing a formal exchange of technical and market information on renewable energy technology.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 90-12439 Filed 5-29-90; 8:45 am]

BILLING COCE 4410-01-M

DEPARTMENT OF LABOR

Office of the Secretary

Agency Recordkeeping/Reporting Requirements Under Review by the Office of Management and Budget (OMB)

Background: The Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. chapter 35), considers comments on the reporting and recordkeeping requirements that will affect the public.

List of Recordkeeping/Reporting Requirements Under Review

As necessary, the Department of Labor will publish a list of the Agency recordkeeping/reporting requirements under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new collections, revisions, extensions, or reinstatements. The Departmental Clearance Office will, upon request, be able to advise members of the public of the nature of the particular submission they are interested in.

Each entry may contain the following information:

The agency of the Department issuing this recordkeeping/reporting requirement.

The title of the recordkeeping/reporting requirement.

The OMB and Agency identification numbers, if applicable.

How often the recordkeeping/reporting requirement is needed.

Who will be required to or asked to report to keep records.

Whether small businesses or organizations are affected.

An estimate of the total number of hours needed to comply with the recordkeeping/reporting requirements and the average hours per respondent.

The number of forms in the request for approval, if applicable.

An abstract describing the need for and uses of the information collection.

Comments and Questions

Copies of the recordkeeping/reporting requirements may be obtained by calling the Departmental Clearance Officer, Paul E. Larson, telephone (202) 523-6331. Comments and questions about the items on this list should be directed to Mr. Larson, Office of Information Management, U.S. Department of Labor, 200 Constitution Avenue NW., room N-1301, Washington, DC 20210. Comments should also be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OLMS/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, Room 3208, Washington, DC 20503 (Telephone (202) 395-6880).

Any member of the public who wants to comment on a recordkeeping/reporting requirement which has been submitted on OMB should advise Mr. Larson of this intent at the earlist possible date.

Extension

Pension and Welfare Benefits Administration

Prohibited Transaction Class Exemption 86-1
1210-0065
On occasion
Business and other for-profit
34,600 responses, 2883 hours, 5 minutes per response
The class exemption allows banks and registered broker-dealers to borrow securities that are assets of employee benefit plans.

Mine Safety and Health Administration

Underground Retorts (30 CFR 57.22401)
1219-0096.
On Occasion.
Business or other for-profit; small businesses or organizations 1 response; 160 hours per response; Total reporting burden: 160 hours.

Prior to ignition of underground retorts, mine operators must submit a written plan containing site-specific safeguards and safety procedures for the

underground areas of the mine affected by the retorts. MSHA uses this information to ensure that safe practices are followed, and to determine that the procedures and safeguards used protect the safety of all persons in the mine during ignition and operation of a retort.

Mine Fan Operation and Inspection (30 CFR 57.22204)

1219–0030

Daily

Businesses or other for profit; small businesses or organizations.

Daily examination and changing of the pressure recording system: 8 respondents/records; 187.5 hours per response/record; Total recordkeeping burden: 1,500 hours.

Requires main fans for underground gassy mines to have pressure-recording systems. The fans are required to be examined daily while operating if persons are underground. The pressure-recording systems indicate whether the fans are in good operating condition. The pressure recordings are required to be kept one year.

Employment and Training Administration

Internal Fraud Activities, 1205–0187; ETA 9000

Annually

State or local governments

53 respondents; 424 total hours; 8 hrs. per response; 1 form ETA 9000 is SESA, ETA, and OIG's sole source data collection for identifying continuing activity involving internal fraud, and assessing fraud prevention effectiveness. Resulting analyses can be communicated to SESAs to enhance management efforts in controlling false representation and fraud. Negative trends could result in ETA requesting OIG Audit(s).

GRANTEE PLANNING AND REPORTING FORMS FOR THE JOB TRAINING PARTNERSHIP ACT, TITLE IV, SECTIONS 401 AND 402 1205–0215; ETA 8585, 8596, 8599, 8598, 8599, 8604, 8603, 8602, 8601, 8600 QUARTERLY; ANNUALLY

Form #	Affected public	Respondents	Frequency	Average time per response
ETA 8595	State or Local governments	76	Annually	15 Hours
ETA 8596	do	76	Annually	15 hours
ETA 8597	do	76	Annually	7 hours
ETA 8598	do	76	Quarterly	7 hours
ETA 8599	do	76	Annually	20 hours
ETA 8600	do	180	Annually	15 hours
ETA 8601	do	180	Annually	15 hours
ETA 8602	do	180	Quarterly	7 hours
ETA 8603	do	180	Quarterly	7 hours
ETA 8604	do	180	Annually	20 hours
ETA 8600	do	200	Annually	15 hours
ETA 8601	do	200	Annually	15 hours
ETA 8602	do	200	Annually	7 hours
ETA 8603	do	200	Annually	7 hours
Master Agreement	do	256	Annually	23 minutes
Narrative	do	256	Annually	22 hours
37,996 total hours				

These forms are used to manage the national programs authorized under sections 401 and 402 of the Job Training Partnership Act. These documents are the principal sources of program plans and performance data. They form the basis for the award of funds, Federal oversight and reports to Congress.

Signed at Washington, DC, this day of May, 1990.

Marizetta L. Scott,

Acting Departmental Clearance Officer.

[FR Doc. 90–12481 Filed 5–29–90; 8:45 am]

BILLING CODE 4510–30–M

Employment and Training Administration

[TA–W–23,938]

Howell Industries, Inc. Masury, OH; Negative Determination Regarding Application for Reconsideration

By an application dated April 11, 1990 a company official requested administrative reconsideration of the subject petition for trade adjustment assistance. The denial notice was signed on April 3, 1990 and published in the **Federal Register** on April 27, 1990 (55 FR 17837).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances;

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If, in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The company produces metal stampings for OEM auto manufacturers. The company claims that they lost a large metal stamping part order to a foreign manufacturer who casted the part.

The Department's denial was based on the fact that the "contributed importantly" test was not met. This test is generally demonstrated through a survey of the workers' firm's customers. Investigation findings show that Howell does not produce castings and did not bid on the casting part. Since Howell does not produce castings and did not bid on the casting, there is no basis on which a certification can be issued.

Investigation findings show that the Howell could not produce a thin wall ductile iron casting needed by the customer. A foreign company was the engineering designated source and no other firms, domestic or foreign bid on the project.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 21st day of May 1990.

Stephen A. Wandner,

Deputy Director, Office of Legislation and Actuarial Services, UIS.

[FR Doc. 90-12482 Filed 5-29-90; 8:45 am]

BILLING CODE 4510-30-M

Munsingwear, Inc.; Revised Determination on Reconsideration

[TA-W-23,951 Ashland, WI, TA-W-23,952 Minneapolis, MN]

On May 14, 1990, the Department issued an Affirmative Determination Regarding Application for Reconsideration for workers and former workers of Munsingwear, Inc., Ashland, Wisconsin and Minneapolis, Minnesota. The affirmed notice will soon be published in the **Federal Register.**

The Northern District Joint Board of the Amalgamated Clothing Workers Union claimed that the company shifted its product mix to more imported goods in the spring of 1990.

Findings on reconsideration show that Munsingwear introduced a new line of golf shirts in mid-1989 for spring 1990. The findings show that increased imports of this line of men's shirts contributed importantly to declines in sales or production and employment at the Ashland plant and the Minneapolis facility. The Ashland plant closed in February 1990 and the Minneapolis facility closed in January, 1990.

Conclusion

After careful review of the additional facts obtained on reconsideration, it is concluded that increased imports of articles like or directly competitive with men's knit shirts produced at Munsingwear, Inc., Ashland, Wisconsin and Minneapolis, Minnesota contributed importantly to decline in sales and production and to the total or partial separation of workers at Munsingwear, Inc., Ashland, Wisconsin and Minneapolis, Minnesota. In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

All workers of Munsingwear, Inc., Ashland, Wisconsin and Minneapolis, Minnesota who became totally or partially separated from employment on or after July 1, 1989 and before May 15, 1990 are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 18th day of May 1990.

Robert O. Deslongchamps,

Director, Office of Legislation and Actuarial Services, UIS.

[FR Doc. 90-12483 Filed 5-29-90; 8:45 am]

BILLING CODE 4510-30-M

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period May 1990.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-24, 160; North Coast Brass & Cooper Co., Cleveland, OH

TA-W-24, 167; Teledyne Ohio Steel, Lima, OH

TA-W-24, 003; U.S. Antimony Corp., Yankee Fork Operations, Stanley, ID

TA-W-24, 036; SKF Foundry, SKF USA, Inc., Washington, MO

TA-W-24, 085; Chippewa Plastics, Inc., Evart, MI

TA-W-24, 123; Harry Schleifer & Sons, Inc., New York, NY

TA-W-24, 087; Container Ring, Inc., Elizabeth, NJ

TA-W-24, 103; Pass & Seymour-Legrand, Elizabeth, NJ

TA-W-24, 058; GTE Sylvania, Salem, MA

TA-W-24, 130; The Pay Telephone Co., Inc., Shrewsbury, NJ

TA-W-24, 145; Don's Welding, Inc., Sharon, PA

TA-W-24, 128; New River Industries, Radford, VA

TA-W-24, 156; Hoover Group, Clanton, AL

TA-W-24, 137; Toastmaster, Inc., Macon, MO

TA-W-24, 080; Airtex Products, Inc., Fairfield, IL

TA-W-24, 105; Production Molded Plastic, Alliance, OH

TA-W-24, 108; Stephanie Fashions, Archbald, PA

TA-W-24, 051; Davidson Exterior Trim Textron, Americus, GA

TA-W-24, 091; G & H Knitwear, Inc., Ridgwood, NY

In the following cases, the investigation revealed that the criteria for eligibility has not been met for the reasons specified.

TA-W-24, 164; Santa Fe Energy Resources, Tulsa District Office, Tulsa, OK

Increased imports did not contribute importantly to workers separations at the firm.

TA-W-24, 157; John Dusenbery Co., Inc., Randolph, NJ

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA-W-24, 168; Westmoreland Coal Co., Virginia Div, Big Stone Gap, VA

The workers' firm does not produce an articles as required for certification under section 222 of the Trade Act of 1974.

TA-W-24, 165; Spruce Timber, Inc., Hoquiam, WA

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-24, 138; Trico Industries, Inc., Tulsa, OK

Increased imports did not contribute importantly to workers separations at the firm.

TA-W-24, 014; Bell's Foundry, Hillsboro, OH

Increased imports did not contribute importantly to workers separations at the firm.

TA-W-24, 144; Davis Mud & Chemical, Inc., Oklahoma City, OK

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA-W-24, 129; North American Refractories Co., Mt Union, PA

Increased imports did not contribute importantly to workers separations at the firm.

TA-W-24, 115; Boorum & Pease Co., (Esselte Pendalflex Corp), Brooklyn, NY

Increased imports did not contribute importantly to workers separations at the firm.

TA–W–24, 116; Ciba-Geigy Corp., Glens Falls, NY

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA–W–24, 152; General Foods Research Center, Cranbury, NJ

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA–W–24,153; Harris Corp., Semiconductor Sector, Sommerville, NJ

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA–W–24,015; Blakenship Shake, Forks, WA

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA–W–24,134; Smith Culvert Co., Inc., Enid, OK

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA–W–24,121; Fiskars Manufacturing Corp., Portland, OR

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA–W–24,113; A.O. Smith Electrical Products Co., Tipp City, OH

Increased imports did not contribute importantly to workers separations at the firm.

TA–W–24,127; Motorola Communication & Eligibility, Dallas, TX

Increased imports did not contribute importantly to workers separations at the firm.

TA–W–24,114; Blackbourn, Inc., Olivia, MN

Increased imports did not contribute importantly to workers separations at the firm.

TA–W–24,117; Collins & Aikman Corp., Automotive Div., Clinton, OK

Increased imports did not contribute importantly to workers separations at the firm.

TA–W–24,177; Electro Scientific Industries, Portland, OR

Increased imports did not contribute importantly to workers separations at the firm.

TA–W–24,230; AT&T Material Management Service, Material Stocking Location, Allentown, PA

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA–W–24,005; Vikeship Co. (A Division of Viking Penguin, Inc.), East Rutherford, NJ

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA–W–24,295; Interstyles, Inc., St. Louis, MO

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA–W–24,028; Lake Shore, Inc., Neqaunee, MI

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA–W–24,071; Prime Computer, Inc., Houston, TX

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA–W–24,206; Honeywell, Inc., Fort Washington, PA

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

Affirmative Determinations

TA–W–24,163; Pressed Steel Co., Wilkes-Barre, PA

The certification was issued covering all workers separated on or after March 6, 1989.

TA–W–24,076; Uniroyal Goodrich Tire Co., Opelika, AL

The certification was issued covering all workers separated on or after January 1, 1990.

TA–W–24,141; The Budd Co., Frankfort, OH

A certification was issued covering all workers separated on or after March 5, 1989.

TA–W–24,286; Coleman Products Co., Coleman, WI

A certification was issued covering all workers separated on or after April 5, 1990.

TA–W–24,155; Health-Tex. Inc., Cowpens, SC

A certification was issued covering all worker separation on or after March 7, 1989.

TA–W–24,139; Ward Drilling Co., Enid, OK

A certification was issued covering all workers separated on or after February 26, 1989.

TA–W–24,996; Premium Shingle Co., Beaver, WA

A certification was issued covering all workers separated on or after January 26, 1989.

TA–W–24,135; Swainsboro Sportswear Co., Div. of Megastar Apparel Group, Swainsboro, GA

A certification was issued covering all workers separated on or after February 28, 1989.

TA–W–24,099; MCE Semiconductor, Inc., West Palm Beach, FL

A certification was issued covering all workers separated on or after February 12, 1989.

TA–W–24, 133; Rine Drilling, Woodward, OK

A certification was issued covering all workers separated on or after February 23, 1989.

TA–W–23,975; Hinchen Bros. Shingle & Shake, Inc., Forks, WA

A certification was issued covering all workers separated on or after February 16, 1989.

TA–W–24,125; Koret of California, Seal #1 Plant, San Francisco, CA

A certification was issued covering all workers separated on or after February 16, 1989.

TA–W–23,974; Haight's Enterprises, Forks, WA

A certification was issued covering all workers separated on or after December 16, 1988.

TA–W–24,107; Sprague Electric Co., Wichita Falls, TX

A certification was issued covering all workers separated on or after July 21, 1989.

TA–W–24,161; Pat Richards, Paulsboro, NJ

A certification was issued covering all workers separated on or after March 2, 1989.

TA–W–24,066; Morse Tools, Inc., New Bedford, MA

A certification was issued covering all workers separated on or after February 13, 1989 and before February 13, 1990.

TA–W–24,094; Health-Tex, Inc., Cumberland Warehouse &

Distribution Center, Cumberland, RI

A certification was issued covering all workers separated on or after February 15, 1989.

TA–W–24,100; Newton Cedar Products, Inc., Forks, WA

A certification was issued covering all workers separated on or after February 16, 1989.

TA–W–24,126; Leacock & Co., Inc., Secaucus, NJ

A certification was issued covering all workers separated on or after February 20, 1989 and before October 24, 1989.

TA–W–24,225; Vassarette, Hamilton, AL

A certification was issued covering all workers separated on or after March 5, 1989 and before January 1, 1990.

TA–W–24,083; Bison, Inc., Kent, WA

A certification was issued covering all workers separated on or after February 2, 1989.

TA–W–24,143; Corry Rubber Corp., Corry, PA

A certification was issued covering all workers separated on or after March 2, 1989.

TA–W–24,183; Health-Tex, Inc. Charlotte, NC

A certification was issued covering all workers separated on or after March 14, 1989.

TA–W–24,181; Health-Tex, Inc., Centreville, AL

A certification was issued covering all workers separated on or after March 14, 1989.

TA–W–24,174; Chester Sportswear Co., Chester, SC

A certification was issued covering all workers separated on or after March 12, 1989.

TA–W–24,182; Health-Tex, Inc., Warrenton, GA

A certification was issued covering all workers separated on or after March 14, 1989.

TA–W–24,149; Fisher Price, Inc., East Aurora, NY

A certification was issued covering all workers separated on or after March 8, 1989.

TA–W–24,118; Collins & Aikman Wallcoverings, Inc., Plattsburgh, NY

A certification was issued covering all workers separated on or after February 28, 1989.

TA–W–24,132; Progressive Dynamics, Inc., Marshall, MI

A certification was issued covering all workers separated on or after March 2, 1989.

TA–W–24,109; Uniroyal Goodrich Tire Co., Eau Claire, WI

A certification was issued covering all workers separated on or after February 12, 1989.

TA–W–24,142; Cipher Data Product, San Diego, CA

A certification was issued covering all workers separated on or after March 6, 1989 and before March 31, 1990.

I hereby certify that the aforementioned determinations were issued during the month of May 1990. Copies of these determinations are available for inspection in room 6434, U.S. Department of Labor, 601 D Street, NW., Washington, DC 20213 during normal business hours or will be mailed to persons to write to the above address.

Dated: May 22, 1990.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 90–12484 Filed 5–29–90; 8:45 am]

BILLING CODE 4510–30–M

[TA–W–24,267]

Perterson American Corp., Madison Heights Division, Madison Heights, MI; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on April 9, 1990 in response to a worker petition which was filed on behalf of workers at the Madison Heights Division of Peterson American Corporation, Madison Heights, Michigan.

The petitioning group of workers are subject to an ongoing investigation for which a determination has not yet been issued (TA–W–24,188). Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed at Washington, DC, this 8th day of May 1990.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 90–12485 Filed 5–29–90; 8:45 am]

BILLING CODE 4510–30–M

[TA–W–22,873]

Unocal Pipeline Co.; Illinois District; Olney, IL; Notice of Negative Determination on Reconsideration

On April 6, 1990 the U.S. Court of International Trade, in *Former Employees of Unocal Pipeline Company* v. *Secretary of Labor* (USCIT 89–07–00432) dismissed a judicial review request in order that the Department may reconsider its denial of adjustment assistance for workers of Unocal Pipeline Company, Illinois District, Olney, Illinois.

The workers at Unocal Pipeline Company transport crude oil from field oil wells to its Noble, Illinois tank farm via its crude oil gathering line system. The crude oil is then transported via a truck line system to refineries located in Illinois and Ohio.

The Department's denial was based on the fact that the workers do not come under the amendments to the Trade Act as set forth in the Omnibus Trade and Competitiveness Act of 1988 since the workers are not engaged in exploration or drilling of crude oil or natural gas for independent firms but operate and maintain a pipeline gathering system to transport crude oil primarily for its parent company, Union Oil Company of California.

New findings on reconsideration show that the Unocal Pipeline Company transported mostly Union Oil Company's crude oil to refineries located in Robinson, Illinois and Lima, Ohio. Other findings on reconsideration show that these refineries are not owned or operated in any way by the Union Oil Company or any of its affiliates. Therefore, since the refineries are not owned by the Union Oil Company, the Unocal Pipeline Company was not part of an integrated production system and did not produce an article within the meaning of section 222(3) of the Trade Act but provided a service.

Therefore, since the Unocal Pipeline workers provided a service, the only way they may be certified is if their separations were caused importantly by a reduced demand for their services from a parent firm, a firm otherwise related to the subject firm by ownership or by a firm related by control. In any case, the reduction in demand for services must originate at a production facility whose workers independently meet the statutory criteria for certification and the reduction must directly relate to the product impacted by imports. Since there are no Union Oil Company workers currently under certification, these conditions have not been met for the Unocal Pipeline workers at Olney, Illinois.

Other findings on reconsideration show that the Unocal Pipeline Company was sold because of the declining volumes of crude oil in the Southern Illinois area.

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for adjustment

assistance to workers of Unocal Pipeline Company in Olney, Illinois.

Signed at Washington, DC, this 18th day of May 1990.

Stephen A. Wandner,

Deputy Director, Office of Legislation and Actuarial Services, UIS.

[FR Doc. 90-12486 Filed 5-29-90; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-90-68-C]

Pyro Mining Co.; Petition for Modification of Application of Mandatory Safety Standard

Pyro Mining Company, P.O. Box 267, Sturgis, Kentucky 42459 has filed a petition to modify the application of 30 CFR 75.1100-2(b) (quantity and location of firefighting equipment—belt conveyors) to its Pyro No. 9 Wheatcroft Mine (I.D. No. 15-13920) located in Webster County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that waterlines be installed parallel to the entire length of belt conveyors and be equipped with firehose outlets with valves at 300-foot intervals along each belt conveyor and at tailpieces.

2. As an alternate method, petitioner proposes that where the waterline is installed in the adjacent conveyor belt entry:

a) The waterline would have firehose outlets at a maximum of 300-foot intervals;

b) Each firehose outlet would have a 250-foot firehose attached and would be located in a crosscut open to the belt entry; and

c) Each firehose outlet location would be clearly marked from each direction in the belt conveyor entry.

3. Petitioner states that the proposed alternate method will provide the same degree of safety for the miners affected as that provided by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 29, 1990. Copies of the petition are available for inspection at that address.

Dated: May 15, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90-12487 Filed 5-29-90; 8:45 am]

BILLING CODE 4510-43-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Agenda

In accordance with the purposes of sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on June 7-9, 1990, in Room P-110, 7920 Norfolk Avenue, Bethesda, Maryland. Notice of this meeting was published in the **Federal Register** on May 22, 1990.

Thursday, June 7, 1990, room P-110, 7920 Norfolk Avenue, Bethesda, Md.

8:30 a.m.-8:45 a.m.: Chairman's Remarks (Open)—The ACRS Chairman will briefly report regarding items of current interest.

8:45 a.m-9:30 a.m.: Subcommittee Activities (Open)—A report will be given and discussion held regarding the ACRS subcommittee meeting on Mechanical Components held on June 6, 1990.

9:30 a.m.-11 a.m.: NRC Safety Research Program (Open)—The members will discuss the scope and nature of its annual report to the U.S. Congress on the NRC Safety Research Program.

11 a.m.-12:30 p.m.: Quantitative Safety Goals (Open)—The members will discuss the status of implementation of NRC Quantitative Safety Goals. Members of the NRC staff will participate as appropriate.

1:30 p.m.-3:30 p.m.: Generic Issue-84, Combustion Engineering Plants Without Power Operated Relief Valves (Open)—The members will review and comment on the NRC staff's proposed resolution of this generic issue. Members of the NRC staff and representatives of the nuclear industry will participate, as appropriate.

3:45 p.m.-4:45 p.m.: Siting of Nuclear Plants (Open)—The members will hear and discuss a report from the NRC staff regarding NRC activities to decouple nuclear power plant siting from source term.

4:45 p.m.-5:45 p.m.: Certification of Evolutionary Light-Water Reactors (Open)—The members will discuss proposed supplementary issues in addition to those covered in its report of April 26, 1990, Evolutionary Light-Water Reactor Certification Issues and Their Relationship to Current Regulatory Requirements.

5:45 p.m.-6:15 p.m.: Personnel Practices and Procedures (Closed)—The members will discuss a proposed personnel action the discussion of which in open session would represent a clearly unwarranted invasion of personal privacy.

This session will be closed to discuss internal personnel practices of the agency and information the release of which would represent an unwarranted invasion of personal privacy.

Friday, June 8, 1990, room P-110, 7920 Norfolk Avenue, Bethesda, Md.

8:30 a.m.-10:30 a.m.: Interim Standard for Hot Particles (Open)—The NRC staff will brief the members regarding the status of proposed revisions to the existing standard for exposure of the skin from radioactive particles.

10:45 a.m.-12 Noon: Systematic Assessment of Licensee Performance (Open)—The NRC staff will brief the members regarding proposed revisions to the NRC Manual Chapter on Systematic Assessment of Licensee Performance.

1 p.m.-2:30 p.m.: Accident Sequence Precursor Program (Open)—Representatives of the NRC staff will brief the Committee and discuss the status of the Accident Sequence Precursor Program and related reports by the program contractor.

2:45 p.m.-4:45 p.m.: Risk Based Technical Specifications (Open)—The members will be briefed on the status of NRC staff activities to develop and use risk based Technical Specifications for nuclear power plants.

4:45 p.m.-5:30 p.m.: Future Activities (Open)—The members will discuss anticipated subcommittee activities and items proposed for consideration by the Committee.

5:30 p.m.-6:30 p.m.: Preparation of ACRS Reports (Open)—The members will discuss proposed committee reports to the NRC regarding items considered during this meeting.

Saturday, June 9, 1990, room P-110, 7920 Norfolk Avenue, Bethesda, Md.

8:30 a.m.-11 a.m.—Preparation of ACRS Reports (Open)—The members will discuss proposed Committee reports to the NRC regarding items considered during this meeting.

11 a.m.–12 Noon—ACRS Subcommittee Activities (Open)—The members will hear and discuss the status of activities assigned to designated subcommittees regarding safety related and procedural matters.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on September 27, 1989 (54 FR 39594). In accordance with these procedures, oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify the ACRS Executive Director as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements. Use of still, motion picture and television cameras during this meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by a prepaid telephone call to the ACRS Executive Director, Mr. Raymond F. Fraley, prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the ACRS Executive Director if such rescheduling would result in major inconvenience.

I have determined in accordance with Subsection 10(d) Pub. L. 92–463 that it is necessary to close portions of this meeting as noted above to discuss internal personnel practices of the agency (5 U.S.C. 552b(c)(2)) and information the release of which would represent an unwarranted invasion of personnel privacy (5 U.S.C. 552b(c)(6)).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted can be obtained by a prepaid telephone call to the ACRS Executive Director, Mr. Raymond F. Fraley (telephone 301/492–8049), between 7:45 a.m. and 4:30 p.m.

Dated: May 24, 1990.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 90–12450 Filed 5–29–90; 8:45 am]

BILLING CODE 7590–01–M

Biweekly Notice Applications and Amendments to Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to Public Law (P.L.) 97-415, the Nuclear Regulatory Commission (the Commission) is publishing this regular biweekly notice. P.L. 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from May 7, 1990 through May 17, 1990. The last biweekly notice was published on May 16, 1990 (55 FR 20349).

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland from 7:30 a.m. to 4:15 p.m. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By June 29, 1990, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the Local Public Document Room for the particular facility involved. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to

which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendments under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received before action is taken. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to (*Project Director*): petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room for the particular facility involved.

Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529, and STN 50-530, Palo Verde Nuclear Generating Station (PVNGS), Unit 1, 2 and 3, Maricopa County, Arizona

Date of amendment request: March 13, 1990

Description of amendment request: The proposed amendment would update the Reactor Vessel Pressure-Temperature (P-T) curves, Low Temperature Overpressure Protection (LTOP) enable temperatures and associated Bases, in accordance with the irradiation damage prediction methodology of Revision 2 in Regulatory Guide 1.99, "Radiation Embrittlement of Reactor Vessel Materials." The proposed amendment would incorporate resultant changes into Technical Specification Sections 3.4.1.3, 3.4.1.4.1, 3.4.8.1, 3.4.8.3, 4.4.8.3.1 and B 3/4.4.8.

Basis for Proposed No Significant Hazards Consideration Determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has evaluated the proposed amendment against these standards and has provided the following discussion:

Standard 1: Involve a significant increase in the probability or consequences of an accident previously evaluated.

The probability and consequences of a Loss of Coolant Accident previously analyzed in the Updated Final Safety Analysis Report (UFSAR) Chapter 6 are not increased. Revision 2 to Regulatory Guide 1.99 provides a more accurate methodology for predicting neutron radiation effects on reactor vessel materials. The corresponding reactor vessel P-T limitations and LTOP requirements have been calculated to meet the requirements of 10 CFR 50 Appendix A, Design Criteria 14 and 31. These criteria require that the reactor coolant pressure boundary be designed to have an extremely low probability of abnormal leakage, rapid failure, and gross rupture.

These criteria also require that the reactor coolant pressure boundary be designed with

sufficient margin to assure that when stressed under operating, maintenance, and testing the boundary behaves in a non-brittle manner and the probability of a rapidly propagating fracture is minimized. Linear elastic fracture mechanics analyses as described in the Revision 2 analysis performed by Combustion Engineering for Arizona Public Service demonstrate margins of safety equivalent to those recommended in the ASME Code Section III, Appendix G, "Protection Against Nonductile Failure."

Standard 2: Create the possibility of a new or different kind of accident from any accident previously evaluated.

New P-T limits and LTOP requirements have been calculated as a result of the new methodology for determining the effects of neutron radiation embrittlement on reactor vessel material as described in Regulatory Guide 1.99, Revision 2. Linear elastic fracture mechanics analyses, per ASME Section III, Appendix G, have been performed thereby ensuring the integrity of the reactor coolant pressure boundary is maintained. Therefore no new accidents or malfunctions are introduced.

Standard 3: Involve a significant reduction in a margin of safety.

The margin of safety is increased using the Revision 2 to Regulatory Guide 1.99, "Radiation Embrittlement of Reactor Vessel Materials." In general, this revision results in more conservative P-T and LTOP limits. The safety margin recommended in ASME Section III, Appendix G, and the requirements of Appendix G of 10 CFR 50 are maintained with the changes proposed in this amendment.

The staff has reviewed the licensees' no significant hazards analysis and concurs with their conclusions. As such, the staff proposes to determine that the requested changes do not involve a significant hazards consideration.

Local Public Document Room location: Phoenix Public Library, Business and Science Division, 12 East McDowell Road, Phoenix, Arizona 85004

Attorney for licensees: Mr. Arthur C. Gehr, Snell & Wilmer, 3100 Valley Center, Phoenix, Arizona 85007.

NRC Project Director: John T. Larkins, Acting

Arizona Public Service Company, et al., Docket Nos. STN 50-528, STN 50-529 and STN 50-530, Palo Verde Nuclear Generating Station (PVNGS), Unit 1, 2 and 3, Maricopa County, Arizona

Date of amendment request: March 16, 1990

Description of amendment request: The proposed amendment would change the composition of the Plant Review Board (PRB) in Technical Specification Section 6.5.1 in that the specific titles of the members are being deleted and replaced with a generic phrase. The proposed amendment would also delete from the PRB responsibilities, listed in Technical Specification Section 6.5.2, the review of administrative control procedures and changes. Additionally, the requested amendment would reflect an organizational change, the addition of a Plant Director to the site staff and reallocation of managerial responsibilities associated with that change.

Basis for Proposed No Significant Hazards Consideration Determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has evaluated the proposed amendment against these standards and has provided the following discussion:

Standard 1 - Involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed Technical Specification change does not involve a significant increase in the probability or consequences of an accident previously evaluated because the proposed change does not alter the current design or operation of the facility. All of the changes are administrative in nature and would not increase the probability or the consequences of an accident previously evaluated.

Standard 2 - Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed Technical Specification change will not create the possibility of a new or different kind of accident from any accident previously evaluated. Since there are no changes in the way the plant is being operated, the potential for an unanalyzed accident is not created. No new failure modes are introduced. Therefore, the proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

Standard 3 - Involve a significant reduction in a margin of safety.

The proposed Technical Specification change does not involve a significant reduction in a margin of safety. The proposed changes do not have any adverse impact on containment integrity, systems or components important to safety or any other design feature. The proposed change is administrative. Since the proposed changes do not affect the consequences of an accident previously analyzed, there is no reduction in the margin of safety.

The staff has reviewed the licensees' no significant hazards analysis and concurs with their conclusions. As such, the staff proposes to determine that the requested changes do not involve a significant hazards consideration.

Local Public Document Room location: Phoenix Public Library, Business and Science Division, 12 East McDowell Road, Phoenix, Arizona 85004

Attorney for licensees: Mr. Arthur C. Gehr, Snell & Wilmer, 3100 Valley Center, Phoenix, Arizona 85007.

NRC Project Director: John T. Larkins, Acting

Arkansas Power & Light Company, Docket No. 50-313, Arkansas Nuclear One, Unit 1, Pope County, Arkansas

Date of amendment request: April 20, 1990

Description of amendment request: The proposed amendment would modify Surveillance Requirement 4.6.1.3 of the Arkansas Nuclear One, Unit 1 Technical Specifications to permit an extension of the required 18-month diesel generator (DG) inspections. The next DG inspections are required to be performed by September 12, 1990 for DG A and September 9, 1990 for DG B. The proposed change will allow the inspections to be performed during the next refueling outage, but no later than December 1, 1990.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety. The licensee provided an analysis that addressed the above three standards in the amendment application. The licensee stated that the changes do not involve a significant hazards consideration for the following reasons:

(1) Involve a significant increase in the probability or consequences of an accident previously evaluated.

The monitoring requirements addressed by the proposed change are consistent with those of the plant system currently addressed by the technical specifications. The proposed change maintains the requirement for inspections of the EDGs in accordance with the manufacturer's recommendations, and simply allows a one-time extension of the surveillance interval to reflect the extended ANO-1 cycle length. This extension will allow the surveillances to be performed at

the next refueling outage, instead of during plant operation or requiring an unnecessary shutdown. The accident mitigation features of the plant are not affected by the proposed change. The capabilities of the vital standby electrical power systems remain assured under the proposed change.

(2) Create the possibility of a new or different kind of accident from any previously evaluated.

No new possibility for an accident is introduced by the one-time extension or an allowed surveillance interval. The proposed change involves an extension of an inspection and monitoring function which does not create the possibility of a new or different kind of accident. The change will not allow the EDG to be operated in any new or different way from what is presently allowed.

(3) Involve a significant reduction in the margin of safety

The proposed change will maintain the assurance of the available of the plant vital standby emergency electrical power system. The proposed change will allow performance of the required EDG inspection during an outage period. This will provide a greater margin of safety than requiring the inspection under the existing schedule, which would require each EDG to be out of service for an extended period of time during plant operation, or which would require an unnecessary plant shutdown.

The NRC staff has reviewed the licensee's no significant hazards consideration determination analysis and agrees with its conclusion. Therefore, the staff proposes to determine that the requested amendment involves no significant hazards consideration.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Attorney for licensee: Nicholas S. Reynolds, Esq., Bishop, Cook, Purcell, & Reynolds, 1400 L Street, NW., Washington, DC 20005-3502

NRC Project Director: Frederick J. Hebdon

Arkansas Power & Light Company, Docket No. 50-368, Arkansas Nuclear One, Unit 2, Pope County, Arkansas

Date of amendment request: March 2, 1990

Description of amendment request: The proposed amendment would revise the Special Test Exception of the Arkansas Nuclear One, Unit 2 Technical Specifications (TS). Specifically, Specification 3.10.2 would be revised to clarify the specific requirements for maintaining linear heat rate (LHR) and the related Surveillance Requirement 4.10.2.2 would also be revised to delete the wording requiring the use of the Incore Detector Monitoring System for determining linear heat rate.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

In accordance with the requirements of 10 CFR 50.92(c), licensee submitted the following no significant hazards evaluation:

(1) Involve a significant increase in the probability or consequences of an accident previously evaluated.

The monitoring requirements addressed by the proposed change are consistent with those of the plant system currently addressed by the technical specifications. The proposed change maintains the conservative restrictions on reactor core linear heat rate. The accident mitigation features of the plant are not affected by the proposed change.

(2) Create the possibility of a new or different kind of accident from any previously evaluated.

No new possibility for an accident is introduced by making the specific method of monitoring reactor core linear heat rate required under the associated special test exception consistent with the method already required elsewhere in the technical specifications. The proposed change involves a passive monitoring function which does not create the possibility of a new or different kind of accident.

(3) Involve a significant reduction in the margin of safety.

The proposed change will simply bring consistency to the method for determination of reactor core linear heat rate. The adequacy and conservation of this determination will be maintained, and in some cases increased. The inherent margins of safety in the CPC calculation of linear heat rate have been extensively evaluated previously. The proposed change will maintain these margins in the specific use addressed by the associated requirement.

Based on the discussion provided above, the licensee concluded that the proposed Technical Specifications amendment requested does not constitute a significant hazards concern. The NRC staff has reviewed the licensee's no significant hazards consideration determination analysis and agrees with its conclusion. Therefore, the staff proposes to determine that the requested amendment involves no significant hazards consideration.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Attorney for licensee: Nicholas S. Reynolds, Esq., Bishop, Cook, Purcell & Reynolds, 1400 L Street, NW., Washington, DC 20005-3502

NRC Project Director: Frederick J. Hebdon

Arkansas Power & Light Company, Docket Nos. 50-313 and 50-368, Arkansas Nuclear One, Units 1 and 2 (ANO-1&2), Pope County, Arkansas

Date of amendment request: April 10, 1990

Description of amendment request: The licensee proposes to modify the Arkansas Nuclear One, Units 1 & 2 Technical Specifications to allow the use of chemicals other than just chlorine to control the biological fouling of the service water system. The proposed amendment would affect ANO-1 Reactor Building Cooling System Surveillance Requirement 4.5.2.1.2, ANO-2 Containment Systems Surveillance Requirement 4.6.2.3, and the related bases for both units.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

In accordance with 10 CFR 50.92(c), the licensee provided the following no significant hazards consideration determination analysis that addressed the above three standards:

(1) Involve a significant increase in the probability or consequences of an accident previously evaluated.

The containment cooler service water flow monitoring requirements are unchanged by the proposed amendment and will continue to demonstrate operability of the plant system addressed by this technical specification. The proposed change maintains the requirement for treatment of the service water system with a biocide to prevent Asian Clam infestation. The accident mitigation features of the plant are not affected by the proposed change. Verification of the performance of the containment cooling system components as addressed by the SR remains assured under the proposed change. Therefore, this

change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) Create the possibility of a new or different kind of accident from any previously evaluated.

No new possibility for an accident is introduced by the allowed flexibility in selection and use of alternate, but at least equally effective, biocides. The overall inspection and monitoring function of this SR remains the same, and allowing the use of a different biocide does not create the possibility of a new or different kind of accident. The change will not allow the service water portion of the containment cooling system to be operated in any new or different way from what is presently allowed.

(3) Involve a significant reduction in the margin of safety.

The proposed change will maintain the assurance of the availability of the containment cooling system. The proposed change will allow use of a different but equally effective biocide, which will maintain the safety function of assuring adequate cooling flow by preventing Asian Clam infestation. Therefore, this change does not involve a significant reduction in the margin of safety.

The NRC has provided guidance concerning the application of these standards by providing examples of changes involving no significant hazards considerations. The proposed amendment most clearly matches example (iv): A relief granted upon demonstration of acceptable operation from an operating restriction that was imposed because acceptable operation was not yet demonstrated. This assumes that the operating restriction and the criteria to be applied to a request for relief have been established in a prior review and that it is justified in a satisfactory way that the criteria have been met. Studies exist which have evaluated and demonstrated the effectiveness of use of different biocides (other than Chlorine) in controlling biological fouling.

The NRC staff has reviewed the licensee's no significant hazards consideration determination analysis and agrees with its conclusion. Therefore, the staff proposes to determine that the requested amendments involve no significant hazards consideration.

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Attorney for licensee: Nicholas S. Reynolds, Esq., Bishop, Cook, Purcell, & Reynolds, 1400 L Street, NW., Washington, DC 20005-3502

NRC Project Director: Frederick J. Hebdon

Baltimore Gas and Electric Company, Docket No. 50-317, Calvert Cliffs Nuclear Power Plant, Unit No. 1, Calvert County, Maryland

Date of amendment request: May 14, 1990

Description of amendment request: The proposed amendment would replace the existing 0-10 effective full power years (EFPY) and 10-40 EFPY heatup and cooldown curves with 0-12 EFPY heatup and cooldown curves and replaces licensee's March 2, 1990, request. These curves are based on the final version of Regulatory Guide 1.99, Revision 2, and uses Combustion Engineering methodology, which has been previously reviewed and approved by the NRC in connection with license amendments for other plants. These new calculations resulted in changes to the low temperature overpressure protection (LTOP) controls. Three parameters have changed from the values stated in the March 2, 1990, submittal. The minimum pressurization temperature has increased from 319° F to 327° F. The power operated relief valves (PORV) setpoint has increased from 422.7 psia to 424.5 psia. The heatup rate, previously stated as 40-70° F/hr, has been changed to 10-60° F/hr. Because of the large number of previously submitted Technical Specification changes which are affected, a complete LTOP Technical Specification package has been assembled for NRC review. This request contains all of the Technical Specifications previously submitted and explains the methodology which Combustion Engineering used to develop the heatup and cooldown curves.

The proposed changes affect the heatup and cooldown curves; LTOP controls; the Reactor Coolant Pump (PCP) controls; the High Pressure Safety Injection (HPSI) operability and HPSI controls as follows:

1. Changes proposed to the heatup and cooldown curves:

1.1 The 0-10 and 10-40 EFPY heatup and cooldown curves (Figures 3.4-2a and 3.4-2b) would be deleted and replaced with 0-12 EFPY heatup and cooldown curves. The 0-10 EFPY curves are no longer applicable for Unit 1 because the unit has exceeded 10 EFPY. The 10-40 EFPY curves are unnecessarily conservative for operations at this time in plant life. We are changing these curves to ones which reflect vessel embrittlement conditions projected through 12 EFPY so as to be consistent with the other controls established for the current LTOP system.

1.2 Technical Specification 3.4.9.1 currently provides a heatup rate of 100° F/hr based on 0-10 and 10-40 EFPY of operation. A new heatup rate has been calculated per the requirements of 10 CFR Part 50, Appendix G, as supplemented by Appendix G to Section III of the ASME Boiler and Pressure Vessel Code, 1986 Edition. The adjusted reference temperatures have been developed in accordance with the guidance provided in Regulatory Guide 1.99, Revision 2. Based on the calculations, the licensee proposes to change the existing allowable heatup rate to:

Maximum Allowable Heatup Rate	RCS Temperature
60° F in any one hour period.	70° F to 305° F
10° F in any one hour period.	305° F to 327° F
60° F in any one hour period.	greater than or equal to 327° F

In addition, the Action Statement for Technical Specification 3.4.9.1 should be changed to bring it into conformance with the 0-12 EFPY pressure-temperature (P-T) curves. The Action Statement currently requires a cooldown to less than 200° F and 500 psia. When compared to the 0-12 EFPY P-T curves, this Action Statement violates the P-T curves in that 200° F at 500 psia is not a permissible condition. To correct the Action Statement, the licensee proposes a cooldown of less than 200° F and 300 psia.

1.3 Changes to the Action Statement of Technical Specification 3.4.9.2 are proposed to ensure that cooldown actions required are consistent with the 0-12 EFPY P-T curves. These cooldown actions are consistent with the proposed Action Statement in Technical Specification 3.4.9.1 (see 1.2 above).

2. Changes proposed to adjust the LTOP controls:

2.1 Technical Specification 3.4.9.3 currently requires two PORVs be operable with a lift setting of less than or equal to 450 psig, or a reactor coolant system vent of greater than or equal to 1.3 square inches when one or more reactor coolant system (RCS) cold leg temperature is 275° F. This proposed change would lower the required PORV lift setting to less than or equal to 424.5 psia and requires system vents equivalent to the number of PORVs not available (Technical Specification 3.4.9.3.a). The PORV low temperature pressure lift setpoint is based on protecting the most restrictive pressure of both the heatup and cooldown curves. The proposed change would also require two of three HPSI pumps to be disabled (Technical Specification 3.4.9.3.b), and the HPSI loop motor-operated valves be prevented from automatically aligning HPSI pump flow to the RCS (Technical Specification 3.4.9.3.c). If a HPSI pump is to be used, the total flow will be throttled or a vent, equivalent to two

PORVs, will be required (Technical Specification 3.4.9.3.d). The temperature at which this Technical Specification is applicable has been raised by the proposed change to less than or equal to 327° F.

Action Statement changes are proposed to provide appropriate actions based on the requirements proposed for Technical Specification 3.4.9.3. Proposed Action Statement (a) maintains the same venting requirements found in the existing Action Statement, however, the action times have been changed. The current action times are 7 days to restore a PORV to Operable status or the RCS must be vented within 8 hours. The proposed change would only allow 5 days to restore a PORV to Operable status and would increase the time permitted to vent the RCS to 48 hours.

Action Statement (b) currently requires that a greater than or equal to 1.3 square inch vent be established within 8 hours if both PORVs are inoperable. The proposed change would increase the vent size to greater than or equal to 2.6 square inch (equivalent to two PORVs) or allow entry into Technical Specification 3.4.9.3.a.2. The action time has been increased from 8 hours to 48 hours.

Action Statement (c) has not been changed. Action Statement (d) has been relabeled as Action Statement (g).

Three new Action Statements have been added to reflect the additional controls added to the Technical Specification. Proposed Action Statement (d) requires placing at least two HPSI pump handswitches in Pull-to-Lock within 15 minutes and disabling two HPSI pumps within 4 hours if less than two pumps are disabled.

Proposed Action Statement (e) addresses the disabling of the automatic alignment feature of the HPSI pump flowpath. It requires that the HPSI loop motor operated valves (MOVs) be closed and disabled or the affected HPSI header be isolated within 4 hours. In addition, because a HPSI header may now be isolated, the Action Statement directs the operator to enter applicable HPSI pump or boration flowpath Action Statements.

Proposed Action Statement (f) addresses actions to be taken if HPSI pump flow exceeds 350 gpm while an RCS vent is less than or equal to 2.6 square inches. Flow must be immediately reduced to within limits and the pressure must be verified to have remained within limits. If the RCS pressure exceeded the limits of the 0-12 EFPY curve, then a Special Report will be submitted in accordance with Action Statement (c).

2.2 Surveillance Requirement 4.4.9.3.3 is added to verify the new conditions proposed for Technical Specification 3.4.9.3.b and c for overpressure protection. Specifically, the proposed change requires verification that the motor circuit breakers are removed for the two inoperable HPSI pumps or their discharge valves are locked shut. It would also require that the disabling of the automatic opening feature of the HPSI loop motor operated valves be verified. These verifications would be done at least once per 12 hours. These proposed surveillances and their associated frequencies replace the surveillances described in Technical Specification 4.5.3.2. Therefore, Surveillance Requirement 4.5.3.2 is deleted.

2.3 The basis for Technical Specification 3.4.9.3 is changed to reflect the above restrictions.

3. Changes proposed to modify RCP controls:

2.1 The existing footnote to the Applicability of Technical Specification 3.4.1.3 requires that a RCP not be started when RCS cold leg temperature is less than or equal to 275° F unless; (1) the pressurizer water volume is less than 600 cubic feet, or (2) the secondary water temperature of each steam generator is less than 46° F (34° F when measured by a surface contact instrument) above each of the RCS cold leg temperatures. The proposed change would require that a reactor coolant pump not be started when the RCS temperature is less than or equal to 327° F unless; (1) pressurizer indicated water level is less than 170° F (820 cubic feet) and (2) the secondary water temperature of each steam generator is less than 150° F greater than the RCS temperature. This proposed change will ensure that a reactor coolant pump is not started while the RCS is water solid and the energy addition caused by starting a reactor coolant pump will not cause the pressure to exceed the 12 EFPY P-T limits.

3.2 The basis for Technical Specification 3.4.1.3 is changed to reflect the above restrictions.

4. Changes proposed to clarify HPSI operability:

4.1 A footnote to Table 3.3-3 was previously approved which defines HPSI pump operability below 350° F. The footnote currently states: "When T_{avg} less than or equal to 350° F, the OPERABLE high pressure safety injection pump will be placed in 'pull-to-lock' and will not start automatically." As noted in change 2.1, LTOP begins at 327° F. Therefore, this footnote provides a temperature range for placing the pump in pull-to-lock (between 350° F and 327° F).

For clarity, a slightly different footnote is proposed for this Table. The proposed footnote will read: When the RCS temperature is: (a) greater than 350° F, the required Operable HPSI pumps must be able to start automatically upon receipt of a safety injection actuation signal (SIAS), (b) between 350° F and 327° F (inclusive) a transition region exists where the Operable HPSI pump will be placed in pull-to-lock during a cooldown and restored to automatic status during a heatup, and (c) below 327° F, the required Operable HPSI pump shall be in pull-to-lock and will not start automatically. This change clarifies the appropriate temperature range (350° F-327° F) for placing the Operable HPSI pump in pull-to-lock.

5. Changes proposed to modify HPSI pump controls:

5.1 Technical Specifications 3.1.2.1 and 3.1.2.3 allow the use of a HPSI pump to provide a source of boron injection in Modes 5 and 6. The proposed change would add a footnote which defines an operable HPSI pump as being in pull-to-lock and states that HPSI pump use is in accordance with the restrictions outlined in change 2.1. This footnote will provide assurance that the use of a HPSI pump while borating will not overpressurize the RCS.

5.2 Technical Specification 3.5.3 requires one operable HPSI pump in Mode 3 (with pressurizer pressure less than 1750 psia) and Mode 4. Footnote () to this Technical Specification states that a maximum of one HPSI pump shall be operable when the temperature of one or more RCS cold legs is less than or equal to 275° F. The proposed footnote will now define the operable pump conditions and state that the pump can be operated in accordance with the restrictions outlined in change 2.1. This change will also assure appropriate overpressure protection is provided in the low temperature region.

5.3 A footnote has been proposed for the surveillance requirements of Technical Specification 4.5.2. The footnote allows full flow testing of a HPSI pump to be conducted at RCS temperatures less than or equal to 327° F as long as the HPSI pump is recirculating RCS water. This prevents a mass addition to the RCS from other water sources. If a HPSI pump is to be tested without recirculating RCS water, the controls of Technical Specification 3.4.9.3 apply. These controls, discussed in change 2.1, limit the mass addition from a HPSI pump or require an appropriately sized vent to exist. This

prevents overpressurization of the RCS due to a mass addition transient.

5.4 The bases for Technical Specification 3.5.3 has been changed to reflect the new restrictions on HPSI operation imposed by the above changes.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has evaluated the proposed amendment against the standards provided above and has supplied the following information:

(1) Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

Change 1 - Heatup and Cooldown Curves

The Unit 1 12 EFPY P-T limits were conservatively developed in accordance with the fracture toughness requirements of 10 CFR Part 50, Appendix G, as supplemented by the ASME Code Section III, Appendix G. The mechanical properties and chemical composition of the reactor vessel beltline materials used in the analysis were the same as those used to evaluate the Pressurized Thermal Shock (PTS) concern in January 1986, as approved by the NRC. The peak reactor vessel fluence was calculated using Discrete Ordinate Transport (DOT) calculations with a DOT IV.3 computer code. The analysis of the reactor vessel material irradiation surveillance specimens was used to verify the validity of the fluence calculations. The Adjusted RT_{NDT} values were based on the conservative methodology provided in Regulatory Guide 1.99, Revision 2. This regulatory guide revision is based on a change in the understanding of material properties behavior in the presence of neutron flux. The present curves reflect the previous understanding of irradiated material behavior, while the proposed curves reflect updated information. The revised P-T limits provide conservative limits on RCS pressure to minimize material stresses in the RCS due to normal operating transients, and to further minimize the likelihood of a rapidly propagating fracture due to pressure transients at low temperature.

New heatup rates have been proposed for Technical Specification 3.4.9.1.a. These heatup rates were developed using CE methodology that has been reviewed and approved by the NRC in support of other licensee's submittals. The proposed heatup rates ensure that the reactor vessel metal temperature remains sufficiently close to the RCS temperature so that no undue stress occurs. In fact, because the proposed heatup rates reflect improved understanding of irradiated material behavior, this change would decrease the likelihood that normal plant heatup would result in undue stress to the reactor vessel.

Additionally, the proposed Action Statement for cooldown of the reactor vessel (Technical Specification 3.4.9.1) and the pressurizer (Technical Specification 3.4.9.2) would require that the system be cooled down to a final pressure and temperature consistent with the 12 EFPY P-T curves. This eliminates any potential conflict between the pressures and temperatures defined by the 0-12 EFPY cooldown curve and the pressures and temperatures given in the Action Statements. Because the proposed change would preclude going to unauthorized pressures at a given temperature, this change would decrease the likelihood that plant operators would take inappropriate action in response to this Technical Specification.

Change 2 - LTOP Controls

These proposed changes (Technical Specification 3.4.9.3.a and the applicability Action Statement) ensure that the LTOP controls will provide adequate protection against overpessurization events for the reactor vessel. The PORV pressure setpoint and the enable temperature have been adjusted based on the 12 EFPY analysis. These setpoints have been selected in accordance with the requirements of 10 CFR Part 50, Appendix G, the guidance provided in Regulatory Guide 1.99, Revision 2, and SRP 5.2.2, Revision 2. An applicability Action Statement (Technical Specification 3.4.9.3) change is proposed which would not require other LTOP controls if a large enough vent existed in the RCS. An overpressurization can only occur if insufficient venting capacity exists. The proposed vent size (8 square inches) provides enough venting capacity to protect against a postulated event. Therefore, additional controls are not needed when a vent greater than 8 square inches exists. This defines a vent capacity beyond which LTOP is not required.

The Technical Specification 3.4.9.3 Action Statements (a and b) were changed to require a vent equivalent to the number of PORVs out-of-service. All of the supporting analyses were performed assuming only one PORV opened to mitigate an overpressurization event. Since a single failure must be assumed during an overpressurization event, requiring a total vent capacity equivalent to two PORVs ensures that the most limiting single failure (loss of a PORV) can be accommodated. These changes will provide protection against overpressurization events in the low temperature region in accordance with the original design criteria, which is equivalent to or better than the existing controls.

Specifically, for one PORV out-of-service, the time allowed to restore it to service before a cooldown is required is reduced from 7 days to 5 days. The corresponding cooldown and depressurization time is increased from 8 hours to 48 hours. For two PORVs out-of-service, the depressurization must begin immediately and the time allowed to cooldown and depressurize is increased from 8 hours to 48 hours. These changes in the Action Statement do not significantly increase the probability or consequences of an accident previously evaluated. For the case of one PORV out-of-service, the current Action Statement allows 7 days and 8 hours from the time the Action Statement is entered until the RCS is vented. The proposed Action Statement would allow 7 days (5 days plus 48 hours) from the time the Action Statement is entered until the RCS is vented. Therefore, the total amount of time that a PORV is out-of-service before a vent is opened in the RCS has been reduced from 7 days, 8 hours to 7 days.

By proposing a 48-hour depressurization time, the operators would then be allowed adequate time to safely transition through a water solid plant condition to the required vented condition. Experience indicates that it takes just under 48 hours to perform the various evolutions necessary to bring the plant from 350° F to a cooled and vented condition. Given the current Technical Specifications, under the worst conditions (327° F, 424.5 psia), with two PORVs failed, the operators would have to cool the RCS to less than 200° F, collapse the pressurizer bubble, cooldown the pressurizer, draindown,

and open a vent. All of these actions are required within 8 hours. This would require the plant to enter its most sensitive LTOP condition, water solid, in a hurried fashion. Under conditions such as these, human error becomes an important consideration. An additional consideration is the possibility of personnel injury resulting from opening RCS vents manually before the system has been cooled. Mechanics are required to enter containment to open a vent of adequate size because it cannot be done from the control room. If the metal in the pressurizer were still too warm, steam could form with a potential for serious injury to personnel attempting to remove the pressurizer manway.

Change 3 - RCP Controls

The current Technical Specification allows RCP starts while the RCS is water solid as long as the difference between the RCS and secondary water temperatures is small (5° F). The proposed Technical Specification (3.4.1.3) would change these conditions for starting an RCP. RCP starts will be allowed only with an adequate bubble in the pressurizer and a primary to secondary water temperature difference that is sufficiently small to prevent a significant energy addition to the primary system. These controls adequately protect against an energy addition LTOP event. Various energy addition scenarios have been examined and an RCP start with a hot steam generator secondary side proved to be the most limiting. Therefore, by limiting the acceptable conditions for an RCP start, this event is precluded.

Change 4 - HPSI Operability

This proposed change provides clarification to the footnote to Table 3.3-3. The current footnote requires the operable HPSI pump be placed in pull-to-lock when T_{avg} less than or equal to 350° F. This could be interpreted to require the HPSI pump to be in pull-to-lock before the RCS is cooled down to 350° F or until it is heated up above 350° F. The intention of the footnote is to allow an operating band for placing the pump in pull-to-lock. The HPSI pumps must be prevented from starting automatically while in the low temperature region of operation. The pumps are disabled prior to enabling the LTOP system. A temperature band (350° F to 327° F) is needed to allow this. The current footnote does not clearly indicate that this temperature band exists, although previous correspondence identifies how the pumps are disabled and why. This proposed change is administrative in nature, in that it clarifies an existing Technical Specification. It does not impact the operation of the facility.

Change 5 - HPSI Controls

Various controls are proposed to ensure that the HPSI system cannot initiate an overpressurization event by adding too much fluid mass to the RCS. The HPSI pumps would be disabled so that they will not start automatically. The HPSI loop MOVs would be closed and disabled so they will not align flow to the RCS automatically (Technical Specification 3.4.9.3.b and c, Action Statements d and e). When required for use, the HPSI pump flow will be throttled to less than 350 gpm (Technical Specification 3.4.9.3.d and Action Statement f). The exception to this flow restriction (350 gpm) is when the operators respond to an excessive reactor coolant leakage event. This accident response has been previously described and found acceptable. HPSI pump use could also be required to respond to an RCS boron dilution event (Technical Specifications 3.5.3, 3.1.2.1 and 3.1.2.3), or to recover from a loss of shutdown cooling (Generic Letter 88-17). In both of these cases, the HPSI pump is the second of two systems available to respond to the event. Additionally, the operators have a greater response time for these events when compared to an excessive reactor coolant leakage event. The use of the HPSI system has been altered to provide adequate protection against an LTOP event, while maintaining its availability for required uses.

Surveillance testing of the HPSI pumps is performed at low temperature conditions. These tests require the HPSI pumps to inject water into the RCS. Controls have been proposed (Technical Specification 4.5.2) to ensure that these tests will not overpressurize the RCS. The surveillance testing is required to ensure proper system response if an accident were to occur. By providing proper controls on the testing, the probability or consequences of an LTOP event resulting from surveillance testing requirements are not increased.

Thus, proposed Changes 1 through 5 do not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) Use of the modified specification would not create the possibility of a new or different kind of accident from any accident previously evaluated.

Change 1 - Heatup and Cooldown Curves

The P-T limits do not represent a significant change in the configuration or operation of the plant. Specifically, no new hardware is being added to the plant as a result of this proposed change, no existing equipment is being modified, nor are any significantly different types of operations being introduced. The heatup rate is being changed, but the method of plant operation has not changed.

Change 2 - LTOP Controls

This proposed Technical Specification 3.4.9.3 changes the pressure and temperature setpoints for the LTOP system. It would require larger vents when a PORV is out-of-service. It would also define a vent size beyond which LTOP is not required. This does not represent a significant change in the configuration or operation of the plant. Existing operating procedures already reflect these more restrictive pressure and temperature setpoints. Larger vent openings do not require a significant change to the operation of the facility. No new hardware is being added to the plant and no existing equipment is being modified.

The revised Action Statement times do not represent a change in the operation of the plant. Specifically, no new hardware is being added to the plant as a result of these proposed changes, no existing equipment is being modified, nor are any different types of operations being introduced. Additionally, more time is available for an orderly cooldown. There is less likelihood of rapid plant changes resulting in an unforeseen situation. A normal cooldown process would require about 48 hours.

Change 3 - RCP Controls

No new type of accident is created by altering the RCP start criteria in the Technical Specifications. No new hardware is being added to the plant as a result of this proposed change, no existing equipment is being modified, nor are any different types of operations being introduced. RCPs are now normally started while a bubble is in the pressurizer.

Change 4 - HPSI Operability

The proposed change to Table 3.3-3 is administrative in nature, in that it provides clarification of a previously approved operation. No new operations are introduced and no hardware changes are required.

Change 5 - HPSI Controls

The proposed HPSI system controls do not represent a significant change in the configuration or operation of the facility. Specifically, no new hardware is being added as a result of these proposed changes and no equipment is being modified. Changes have been made in the way the HPSI pumps are operated. Now, when operated in the low temperature region, their flow must be throttled or an RCS vent provided.

However, no new accidents scenarios due to compensatory measures are introduced by operating the HPSI system in this fashion. System redundancy and adequate operator action time ensure that the HPSI system can continue to perform its intended functions.

Thus, proposed Changes 1 through 5 would not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) Use of the modified specification would not involve a significant reduction in a margin of safety.

Change 1 - Heatup and Cooldown Curves

The 12 EFPY P-T curves provide an adequate margin of safety as defined by 10 CFR Part 50, Appendix G, as supplemented by ASME Code Section III, Appendix G. The conservative methodology of Regulatory Guide 1.99, Revision 2, also provides an adequate margin of safety for the prediction of reactor vessel neutron embrittlement.

The margin of safety has not been reduced even though the 0-12 EFPY P-T curves are less restrictive than the 10-40 curves. The 10-40 EFPY P-T curves are overly conservative for this time in plant life greater than 10 EFPY). Additionally, the 10-40 EFPY P-T curves were not defined using the methods described in Regulatory Guide 1.99, Revision 2. The margin of safety as defined by 10 CFR Part 50, Appendix G and is implemented by Regulatory Guide 1.99, Revision 2, reflects the current understanding of irradiated material behavior. The proposed 12 EFPY curves have been developed in accordance with Regulatory Guide 1.99, Revision 2.

Reducing the heatup rate (Technical Specification 3.4.9.1.a) ensures that the reactor vessel will not be subject to stresses for which it has not been analyzed. Additionally, changing the Action Statement (Technical Specifications 3.4.9.1 and 3.4.9.2) to conform to conditions required by the 12 EFPY curves ensures that the reactor vessel or pressurizer is not placed in a condition prohibited by Technical Specifications. These proposed changes provide adequate protection of the RCS in accordance with 10 CFR Part 50, Appendix G.

Change 2 - LTOP Controls

These proposed changes provide an adequate margin of safety for operations in the low temperature region. The setpoints (pressure and temperature) were determined in accordance with the requirements of 10 CFR Part 50, Appendix G. The limiting applicable vent size (8 square inches) was chosen based on conservative analyses which show that this vent is large enough to relieve flow from any possible combination of pumps available for operation. The margin of safety has been reestablished for PORV operability by requiring an equivalent amount of vent capacity for each PORV disabled. These changes will ensure that the margin of safety provided by the LTOP system, as described in the original NRC Safety Evaluation Report, is maintained.

The proposed Action Statement addressing one PORV operable allows a 5 day out-of-service time before RCS depressurization must begin. This is a reduction in the allowed out-of-service time for a PORV, from 7 days to 5 days. When both PORVs are out-of-service, a cooldown and depressurization must begin immediately, as in the current Technical Specifications. BG&E is requesting the cooldown and depressurization time be extended from 8 hours to 48 hours to allow adequate time for operator action to safely cooldown and depressurize the RCS. The depressurization process requires that the RCS be filled water solid to collapse the steam bubble and then drained. This is the most limiting condition for LTOP and poses the greatest opportunity for initiating an overpressurization event. The need to rapidly open a vent in the RCS must be balanced against the potential danger posed by rushing the plant through its most limiting LTOP transient condition. During the cooldown and depressurization required by these Action Statements, operators will be sensitive to PORVS out-of-service and will take extra care to monitor the plant status. Action to depressurize will be initiated sooner (with one PORV out-of-service) than currently stated in the Technical Specifications. With two PORVs out-of-service, action to depressurize will still be initiated immediately. Thus, the margin of safety is increased by allowing additional time to conduct an orderly transition to a stable, safe condition.

Change 3 - RCP-Controls

This change will ensure that the margin of safety is maintained with respect to an energy addition event. It eliminates an operation (i.e., RCP start while water solid) that is currently allowed by Technical Specifications but is no longer performed by procedure. Adequate operator response time is assured given a steam bubble in the pressurizer. Insufficient energy is available to cause an overpressurization event as long as the primary to secondary side temperature difference is less than 150° F.

Change 4 - HPSI Operability

No change to the margin of safety is created by this proposed change. The change is administrative in nature and does not alter the previously-approved method of operating the facility. It provides clarification to the footnote of Table 3.3-3 providing clear requirements for the operation of HPSI pumps at low temperatures. The margin of safety established by allowing these operations is not changed.

Change 5 - HPSI Controls

HPSI system operability has been altered to ensure that an inadvertent mass addition which could overpressurize the RCS does not occur. This ensures that the margin of safety is maintained in regard to low temperature overpressure protection. By providing redundant controls (disabling pumps and valves), a single failure can be tolerated in this scheme while still maintaining adequate protection.

Thus, proposed Changes 1 through 5 would not involve a significant reduction in a margin of safety.

The staff has reviewed and agrees with the licensee's analysis of the significant hazards consideration determination. Based on the review and the above discussion, the staff proposes to determine that the proposed change does not involve a significant hazards consideration.

Local Public Document Room location: Calvert County Library, Prince Frederick, Maryland.

Attorney for licensee: Jay E. Silbert, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: Robert A. Capra

Baltimore Gas and Electric Company, Docket Nos. 50-317 and 50-318, Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Calvert County, Maryland

Date of amendment request: April 30, 1990

Description of amendment request: The proposed amendments would include a footnote to Technical Specification 3/4.9.13, Spent Fuel Cask Handling Crane, in accordance with the licensee's request which reads as follows:

These conditions are modified to permit shipping cask travel to and from the cask pit in the presence of fuel within one cask length radius of the pathway provided the boric acid concentration in the spent fuel pool is greater than or equal to 1000 ppm AND the following criteria are met by all assemblies within one cask length radius of the pathway: 1) initial enrichment less than or equal to 4.1 w/o U-235, 2) Burnup greater than or equal to 26,000 MWD/MTU, and 3) greater than 440 days elapsed from the shutdown of the last operating cycle in which the assembly was present in the core. Crane interlocks and

physical stops which restrict a spent fuel shipping cask from passing over any area within one shipping cask length of any fuel assembly not satisfying the above criteria shall be demonstrated OPERABLE within 24 hours prior to using the crane for moving a cask within one length of fuel assemblies meeting the above criteria. These modifications are applicable only to the shipment of fuel rods supporting the EPRI sponsored hot-cell work and for the shipment of a reactor vessel weld material surveillance capsule.

The current Technical Specification, 3/4.9.13, prohibits a spent fuel shipping cask from travel over any area within a shipping cask length of any fuel assembly. The crane interlocks and physical stops must be demonstrated operable within 7 days prior to crane use. As indicated in the proposed footnote, the proposed change is only applicable to the shipment of fuel rods supporting the Electric Power Research Institute (EPRI) sponsored hot-cell work and the shipment of a reactor vessel weld material surveillance capsule. These will be on-time shipments.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee addressed the above three standards in the amendment application. In regard to the three standards, the licensee provided the following analysis.

(1) Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The licensee considered a heavy load drop in response to NUREG-0612, "Control of Heavy Loads at Nuclear Power Plants" and while the proposed Technical Specification change will not increase the probability of the drop, it will affect the consequences. The licensee's NUREG responses reported that no fuel would be impacted by the drop due to restrictions placed on locating fuel within the spent fuel pool. The Basis for Technical Specification 3.9.13 relates to the fact that when fuel storage within one cask length of the pathway is prohibited, a dropped cask will not cause fuel damage (the only safety consequences of fuel damage is offsite dose) or result in a critical array. Because the proposed change would allow a dropped cask to impact the fuel, the licensee evaluated the offsite dose and criticality concerns of a postulated cask drop.

The licensee's evaluation of the dose consequences conservatively assumes that every fuel assembly within a cask length radius of the shipping cask's pathway would experience complete cladding failure of every rod in the assembly. The methods for calculating gas gap activity and resulting off-site dose are the same as those used in performing calculations in Chapter 14 of the FSAR for the Fuel Handling Incident (FHI), where total cladding failure is assmed for one fuel assembly damaged three days after shutdown. For this analysis the FHI gas gap inventory was decayed for 440 days as opposed to the three day decay assumed in the FHI analysis. This resulted in the gas gap activity being reduced by a factor of 267 from the FHI activity.

Using acceptance criteria contained in NUREG-0612, which states that the heavy load drop is acceptable if the resulting offsite doses are limited to less than 25% of the 10 CFR Part 100 limits, over 5000 assemblies would have to be damaged to reach the NUREG limits based on the gas gap activity calculated for a 440 day decay. Because a maximum of approximately 500 assemblies could be contained within a cask length radius of the pathway, offsite doses would remain well within the NUREG limits even if all 500 assemblies could be damaged by the cask drop.

Criticality concerns were also considered for the proposed modification because a cask drop would cause a geometrical distortion of the fuel/rack system. Because the distortion is difficult to predict, assumptions were made to bound the most reactive configuration. For the calculations, the licensee assumed that the geometry of individual fuel assemblies was not deformed (this assumption maximized reactivity) and the storage racks were deformed to remove the inter-storage cell gap (neutron flux trap). Additionally, the poison material contained within the racks was ignored and replaced by pool water. Although NUREG-0612 states that criticality analysis for a dropped load may assume that the poison material integral to the rack remains in place, the licensee conservatively chose to ignore this benefit. The licensee also assumed an initial fuel assembly enrichment limit of 4.1 w/o U-235, a minimum assembly burnup of 28,000 MWD/MTU, and a minimum boron concentration in the spent fuel pool of 1000 ppm. Consistent with NUREG requirements, these assumptions (enrichment, burnup and boron concentration) are incorporated directly into the proposed Technical Specification change. The procedures will require that the serial numbers of fuel assemblies located within one cask length radius of the pathway be checked to confirm that all fuel within the arc conforms to the above restrictions. In addition, the boron concentration of the pool will be verified to be greater than or equal to 1000 ppm prior to cask movement into the pool and prior to cask movement out of the pool.

The method used by the licensee to assess criticality concerns is the same method used to address criticality concerns relative to the spent fuel pool enrichment upgrade, which was previously approved. A two-dimensional analysis using the DOT-IV computer code was performed for an infinite array of fuel assembly storage modules distorted as described above. The results yielded a Keff of 0.898. Because uncertainties are less then 0.03, the Keff value with uncertainties will be no greater than 0.928. Consequently, the results are well within the criticality limit (i.e., Keff equal to or less than 0.95) specified in Criterion II of NUREG 0612, Section 5.1.

As noted above, the probability of the previously evaluated cask drop will not increase, but the offsite dose or criticality consequences will. Based on the licensees analysis, the resulting dose consequences would be approximately 2.5% of the 10 CFR Part 100 limits which are well within the acceptable limits of 25% of the 10 CFR Part 100 limits as defined in NUREG-0612. The critically analysis also indicates the consequences are well within the Keff equal to or less than 0.95 specified in Criterion II of NUREG-0612, Section 5.1. The Keff equal to or less than 0.95 is also the limit in the Technical Specification Bases 3/4.0 "Refueling Operations." Thus, the movement of the cask over the stored fuel does not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) Use of the modified specification would not create the possibility of a new or different kind of accident from any accident previously evaluated.

The licensee has indicated that the proposed change will allow fuel to be stored in an area previously prohibited when a shipping cask is moved.

However, the licensee notes that fuel is normally stored in the area where there is no shipping cask movement and the proposed change has no impact on the normal conditions within the spent fuel pool. The licensee also notes that the shipping cask drop was previously considered during the NUREG-0612, Heavy Loads, review. Thus, the possibility of a new or different kind of accident from an accident previously evaluated is not created, only the consequences of the previously analyzed accident are changed as discussed in (1) above.

(3) Use of the modified specification would not involve a significant reduction in a margin of safety.

The potential adverse effects on safety margins associated with the proposed change involve offsite dose and criticality concerns resulting from a cask drop. As previously discussed, by complying with the restrictions contained within the proposed change, offsite dose and subcritical margins are not significantly affected. Consequently, there is no significant decrease in a margin of safety.

Based upon the above discussion, the staff proposes to determine that the changes, as propsosed, do not involve a significant hazards consideration.

Local Public Document Room location: Calvert County Library, Prince Frederick, Maryland.

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NRC Project Director: Robert A. Capra

Connecticut Yankee Atomic Power Company, Docket No. 50-213, Haddam Neck Plant, Middlesex County, Connecticut

Date of amendment request: March 14, 1990

Description of amendment request: Connecticut Yankee Atomic Company (CYAPCO) has proposed changes to the Technical Specifications (TS) which will allow testing of the individual rod position indication (IRPI) system during power operation of the Haddam Neck Plant. The proposed TS Section, Special Test Exception, 3.10.4, "Position Indication System-Operating," would allow suspension of the following limiting conditions for operation during the IRPI test for the following TS Sections:

3.1.3.1	Movable Control Assemblies
3.1.3.2	Position Indicating Systems-Operating
3.1.3.5	Shutdown Rod Insertion Limit
3.1.3.6.1	Control Group Insertion Limits (4 Loops)
3.1.3.6.2	Control Group Insertion Limits (3 Loops)

Basis for proposed no significant hazards consideration determination: The Commission has provided standards in 10 CFR 50.92(c) for determining whether a significant hazards consideration exists. In accordance with 10 CFR 50.92 CYAPCO has reviewed the proposed Technical Specifications and concluded that they do not involve a significant hazards consideration because the changes would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The IRPI system does not affect the probability or consequences of any design basis accidents. Individual rod position indication does not provide input to any control or safety function. The rod bottom bistables are part of the IRPI and provide input to the automatic turbine runback feature. However, this feature is strictly plant control related and has no safety function. The rod bottom bistables are unaffected by these changes and would continue to provide input to the automatic turbine runback feature. Data collection, evaluation, and subsequent adjustment will be performed on the IRPI for Banks C, D, and A which are maintained fully withdrawn and not moved during power operation. Banks C, D, and A will be verified to be within their respective rod insertion limits prior to the test. Although indicated rod position may change during the performance of the tests, true rod position will be maintained. The proposed changes do not affect the operation of any safety-related equipment nor impact any design basis events. Therefore, the proposed changes do not increase the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new different kind of accident from any previously evaluated.

Rod position indication may not be accurate while the test is being performed. However a possible inaccurate individual rod position indication does not constitute a new unanalyzed accident since rod position does not provide input to any control or safety systems. Plant response during the performance of the test will not be modified in any way. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Involve a significant reduction in a margin of safety.

The testing of the IRPI system does not affect the consequences of any design basis accidents or the protective boundaries, including the possibility of an inaccurate indication of an individual rod position. While the test is being conducted, Control Rod Banks C, D, and A are to be maintained fully withdrawn (317 steps) with no movement allowed. Also, the Group Position Indication system must remain operable during the test. The safety function of the reactor protection system remains fully operational since the IRPI system does not provide any input function to that system. Therefore, there is no reduction in a margin of safety associated with the proposed changes.

The NRC staff has reviewed this analysis and based on this review, it appears that the three standards are satisfied. Therefore, the NRC staff proposes to determine that the application for amendment involves no significant hazards consideration.

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NRC Project Director: John F. Stolz

Connecticut Yankee Atomic Power Company, Docket No. 50-213, Haddam Neck Plant, Middlesex County, Connecticut

Date of amendment request: April 24, 1990

Description of amendment request: Connecticut Yankee Atomic Power Company (CYAPCO) has proposed changes to the Technical Specifications (TS) to reflect modifications performed on various fire protection systems. The proposed changes include increasing the number of smoke and heat detectors to be operable and available, changes to reflect the installation of an automatic suppression system in the area of the turbine lube oil system, and the increase in the number of required CO_2 storage bottles in the cable vault.

Basis for proposed no significant hazards consideration determination: The Commission has provided

standards in 10 CFR 50.92(c) for determining whether a significant hazards consideration exists. In accordance with 10 CFR 50.92 CYAPCO has reviewed the proposed Technical Specifications and concluded that they do not involve a significant hazards consideration because the changes would not:

1. Involve a significant increase in the probability of an accident previously analyzed.

a. The change increases the operability requirements for the fire detectors in the emergency diesel generator rooms. The change reduces the consequences of fire scenarios in the diesel generator rooms and does not increase the probability or consequences of any accident.

b. The change increases the number of heat detectors required to be operable for the turbine lube oil conditioning area. This increases the fire detection in this area and therefore has no negative impact on the probability or consequences of any accident.

c. The change reflects the modification of the manually actuated turbine lube oil reservoir deluge system to an automatic preaction system. The automatic system will improve the fire protection system for turbine lube oil fires and therefore no design basis accidents are adversely affected by this change.

d. The change increases the number of CO_2 bottles required for fire protection in the cable vault and does not impact any safety system or control system. The change does not alter any plant response to any accident previously analyzed and does not alter the way in which the plant is operated; therefore, the change does not affect the probability of occurrence or consequences of any event previously analyzed.

2. Create the possibility of a new or different kind of accident from any previously analyzed. Since there are no changes in the way the plant is operated, the potential for an unanalyzed accident is not created. No new failure modes are introduced.

3. Involve a significant reduction in a margin of safety. The changes do not affect the consequences of any accident previously analyzed and the change does not impact any safety system or protective boundary. Therefore, the change does not reduce the margin of safety.

The NRC staff has reviewed this analysis and based on this review, it appears that the three standards are satisfied. Therefore, the NRC staff proposes to determine that the application for amendment involves no significant hazards consideration.

Moreover, the Commission has provided guidance concerning the application of the standards in 10 CFR 50.92 by providing certain examples (March 6, 1986, 51 FR 7751) of amendments that are considered not likely to involve a significant hazards consideration. The changes proposed herein are enveloped by Example (ii), a change that constitutes an additional limitation, restriction or control not presently included in the Technical Specifications. The proposed changes will provide a higher level of protection than what was previously provided and represent an additional control not previously included in the Technical Specifications.

Local Public Document Room location: Russell Library, 123 Broad Street, Middletown, Connecticut 06457.

Attorney for licensee: Gerald Garfield, Esquire, Day, Berry & Howard, Counselors at Law, City Place, Hartford, Connecticut 06103-3499.

NRC Project Director: John F. Stolz

Duquesne Light Company, Docket No. 50-334, Beaver Valley Power Station, Unit No. 1, Shippingport, Pennsylvania

Date of amendment request: April 19, 1990

Description of amendment request: The proposed amendment would revise certain provisions in the Beaver Valley Power Station, Unit No. 1 Technical Specifications (TSs) relating to the heatup and cooldown rates and reactor coolant system pressure/temperature limits. Specifically, the proposed amendment would modify TS Figures 3.4-2 and 3.4-3. Additionally, the associated Bases Section 3/4.4.9 would be revised.

Basis for proposed no significant hazards consideration determination: The Commission has made a proposed determination that the amendment involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92(c), this means that the operation of the facility in accordance with the proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The Commission has evaluated the proposed changes against the above standards as required by 10 CFR 50.91(a) and has concluded that:

A. The changes do not involve a significant increase in the probability or consequences of an accident previously evaluated (10 CFR 50.92(c)(1)) The proposed operating limits account for the cumulative effects of radiation on the reactor pressure vessel material properties. The proposed limits have been developed using the methods presented in Regulatory Guide 1.99 (Rev. 2), which presents an approved method for determining the heatup/cooldown operational limits. Application of this regulatory guide ensures an adequate margin of safety to prevent non-ductile failure of the reactor pressure vessel.

B. The changes do not create the possibility of a new or different kind of accident from any accident previously evaluated (10 CFR 50.92(c)(2)) because application of Regulatory Guide 1.99 (Rev. 2) provides sufficient margin to ensure that the failure probability of the reactor pressure vessel is sufficiently low and can be excluded from consideration in accident analyses.

C. The changes do not involve a significant reduction in a margin of safety (10 CFR 50.92(c)(3)). The required margins for safety are specified by Appendix G to 10 CFR Part 50 and are maintained by the proposed amendment.

Local Public Document Room location: B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001.

Attorney for licensee: Gerald Charnoff, Esquire, Jay E. Silberg, Esquire, Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: John F. Stolz

Duquesne Light Company, Docket No. 50-412, Beaver Valley Power Station, Unit No. 2, Shippingport, Pennsylvania

Date of amendment request: April 2, 1990

Description of amendment request: The proposed amendment would revise the Technical Specifications to require inspection of the pressurizer code safety valves for potential valve damage following loop seal or water discharge. The plant would be required to be shut down after such an event and the affected valve be inspected for potential damage. This new action statement reflects the commitment specified in the staff's report on Beaver Valley Unit 1 safety/relief valves, dated September 13, 1989. This amendment is similar to Amendment No. 115, granted to Unit 1.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists in accordance with 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, (2) Create the possibility of a new or different kind of accident from any accident previously evaluated, or (3)

Involve a significant reduction in a margin of safety.

The new requirement is not the result of, or would lead to any design change. It will, however, require plant shutdown, disassembly and inspection of the subject valves. Since all activities affecting the valve(s) would occur after plant shutdown, and since the activities are not new, the staff has determined that the answers to the first two criteria are negative. Futhermore, the proposed amendment involves no change in design basis, and no safety analysis assumptions are changed. Hence, the answer to the third criteria is also negative. The staff, therefore, proposes to determine that the requested amendment involves no significant hazards consideration.

Local Public Document Room location: B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001.

Attorney for licensee: Gerald Charnoff, Esquire, Jay E. Silberg, Esquire, Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: John F. Stolz

Duquesne Light Company, Docket No. 50-412, Beaver Valley Power Station, Unit No. 2, Shippingport, Pennsylvania

Date of amendment request: April 16, 1990

Description of amendment request: The proposed amendment would revise the Technical Specifications to remove existing requirements on the reactor coolant resistance temperature detector (RTD) bypass system, and replace them with requirements on fast-response thermowell-mounted RTDs. The proposed change reflects a design change, when approved by the NRC, to eliminate use of the RTD bypass system.

To support this request, the licensee submitted Westinghouse topical report WCAP-1248, "RTD Bypass Elimination Licensing Report for Beaver Valley Unit 2," which describes the extensive analyses, evaluation and testing performed to ensure the new design meets all safety and regulatory requirements. The changes to the Technical Specifications would reflect the characteristics (e.g., response time) of the fast-response RTDs.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists in accordance with 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, (2) Create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) Involve a significant reduction in a margin of safety.

Failure of the RTDs is not assumed to be an accident precursor. However, their timely response has a direct impact on the consequences of accidents analyzed in the Final Safety Analysis Report (FSAR). The licensee stated that the new RTDs will have the same total response time (6 seconds) as the existing RTDs with their associated manifold bypass system. Since total RTD response times and system functions are not changed, there will be no significant increase in the probability or consequences of previously analyzed accidents.

The proposed change would involve elimination of the bypass system, which is part of the reactor coolant boundary. This change will be performed in a manner consistent with the applicable standards, will preserve the existing design bases, and will not adversely affect the qualification of any other plant systems. The new RTDs are of a proven design currently used at other plants (e.g., Beaver Valley Unit 1, Salem, Robinson). Therefore, no new accidents can be attributed to the new RTDs.

Finally, there is no change in design basis. The new design is expected to provide the same overall reliability, redundancy and diversity as the existing design. No accident assumptions will be relaxed or modified. Hence the answer to the last question is also negative.

The staff therefore proposes to determine that the requested amendment involves no significant hazards consideration.

Local Public Document Room location: B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001.

Attorney for licensee: Gerald Charnoff, Esquire, Jay E. Silberg, Esquire, Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: John F. Stolz

Duquesne Light Company, Docket Nos. 50-334 and 50-412, Beaver Valley Power Station Unit Nos. 1 and 2, Shippingport, Pennsylvania

Date of amendment request: April 4, 1990

Description of amendment request: The proposed amendment would revise certain administrative control requirements of the Technical Specifications (TSs) by replacing, where applicable, previous titles with new titles developed for the Nuclear Group organization. Specifically, the title Plant Manager would be changed to General Manager Nuclear Operations, the title Radiological Control Manager would be changed to Health Physics Manager, and the title Plant Safety Review Director would be changed to Onsite Safety Committee Supervisor. These changes would affect TS Sections 6.1, 6.2, 6.3, 6.5, 6.8, and 6.17. Additionally, TS Section 6.5 would be revised to provide for written notification to the next higher management level of disagreement between the Onsite Safety Committee and the General Manager Nuclear Operations.

Basis for proposed no significant hazards consideration determination: The Commission has made a proposed determination that the amendment involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92(c), this means that the operation of the facility in accordance with the proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The Commission has evaluated the proposed changes against the above standards as required by 10 CFR 50.91(a) and has concluded that:

A. The changes do not involve a significant increase in the probability or consequences of an accident previously evaluated (10 CFR 50.92(c)(1)) because the proposed changes merely change position or organization titles. The proposed changes do not diminish the lines of authority, communication, or responsibility of the organizational structure. The proposed changes do not involve changes to plant design or affect the manner by which the facility is operated.

B. The changes do not create the possibility of a new or different kind of accident from any accident previously evaluated (10 CFR 50.92(c)(2)) because they do not affect the manner by which the facility is operated. The proposed changes merely change position or organization titles.

C. The changes do not involve a significant reduction in a margin of safety (10 CFR 50.92(c)(3)) because the proposed changes do not affect the manner by which the facility is operated or involve equipment or features which

affect the operational characteristics of the facility.

Local Public Document Room location: B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001.

Attorney for licensee: Gerald Charnoff, Esquire, Jay E. Silberg, Esquire, Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: John F. Stolz

GPU Nuclear Corporation, et al., Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey

Date of amendment request: February 20, 1990, as revised April 11, 1990. The February 20, 1990 submittal was published in the Federal Register on March 21, 1990 (55 FR 10533)

Description of amendment request: The initial amendment dated February 20, 1990 requested to change the surveillance requirements of the Station Batteries. The revised amendment dated April 11, 1990 expands the Battery Testing revision and requests that the surveillance interval for battery service tests be changed from 18 months to 24 months.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), GPU Nuclear Corporation has determined that operation of the Oyster Creek Nuclear Generating Station in accordance with the proposed technical specifications does not involve a significant hazard. The changes do not:

1. Involve a significant increase in the probability or the consequence of an accident previously evaluated. The proposed surveillance interval does not involve any changes to the plant configuration, availability of safety systems or the manner in which they respond to initiating events, and, as such, will not increase the probability of an accident previously evaluated. The surveillance requirements will not alter the battery's response to an accident and, therefore will not increase the consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any previously evaluated. Revising the battery refueling outage surveillance interval does not involve any change to the plant configuration, nor does it change the availability of the batteries or the manner in which they respond to initiating events. As such, the possibility of a new or different kind of accident from any previously evaluated is not created.

3. Involve a significant reduction in a margin of safety. The weekly, monthly and 24 months outage battery surveillance requirements verify the availability and capability of these components and, therefore, do not represent a reduction in the margin of safety.

The staff has reviewed the proposed amendment and agrees with the licensee's determination that it does not involve a significant hazards consideration.

Local Public Document Room location: Ocean County Library, Reference Department, 101 Washington Street, Toms River, New Jersey 08753

Attorney for licensee: Ernest L. Blake, Jr., Esquire. Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: John F. Stolz

GPU Nuclear Corporation, et al., Docket No. 50-219, Oyster Creek Nuclear Generating Station, Ocean County, New Jersey

Date of amendment request: May 7, 1990

Description of amendment request: The amendment request proposes to remove APLHGR, LLHGR and MCPR cycle-specific limits. Add the requirements to develop and maintain a core operating limits report and submit a copy to the NRC upon issuance. Definitions supporting the change are also provided.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a) GPU Nuclear Corporation has determined that operation of the Oyster Creek Nuclear Generating Station in accordance with the proposed technical specifications does not involve a significant hazard. The changes do not:

1. Involve a significant increase in the probability or the consequence of an accident previously evaluated. There are no changes to plant configuration, availability of safety systems, the manner in which the safety systems are initiated or the way the plant is operated that will increase the probability or consequences of an accident.

2. Create the possibility of a new or different kind of accident from any previously evaluated. The proposed change does not alter the plant configuration, nor does it change the availability of safety systems or the manner in which they respond to initiating events. As such, the possibility of a new or different kind of accident from any previously evaluated is not created.

3. Involve a significant reduction in a margin of safety. The proposed limits will be based upon analysis results which were performed in accordance with methods and procedures approved by NRC for use at Oyster Creek, thus the margin of safety is not reduced.

The staff has reviewed the proposed amendment and agrees with the licensee's determination that it does not involve a significant hazards consideration.

Local Public Document Room location: Ocean County Library, Reference Department, 101 Washington Street, Toms River, New Jersey 08753

Attorney for licensee: Ernest L. Blake, Jr., Esquire. Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: John F. Stolz

Gulf States Utilities Company, Docket No. 50-458, River Bend Station, Unit 1 West Feliciana Parish, Louisiana

Date of amendment request: March 19, 1990

Description of amendment request: The amendment request would add new surveillance requirements to Technical Specification (TS) 4.9.6.2 for a new frame mounted auxiliary hoist on the fuel building fuel handling platform. The new hoist is scheduled to be installed prior to the third refueling outage scheduled for September 1990. The new auxiliary hoist is needed to allow moving control rods and the Inclined Fuel Transfer System (IFTS) fuel and control rod inserts from the IFTS area to their designated storage racks. The overload cutoff and normal uptravel stop interlock for lifting control rods would be added to TS 4.9.6.2. A keylock switch would be provided to allow bypassing the 500 pound load limit to a higher load limit (1000 pounds) to permit lifting the IFTS inserts. Administrative controls are proposed to control the new hoist when it is configured to lift 1000 pounds.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety. The licensee provided an analysis that addressed the above three standards in the amendment application.

1. The proposed change does not result in any significant increase in the probability or consequences of an accident previously evaluated because:

The only previously analyzed accident potentially affected by this change is the fuel handling accident, which is described in Section 15.7.4 of the USAR [Updated Safety Analysis Report]. The limiting event is defined as the drop of a channeled spent fuel bundle onto unchanneled spent fuel located

in the fuel building spent fuel racks. This event is assumed to occur as a result of failure of the fuel assembly lifting device. The addition of this hoist will not affect the previous analysis due to the following reasons:

* The hoist will not be used to transfer spent fuel thereby administratively precluding the limiting event;

* The analysis presented in 15.7.4 identifies the "dropped" assembly will have the largest numbered failed rods (100% or 62 rods) due to the bending mode of failure. In the struck assemblies only the tie rods (8 per assembly) are susceptible to the bending mode of failure. The remaining rods are only susceptible to the compression mode which requires 250 times the energy for each failure thereby greatly limiting further failures. Because the primary failure mode is bending and the stored assemblies have only a limited number of rods which can fail in this manner, the use of this hoist as proposed will not exceed the assumptions of the previous analysis.

* The weight of the inserts to be transferred by this hoist is less than the weight of the analyzed new fuel assembly, as is the dropped distance. Therefore, the total kinetic energy available for impact would be reduced for insert transfers.

The new frame mounted auxiliary hoist will be essentially the same design as is currently used on the refueling platform. Presently, the two platforms are structurally similar, except that the fuel handling platform presently does not have the frame mounted auxiliary hoist. Addition of the new hoist on the fuel handling platform will not result in non compliance with...previously established design requirements. The fuel handling platform will meet all seismic qualification requirements, ensuring no increased probability of platform failure, which could result in an accident condition.

Use of the new hoist to lift the IFTS [Inclined Fuel Transfer System] inserts does not result in any significant increase in the chances of a fuel handling accident occurring, as the IFTS inserts will only need to be moved a few times each outage, as compared to numerous fuel and control blade movements. Additionally, the weight of the inserts is well within the load capacity of the hoist. Therefore, using the hoist to lift the inserts does not increase the chances of failure of the lifting device, which is the assumed cause of the fuel handling accident. Administrative restrictions previously discussed, however, provide adequate assurance that the new hoist will not be used to lift new or spent fuel. However, lifting fuel with the new hoist would not result in any significant increase in the chances of a fuel handling accident occurring, as the hoist is designed to lift up to 1000 pounds, which is greater than the weight of a channeled fuel assembly (about 735 pounds).

The consequences of a fuel handling accident are discussed in Section 15.7.4 of the USAR. As discussed in the USAR, the most severe fuel handling accident is the drop of a channeled spent fuel bundle onto unchanneled spent fuel in the spent fuel racks in the fuel building. The proposed modification does not affect the results of that analysis, as none of the assumptions used to estimate the consequences of such an accident are affected. In addition, no new parameters are introduced, which would be applicable to the analysis and the addition of the new hoist on the fuel handling platform will continue to support all design requirements described in USAR Section 9.1.4, and 15.7.4, SER [Safety Evaluation Report] Section 9.1.4, Standard Review Plans 9.1.4 and 15.7.4, and Regulatory Guides 1.29 and 1.13. Therefore all conditions potentially generated by the addition of the new hoist are bounded by the original analysis.

2. The proposed change will not create the possibility of a new or different kind of accident than any previously evaluated because:

Installing a new hoist on the fuel handling platform is limited to a potential impact of the fuel building's fuel handling pool area only. The fuel handling accident, which is the only type of accident relating to the fuel handling pools, has been evaluated as documented in Section 15.7.4 of the USAR. No new accident scenarios are introduced by this change.

3. This proposed change would not involve a significant reduction in the margin of safety because:

Technical Specification 3/4.9.6 addresses operation of the fuel handling platform. The proposed change does not have any impact on any margins of safety as described in the basis section of that Technical Specification or other licensing documents. As discussed previously, the uptravel stop interlock and overload cutoff limits proposed are consistent with the other auxiliary hoist utilized to handle control rods. The capability to bypass the 500 pound control blade overload cutoff limit to a higher limit has been previously utilized in the monorail mounted auxiliary hoist on the fuel handling platform. This bypass capability, coupled with appropriate administrative restrictions does not result in a reduction of any margins of safety. It is therefore concluded, that no significant reduction of any margins of safety results from the proposed change.

The proposed change as discussed above, has not changed the system design, or operational requirements as discussed in the USAR and therefore, will not increase the probability or the consequences of a previously evaluated accident and will not create a new or different accident. Adequate assurance of correct hoist operation is maintained by design and administrative controls. Also, the results of the change are within acceptable criteria with respect to system components and design requirements. As a result, the ability to perform as described in the USAR is maintained and therefore, the proposed change does not result in a significant reduction in the margin of safety. Therefore, GSU [Gulf States Utilities] concludes that no significant hazards are involved.

The NRC staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. Accordingly, the Commission proposes to determine that the proposed amendment involves no significant hazards consideration.

Local Public Document Room location: Government Documents Department, Louisiana State University, Baton Rouge, Louisiana 70803

Attorney for licensee: Troy B. Conner, Jr., Esq., Conner and Wetterhahn, 1747 Pennsylvania Avenue, NW., Washington, DC 20006

NRC Project Director: Frederick J. Hebdon

Indiana Michigan Power Company, Docket Nos. 50-315 and 50-316, Donald C. Cook Nuclear Plant, Unit Nos. 1 and 2, Berrien County, Michigan

Date of amendments request: April 16, 1990

Description of amendments request: The proposed amendment would change the Unit 1 Technical Specifications (TS) by removing cycle-specific core operating limits from the TS and placing them into a cycle-specific Core Operating Limits Report (COLR). This change is in accordance with NRC Generic Letter 88-16. Additionally, the licensee proposes to remove surveillance requirement 4.1.1.4.1, which addresses the measurement of the moderator temperature coefficient (MTC), from the TS of both units, as this requirement is specifically addressed in the COLR submitted for each unit.

Basis for proposed no significant hazards consideration determination: 10 CFR 50.92 states that a proposed amendment will not involve a significant hazards consideration if the proposed amendment does not:

(i) Involve a significant increase in the probability or consequences of an accident previously evaluated; or

(ii) Create the possibility of a new or different kind of accident from any accident previously evaluated; or

(iii) Involve a significant reduction in a margin of safety.

The licensee has evaluated the proposed amendment against the standards of 10 CFR 50.92, and has determined the following:

Changes to Incorporate COLR:

Criterion 1

The moderator temperature coefficient limit, rod drop time, rod insertion limit, shutdown rod insertion limit, control rod insertion limit, axial flux difference operational limits, heat flux hot channel factor limit, and nuclear enthalpy rise hot channel factor limit are cycle-specific parameters. The removal of the cycle-specific parameter from the T/Ss has no influence or impact on the probability or consequences of a previously evaluated accident. The cycle-specific parameter limits, although not in the T/Ss, will be maintained in the COLR and referenced in the Cook Nuclear Plant T/Ss. The proposed amendment still requires the

same action to be taken if limits are exceeded as is required by current T/Ss. Future reloads will be evaluated using NRC-approved methodologies and will be examined per the requirements of 10 CFR 50.59. Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2

There is no physical alternation to any plant system, nor is there a change in the method by which any safety-related system performs its function. As stated above, the proposed change is administrative in nature. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

Criterion 3

The margin of safety is not affected by the removal of cycle-specific parameter limits from the T/Ss. The proposed amendment still requires operation from within the core limits as determined from the NRC-approved reload design methodologies. Appropriate actions will continue to be taken if limits are violated. The development of the limits for future reloads will continue to conform to those methods described in NRC-approved documentation. In addition, each future reload will involve a 10 CFR 50.59 review. Therefore, the proposed changes do not involve a significant reduction in the margin of safety.

Non-COLR Changes

Criterion 1

The proposed change to the Unit 1 MTC action directs the preparation of rod withdrawal limits, an action that would be required to avoid shutdown under the current Unit 1 T/Ss. Since operations are not affected, the probability or consequences of an accident previously evaluated are unaffected. The same is true of the deletion of surveillance 4.1.1.4.1. The extrapolation and/or compensation is removed from data reduction and addressed in the preparation of 300 ppm acceptance criterion. The extrapolation and/or compensation is not applicable to BOL measurements which are taken under conditions that are directly comparable to limits.

Criterion 2

Since specifying withdrawal limits and changing the manner in which test data are extrapolated results in no change in operations, a new or different kind of accident is not possible.

Criterion 3

Since specifying withdrawal limits and changing the manner in which test data are extrapolated does not result in a change in operations, there is no reduction in the margin of safety.

The staff has reviewed the licensee's no significant hazards analysis and concurs with the licensee's conclusions. Therefore, the staff proposes to determine that the requested changes do not involve a significant hazards consideration.

Local Public Document Room location: Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Attorney for licensee: Gerald Charnoff, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: Dominic C. DiIanni, Acting.

Niagara Mohawk Power Corporation, Docket No. 50-410, Nine Mile Point Nuclear Station, Unit No. 2, Scriba, New York

Date of amendment request: November 17, 1989 and April 26, 1990.

Description of amendment request: The licensee submitted an application dated November 17, 1989, for amendment of the Technical Specifications surveillance requirements for snubbers. The amendment proposed to modify the sampling plan for the periodic testing of snubbers and also included several other related changes. A notice of a proposed finding of no significant hazards determination regarding this application was published in the **Federal Register** on January 10, 1989 (55 FR 937). Subsequently, the licensee determined that one of the proposed changes in its November 17, 1989 application should be withdrawn and accordingly, withdrew it by letter dated April 26, 1990. The licensee had proposed in its November 17, 1989 application to add further specificity to the timing of the second visual inspection in TS 4.7.5.b by adding the phrase "(18 months 27 25%)" to the term "...first refueling outage." Since the submittal of the November 17, 1989 application the licensee has extended the date for the first refueling outage and the added phrase would no longer be correct. Accordingly, the licensee proposes to delete it. The staff finds the deletion of the phrase to be an editorial change which does not change the applicability of its initial proposed finding of no significant hazards consideration determination. Accordingly, the staff affirms that the earlier proposed finding, which is repeated below, remains applicable for the combined November 17, 1989 and April 26, 1990 submittals.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee provided the following analysis in its November 17, 1989 submittal:

(1) The proposed amendment does not involve a significant increase in the probability or consequence of an accident previously evaluated. Reducing the percentage of additional snubbers to be tested from 10% to 5% for "10 percent plan" does not undermine the effectiveness of this surveillance. The initial test remains the same and is sufficient to provide an adequate sampling of the snubbers. This change reduces the amount of additional testing without affecting the previously established confidence level.

Deleting the "reject" line from "37 plan" does not affect acceptance of the snubber population because snubbers must continue to be tested until the acceptance criteria are met or until all snubbers have been tested. Deletion of the "reject" line from the "37 plan" also makes the "55 plan" unnecessary. Statistical studies indicate that these changes do not reduce the previously established confidence level and thus have no affect on the structural integrity of the reactor coolant system and other safety related systems under dynamic loading. Hence the probability or consequence of previously evaluated accidents are not significantly increased.

(2) The proposed amendment does not create the possibility of a new or different kind of accident from any accidents previously evaluated because it involves no changes to system design bases or system function and does not introduce any new variables beyond those previously considered.

(3) The proposed amendment does not involve a significant reduction in the margin of safety. Although the proposed amendment does not involve changes in surveillance frequency or operating conditions, it does involve changes in surveillance methods and sample size but not individual acceptance criteria. However statistical evidence indicates that while the probability of acceptance of a bad snubber population under the proposed amendment still exists, it does not represent a significant reduction to the margin of safety.

Based on the above, the licensee proposes that the amendment will not involve a significant hazards consideration.

The staff has reviewed and agrees with the licensee's analysis of the significant hazards consideration determination. Based on the review and the above discussion, the staff proposes to determine that the proposed changes do not involve a significant hazards consideration.

Local Public Document Room location: Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Attorney for licensee: Mark Wetterhahn, Esq., Conner & Wetterhahn, Suite 1050, 1747 Pennsylvania Avenue, NW., Washington, DC 20006.

NRC Project Director: Robert A. Capra

Northeast Nuclear Energy Company, et al., Docket No. 50-423, Millstone Nuclear Power Station, Unit No. 3, New London County, Connecticut

Date of application for amendment: March 30, 1990

Description of amendment request: The proposed amendment would change the values in Technical Specification (TS) Table 3.3-4, "Engineered Safety Features Actuation System Instrumentation Trip Setpoints", associated with the steam generator water level setpoint.

Basis for proposed no significant hazards consideration determination: The Millstone Unit 3 Engineered Safety Features Actuation System (ESFAS) is provided with a "high-high" steam generator level setpoint (SG high-high) that, when actuated, provides a turbine trip and feedwater isolation. The purpose of the SG high-high trip is to prevent overfilling of the steam generators.

The proposed revised setpoint will lower the SG level (narrow range) at which a turbine trip and feedwater isolation will occur. The current trip setpoint is at 82% narrow range level. The proposed revised trip setpoint is 80.45% level. The proposed changes are necessary due to an increase in revised channel statistical allowances for abnormal environmental conditions. The associated values for total allowance (TA), statistical sum of errors excluding sensor and instrument rack errors (Z), sensor error (S), and allowable value for turbine trip and feedwater isolation on high-high SG water level would be changed accordingly.

Title 10 CFR 50.92, "Issuance of Amendment," contains standards for addressing the existence of no significant hazards consideration with regard to issuance of license amendments. In this regard, the proposed change to the SG high-high trip setpoint (and associated values) does not involve a significant hazards consideration because the change would not:

1. Involve a significant increase in the probability or consequences of an accident previously analyzed. The SG high-high trip is credited in terminating the excess feedwater event as described in Section 15.1.2, "Feedwater System Malfunctions that Result in an Increase in Feedwater Flow" of the Millstone Unit 3 FSAR. The revised setpoint assures that an isolation signal will be generated as assumed in the analysis. Therefore, the consequences of an increase in feedwater flow event are unaffected.

2. Create the possibility of a new or different kind of accident from any previously analyzed. The revised SG high-high trip is calculated using the currently approved Millstone Unit 3 (Westinghouse) setpoint methodology as described in WCAP-10991, "Westinghouse Setpoint Methodology for Protection Systems, Millstone Unit No. 3" which is also used to calculate the other trip setpoints in TS Table 3.3-4. Since the change in trip setpoint is minor, the projected course of the excess feedwater event will not change and a new type of accident will not occur.

3. Involve a significant reduction in a margin of safety. Since the proposed change to the SG high-high trip has no impact on the safety analysis, no safety margins are reduced.

Accordingly, the staff has made a proposed determination that the proposed change to the SG high-high trip setpoint and associated values as contained in TS Table 3.3-4 involves no significant hazards consideration.

Local Public Document Room location: Learning Resources Center, Thomas Valley State Technical College, 574 New London Turnpike, Norwich, Connecticut 06360.

Attorney for license: Gerald Garfield, Esquire, Day, Berry & Howard, City Place, Hartford, Connecticut 06103-3499

NRC Project Director: John F. Stolz

Philadelphia Electric Company, Docket No. 50-352, Limerick Generating Station, Unit 1, Montgomery County, Pennsylvania

Date of amendment request: May 16, 1990

Description of amendment request: The proposed amendment would revise Technical Specification (TS) Section 4.7.4b to allow a one-time extension of the visual inspection period for three small inaccessible snubbers in the drywell. In April 1989, during the second Unit 1 refueling outage, the required visual inspection of snubbers was performed in accordance with TS Section 4.7.4b. During this inspection, a mechanical snubber on a 2 inch drain line in the drywell was identified as having an alignment problem and was removed for functional testing and replaced with a new snubber. The results of the functional test and tear-down inspection indicated that the snubber was locked-up rigid due to internal corrosion. The snubber was classified as a visual inspection failure, and in accordance with TS Section 4.7.4b, the visual inspection frequency for the three snubbers on the associated system (the 2" drain line) was reduced from 18 to 12 months. Although the other two snubbers on the drain line had passed the visual inspection acceptance criteria, the licensee performed a re-inspection and evaluation of these two remaining snubbers. One of the snubbers (which had been replaced during the first refueling outage as part of the preventative maintenance program) successfully passed the hand stroke test and was classified as operable. The third snubber, which like the one classified as failed, had been installed on the system during construction. It was subjected to the various functional tests and marginally failed one test, in that the drag value in compression was 0.5% greater than the licensee's conservatively established acceptance level of 2.0%. This third snubber was also replaced with a new snubber, so that the system now has three relatively new snubbers.

Limerick, Unit 1 has operated continuously for over a year and is not scheduled to shutdown until the upcoming refueling outage, currently scheduled to begin in September 1990. The three snubbers which are the subject of this amendment, are located in the drywell, which is inerted with nitrogen during operation. The three snubbers are inaccessible without shutting down the plant, deinerting and purging the drywell. The licensee is requesting a one-time extension of the visual inspection period for these three small snubbers from July 14, 1990 to the end of the upcoming refueling outage, about three months of additional operation.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards determination exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has provided an analysis of no significant hazards considerations with the request for the license amendment. The licensee's analysis of

the proposed amendment against the three standards in 10 CFR 50.92 is reproduced below:

1. The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Lengthening the inspection interval for snubbers will not change the probability of accidents since snubbers do not cause accidents. Additionally, even though there may be slight reductions in local safety margins, the overall effects will be that the consequences of accidents previously evaluated will be unchanged.

2. The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed change only concerns extending [the] inspection period for certain snubbers. These snubbers, whether operable or inoperable, do not change plant operation and therefore the proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed change does not involve a significant reduction in a margin of safety.

Lengthening the inspection interval increases the chance that inoperable snubbers will go undetected for a longer period of time. This could result in a system that is not configured as designed (with regard to dynamic or rigid restraints), and there may be local increases in piping and support loads/stresses.

However, considering the fact that prior to startup for the current Unit 1 operating cycle, two of the affected snubbers were replaced with operable snubbers and the third affected snubber was tested and verified operable, there is a high confidence level that these three snubbers will not adversely affect Recirculation System operability. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The staff has reviewed the licensee's submittal and significant hazards analysis and concurs with the licensee's determination as to whether the proposed amendment involves a significant hazards consideration. Therefore, the staff proposes to determine that the proposed amendment involves no significant hazards consideration.

Local Public Document Room location: Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Attorney for licensee: Conner and Wetterhahn, 1747 Pennsylvania Avenue, NW., Washington, DC 20006

NRC Project Director: Walter R. Butler

Philadelphia Electric Company, Docket Nos. 50-352 and 50-353, Limerick Generating Station, Units 1 and 2, Montgomery County, Pennsylvania

Date of amendment request: April 26, 1990

Description of amendment request: The proposed amendments would change the Limerick, Units 1 and 2 Technical Specifications (TSs) to extend the surveillance test intervals (STIs) and allowable out-of-service times (AOTs) for instrumentation supporting the Reactor Protection System (RPS) and Emergency Core Cooling System (ECCS), including instrumentation common to the Control Rod Block Function (CRBF), the Reactor Core Isolation Cooling (RCIC) system, End-of-Cycle Recirculation Pump Trip (EOC-RPT) system, and the isolation instrumentation common to RPS and/or ECCS.

As part of the BWR TS Improvement Program, the BWR Owner's Group (BWROG) has submitted a number of licensing topical reports (LTRs) which have been reviewed and approved on a generic basis. In order to utilize the generic analysis, licensees must confirm the applicability of the generic analyses to the plant for which the TS changes are requested. Philadelphia Electric Company, the licensee, provided plant specific analyses prepared by the General Electric Company (GE) for Limerick 1 and 2 with the application. The NRC's Office of Nuclear Reactor Regulation has issued the following Safety Evaluations on specific topical reports. These Safety Evaluations, along with the plant specific analyses, will be the basis for evaluating the proposed changes to the Limerick 1 and 2 TSs:

1. Review of BWR Owners Group Reports NEDC-30844 and NEDC-30851P on Justification for an Extension of On-Line Test Intervals and Allowable Out-of-Service Time for BWR Reactor Protection Systems, July 15, 1987.

2. Review of BWR Owners Group Report NEDC-30851P, Supplement 1 on Justification for Extension of On-Line Test Intervals for BWR Control Rod Block Instrumentation, September 22, 1988.

3. Review of BWR Owners Group Report NEDC-30851P, Supplement 2 on Justification for Extension of Surveillance Test Intervals and Allowed Outage Times for BWR Isolation Instrumentation Common to RPS and ECCS Instrumentation, January 6, 1989.

4. Review of BWR Owners Group Report NEDC-30936P on Justification of Extending On-Line Test Intervals and Allowable Out-of-Service Times for BWR Emergency Core Cooling System Instrumentation, December 9, 1988.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards determination exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has provided an analysis of no significant hazards considerations with the request for the license amendment. The licensee's analysis of the proposed amendment against the three standards in 10 CFR 50.92 is reproduced below, with the exception that references to specific topical reports were deleted:

1) The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed TS changes increase the STIs and AOTs for actuation instrumentation supporting RPS, and ECCS, including instrumentation common to the CRBF, RCIC system, EOC-RPT, and isolation functions. In addition, an Index page revision is necessary to reflect the addition of LTR and SER references in the TS Bases, which caused the location of several TS Bases sections to change. There are no changes in any of the affected systems themselves. Since there are no such changes, there can be no change in the probability of occurrence of an accident or the consequences of an accident or the consequences of malfunction of equipment. Regarding the probability of malfunction of equipment, LTRs prepared by GE showed that for the RPS there is a reduction in scram frequency, but that in the ECCS case, there is a small increase in the unavailability of the water injection function. This increase in unavailability was judged acceptable by GE. The NRC, in its review of the LTRs, concurred with this conclusion. The changes proposed are consistent with these SERs with several additions. These additional changes are bounded by the analyses of [the topical reports]. Therefore the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2) The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed TS changes do not create the possibility for an accident or malfunction of a different type than any evaluated previously in the Final Safety Analysis Report (FSAR). The proposed changes increase the STIs and AOTs for the RPS and ECCS instrumentation, and common instrumentation, and revise an Index page to reflect the addition of references to the TS Bases. There are no changes in the RPS, ECCS or common systems themselves. Since there are no such changes, there is no possibility for an

accident or malfunction of a different type than any evaluated previously.

3) The proposed changes do not involve a significant reduction in a margin of safety.

The proposed TS changes do not reduce the margin of safety as defined in the basis for any TS. The proposed TS changes do not change any setpoints in the RPS or ECCS instrumentation, or common systems, or their levels of redundancy. Setpoints are based upon the drift occurring during the 18 month calibration interval. The proposed changes extend STIs and AOTs. The Bases in the TS either do not discuss STIs, or state "...one channel may be inoperable for brief intervals to conduct required surveillance." The proposed TS changes are bounded by the analyses in [the topical reports]. These analyses prepared by GE and reviewed and approved by the NRC examined the effects of extending STIs and AOTs and found that the proposed changes would not involve a significant reduction in a margin of safety.

The staff has reviewed the licensee's submittal and significant hazards analysis and concurs with the licensee's determination as to whether the proposed amendment involves a no significant hazards. Therefore, the staff proposes to determine that the proposed amendment involves no significant hazards consideration.

Local Public Document Room location: Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Attorney for licensee: Conner and Wetterhahn, 1747 Pennsylvania Avenue, NW., Washington, DC 20006

NRC Project Director: Walter R. Butler

Portland General Electric Company et al., Docket No. 50-344, Trojan Nuclear Plant, Columbia County, Oregon

Date of amendment request: October 7, 1988, supplemented by letter dated December 23, 1988

Description of amendment request: The proposed amendment is necessary in order to accurately describe the construction characteristics of the control room floor penetrations as they have existed since the facility was first constructed. The licensee is also requesting use of dedicated observers in lieu of security officers to compensate for safeguards degradations.

Basis for proposed no significant hazards consideration determination: 10 CFR 50.92 states that a proposed amendment will not involve a significant hazards consideration if the proposed amendment does not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

Based on the three criteria in 10 CFR 50.92, the proposed change for the Trojan Nuclear Plant does not involve significant hazards based upon the following considerations:

1. Does the proposed license change involve a significant increase in the probability or consequences of an accident?

The proposed changes do not involve a significant increase in the probability or consequences of an accident since there are not changes to any Plant systems or operating procedures. These changes only affect the stationing of compensatory security posts and the description of the control room floor penetrations. The security post changes are consistent with the provisions of Regulatory Guide 5.62, Revision 1, and NUREG-1045. The expanded description of the control room floor only clarifies the existing features of this barrier.

2. Does the proposed license change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated since the Plant design and operating procedures remain unchanged. These changes only address security practices and barriers.

3. Does the proposed license change involve a significant reduction in a margin of safety?

The proposed changes do not involve a significant reduction in a margin of safety since no change is made to the Plant design or operating procedures.

On the basis of the foregoing considerations, the staff proposes to determine that the requested changes do not involve a significant hazards consideration.

Local Public Document Room location: Portland State University Library, 731 S.W. Harrison Street, Portland, Oregon 97207

Attorney for license: Leonard A. Girard, Esq., Portland General Electric Company, 121 S.W. Salmon Street, Portland, Oregon 97204

NRC Project Director: Charles M. Trammell, Acting

Power Authority of the State of New York, Docket No. 50-333, James A. FitzPatrick Nuclear Power Plant, Oswego, New York

Date of amendment request: March 9, 1990

Description of amendment request: The proposed amendment would clarify the terminology used in Specification 3.9.B.3 to specify the Limiting Condition for Operation (LCO) when one of the diesel generators is out of service. The present LCO states that reactor operation may continue for seven days with one of the diesel generator systems inoperable (provided that certain requirements are met) and that the reactor must be placed in the cold shutdown condition within 24 hours if the condition lasts for seven days, unless one or both of the diesel generator systems is made operable sooner. The proposed amendment would replace the words "one or both" with "the affected" to clarify the terminology and meaning of the specification. In addition, this specification would be changed to replace the word "General" with "Generator" to correct a typographical error. The proposed amendment would also change Specification 4.9.B.3 by replacing the word "and" with "or" to indicate that only one of the listed specifications would be applicable.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has evaluated the proposed amendment against the standards provided above and has supplied the following information:

Operation of the James A. FitzPatrick Nuclear Power Plant in accordance with the proposed amendment would not involve a significant hazards consideration as defined in 10 CFR 50.92, since it would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed changes are purely editorial in nature and clarify the Technical Specifications. The proposed changes do not involve modification of any existing equipment, systems, or components; nor do they relax any administrative controls or limitations imposed on existing plant equipment. The changes do not impact previously evaluated accidents; nor do they affect safe plant operations.

2. Create the possibility of a new or different kind of accident from those previously evaluated. The proposed changes are purely editorial in nature. The changes do not involve modification to any of the plant's systems, equipment, or components; nor do they allow the plant to operate in an unanalyzed condition.

3. Involve a significant reduction in the margin of safety. The proposed changes are purely editorial in nature. The changes clarify the requirement to be in cold shutdown with an emergency diesel generator system inoperable. The existing surveillance requirements and allowable out-of-service times are unchanged by this proposed amendment. The availability and operability requirements imposed on the Emergency A-C Power Systems are, thus, unchanged. The changes do to involve any plant modifications, nor do they affect the Final Safety Analysis Report information regarding the emergency diesel generator systems.

The staff has reviewed and agrees with the licensee's analysis of the significant hazards consideration determination. Based on the review and the above discussion, the staff proposes to determine that the proposed change does not involve a significant hazards consideration.

Local Public Document Room location: State University of New York, Penfield Library, Reference and Documents Department, Oswego, New York 13126.

Attorney for licensee: Mr. Charles M. Pratt, 1633 Broadway, New York, New York 10019.

NRC Project Director: Robert A. Capra

Public Service Company of Colorado, Docket No. 50-267, Fort St. Vrain Nuclear Generating Station, Weld County, Colorado

Date of amendment request: April 26, 1990

Description of amendment request: This proposed amendment would delete requirements for shutdown margin assessments when nine or less fueled regions remain in the core during reactor defueling.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92(c). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The Public Service Company of Colorado (PSC) has submitted a no significant hazards consideration analysis in accordance with the requirements of 10 CFR 50.91 and 50.92. PSC's analysis of significant hazards consideration is summarized as follows:

The proposed amendment deletes requirements to perform shutdown margin assessments during defueling after nine fueled regions or less remain in the core.

K(eff) has been calculated to equal 0.95 when nine fueled regions remain in the core, assuming all control rods are fully withdrawn. However, during the remainder of the defueling process, a maximum of two control rod pairs will be removed from fueled regions at any one time in preparation for defueling those regions. The remainder of the control rod pairs will be fully inserted in the fueled regions. This results in a calculated k(eff) below 0.81. Therefore, the probability of an inadvertent criticality is not increased by elimination of shutdown margin assessment when nine fueled regions or less remain in the core.

Proposed changes to TS for Reactor Core Design Features will allow additional neutron sources to be installed after nine fueled regions or less remain in the core. This will enable a count rate indication above background noise levels to be maintained on the Startup Channel instrumentation. This aids in assuring Startup Channel operability. The maximum count rate seen by the Startup Channel detectors from these sources is limited by proposed TS to 50 counts per second. This ensures that any unexpected reactor criticality will be indicated on the Startup Channel instrumentation.

Based on the above evaluation, PSC concludes that the proposed changes will not involve a significant increase in the probability or consequences of an accident previously evaluated, create the possibility of a new or different kind of accident from any accident previously evaluated, or involve a significant reduction in a margin of safety.

The staff has reviewed the licensee's no significant hazards consideration determination and based on its review proposes to determine that the proposed changes do not involve significant hazards considerations.

Local Public Document Room location: Greeley Public Library, City Complex Building, Greeley, Colorado

Attorney for licensee: J. K. Tarpey, Public Service Company Building, Room 900, 550 15th Street, Denver, Colorado 80202

NRC Project Director: Seymour H. Weiss

Public Service Company of New Hampshire, Docket No. 50-443, Seabrook Station, Rockingham County, New Hampshire

Date of amendment request: April 23, 1990 as supplemented on April 26, 1990

Description of amendment request: The proposed amendment would revise Facility Operating License No. NPF-86 to allow the United Illuminating Company to enter into an arrangement for the sale and leaseback of a portion of their financial interest in Seabrook Station Unit 1 to certain equity investors. The License amendment would be subject to the condition that neither the owner trustee nor the equity investors could exercise any control, either directly or indirectly, over (i) Seabrook Station Unit 1, (ii) power and energy produced by Seabrook Station Unit 1, or (iii) the licensee of Seabrook Station Unit 1. Public Service of New Hampshire, through its New Hampshire Yankee Division, would continue its present responsibility as the sole licensee authorized to operate and maintain the plant and would remain exclusively responsible for all safety decisions.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility involves no significant hazards considerations if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; (2) Create the possibility of a new or different kind of accident from an accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee addressed the above three standards in the amendment application. In regard to the three standards, the licensee provided the following analysis:

(1) Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed amendment to the License to reflect the sale and leasback transaction does not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed amendment would not result in any physical changes to the facility, and all Operating Procedures, Limiting Conditions for Operation, Limiting Safety System Settings, and Safety Limits as specified in the Technical Specifications to Facility Operating License No. NPF-86 will remain unchanged. PSNH, through its New Hampshire Yankee Division, will continue to be responsible for the operation of the plant and there will be no changes made in the operating organization or the personnel as a result of the proposed sale and leaseback transaction.

(2) Use of the modified specification would not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed amendment to authorize a sale and leaseback transaction will not

create the possibility of a new or different kind of accident from any accident previously evaluated. The design and design bases of Seabrook Station Unit 1 remains unchanged. Accordingly, the current plant safety analyses will remain complete and accurate when addressing the licensing bases and in analyzing plant response and consequences. Additionally, the Operating Procedures, Limiting Conditions for Operation, Limiting Safety System Settings, and Safety Limits as set out in Technical Specifications for Facility Operating License NPF-86 will remain unchanged. Thus, the plant conditions for which the design bases and accident analyses were performed continue to be valid.

(3) Use of the modified specification would not involve a significant reduction in a margin of safety.

The proposed amendment of the License to authorize a sale and leaseback transaction will not involve a significant reduction in the margin of safety. The plant safety margins for Seabrook Station Unit 1 are established through Limiting Conditions for Operation, Limiting Safety System Settings, and Safety Limits, as contained in the Technical Specifications for Facility Operating License NPF-86. The proposed License amendment will effect no change in either the physical design of the plant or any of these safety margins as specified in the Technical Specifications, and there will, accordingly, be no change to any of the margins of safety.

As a result of the above analysis, it is concluded that the proposed License amendment complies with the standards contained in 10 CFR 50.92(c) and, therefore, the amendment, does not involve a significant hazards consideration.

The staff has reviewed the licensee's no significant hazards consideration determination analysis. Based upon this review, the staff agrees with the licensee's no significant hazards consideration.

Based upon the above discussion, the staff proposes to determine that the proposed change does not involve a significant hazards consideration.

Local Public Document Room location: Exeter Public Library, 47 Front Street, Exeter, New Hampshire 03833

Attorney for licensee: Thomas G. Dignan, Ropes and Gray, 225 Franklin Street, Boston, Massachusetts 02110

NRC Project Director: Richard H. Wessman

Public Service Electric & Gas Company, Docket Nos. 50-272 and 50-311, Salem Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

Date of amendment request: February 22, 1990

Description of amendment request: The proposed amendment revises Technical Specifications Section 3.1.1.4 for Salem Unit No. 1 and Section 3.1.1.3 for Salem Unit No. 2 and the associated bases. The amendment would change the end of life (EOL) negative moderator temperature coefficient (MTC). Specifically, the proposed changes will:

1. Change the most negative MTC limit from -3.8×10^{-4} delta k/k/° F (Unit 1) and from -4.0×10^{-4} delta k/k/° F (Unit 2) to -4.4×10^{-4} delta k/k/° F for both units.

2. Change the associated surveillance requirement (SR) MTC from -2.9×10^{-4} delta k/k/° F (Unit 1) and -3.1×10^{-4} delta k/k/° F (Unit 2) to -3.7×10^{-4} delta k/k/° F for both units.

3. Revise the Bases Sections for both units to account for these changes.

Basis for proposed no significant hazards consideration determination: The limitations on MTC are provided in the Technical Specifications to ensure that the value of this coefficient remains within the limiting condition assumed in the Final Safety Analysis Report (FSAR) accident and transient analysis. To demonstrate compliance with the most negative MTC limiting condition for operation (LCO), Technical Specification SR 4.1.1.4(b) (Unit 1) and 4.1.1.3(b) (Unit 2) call for the measurement of the MTC prior to the EOL (near 300 parts per million (ppm) equilibrium boron concentration). The hot full power (HFP) MTC becomes more negative with further core depletion and reduced boron concentration. The 300 ppm MTC SR value should be less negative than the EOL LCO limit. The 300 ppm SR value is selected to provide assurance that the EOL LCO limit will be satisfied when the 300 ppm surveillance requirement is achieved.

Evaluations of the moderator temperature coefficient have demonstrated that a change in the end of cycle life negative MTC limit is justifiable via Westinghouse Safety Evaluations WCAP-12451 (proprietary) and WCAP-12452 (non-proprietary). The licensee has indicated that the current limits are overly conservative when compared to the analysis assumptions. Salem Unit 1 will be required to perform the 300 ppm MTC SR measurement in the middle of July, 1990. Under the licensee's fuel strategy, the limits on MTC at EOL will be more negative than the existing 300 ppm surveillance criteria. This does not necessarily mean that the most negative MTC at EOL (LCO limit) would be exceeded or that the FSAR MTC would be exceeded. However, this would require an increase in the frequency of surveillance requirements to remeasure MTC once per 14 effective full-power days of operation for the remainder of the fuel cycle. Consequently, the repeated measurements are undesirable since they entail perturbations to normal reactor operations and may increase the likelihood of system upsets and plant trips.

The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility licensed under 10 CFR 50.22 involves no significant hazards consideration, if the operation of the facility is in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has analyzed the proposed amendment to determine if a significant hazards consideration exists:

1. Involve a significant increase in the probability or consequences of an accident previously analyzed.

The proposed change in the LCO limit from -3.8×10^{-4} [delta] k/k/° F (Unit 1) and from -4.0×10^{-4} [delta] k/k/° F (Unit 2) to -4.4×10^{-4} [delta] k/k° F still ensures that the accident analyses MDC is not exceeded. The proposed change in the surveillance limit from -2.9×10^{-4} [delta] k/k/[°]F (Unit 1) and from -3.1×10^{-4} [delta] k/k/[°]F (Unit 2) to -3.7×10^{-4} [delta] k/k/[°]F conservatively ensures that the LCO limit will not be exceeded.

2. Create the possibility of a new or different kind of accident.

There is no change in the plant design or in the operating procedures. Additionally, there are no new failure modes introduced by the proposed changes. Therefore, there can be no impact on plant response to the point where a different accident is created.

3. Involve a significant reduction in a margin of safety.

The proposed changes have no impact on the consequences of an accident or on any of the protective boundaries. Therefore, there is no significant reduction in any margin of safety.

The staff has reviewed the licensee's submittal and has determined that the proposed amendment does not involve a significant hazards consideration.

Therefore, the staff proposes to determine that the proposed amendment involves no significant hazards consideration.

Local Public Document Room location: Salem Free Public library, 112 West Broadway, Salem, New Jersey 08079

Attorney for licensee: Mark J. Wetterhahn, Esquire, Conner and Wetterhahn, Suite 1050, 1747 Pennsylvania Avenue, NW., Washington, DC 20006

NRC Project Director: Walter R. Butler

Public Service Electric & Gas Company, Docket Nos. 50-272 and 50-311, Salem Generating Station, Unit Nos. 1 and 2, Salem County, New Jersey

Date of amendment request: February 23, 1990

Description of amendment request: The proposed amendment revises Technical Specifications Tables 3.3-11 and 4.3-11 and Table Notation pages associated with Technical Specification 3.3.3.7, "Accident Monitoring Instrumentation" for Salem Unit Nos. 1 and 2. The proposed amendment would add the Reactor Vessel Level Instrumentation System (RVLIS) to Tables 3.3-11 and 4.3-11. The proposed changes to the Technical Specifications for RVLIS are to provide interim requirements until the RVLIS can be upgraded. In addition, the action statement for the Subcooling Margin Monitor (SMM) has been changed to meet the requirements of Generic Letter 83-37, "NUREG-0737 Technical Specifications." For Salem Unit 1, Tables 3.3-11a and 3.3-11b would be combined into a single Table 3.3-11.

Basis for proposed no significant hazards consideration determination: Subcooling margin monitors, core exit thermocouples (CET), and reactor vessel level indicator system may be used to provide indication of the approach to, existence of, and recovery from inadequate core cooling (ICC). The proposed changes will add technical specifications for instrumentation dealing with inadequate core cooling (ICC) in order to provide assurance that the RVLIS and SMM equipment are operated and maintained within acceptable limits. The proposed amendment is in response to NUREG-0737, Technical Specifications (TSs) guidance provided in Generic Letter (GL) 83-37 and an additional request (S. Varga to R. Uderitz, dated November 17, 1983) for TSs for ICC instrumentation.

The RVLIS provides additional information to the operator during postulated accident conditions; however, the RVLIS is not the only indicator of an approach to, or a recovery from a potential ICC event. The proposed amendment provides interim and final requirements for RVLIS. The interim requirements consist of an Action Statement that will allow for continued operation under the stipulation that SMM and CET are operable. After the RVLIS upgrade, the interim Action Statement's applicability would be terminated at the end of the 10th and 6th outage for Salem Unit Nos. 1 and 2, respectively, and the final Action Statements that are in agreement with GL 83-37 would be applicable.

The SMM provides information on the approach to a postulated ICC event via detection of coolant saturation conditions. The SMM will be upgraded during the 9th Refueling (Fall 1990) for Salem Unit 1 and 5th Refueling (Spring 1990) for Salem Unit 2. These changes are proposed in order to comply with the instrumentation redundancy requirements of NUREG-0737 and TSs requirements of GL 83-37.

The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility licensed under 10 CFR 50.22 involves no significant hazards consideration, if the operation of the facility is in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has analyzed the proposed amendment to determine if a significant hazards consideration exists:

1. Involve a significant increase in the probability or consequences of an accident previously analyzed.

The proposed change is associated availability of two information systems (RVLIS and SMM). In accordance with GL 83-37, RVLIS is being added to Technical Specifications and SMM requirements for availability are being changed to be more restrictive.

The requirements of GL 83-37 cannot be met until the RVLIS is upgraded. An interim requirement to address RVLIS in its present configuration will provide a method of monitoring RVLIS availability. The RVLIS upgrade will be completed during the Salem Unit 1 10th Refueling and Salem Unit 2 6th Refueling Outages.

2. Create the possibility of a new or different kind of accident.

The RVLIS and SMM are information systems that are being upgraded. The proposed changes are to monitor the availability of these systems. There are no new failure modes being introduced by the proposed changes. Therefore, there can be no impact on plant response to the point where a different accident is created.

3. Involve a significant reduction in a margin of safety.

The proposed changes are to monitor the availability of informational systems and have no impact on the consequences of an accident or any of the protective boundaries. Therefore, there is no reduction in any margin of safety.

The staff has reviewed the licensee's submittal and significant hazards analysis and concurs with the licensee's determination that the proposed amendment does not involve a significant hazards consideration. Therefore, the staff proposes to determine that the proposed amendment involves no significant hazards consideration.

Local Public Document Room location: Salem Free Public library, 112 West Broadway, Salem, New Jersey 08079

Attorney for licensee: Mark J. Wetterhahn, Esquire, Conner and Wetterhahn, Suite 1050, 1747 Pennsylvania Avenue, NW., Washington, DC 20006

NRC Project Director: Walter R. Butler

Southern California Edison Company, et al., Docket No. 50-206, San Onofre Nuclear Generating Station, Unit No. 1, San Diego County, California

Date of amendment request: April 19, 1990

Description of amendment request: By amendment Application No. 180, the licensee has proposed to modify the Technical Specifications for San Onofre Nuclear Generating Station, Unit No. 1, in a request designated Proposed Change No. 217. This change would reflect modifications being made to the 480 volt system during the Cycle XI refueling outage. The 480 volt system will be reconfigured from three buses and three Station Service Transformers (SST) to four buses and four SSTs.

The licensee proposes to make changes to the following sections of the Technical Specifications to reflect the system modifications:

Section 3.7, "Auxiliary Electrical Supply" would be revised to specify operability requirements for the new 480 volt system and to adopt train definition, MODE applicability, and action statements consistent with the Westinghouse Standard Technical Specifications to the extent practical.

Section 3.14, "Fire Protection," would be revised to reflect new equipment designations due to this change.

Section 4.1.1, "Operational Safety Items," would be revised to relocate surveillance requirements for Manual Transfer Switch 7 (MTS-7) to Section 4.4.

Section 4.4, "Emergency Power System Periodic Testing," will be revised to provide surveillance and testing requirements for the new components added by this change.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided the following no significant hazards consideration determination:

1. Will operation of the facility in accordance with this proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

RESPONSE: No

The proposed change will revise a portion of Section 3.7, "Auxiliary Electrical Supply," and associated surveillance and fire protection specification sections to reflect the 480 volt system modifications. The modifications consist of an addition of a new transformer to power a newly designated 480V bus, and the reconfiguration to four 480V buses to eliminate the potential overloading of the 480V main breakers and associated transformers as a result of worst case accident loading during a Safety Injection Signal (SIS) event without Loss of Offsite Power (LOP).

A manual transfer switch for MOV-883 and MOV-850C/MOV-358 UPS will be installed. The manual transfer switch will normally be powered from Train B with the provision for an alternate Train A source. Monthly surveillance requirements for the manual transfer switch to ensure that the alignment during normal operations is locked to Train B and that the breaker on Train A is locked open are provided in this proposed change. In addition, tie breakers between two redundant trains at the 480 volt system level will be eliminated. Thus, electrical separation will be improved to be more consistent with current regulatory guidelines. The bus voltage transient during a SIS event will also be reduced by this bus reconfiguration, reducing the potential delay in opening the safety injection valves and increasing the starting voltage on safety related motors.

LCO and associated action statements for vital buses and inverters, and for a manual transfer switch, MTS -7, will be provided by this change. Vital buses and associated inverters, and MTS-7 do not currently have an LCO and associated action statement. Changes in Section 3.7 incorporate train definition, MODE applicability, and language in the action statements consistent with the Westinghouse Standard Technical Specifications to the extent practical. The STS has been previously accepted by the NRC. Therefore, the proposed change will not involve a significant increase in the probability or consequences of any accident previously evaluated.

2. Will operation of the facility in accordance with this proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

RESPONSE: No

This proposed change does not result in the possibility of any failure modes or effects not previously evaluated. The 480 volt system modifications ensure that the function of the 480V electrical distribution system to supply power to the engineered safety features (ESF) loads is not adversely affected by a worst case accident loading condition. The ESF loads remain connected to the same electrical trains, and the post accident operation of existing ESF loads remain as before. In addition, the possibility of failures, which result in cross connecting electrical trains, is reduced by the deletion of the 480V tie breakers between redundant trains. The proposed change will ensure electrical separation is maintained during power operations; thus, the proposed change will decrease the potential for adverse electrical interactions. Therefore, the operation of the facility in accordance with the proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Will operation of the facility in accordance with this proposed change involve a significant reduction in a margin of safety?

RESPONSE: No

The proposed change will incorporate specification revisions associated with the 480 volt modifications, which will redistribute the loads on existing 480 volt buses to reduce the maximum loading conditions on the main breakers, cables, and transformers. The addition of a station service transformer and load redistribution at the 480 volt system level by splitting of the three 480V buses to four 480V buses limits the worst case loading combination to within the normal rating of the 480V main breaker, main feeders, and station service transformers.

The Cycle 10 Reload Safety Analysis specifically accounted for the degraded voltage conditions on the 480 volt buses as an increase in the safety injection delay in the LOCA and MSLB analyses which resulted in a higher peak cladding temperature (PCT) in a design basis LOCA. These modifications will decrease voltage transients on the safety related motors for valves and pumps during an accident condition; thus, the modifications will improve the PCT margin in a LOCA. The proposed change will provide specifications to ensure loading conditions remain within the normal ratings of the breakers, buses, and station service transformers for the worst case loading combination. Therefore, the operation of the facility in accordance with this proposed change will not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the analysis and, based on that review, it appears that the three criteria are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: General Library, University of California, P.O. Box 19557, Irvine, California 92713.

Attorney for licensee: Charles R. Kocher, Assistant General Counsel, and James Beoletto, Esquire, Southern California Edison Company, P.O. Box 800, Rosemead, California 91770.

NRC Project Director: John T. Larkins, Acting

Southern California Edison Company, et al., Docket No. 50-206, San Onofre Nuclear Generating Station, Unit No. 1, San Diego County, California

Date of amendment request: April 20, 1990

Description of amendment request: By Amendment Application No. 181, the licensee has requested NRC review and approval of Proposed Change No. 222. Proposed Change No. 222 is a request for NRC approval of modifications to the reactor vessel thermal shield support system and also requests an amendment to License Condition 3.M to require continued thermal shield monitoring during Cycle 11 operation, following the modifications.

The licensee proposes to modify the reactor vessel thermal shield support system to provide a design which is similar to but stronger than the original design. The modified support system is being proposed to correct deficiencies identified in the original design, which resulted in the unexpected degradation of the support system that was discovered during the Cycle 10 refueling outage.

The licensee also proposes the amend License Condition 3.M to require continued thermal shield monitoring during Cycle 11 operation after the thermal shield support system has been modified. The proposed license condition includes requirements to develop neutron noise and loose parts monitoring acceptance criteria, similar to that which was required for Cycle 10 operation.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided the following no significant hazards consideration determination:

1. Will operation of the facility in accordance with this proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

RESPONSE: No

Thermal Shield Monitoring

The replaced thermal shield support system is not expected to degrade. However, as a precaution, the thermal shield monitoring program will be continued for Cycle 11 operation. The monitoring methods proposed consist of neutron noise and loose parts monitoring. The equipment and procedures to be used are similar to those used in the Cycle 10 monitoring program.

The thermal shield monitoring acceptance criteria will be established by performing a baseline evaluation for 60 days at greater than 85 percent power following return to service for Cycle 11 operation. An interim monitoring acceptance criteria is not required because the thermal shield support system will not degrade significantly during the short period of the baseline evaluation.

Based on Cycle 10 experience, 60 days at greater than 85 percent power will provide sufficient time to establish a baseline and develop the acceptance criteria for Cycle 11 thermal shield monitoring.

The current monitoring program (License Condition 3.M) requires the plant be shut down to inspect the thermal shield in case of a seismic event of 0.25g or greater.

This requirement was imposed by the NRC due to the degraded condition of the thermal shield supports, and will not be needed for Cycle 11 operation because the new thermal

shield support system will be designed to withstand a seismic event of 0.67g, the design basis earthquake for SONGS 1.

This proposed change establishes the thermal shield monitoring program for Cycle 11 operation. The implementation of the monitoring program does not impact any of the plant's safety features including the condition of the thermal shield.

Thermal Shield Support System Replacement

The thermal shield support system replacement corrects a deficiency in the original design. Although degradation of the replacement thermal shield support system is not expected, analysis (presented to the NRC in March/April 1989) was performed to show that complete failure of all support blocks and flexures would not result in the thermal shield tilting or dropping out of position. Nevertheless, the postulated case of the thermal shield dropping or tilting was considered as an incredible "worst case" scenario, and it was shown that if the thermal shield were to drop, it would rest on the lower radial supports and that the normal core flow would not be significantly affected.

SCE has followed the Haddam Neck thermal shield event closely, and the lessons learned from the Haddam Neck experience have also been factored into the proposed design of SONGS 1 replacement thermal shield support system. Specifically, the dowel pins and bolts will be restrained either by locking nuts or deformed heads to prevent fasteners from backing out as was the case at Haddam Neck.

The replacement of the support system will restore the thermal shield to a condition stronger than the original and will correct an initial design deficiency, and the on-line monitoring will detect changes in the support system prior to substantial degradation. In addition, analysis of complete support system failure, which is considered to be incredible, has shown that normal core flow would not be significantly affected. Therefore, the operation of the facility in accordance with this proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Will operation of the facility in accordance with this change create the possibility of a new or different kind of accident from any accident previously evaluated?

RESPONSE: No

This proposed change provides for the monitoring of the condition of the thermal shield during Cycle 11 operation and provides the design and replacement plan for the thermal shield support system. As stated above, the implementation of the thermal shield monitoring system does not have any impact on plant safety systems and the operation of the thermal shield. Also, as stated above, the replacement of the thermal shield support system will correct an initial design deficiency, and the monitoring program will ensure the thermal shield will continue to function as intended. Therefore, operation of the facility in accordance with this change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Will operation of the facility in accordance with this proposed change involve a significant reduction in a margin of safety?

RESPONSE: No

As discussed in part 1 above, the thermal shield monitoring system does not have any effect on the operation of the thermal shield or any other plant safety system. The thermal shield is not expected to degrade following the replacement of the support system. However, the monitoring program, proposed for Cycle 11 operation, will ensure that the thermal shield will function as designed by providing early detection of degradation. Therefore, the implementation of the Cycle 11 thermal shield monitoring program and the replacement of the thermal shield support system does not impact a margin of safety.

The NRC staff has reviewed the analysis and, based on that review, it appears that the three criteria are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Local Public Document Room location: General Library, University of California, P.O. Box 19557, Irvine, California 92713.

Attorney for licensee: Charles R. Kocher, Assistant General Counsel, and James Beoletto, Esquire, Southern California Edison Company, P.O. Box 800, Rosemead, California 91770.

NRC Project Director: John T. Larkins, Acting

Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Callaway County, Missouri

Date of amendment request: March 6, 1990

Description of amendment request: The proposed amendment would add additional conditions to the Limiting Conditions for Operation to address flowpath requirements for the motor-driven and steam turbine-driven auxiliary feedwater pumps. It would also impose additional requirements to the Action Statements if any of the Essential Service Water (ESW) system valves to the steam turbine-driven auxiliary feedwater pump are inoperable or if one ESW loop is inoperable.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with a proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated, (2) Create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) Involve a significant reduction in a margin of safety.

The licensee has provided the following analysis of no significant hazards consideration using the Commission's standards.

The proposed additional ACTION Statements do not involve a significant increase in the probability or consequences of an accident previously evaluated. This change constitutes an additional limitation, restriction, or control not presently included in the technical specifications which is consistent with operability requirements of the AFW and ESW systems. The change provides a balance between single failure, seismic design, and pipe break criteria while satisfying our licensing commitments. The credit given to the non-seismic condensate storage tank is appropriately restricted. It does not affect the ability of the AFW System to perform its intended safety function. The change clarifies the operability determination for the existing ACTION Statements, and provides additional conditions for the Limiting Conditions for Operation.

The proposed additional ACTION Statements do not create the possibility of a new or different kind of accident from any previously evaluated. This is based on the fact that the method and manner of plant operation remains unchanged. The allowable outage time for an inoperable ESW supply valve to the turbine-driven AFW pump is consistent with that of Technical Specifications 3.7.1.2 and 3.7.4. There are no new failure modes or mechanisms associated with the proposed change. The change clarifies the operability determination for the existing ACTION Statements to remove confusion when an ACTION Statement is entered, and adds additional conditions to the existing Limiting Conditions for Operation.

The proposed additional ACTION Statements do not involve a significant reduction in a margin of safety. This is based on the fact that no plant design changes are involved. The change provides clarification for operability determination to the existing ACTION Statements, and adds additional conditions to the Limiting Conditions for Operation.

Based on the previous discussions, the licensee concluded that the proposed amendment request does not involve a significant increase in the probability or consequences of an accident previously evaluated; does not create the possibility of a new or different kind of accident from any accident previously evaluated; and does not involve a reduction in the required margin of safety.

The staff has reviewed the licensee's no significant hazards consideration determination and agrees with the licensee's analysis. The staff, therefore, proposes to determine that the licensee's

request does not involve a significant hazards consideration.

Local Public Document Room location: Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251 and the John M. Olin Library, Washington University, Skinker and Lindell Boulevards, St. Louis, Missouri 63130.

Attorney for licensee: Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 20037.

NRC Project Director: John N. Hannon

Virginia Electric and Power Company, Docket Nos. 50-280 and 50-281, Surry Power Station, Unit Nos. 1 and 2, Surry County, Virginia

Date of amendment requests: November 3, 1989, as supplemented April 27, 1990

Description of amendment requests: The proposed changes would modify the Control Rod Assemblies and Power Distribution Limits Section of the Surry Technical Specifications by providing allowed outage times and action statements in the event a control rod is determined to be inoperable. The proposed changes will eliminate the confusion associated with the existing inoperable control rod specification, and at the same time bring it in line with the Standard Technical Specifications.

Specifically, a reference to Section 3.12.C.1 to define inoperable control rods would be included, as well as the required action statement, if the TS requirement is exceeded. In TS 3.12.C.3, the intent of "out-of-service" is based on a rod control system problem (e.g., programming circuit) which would not prevent the rod from tripping. Therefore, the words "remain trippable" from the Standard Technical Specifications would be included. Finally, the existing action requirements would be replaced with similar words from the Standard Technical Specifications.

Basis for proposed no significant hazards consideration determination: The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety. The licensee provided the following evaluation:

Significant Hazards Consideration

Virginia Electric and Power Company has reviewed the proposed changes against the criteria of 10 CFR 50.92 and has concluded that the changes as proposed do not pose a significant hazards consideration. Specifically, the proposed change[s] [clarify] the Technical Specifications to reflect existing practice/[interpretation] by specifying when to commence a shutdown and the required completion time. Thus, operation of the Surry Power Station in accordance with the proposed changes will not:

1. Involve a significant increase in the probability of occurrence or consequences of any accident or malfunction of equipment which is important to safety and which has been evaluated in the [Updated Final Safety Analysis Report]. Operation of the [r]od [c]ontrol system has not changed and therefore the probability or consequences of an accident or malfunction have not increased. There is no adverse impact on the safety analysis since the rods remain trippable.

2. Create the possibility of a new or different type of accident from those previously evaluated in the safety analysis report. Physical plant modifications are not being made and plant operations are not being changed[;] consequently new accident precursors are not being generated. Therefore no new or different kind of accident is created.

3. Involve a significant reduction in the margin of safety. Plant operations are not being changed nor are any of the accident analysis assumptions being modified or exceeded by this change. Therefore, the accident analysis assumptions remain bounding and safety margins remain unchanged.

Based on the staff's review of the licensee's evaluation, the staff agrees with the licensee's conclusions as stated above. Therefore, the staff proposes to determine that the proposed amendments do not involve a significant hazards consideration.

Local Public Document Room location: Swem Library, College of William and Mary, Williamsburg, Virginia 23185.

Attorney for licensee: Michael W. Maupin, Esq., Hunton and Williams, Post Office Box 1535, Richmond, Virginia 23213.

NRC Project Director: Herbert N. Berkow

Washington Public Power Supply System, Docket No. 50-397, Nuclear Project No. 2, Benton County, Washington

Date of amendment request: April 18, 1990

Description of amendment request: It is proposed that the action statement for Technical Specification 3.3.7.5, "Accident Monitoring Instrumentation," be revised by adding the statement: "The provisions of specification 3.0.4 are not applicable." The action statement currently requires that "With one or more accident monitoring instrumentation channels inoperable, take the ACTION required by Table 3.3.7.5-1." Specification 3.0.4 states: "Entry into an operational condition or other specified condition shall not be made unless the conditions for the limiting condition for operation are met without reliance on provisions contained in the action requirements. This provision shall not prevent passage through or to operational conditions as required to comply with action requirements. Exceptions to these requirements are stated in the individual specifications."

Basis for Proposed No Significant Hazards Consideration Determination: The operability of the accident monitoring instrumentation ensures that sufficient information is available on selected plant parameters to monitor and assess important variables following an accident. This capability is consistent with the recommendations of Regulatory Guide 1.97 and NUREG-0737. These instruments are not required to perform any automatic function, and no specific credit is taken for their function in any accident analyses. Due to the passive function of these instruments and the operator's ability to respond to an accident utilizing alternate instruments and methods for monitoring, the licensee contends that it is appropriate to allow the operation of the unit, including startup and power increase into the run mode, provided the allowed outage time for an inoperable instrument is not exceeded.

The Commission has provided standards for determining whether a significant hazards consideration exists as stated in 10 CFR 50.92. A proposed amendment to an operating license for a facility involves no significant hazards considerations if operation of the facility in accordance with a proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) Involve a significant reduction in a margin of safety.

The licensee has evaluated this amendment request per 10 CFR 50.92 and determined that it does not represent a significant hazard because it does not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

This instrumentation provides no automatic function and does not serve to

maintain any plant condition assumed at the onset of, or as a precursor to, any accident. Therefore the probability of a previously evaluated accident is not increased.

The consequences of previously evaluated accidents are maintained by various engineered safety features. Operator response during an event is based on Emergency Operating Procedures and available information regarding plant status. The accident monitoring instrumentation is provided to assist the operator in this assessment. This amendment request does not modify this instrumentation or allow inoperable accident monitoring instrumentation to exist beyond the period allowed in the currently approved WNP-2 Technical Specifications. Allowing a start up to commence or continue without all the accident monitoring instrumentation operable, per this amendment request, does not increase the consequences of an accident beyond that which is allowed with these instruments inoperable at full steady state power. Changing plant conditions within the bounding conditions of previously analyzed accidents will not increase the accident's consequences beyond those previously analyzed.

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

As this instrumentation provides no automatic function and does not serve to maintain the plant condition, the change also does not create the possibility of a new or different kind of accident. Operation with inoperable accident monitoring instrumentation is currently approved for a limited period of time. Neither the operability requirements nor the allowed out-of-service time is being changed. Maintenance priorities for the inoperable accident monitoring equipment remain unchanged. Allowing a start up to commence or continue without all the accident monitoring instrumentation operable, per this amendment request, does not create the possibility of an accident different than that which has previously been evaluated with these instruments inoperable during continuous operation in startup or run mode. Changing plant conditions within the bounding conditions of previously analyzed accidents will not create the possibility of a new or different kind of accident.

3. Involve a significant reduction in a margin of safety.

The margin of safety maintained by the limited allowed out-of-service times for accident monitoring instrumentation remains unaffected. The maintenance priorities for inoperable accident monitoring instrumentation also remain unaffected. The action of commencing or proceeding with unit startup with this inoperable equipment does not significantly decrease the margin of safety compared to continuous operation in Startup or Run Mode.

The NRC staff has reviewed the licensee's analysis and based on that review, it appears that the three criteria are satisified. Therefore the staff proposes to determine that the amendment involves no significant hazards consideration.

Local Public Document Room location: Richland City Library, Swift and Northgate Streets, Richland, Washington 99352.

Attorneys for licensees: Nicholas S. Reynolds, Esq., Bishop, Cook, Purcell and Reynolds, 1400 L Street, NW., Washington, DC 20005-3502 and Mr. G.E. Doupe, Esq., Washington Public Power Supply System, P.O. Box 968, 3000 George Washington Way, Richland, Washington 99352.

NRC Project Director: John T. Larkins, Acting

PREVIOUSLY PUBLISHED NOTICES OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO OPERATING LICENSES AND PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The following notices were previously published as separate individual notices. The notice content was the same as above. They were published as individual notices either because time did not allow the Commission to wait for this biweekly notice or because the action involved exigent circumstances. They are repeated here because the biweekly notice lists all amendments issued or proposed to be issued involving no significant hazards consideration.

For details, see the individual notice in the **Federal Register** on the day and page cited. This notice does not extend the notice period of the original notice.

Arkansas Power & Light Company, Docket Nos. 50-313 and 50 368, Arkansas Nuclear One, Units 1 and 2, Pope County, Arkansas

Date of amendment request: May 4, 1990

Brief description of amendment request: The proposed amendment would revise the amendment conditions in License Amendment Nos. 128 and 102 dated December 14, 1989 to extend the effective date of license conditions by 90 days. The December 14, 1989 amendment approved the transfer of operations of Arkansas Nuclear One, Units 1 and 2 to the Entergy Operations, Inc.

Date of publication of individual notice in **Federal Register:** May 10, 1990 (55 FR 19682)

Expiration date of individual notice: June 11, 1990

Local Public Document Room location: Tomlinson Library, Arkansas Tech University, Russellville, Arkansas 72801

Louisiana Power and Light Company, Docket No. 50-382, Waterford Steam Electric Station, Unit 3, St. Charles Parish, Louisiana

Date of amendment request: May 4, 1990

Description of amendment request: The proposed amendment would revise the amendment conditions in License Amendment No. 60 dated December 14, 1989 to extend the effective date of license conditions by 90 days. The December 14, 1989 amendment approved the transfer of operations of Waterford 3 to the Entergy Operations, Inc.

Date of publication of individual notice in **Federal Register:** May 10, 1990 (55 FR 19685)

Expiration date of individual notice: June 11, 1990

Local Public Document Room Location: University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana 70122

The Cleveland Electric Illuminating Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, Toledo Edison Company, Docket No. 50-440, Perry Nuclear Power Plant, Unit No. 1, Lake County, Ohio

Date of application for amendment: March 30, 1990 revision of December 19, 1989 submittal.

Brief description of amendment request: The proposed revision to the previous submittal replaces the description of the Core Operating Limits Report which is to be added to the Technical Specification (TS), and modifies the description of fuel assemblies contained in the TS to indicate that fuel assemblies shall be limited to those designs approved by the NRC staff for use in boiling water reactors.

Date of individual notice in **Federal Register:** May 3, 1990 (55 FR 18690)

Expiration date of individual notice: June 4, 1990

Local Public Document Room location: Perry Public Library, 3753 Main Street, Perry, Ohio 44081.

NOTICE OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The

Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing in connection with these actions was published in the Federal Register as indicated. No request for a hearing or petition for leave to intervene was filed following this notice.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendments, (2) the amendments, and (3) the Commission's related letters, Safety Evaluations and/or Environmental Assessments as indicated. All of these items are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document rooms for the particular facilities involved. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Reactor Projects.

Arizona Public Service Company, et al., Docket No. STN 50-529, Palo Verde Nuclear Generating Station (PVNGS), Unit 2, Maricopa County, Arizona

Date of application for amendment: November 6, 1989

Brief description of amendment: The amendment revises those portions of the Technical Specifications regarding Shutdown Margin, Control Element Assembly Insertion Limits, Axial Shape Index, and Departure From Nucleate Boiling Ratio Margin, in support of Cycle 3 operation for Palo Verde, Unit 2.

Date of issuance: May 16, 1990

Effective date: May 16, 1990

Amendment No.: 34

Facility Operating License No. NPF-51: Amendment changed the Technical Specifications.

Date of initial notice in Federal Register: February 7, 1990 (55 FR 4261) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 16, 1990.

No significant hazards consideration comments received: No.

Local Public Document Room location: Phoenix Public Library, Business and Science Division, 12 East McDowell Road, Phoenix, Arizona 85004

Carolina Power & Light Company, et al., Docket No. 50-400, Shearon Harris Nuclear Power Plant, Unit 1, Wake and Chatham Counties, North Carolina

Date of application for amendment: May 5, 1989

Brief description of amendment: The amendment modifies the procedure for obtaining the gross radioactivity for the reactor coolant specific activity determination. Specifically, the note on Item 1 of Technical Specification (TS) Table 4.4-4 is deleted and the count described in Bases 3/4.4.8 will be performed in its place. This change will remove the gaseous activity determination from this gross activity determination.

Date of issuance: May 9, 1990

Effective date: May 9, 1990

Amendment No. 17

Facility Operating License No. NPF-63. Amendment revises the Technical Specifications.

Date of initial notice in Federal Register: July 12, 1989 (54 FR 29400) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 9, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Cameron Village Regional Library, 1930 Clark Avenue, Raleigh, North Carolina 27605.

Commonwealth Edison Company, Docket Nos. 50-295 and 50-304, Zion Nuclear Power Station, Unit Nos. 1 and 2, Lake County, Illinois

Date of application for amendments: July 18, 1989, as supplemented December 8, 1989.

Brief description of amendments: These amendments authorize removal of the Aircraft Fire Detection System from the Technical Specifications for Zion Units 1 and 2.

Date of issuance: May 9, 1990

Effective date: May 9, 1990

Amendment Nos.: 119 and 108

Facility Operating License Nos. DPR-39 AND DPR-48. Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: January 24, 1990 (55 FR 2434) The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 9, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Waukegan Public Library, 128 N. County Street, Waukegan, Illinois 60085.

Duke Power Company, Docket Nos. 50-369 and 50-370, McGuire Nuclear Station, Units 1 and 2, Mecklenburg County, North Carolina

Date of application for amendments: January 19, 1990

Brief description of amendments: The amendments revise the Technical Specifications by deleting an obsolete footnote, reducing the allowable air temperature in the control room, and correcting the extent of methyl iodide penetration for laboratory testing of charcoal adsorbers of the control area ventilation system.

Date of issuance: May 8, 1990

Effective date: May 8, 1990

Amendment Nos.: 108 and 90

Facility Operating License Nos. NPF-9 and NPF-17: Amendments revised the Technical Specifications.

Date of initial notice in Federal Register: March 7, 1990 (55 FR 8222). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 8, 1990.

No significant hazards consideration comments received: No.

Local Public Document Room location: Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina 28223

Florida Power and Light Company, et al., Docket Nos. 50-335 and 50-389, St. Lucie Plant, Unit Nos. 1 and 2, St. Lucie County, Florida

Date of applications for amendments: September 7, 1988 and April 4, 1989, as modified February 1, 1990 and April 24, 1990.

Brief description of amendments: These amendments revise the Technical Specifications (TS) in order to (1) achieve consistency throughout the TS, (2) remove outdated and/or fully satisfied material, (3) make minor text changes, (4) correct errors, and (5) delete the specific composition list for the Company Nuclear Review Board (CNRB), replacing it with a statement defining the requisite level of expertise.

Date of Issuance: May 8, 1990

Effective Date: May 8, 1990

Amendment Nos.: 102 & 45

Facility Operating License Nos. DPR-67 and NPF-16: Amendments revised the Technical Specifications.

Date of initial notices in **Federal Register:** October 19, 1988 (53 FR 40985) and May 31, 1989 (54 FR 23312) The February 1, 1990 letter modified the April 4, 1989 letter by (1) revising the proposed general statement for the CNRB after discussions with the NRC staff, and (2) withdrawing the request to revise the Independent Safety Engineering Group reporting and administrative requirements for St. Lucie Unit 2. The staff has granted the licensee's request for withdrawal. Also, by letter dated April 24, 1990, the licensee supplemented the February 1, 1990 letter in response to the staff's concern regarding the revised CNRB membership. However, the information provided in the February 1, 1990 and April 24, 1990 letters did not alter the staff's proposed no significant hazards consideration determination. The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 8, 1990.

No significant hazards consideration comments received: No.

Local Public Document Room location: Indian River Junior College Library, 3209 Virgina Avenue, Ft. Pierce, Florida 33450.

Gulf States Utilities Company, Docket No. 50-458, River Bend Station, Unit 1 West Feliciana Parish, Louisiana

Date of amendment request: November 17, 1989, as amended March 30, 1990, and April 16, 1990.

Brief description of amendment: The amendment removed certain cycle-specific parameter limits from the Technical Specifications (TSs) and relocated these limits into a Core Operating Limits Report (COLR) in accordance with guidance provided in Generic Letter 88-16 dated October 4, 1988. The applicable Bases sections of the TSs were also revised.

Date of issuance: May 9, 1990

Effective date: Sixty days from date of issuance.

Amendment No.: 42

Facility Operating License No. NPF-47. The amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** December 27, 1989 (54 FR 53207) The March 30, 1990, submittal deleted the proposed changes to Section 2 of the TSs that were requested in the original application and also deleted the associated proposed changes to Section 3. Editorial changes were also made to clarify references to the COLR. The April 16, 1990, submittal is an editorial change to TS 3/4.2.1.

The March 30, and April 16, 1990 submittals did not change the finding of the initial notice or the scope of the amendment request.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 9, 1990.

No significant hazards consideration comments received: No.

Local Public Document Room location: Government Documents Department, Louisiana State University, Baton Rouge, Louisiana 70803

Gulf States Utilities Company, Docket No. 50-458, River Bend Station, Unit 1 West Feliciana Parish, Louisiana

Date of amendment request: February 2, 1990

Brief description of amendment: The amendment modified the Technical Specification (TS) requirement to perform a simulated loss of offsite power test of the diesel generators (DGs) within 5 minutes of performing a 24 hour run. The revised TSs separated the requirement for the loss of offsite power test from the 24 hour run requirement. Stabilization of full load DG operating temperatures prior to initiating the loss of offsite power test has been added as a surveillance requirement. Additionally, an editorial change was made which deleted a footnote that allowed specific surveillances to be delayed coincident with completion of the first refueling outage.

Date of issuance: May 11, 1990

Effective date: May 11, 1990

Amendment No.: 43

Facility Operating License No. NPF-47. The amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** March 21, 1990 (55 FR 10535) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 11, 1990.

No significant hazards consideration comments received: No.

Local Public Document Room location: Government Documents Department, Louisiana State University, Baton Rouge, Louisiana 70803

Houston Lighting & Power Company, City Public Service Board of San Antonio, Central Power and Light Company, City of Austin, Texas, Docket Nos. 50-498 and 50-499, South Texas Project, Units 1 and 2, Matagorda County, Texas

Date of amendment request: January 25, 1989

Brief description of amendments: The amendments clarified potentially conflicting action statements between the Chemical Detection System and the Control Room Ventilation System.

Date of issuance: May 9, 1990

Effective date: May 9, 1990

Amendment Nos.: 15 and 5

Facility Operating License Nos. NPF-76 and NPF-80. Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** Unit 1 - February 14, 1989 (54 FR 6789); Unit 2 - February 7, 1990 (55 FR 4271). The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 9, 1990.

No significant hazards consideration comments received: No.

Local Public Document Rooms Location: Wharton County Junior College, J. M. Hodges Learning Center, 911 Boling Highway, Wharton, Texas 77488 and Austin Public Library, 810 Guadalupe Street, Austin, Texas 78701

Niagara Mohawk Power Corporation, Docket No. 50-410, Nine Mile Point Nuclear Station, Unit No. 2, Scriba, New York

Date of application for amendment: January 8, 1990

Brief description of amendment: This amendment revises the Technical Specifications, Section 6.2.2f., Unit Staff, and Note (e) in Table 6.2.2-1, Minimum Shift Crew Composition. This revision will allow Licensed Senior Operators Limited to Fuel Handling to supervise fuel handling activities and non-licensed operators to manipulate fuel handling equipment. This revision will also correct a typographical error in Table 6.2.2-1, Note (b).

Date of issuance: May 7, 1990

Effective date: May 7, 1990

Amendment No.: 14

Facility Operating License No. NPF-69: Amendment revises the Technical Specifications.

Date of initial notice in **Federal Register:** March 21, 1990 (55 FR 10542) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 7, 1990.

No Significant hazards consideration comments received: No

Local Public Document Room location: Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Niagara Mohawk Power Corporation, Docket No. 50-220, Nine Mile Point Nuclear Station, Unit No. 1, Oswego County, New York

Date of application for amendment: August 17, 1989

Brief description of amendment: This amendment revises Technical Specification Section 3/4.3.2, Table 3.3.2-2, to increase the Trip Setpoints

and Allowable Values for high absolute and differential temperature isolation instrumentation systems in the main steam tunnel.

Date of issuance: May 15, 1990

Effective date: May 15, 1990

Amendment No.: 15

Facility Operating License No. DPR-63: Amendment revises the Technical Specifications.

Date of initial notice in **Federal Register:** January 10, 1990 (55 FR 937) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 15, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Northeast Nuclear Energy Company, et al., Docket No. 50-423, Millstone Nuclear Power Station, Unit No. 3, New London County, Connecticut

Date of application for amendment: April 2, 1990

Brief description of amendment: The amendment modifies Action statement "c" of Technical Specification 3.7.12.1, "Fire Suppression Water System", to state that the provisions of Specification 3.0.3 and 3.0.4 are not applicable.

Date of issuance: May 15, 1990

Effective date: May 15, 1990

Amendment No.: 49

Facility Operating License No. NPF-49. Amendment revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: Yes (55 FR 14024 dated April 13, 1990). The notice provided an opportunity to submit comments on the Commission's proposed no significant hazards consideration determination. No comments have been received. The notice also provided for an opportunity to request a hearing by May 14, 1990, but indicated that if the Commission makes a final no significant hazards consideration determination any such hearing would take place after issuance of the amendment. The Commission's related evaluation of the amendment and final no significant hazards consideration determination is contained in a Safety Evaluation dated May 15, 1990.

Local Public Document Room location: Learning Resources Center, Thomas Valley State Technical College, 574 New London Turnpike, Norwich, Connecticut 06360.

Pacific Gas and Electric Company, Docket Nos. 50-275 and 50-323, Diablo Canyon Nuclear Power Plant, Units 1 and 2, San Luis Obispo County, California

Date of application for amendments: July 7, 1989 (Reference LAR 89-07)

Brief description of amendments: The amendments revised the Technical Specifications to revise the heatup and cooldown curves and delete the surveillance capsule withdrawal schedule.

Date of issuance: May 11, 1990

Effective date: July 11, 1990

Amendment Nos.: 54 and 53

Facilities Operating License No. DPR-80 and DPR-82: Amendments changed the Technical Specifications.

Dated of initial notice in **Federal Register:** August 9, 1989 (54 FR 32715) The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 11, 1990.

No significant hazards consideration comments received: No.

Local Public Document Room location: California Polytechnic State University Library, Government Documents and Maps Department, San Luis Obispo, California 93407.

Pacific Gas and Electric Company, Docket No. 50-133, Humboldt Bay Power Plant, Unit No. 3, Eureka, California

Date of application for amendment: January 18, 1990

Brief description of amendment: The amendment revises Technical Specifications (TS) Section VII, "Administrative Controls" to delete organization charts, change the membership and reporting relationship of the General Office Nuclear Plant Review and Audit Committee, and reflect other administrative changes.

Date of issuance: May 7, 1990

Effective Date: When issued.

Amendment No.: 24

Facility Operating License No. DPR-7: Amendment revised the license.

Date of initial notice in **Federal Register:** April 4, 1990, (55 FR 12597). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 7, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Eureka-Humboldt County Library, 421 I Street (County Court House), Eureka, California 95501.

Portland General Electric Company et al., Docket No. 50-344, Trojan Nuclear Plant, Columbia County, Oregon

Date of amendment request: November 13, 1989

Brief decription of amendment request: The amendment revises the Technical Specifications 3/4.7, "Component Cooling Water (CCW) System" and associated Bases. The CCW System operation is revised from a split-train configuration back to the original licensed cross-connected configuration of operation, with one CCW pump serving both safety-related flow paths and the common non-safety flow path.

Date of issuance: May 11, 1990

Effective date: May 11, 1990

Amendment No.: 159

Facilities Operating License No. NPF-1: Amendment revised the Technical Specifications.

Dated of initial notice in **Federal Register:** January 24, 1990 (54 FR 2443) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 11, 1990.

No significant hazards consideration comments received: No.

Local Public Document Room location: Portland State University Library, 731 S.W. Harrison Street, Portland, Oregon 97207.

NRC Project Director: John T. Larkins, Acting

Power Authority of The State of New York, Docket No. 50-286, Indian Point Unit No. 3, Westchester County, New York

Date of application for amendment: July 24, 1989, as supplemented December 20, 1989 and March 29, 1990.

Brief description of amendment: The amendment revises the Technical Specifications to permit operation with Hudson River (ultimate heat sink) water temperatures up to a maximum of 95° F and with containment temperatures up to a maximum of 130° F.

Date of issuance: May 7, 1990

Effective date: May 7, 1990

Amendment No.: 98

Facility Operating License No. DPR-64: Amendment revised the Technical Specifications.

Date of initial notice in **Federal Register:** August 4, 1989 (54 FR 32147) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 7, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: White Plains Public Library, 100 Martine Avenue, White Plains, New York, 10610.

System Energy Resources, Inc., et al., Docket No. 50-416, Grand Gulf Nuclear Station, Unit 1, Claiborne County, Mississippi

Date of application for amendment: February 9, 1990

Brief description of amendment: The amendment changes TS Table 3.3.7.9-1, Fire Detection Instrumentation, by renaming one room and by adding two new rooms and two smoke detectors, one for each room. These changes reflect the renovation of an existing room in the Control Building and the construction of a new snubber test facility in the Auxiliary Building.

Date of issuance: May 9, 1990

Effective date: May 9, 1990

Amendment No. 68

Facility Operating License No. NPF-29. This amendment revises the Technical Specifications.

Date of initial notice in **Federal Register:** April 4, 1990 (55 FR 12600) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 9, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Hinds Junior College, McLendon Library, Raymond, Mississippi 39154

Tennessee Valley Authority, Docket Nos. 50-327, Sequoyah Nuclear Plant, Unit 1, Hamilton County, Tennessee

Date of application for amendment: January 12, 1990 and the supplemental letter dated April 13, 1990 (TS 89-33)

Brief description of amendments: This amendment modifies the Sequoyah Nuclear Plant, Unit 1, Technical Specifications (Tss) to permit the use of the VANTAGE 5 Hybrid fuel at Unit 1 in the upcoming Operating Cycle 5. The unit is currently in the Cycle 4 refueling outage and is scheduled to restart from this outage to begin the Operating Cycle 5 in late May 1990.

The changes to the TSs are the following: (1) revise the TSs Bases for safety limits to refer to the WRB-1 correlation and to the associated safety analysis limit for departure from nucleate boiling ratio (DNBR); (2) revise TS 3.1.3.4 to incorporate a new rod drop time of less than or equal to 2.7 seconds; (3) revise TS 3.2.3 to delete the rod bow penalty as a function of burnup in the Nuclear Enthalop Hot Channel Factor equation, and delete Figures 3.2-3 and 3.2-4; (4) revise Table 3.2-1 and TS 3.2.5 to define the reactor coolant system (RCS) total flow rate limit, including uncertainties, to be 378,400 gallons per minute (gpm) for the departure from nucleate boiling parameters and add surveillance requirements for RCS total flow; and (5) revise the Bases for TSs 3.2.3, 3.2.5, and 3.4.1. The titles in the index for Section 3/4.2.3 and for Bases Sections 3/4.2.2 and 3/4.2.3 of the TSs are also revised.

Date of issuance: May 8, 1990

Effective date: May 8, 1990

Amendment No.: 138

Facility Operating Licenses No. DPR-77 Amendment revised the Unit 1 Technical Specifications.

Date of initial notice in **Federal Register:** February 7, 1990 (55 FR 4281) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 8, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Chattanooga-Hamilton County Library, 1001 Broad Street, Chattanooga, Tennessee 37402.

Tennessee Valley Authority, Docket No. 50-327, Sequoyah Nuclear Plant Unit 1, Hamilton County, Tennessee

Date of application for amendment: December 8, 1989 and the supplemental letter dated March 15, 1990 (TS 89-18)

Brief description of amendment: The amendments deletes Surveillance Requirement (SR) 4.5.2.d.1 of the Sequoyah Nuclear Plant, Unit 1, Technical Specifications (TSs). This SR required verification of the automatic isolation and interlock function of the residual heat removal (RHR) system which was used to protect the RHR system from the reactor coolant system (RCS) pressure when the RCS pressure is above 700 psi gauge. The autoclosure interlock (ACI) function is being removed from the RHR system for Unit 1 in the current Unit 1 Cycle 4 refueling outage. The application also proposed changes to the Unit 2 TSs. These changes will be issued for Unit 2 during the upcoming Unit 2 Cycle 4 refueling outage, scheduled to begin in October 1990, when the ACI function is to be removed from the RHR system for Unit 2. The Safety Evaluation for Unit 1 also applies to Unit 2.

Date of issuance: May 9, 1990

Effective date: May 9, 1990

Amendment No.: 139

Facility Operating Licenses No. DPR-77. Amendment revised the Unit 1 Technical Specifications.

Date of initial notice in **Federal Register:** January 24, 1990 (55 FR 2446) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 9, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Chattanooga-Hamilton County Library, 1001 Broad Street, Chattanooga, Tennessee 37402.

Tennessee Valley Authority, Docket No. 50-327, Sequoyah Nuclear Plant Unit 1, Hamilton County, Tennessee

Date of applications for amendment: January 12, 1990 (TS 89-25 and 89-26)

Brief description of amendment: This amendment revises the Sequoyah Nuclear Plan, Unit 1, Technical Specifications (TSs) to account for the removal of the upper head injection system (UHIS) and the deactivation of the boron injection tank (BIT) at Unit 1 during the current Unit 1 Cycle 4 refueling outage.

The changes to the TSs for UHIS removal delete TS 3/4.5.1.2 on the UHIS; revise Tables 3.4-1, 3.6-1, and 3.6-2 on the UHIS reactor coolant pressure isolation valves, penetrations, and containment isolation valves; revise the operability requirements in TS 3/4.5.1.1 on the cold leg injection accumulators; decrease the minimum flow rates in Surveillance Requirement (SR) 4.5.2.h for emergency core cooling systems; and revise TS 3/4.2.2 to reduce the peaking factor limit in the heat flux hot channel factor. This is TS Change Request 89-25.

For the BIT deactivation, the changes to the TSs increase the boron concentration in the refueling water storage tank in TSs 3/4.1.2.5, 3/4.1.2.6 and 3/4.5.5, increase the boron concentration in the cold leg injection accumulator in TS 3/4.5.1.1; delete TS 3/4.5.4 on the BIT system; and increase the minimum volume of the boric acid storage system in TS 3/4.1.2.6. In addition, the reference to the boron injection throttle valves will be changed to charging pump throttle valves in SR 4.5.2.g. This is TS Change Request 89-26. There are also changes to Bases of the affected TSs and the index of the TSs.

Date of issuance: May 11, 1990

Effective date: May 11, 1990

Amendment No.: 140

Facility Operating Licenses No. DPR-77 Amendment revises the Unit 1 Technical Specifications.

Date of initial notices in **Federal Register:** February 7, 1990 (55 FR 4279, TS 89-25 and 55 FR 4280, TS 89-25) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 11, 1990.

No significant hazards consideration comments received: No

Local Public Document Room location: Chattanooga-Hamilton County Library, 1001 Broad Street, Chattanooga, Tennessee 37402.

NOTICE OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE AND FINAL DETERMINATION OF NO SIGNIFICANT HAZARDS CONSIDERATION AND OPPORTUNITY FOR HEARING (EXIGENT OR EMERGENCY CIRCUMSTANCES)

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Because of exigent or emergency circumstances associated with the date the amendment was needed, there was not time for the Commission to publish, for public comment before issuance, its usual 30-day Notice of Consideration of Issuance of Amendment and Proposed No Significant Hazards Consideration Determination and Opportunity for a Hearing. For exigent circumstances, the Commission has either issued a **Federal Register** notice providing opportunity for public comment or has used local media to provide notice to the public in the area surrounding a licensee's facility of the licensee's application and of the Commission's proposed determination of no significant hazards consideration. The Commission has provided a reasonable opportunity for the public to comment, using its best efforts to make available to the public means of communication for the public to respond quickly, and in the case of telephone comments, the comments have been recorded or transcribed as appropriate and the licensee has been informed of the public comments.

In circumstances where failure to act in a timely way would have resulted, for example, in derating or shutdown of a nuclear power plant or in prevention of either resumption of operation or of increase in power output up to the plant's licensed power level, the Commission may not have had an opportunity to provide for public comment on its no significant hazards determination. In such case, the license amendment has been issued without opportunity for comment. If there has been some time for public comment but less than 30 days, the Commission may provide an opportunity for public comment. If comments have been requested, it is so stated. In either event, the State has been consulted by telephone whenever possible.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding and completion of any required hearing, where it has determined that no significant hazards consideration is involved.

The Commission has applied the standards of 10 CFR 50.92 and has made a final determination that the amendment involves no significant hazards consideration. The basis for this determination is contained in the documents related to this action. Accordingly, the amendments have been issued and made effective as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.12(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the application for amendment, (2) the amendment to Facility Operating License, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment, as indicated. All of these items are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room for the particular facility involved.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Reactor Projects.

The Commission is also offering an opportunity for a hearing with respect to the issuance of the amendments. By June 29, 1990, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the Local Public Document Room for the particular facility involved.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also

provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendments under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

Since the Commission has made a final determination that the amendment involves no significant hazards consideration, if a hearing is requested, it will not stay the effectiveness of the amendment. Any hearing held would take place while the amendment is in effect.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to (*Project Director*): petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

Duke Power Company, Docket Nos. 50-369 and 50-370, McGuire Nuclear Station, Units 1 and 2, Mecklenburg County, North Carolina

Date of application for amendments: May 9, 1990, as supplemented May 10, 1990

Brief description of amendments: The amendments revise the Technical Specifications by revising surveillance requirements with respect to the standard used for laboratory testing of the carbon adsorber in the filter of the Unit 1 Annulus Ventilation (VE) system, and by reducing the lower limit of the associated heat dissipation range for testing the Unit 1 VE system heaters. These changes were requested, and have been granted, on an emergency basis in order to avoid significant delays in the restart of McGuire Unit 1 and to ensure the continued ability of the VE system to achieve its post-accident design function. The changes for Unit 2 are only of an administrative nature because it shares a common Technical Specification document with Unit 1.

Date of issuance: May 11, 1990

Effective date: May 11, 1990

Amendment Nos.: 109 and 91

Facility Operating License Nos. NPF-9 and NPF-17: Amendments revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: No The Commission's related evaluation of the amendments, finding of emergency circumstances, and final determination of no significant hazards consideration are contained in a Safety Evaluation dated May 11, 1990.

Attorney for licensee: Mr. Albert Carr, Duke Power Company, 422 South Church Street, Charlotte, North Carolina 28242

Local Public Document Room location: Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina 28223

NRC Project Director: David B. Matthews

Dated at Rockville, Maryland, this 22nd day of May 1990.

For the Nuclear Regulatory Commission

Steven A. Varga,

Director, Division of Reactor Projects-I/II, Office of Nuclear Reactor Regulation

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SECURITIES AND EXCHANGE COMMISSION

Forms Under Review by Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash, (202) 272-2142

Upon Written Request, Copy Available From: Securities and Exchange Commission, Public Reference Branch 450 Fifth Street, NW., Washington, DC 20549

Revision: File No. 270-174—Rule 31a-2

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted for OMB approval an amendment to Rule 31a-2 under the Investment Company Act of 1940. Rule 31a-2 concerns preservation of records by registered investment companies and certain majority-owned subsidiaries thereof. Each of the 3,514 respondents currently incur an annual estimated 15.4 burden hours to comply with this requirement. The additional time necessary for respondents to comply with the rule's requirements, if the proposed amendment is adopted, would be minimal because the proposed amendments essentially would codify industry practice.

The estimated average burden hours are made solely for the purposes of the Paperwork Reduction Act, and are not derived from a comprehensive or even representative survey or study of the cost of SEC rules and forms.

Direct general comments to Gary Waxman at the address below. Direct any comments concerning the accuracy of the estimated average burden hours for compliance with SEC rules and forms to Kenneth A. Fogash, Deputy Executive Director, 450 Fifth Street, NW., Washington, DC 20549-6004, and Gary Waxman, Clearance Officer, Office of Management and Budget, Paperwork Reduction Project (3235-0179 for Rule 31a-2), Room 3208 New Executive Office Building, Washington, DC 20543.

Dated: May 23, 1990.

Jonathan G. Katz,

Secretary.

[FR Doc. 90-12479 Filed 5-29-90; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 34-28043; File No. SR-Amex-90-07]

Self-Regulatory Organizations; Filing and Immediate Effectiveness of Proposed Rule Change by American Stock Exchange, Inc. Relating to Limited Trading Permits Renewal Fee

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice if hereby given that on May 14, 1990, the American Stock Exchange, Inc. ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Amex, pursuant to Rule 19b–4 of the Act, submitted a proposed rule change to amend Article IV, section 1(j)(1) of its Constitution to authorize its Board to annually set the Limited Trading Permit ("LTP") renewal fee at a minimum of $2,000 and a maximum of $5,000 and to reduce the LTP renewal fee for the coming year.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(1) Purpose

The Exchange created thirty-six Limited Trading Pemits in May 1987. The permits entitle each LTP holder to trade as principal in all options listed on the Exchange except individual stock options. The Constitution specifies that each LTP is valid for a one year period, and is renewable annually upon payment of a $5,000 fee to the Exchange.

The Exchange has determined that a reduction in the LTP renewal fee for the year commencing May 14, 1990 is appropriate. Accordingly, the Exchange has amended Article IV, section 1(j)(1) of the Amex Constitution to provide that the LTP renewal fee will be determined by the Board from year to year, but may not be less than $2,000 nor exceed $5,000. The Exchange has also reduced the renewal fee to $2,000 ($500 per quarter) for this year. The Amex expects that the Board will return the fee to $5,000 per annum in furture years. LTP holders will continue to be subject to all other Exchange dues and fees.

(2) Basis

The proposed rule change is consistent with section 6(b) of the Act in general and furthers the objectives of section 6(b)(4) in particular in that it provides for the equitable allocation of reasonable dues, fees and other charges among its members and helps perfect the mechanism of a free and open market.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will impose no burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

The proposed rule change was approved by the Exchange's Board of Governors on April 12, 1990 and by the regular membership of the Exchange at a special meeting which was held on May 11, 1990. No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing rule change establishes or changes a due, fee, or other charge imposed by the Exchange it has become effective pursuant to section 19(b)(3)(A) of the Act and subparagraph (e) of Securities Exchange Act Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such action if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, veiws and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the porposed rule change that are filed with the Commission and all written communications relating to the proposed rule change between the Commission and any persons, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Amex. All submissions should refer to File No. SR–Amex–90–07 and should be submitted by June 20, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegate authority.

Dated: May 23, 1990.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90–12432 Filed 5–29–90; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 34-28033; File No. SR-CBOE-90-09]

Self-Regulatory Organizations; Proposed Rule Change by Chicago Board Options Exchange, Inc., Relating to Inactive Nominee Status

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on May 3, 1990, the Chicago Board Options Exchange, Incorporated ("Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is proposing to clarify and consolidate its rules governing nominees, individuals who are employed by member firms and sole proprietor owners of transferable memberships to conduct business on the trading floor and to represent the membership to conduct business on the

trading floor and to represent the membership to the Exchange; to create a new inactive nominee membership status; and to clarify the Rules governing membership application procedures. The text of the proposed rule change is attached as *Exhibit A* and is more fully described in Item II below.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

(1) Purpose

In an effort to clarify the rules governing nominees, a definition of the term is added to Rule 1.1, paragraph (mm); language pertaining to nominee accounts is deleted from Rule 3.3, and new Rule 3.8 is proposed (former Rule 3.8 is renumbered 3.9). Additionally, paragraph (c) is added to Rule 3.3 to make it clear that organizations that acquire membership pursuant to Article II, section 2.4 of the Constitution, are represented by the individual member who registered his or her membership for the organization, not a nominee.

Rule 3.8 consolidates Exchange rules and policies governing nominees and creates an inactive nominee membership status. Paragraph (a) requires that a member organization that own or leases its membership must appoint a nominee, who is authorized to represent the organization (previously in Rule 3.3) and incorporates in the Rules the Exchange policy that allows an individual owner of a transferable membership to appoint a nominee at his/her discretion. This paragraph also makes clear that the owner or lessee of the membership is liable for all claims against the membership arising out of the nominee's representation of the membership, including claims by the Exchange, claims by other members resulting from Exchange transactions and other security transactions and claims by other members resulting from such transactions for the nominee's own account.

Paragraph (b) of Rule 3.8 creates an inactive nominee membership status. The purpose of this membership status is to provide a "parking space" for approved nominees who would be immediately available to replace effective nominees in the event of unexpected illness, vacations or other absences. For the privilege of maintaining this "parking space" the member will be assessed a quarterly fee of $1000.

In practice, members utilizing nominees have used the special memberships, which are authorized in Article II, Section 2.1(d), to facilitate personnel changes and absences by changing nominees from special to regular memberships to avoid the delays of the application procedure. However, the special memberships will expire on June 1, 1990. Rule 3.8(b) is intended to fill the void created by the expiration. Members will be allowed to change the status of an individual from effective to inactive nominee upon written notification to the Membership Department and payment of the $100 change of status fee, which is the current charge assessed by the Exchange for other individual membership status changes.

The applicant for inactive nominee status must complete all membership application procedures and must pay the appropriate application fees. Upon approval by the Membership Committee, the applicant will remain eligible to become an effective member for 6 months. An inactive nominee will not have access to the trading floor unless such access is acquired through another capacity such as employment as a clerk.

Former Rule 3.8, Aplication Procedures and Approval or Disapproval, is renumbered Rule 3.9 and reorganized. Only the following, nonsubstantive amendments are made to the Requirements of this Rule. In order to allow sufficient time for the Membership Department to investigate an applicant and for the completion of other application procedures, a requirement is added that applications must be received no later than the first business day of the month in which the Membership Committee will consider the application.

For clarification purposes, language is added that sets forth the orientation and exam requirements for individuals seeking trading privileges.

Rule 3.10, Effectiveness of Member Applications, is amended to include the provision that applicants for inactive nominee status must become effective within 6 months of approval by the Membership Committee.

(2) Statutory Basis

The Exchange believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder, and, in particular, the proposed rule change is consistent with section 6(b)(2) of the Act, which provides that the rules of the Exchange are to be designed to provide that any registered broker dealer or person associated with a broker dealer may become a member, or associated with a member, of the Exchange; section 6(c)(3), which provides, among other things, that the Exchange may investigate and verify the qualifications of an applicant for membership or association with a member; and Section 6(b)(4), which requires the equitable allocation of reasonable fees.

(B) Self-Regulatory Organization's Statement on Burden on Competition

This proposed rule change will not impose a burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

Comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solication of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written

communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by June 20, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: May 22, 1990.

Jonathan G. Katz,

Secretary

Exhibit A—Text of the Proposed Rule Change

Additions are italicized; deletions are bracketed.

Rule 1.1. Definitions

(a) through (11) No change.

(mm) Nominee

The term "nominee" means an individual who is authorized by the owner or lessee of a regular, transferable membership, in accordance with Rule 3.8, to conduct business on the floor of the Exchange and to represent such owner or lessee in all matters relating to the Exchange. As long as a nominee remains effective, the nominee shall be deemed to be a member, subject to the provisions of the Constitution and Rules of the Exchange.

Rule 3.3. Qualifications of Member Organizations

(a) Memberships may be owned *or leased* by or registered for a corporation organized under the laws of one of the states of the United States or under other laws as the Board shall approve, or a partnership. The corporations or partnerships must be brokers or dealers registered pursuant to Section 15 of the Securities Exchange Act of 1934, as amended, except for corporations or partnerships that are lessors and that meet the qualifications for membership in accordance with these Rules.

(b) [Every member organization shall] *With* respect to each membership owned *or leased* by [it,] *a corporation or partnership, the membership organization must* designate an individual nominee [who shall be authorized to represent the organization with respect to such membership in all matters relating to the Exchange; only a nominee who has his employer's permission and who is registered broker/dealer can trade for his own account.] *in accordance with Rule 3.8, and Article II, Section 2.3 of the Constitution.*

(c) With respect to each membership registered for a corporation or partnership pursuant to Article II, Section 2.4 of the Constitution, the member organization shall be represented by the individual member who registered his/her membership for the organization.

Rule 3.8 Nominees

(a) *(1) Pursuant to Rule 3.3, every member organization that owns or leases a membership must authorize an individual nominee ("nominee"), as defined in Rule 1.1(mm), to represent the organization with respect to such membership in all matters relating to the Exchange. An individual owner or lessee of a transferable membership, at his or her discretion, may authorize a nominee to represent his or her membership in all matters relating to the Exchange.*

(2) The member or member organization represented by a nominee shall guaranty all obligations arising out of such nominee's representation of the member or member organization in all matters relating to the Exchange. The guaranty shall include all obligations to the Exchange and all obligations to other members or member organizations resulting from Exchange transactions or transactions in other securities, including such transactions for the nominee's own account as authorized in Paragraph (a)(4)(C) of this Rule.

(3) The authorization and guaranty required in Paragraphs (a)(1) and (2) of this Rule shall be on a Form or forms prescribed by the Exchange and filed with the Membership Department.

(4) The following requirements shall apply to all nominees:

(A) A nominee must be approved for membership in accordance with the Rules of the Exchange.

(B) A nominee may perform floor functions only on behalf of the member or member organization for which he is authorized.

(C) Notwithstanding the provisions of paragraph (B) above, a nominee, who is a registered broker/dealer, may trade for his/her own account; provided that the nominee has the prior written approval of the owner or lessee of the membership and the Market Surveillance Department of the Exchange. Such approval shall be filed with the Membership Department.

(b) (1) A member or member organization may designate an individual as an "inactive nominee". The member or member organization shall pay a fee, as determined by the Board, for the privilege of maintaining the inactive nominee status.

(2) The following requirements shall apply to inactive nominees:

(A) To be eligible for inactive nominee status, an individual must be approved for membership in accordance with the Rules of the Exchange.

(B) An inactive nominee shall have no rights or privileges of membership and shall have no right of access to the trading floor of the Exchange, unless and until said inactive nominee becomes an effective member pursuant to Rule 3.10, and all applicable Exchange fees are paid.

(C) If an inactive nominee does not become an effective member within six (6) months of approval by the Membership Committee, or if at any time an individual remains an inactive nominee for six (6) consecutive months, the individual's eligibility for membership will be terminated. In order to again become eligible for membership or inactive nominee status, the individual must reapply for membership pursuant to Rule 3.9.

[Rule 3.8 Application Procedures and Approval or Disapproval

Every individual or organization applying to become a member shall complete an application and shall file it with the Membership Department. All applications shall be filed together with such application fees and such additional documents as may be required by the Exchange. Application fees are not refundable.

Within a reasonable time following receipt of an application for membership, the Membership Department shall mail to all members the name of the applicant and the name of the nominee of an applicant organization. A notice containing the same information shall be posted by the Membership Department on the Exchange bulletin board. If the application process is not completed within six months of the filing of the basic application form and the appropriate fee, the application automatically shall be withdrawn.

Before an application is considered by the Membership Committee, every individual applicant and, in the case of applicant organizations, all persons associated with the member organization, shall be investigated by the Membership Department, and the applicant shall be approved to perform

in at least one of the recognized capacities of a member as stated in paragraph (b) of Rule 3.1. Individual applicants and associated persons may be required to appear in person before the Membership Committee or a subcommittee thereof.

After the notice of application has been posted for at least 10 days and after the application process is complete, the Membership Committee shall vote on the approval or disapproval of the application, unless there is just cause for delay.

Approval of an application requires a vote of the majority of the members of the Membership Committee then in office. Written notice of the action of the Membership Committee, specifying in the case of disapproval of an application the grounds therefore, shall be provided to the applicant.]

Rule 3.9 Application Procedures and Approval or Disapproval

(a) Every individual or organization applying to become a member and every individual applying to become a nominee of a member or member organization shall file an application with the Membership Department no later than the first business day of the month during which the application will be considered by the Membership Committee. All application fees must be filed with the application. Application fees are not refundable.

(b) Within a reasonable time following receipt of an application for membership, the name of the applicant shall be published in the Exchange Bulletin and posted on the Exchange Bulletin Board.

(c) Before an application is approved by the Membership Committee:

(1) Every individual applicant and, in the case of applicant organizations, all persons associated with the organization, shall be investigated by the Membership Department, and the applicant shall be approved to perform in at least one of the recognized capacities of a member as stated in paragraph (b) of Rule 3.1. The applicant shall file with the Membership Department any additional documents that may be required by the Exchange.

(2) An applicant seeking trading privileges shall have completed the requirements of Rule 6.71, Registration of Floor Brokers, or Rule 8.2, Registration of Market-Makers, including attending the New Member Orientation Program and taking the Floor Member Qualification Exam.

(3) The name of the applicant shall have been posted on the Exchange Bulletin Board for at least 10 days.

(d) If the application process is not completed within six (6) months of the filing of the application form and the appropriate fee, the application shall be deemed to be automatically withdrawn.

(e) Upon completion of the application process, the Membership Committee shall consider and vote on the approval or disapproval of the application, unless there is just cause for delay. Individual applicants and persons associated with applicant organizations may be required to appear in-person before the Membership Committee or a subcommittee thereof. The Committee may also require any member or person associated with a member organization who may possess information relevant to the applicant's suitability for membership to provide information or testimony.

(f) Approval of an application requires a vote of the majority of the members of the Membership Committee then in office. Written notice of the action of the Membership Committee, specifying in the case of disapproval of an application the grounds therefore, shall be provided to the applicant.

Rule 3.10. Effectiveness of Membership Applications

Applicants [approved by the Membership Committee] must become effective *members* within 90 days *of the date of approval by the Membership Committee; provided that applicants for inactive nominee status must become effective members within 6 months.* [and] *Applicants* shall become effective as follows[.]:

(i) through (iii) are redesignated (a), (b) and (c); however, no change is made to the text.

(d) [(iv)] A nominee applicant shall become effective when [his employer purchases and pays for or has transferred to him or it an Exchange membership. If the nominee will be using a membership already owned or leased by the member, the member must notify] *the owner or lessee of a regular transferable membership notifies* the Membership Department in writing that the nominee should become effective on a specific date on a specific membership.

* * *

The Exchange has determined to charge a member a quarterly fee of $1000 for the privilege of utilizing the inactive nominee membership status. A charge of $100 will be assessed each time a specific nominee's status is changed.

[FR Doc. 90-12434 Filed 5-29-90; 8:45 am]
BILLING CODE 9010-01-M

[Rel. No. 34-28032; File No. SR-DGOC-90-04]

Self-Regulatory Organizations; Delta Government Options Corporation; Filing and Order Granting Partial Accelerated Approval of a Rule Change Regarding Various Enhancements to Delta's Systems

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on May 18, 1990, Delta Government Options Corporation ("Delta") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Delta is filing herewith a proposed rule change revising Delta's procedures to: (i) Provide for voluntary withdrawal; (ii) provide a mechanism to net obligations in the event of a default or insolvency, (iii) provide for rapid distribution of reports through an electronic computer interface, (iv) streamline time references, (v) avoid costly wiring of de minimus margin amounts, (vi) assure participants of Delta's intention to handle settlements expeditiously, (vii) redefine business day to those days on which the government securities dealers are open in New York and (viii) permit Delta to change quickly pricing sources without adversely affecting the quality of the information furnished to Delta's participants.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

a. The purpose of the proposed rule changes is to implement eight miscellaneous provisions for more effective operation of Delta's over-the-counter options trading system ("System").

b. The first proposed rule change sets forth a mechanism for voluntary withdrawal by a participant. Generally, a participant in the System may withdraw by written notice to Delta, the clearing bank for the System and RMJ Options Trading Corporation. Withdrawal is effective upon acceptance for clearance of closing transactions for all open option positions of the withdrawing participant.

The second proposed rule change is intended to reduce the risk of "cherry picking" in the event of a bankruptcy or insolvency proceedings involving a participant or Delta, by requiring the netting of all obligations in respect of option contracts between a participant and Delta in the event of a default by either under any option contract.

The third change is intended to provide for more efficient and reliable distribution of trade reports, confirmations, and, most significantly, exercise notices [1] by requiring participants to have available computer and communications equipment capable of enabling computer receipt and transmission of data and initiation and confirmation of exercise notices.

The fourth change is intended to clarify all time references as being Eastern Standard Time.

The fifth change is intended to remove the administrative and financial burden associated with moving small amounts of funds via the Fedwire system both to and from the system.

The sixth change is intended to ensure participants of Delta's intent to promptly turnaround the funds or securities it receives in respect of settlement of exercised option contract.

The seventh change conforms the days on which the System is open for trading and other activity to days on which prices on treasury securities underlying option contracts are available. At present, the change would exclude one day during the year not already excluded from the definition of business day, *i.e.*, the Friday before Easter Sunday.

The last change would permit Delta to change the reporting source for closing prices upon announcement of the change to all participants.

The proposed rule changes are consistent with the requirements of the Act and the rules and regulations thereunder applicable to Delta because they will permit more efficient utilization of the System.

B. Self-Regulatory Organization's Statement of Burden on Competition

Delta does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Delta has not solicited or received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Delta has requested accelerated approval of that portion of its proposed rule change that would permit Delta to change its reporting source for closing prices upon announcement of the change to its participants. In this regard, the Commission notes that the prompt receipt of accurate pricing information is important to Delta's operations because Delta uses this information to value its participants' positions and calculate their margin obligations. Consequently, in light of the significance of this information, as well as the need for Delta to maintain the efficient and orderly operation of the System, the Commission believes "good cause" exists, pursuant to section 19(b)(2) of the Act, for approving this portion of Delta's proposal prior to the 30th day after the date of publication of notice of the filing thereof.

With respect to the remainder of Delta's proposed rule change, the Commission will, within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes it reasons for so finding or (ii) as to which the self-regulatory organization consents:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to file number SR–DGOC–90–04 and should be submitted by June 20, 1990.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change (SR–DGOC–90–04) be, and hereby is, partially approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: May 22, 1990.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90–12390 Filed 5–29–90; 8:45 am]

BILLING CODE 8010–01–M

[1] Currently, all option contracts traded through Deltas' system are subject to exercise on any day except the business day preceding expiration on the Saturday following the third Friday of each month. *See* Delta Rule 1003. Delta has filed rule changes with the Commission which provide that options traded through Delta's system will expire on either the first or third Friday of each month and will be subject to an abbreviated exercise procedure between 2 p.m. and 5 p.m. on the expiration date. *See* Securities and Exchange Act Release Nos. 27795 (March 21, 1990), 55 FR 10566 and 27864 (March 30, 1990), 55 FR 12975.

[Rel. No. 34–28041; File No. SR–NASD–90–28]

Self-Regulatory Organizations; Proposed Rule Change by National Association of Securities Dealers, Inc., Relating to Use and Disclosure of Member Names

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on April 26, 1990, the National Association of Securities Dealers, Inc. ("NASD") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items, I, II, and III below, which Items have been prepared by the NASD. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change to Article III, section 35 of the NASD's Rules of Fair Practice establishes general and specific standards governing the manner in which member names must be disclosed in communications with the public, including letterheads and business cards.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the NASD included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The NASD has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

Background

Article III, section 35 of the NASD Rules of Fair Practice governs members' communications with the public. Among the standards set forth in the rules are requirements that all advertising and sales literature contain the name of the NASD member and that no material fact be omitted if the omission would cause the communication to be misleading. In recent years, nonmember entities, such as financial planners, insurance companies, banks, and thrift institutions, have increasingly become involved in the securities field. As a consequence, the names of both NASD member firms and nonmember entities often appear in a single advertisement or item of sales literature. Sometimes, communications that have included the names of both member and nonmember entities have done so in ways that made it difficult for members of the public to identify which entity was actually offering securities. Similar problems have arisen when an individual affiliated with member and nonmember entities is named in public communications, but the nature of the individual's relationships with named member and nonmember entities is left unclear. A related problem that has also developed during recent years stems from some members' use of fictitious names or variations upon member names. Once again, this practice can make it difficult for members of the public to determine the identify of the NASD member with which they are dealing.

The recurrent problems in this area can be divided into five broad categories. Generally speaking, problems of public confusion have tended to occur when: (1) NASD members conduct business under a fictional or "doing business as" ("DBA") name rather than the name set forth on their Forms BD; (2) members use "generic" names that are to promote certain areas of the firm's business or to promote name recognition; (3) the term "division of" is used to distinguish those divisions of the member that conduct specialized businesses; (4) members permit certain firms, primarily financial planning firms, to use in public communications phrases such as "service of" or "securities offered through," followed by the name of the NASD member; or (5) members use confusing or misleading business cards and letterhead that incorporate one or more of the foregoing characteristics.

To address these problem areas, in September 1988 the NASD issued Notice to Members 88–65, which solicited member comment on a proposed amendment that contained both general and specific standards regarding members' public communications. The proposed amendment set forth herein is substantially similar to the proposal set forth in Notice to Members 88–65, although a number of significant revisions were made in response to comments received.

General Standards

The general standards contained in the proposed amendment would require, among other things, that the names of NASD members be disclosed clearly and prominently; that when multiple entities are named in one communication, the nature of the relationships, if any, between the NASD member and the named entities, and the products offered by each entity be clear; and that when an individual and multiple entities are named in one communication the nature of the individuals relationship must be clearly identified. The proposed general standards would also prohibit communications from including references to nonexistent degrees or designations, or the use of *bona fide* degrees or designations in a misleading manner.

Specific Standards

In addition to general standards, the proposed amendment sets forth a number of specific standards that seek to address four recurring problem areas.

Fictional Names. Under the proposed amendment members would be permitted voluntarily to use fictional or "DBA" designations, in communications only when the DBA name has been filed with the NASD and the SEC on the Form BD, and is the only name under which the member is recognized. In cases in which a state or other regulatory authority requires a member to use a DBA (*e.g.*, because the member's NASD-approved name was deemed too similar to that of another corporation registered in the state), the amendment would permit the member to use the BDA only in the jurisdiction that requires its use. With respect to required use of DBA names, the proposed amendment would also require that, whenever possible, the member use the same DBA name in every jurisdiction that requires the use of a DBA. The proposed amendment would further require with respect to a required DBA that members clearly disclose in any communication both the name of the member as set forth on the Form BD and the fact that the firm is using a DBA designation in the particular state or jurisdiction.

Generic Names. Under certain circumstances the proposed amendment would permit members to use altered versions of the firm name in order to promote certain areas of a member firm's business, or to use an "umbrella" tag line in order to promote name recognition. The proposed amendment would permit the use of generic names so long as the member name is clearly and prominently disclosed, the relationship between the generic name and the member is clear, and there is no implication that the generic name is the name of the registered broker/dealer.

"Division of" Designations. With respect to the use of "division of" and similar designations, the amendment would permit members to designate a portion of their business in this manner only when the designation is used with respect to a *bona fide* division of the member (*i.e.*, a division that results from a merger or acquisition, or a functional division that conducts a specialized aspect of the member's business). The amendment would also require that the member name be clearly and prominently disclosed, and that the division be clearly identified as a division of the member.

"Service of" and "Securities Offered Through." With respect to the use by financial planners or other nonmember entities of phrases such as "service of" or "securities offered through" followed by the name of a member firm, the

amendment would require that the name of the member be clearly and prominently disclosed, and the securities function be clearly identified as a function of the member rather than the financial planning or other entity that is also named in the communication.

If the foregoing proposal is approved by the membership and by the Commission, the NASD believes that it is appropriate to provide members with sufficient time following Commission approval to consume existing supplies of such business stationery as letterhead, business cards, confirmation forms, and similar printed material. Accordingly, the NASD has concluded that, insofar as the proposed amendment affects printed business stationery, the amendment should not take effect until six months after publication of a Notice to Members announcing Commission approval of the amendment. The NASD contemplates, however, that in all other respects the proposed amendment would become effective 30 days after the publication of a Notice to Members announcing Commission approval of the amendment.

The proposed amendment is consistent with section 15A(b)(6) of the Act, which mandates that the rules of the NASD be designed to promote just and equitable principles of trade and to remove impediments to, and perfect the mechanisms of a free and open market because it will provide the NASD with a means of ensuring that the public will not be confused or misled by public communications that fail clearly to identify the name of the NASD member.

B. Self-Regulatory Organization's Statement on Burden on Competition

The NASD does not believe that the proposed rule change imposes any burden on competition that is not necessary or appropriate in furtherance of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The proposed amendment was published for comment in NASD Notice to Members 88–65 in September 1988. As a result of the Notice, the NASD received 41 comment letters. Of these, 25 commentators (or 61%) were generally in favor of the proposal and 16 (or 39%) were generally opposed. Of the 41 commentators, three were in complete support of the proposed amendment and three were totally opposed to the proposal. The remaining 35 comentators, whether generally for or against the proposed amendment, made comments suggesting changes or clarification. Overall, commentators that favored the proposal raised many of the same concerns that were expressed by commentators that opposed the proposal. While the majority of comments concentrated on specific sections of the proposed amendment, certain commentators raised addition, broader, points concerning the amendment. The analysis that follows first summarizes the comments on these broader issues, and then turns to comments regarding specific sections of the proposed amendment.

Lack of Industry Input

Certain insurance-affiliated broker/dealers maintained that there had been insufficient insurance industry contribution to the development and review of the proposed amendment. These commentators requested withdrawal of the current proposal and issuance of a new proposal developed jointly by the NASD's National Business Conduct Committee (NBCC) and the NASD's Variable Contracts Committee ("VCC").

The NASD considered the substance of these comments, but determined that, since the proposed amendment had been presented to members of the VCC at its June 28, 1988 meeting and the VCC's comments had been considered by the NBCC at its meeeting on July 14, 1988, the proposed amendment already reflected the concerns of the insurance industry. Accordingly, the Board determined that it was unnecessary to withdraw the proposal in order to solicit and incorporate insurance industry views.

Lack of Statutory Authority

Certain commentators argued that, to the extent that the proposed amendment would regulate either nonmember communications or the manner in which nonmember names were displayed in members' communications, the proposal exceeded the Association's rulemaking authority under section 15A of the Act. The NASD considered such comments, but determined that the proposed amendment, like all Rules of Fair Practice, would apply only to members and persons associated with members, and thus did not attempt directly to regulate nonmember communications.

Nevertheless, the NASD is aware that the proposed amendment would impose certain requirements upon those NASD members that have elected to include in their communications references to nonmember entities, or have entered into arrangements with nonmember entities whereby brokerage services are promoted in advertisements generated by nonmember entities. Thus, the proposed amendment might arguably be characterized as indirectly affecting some nonmember entities. After consideration of this issue, however, the NASD has concluded that if such indirect effects upon nonmembers are deemed objectionable, they can easily be avoided, since members are free to refrain from including references to nonmember entities in their communications. Similarly, when a member has chosen to engage in a networking arrangement with a nonmember whereby brokerage services are promoted in advertisements generated by the nonmember, the NASD believes that such advertisements should be deemed to be used in the promotion of the member's securities business, and thus subject to the NASD's advertising requirements. Since members exercise complete control over the extent to which the proposed amendment might indirectly affect nonmembers, the NASD is satisfied that the proposed rule does not exceed the NASD's statutory authority under section 15A of the Act.

Need for a "Safe Harbor" for Firms Complying Other Regulatory Requirements

Certain commentators, including the Securities Industry Association, maintained that the proposed amendment would duplicate or conflict with existing regulatory requirements imposed by the New York Stock Exchange (NYSE) and the Federal Deposit Insurance Corporation (FDIC). Accordingly, these commentators recommended including in the amendment a "safe harbor" provision for communications that comply with the NYSE nad FDIC provisions. The NASD considered such comments, but determined that the proposed amendment does not duplicate or conflict with the NYSE or FDIC requirements cited by the commentators. The NASD has therefore determined that it is unnecessary to include the "safe harbor" provision suggested by these commentators.

In this regard the NASD notes that the proposal will not duplicate NYSE Rule 382(c), since that rule merely requires one-time written disclosure to customers of the existence of a fully-disclosed clearing agreement. The proposed amendment, by contrast, would impose ongoing obligations with respect to member communications with the public.

Nor does the NASD believe that the proposed amendment will conflict with FDIC requirements contained in 12 CFR

337.4. The FDIC regulation requires that specified forms of disclosure be used when securities subsidiaries of banks engage in joint advertising with FDIC-insured banks. Under the FDIC rules, if a bank does not wish to make the mandatory disclosures, it must discontinue using a common name or logo in joint advertising with its securities subsidiaries. In the NASD's view, this requirement does not conflict with the proposed amendment.

Applicability to Print Media

Two commentators suggested that the proposal should apply only to print media, and that radio, television, and other nonprint communications should be exempted. The NASD considered such comments and concluded that the portions of the amendment that might pose the greatest difficulty for nonprint media would be those requiring explanations of relationships between member and nonmember entities named in communications. Under subsection 35(g)(1)(C), however, no explanation need by given if a communication is structured so that there is no confusion as to the identity of the broker/dealer. This being the case, the NASD has determined that nonprint media need not be exempted from the proposed amendment, since it is possible for communications in nonprint media to be structured so as to obviate the need for any lengthy explanations of relationships between member and nonmember entities.

Applicability of Article III, Section 27(g)(2) of the Rules of Fair Practice

Certain commentators questioned the manner in which the proposed amendment to section 35 would coordinate with certain amendments to section 27 that were recently approved by the Commission. Among other things, the newly amended version of section 27 excludes from the definition of "branch office" those locations from which members conduct business if the locations are identified solely in telephone line listings, business cards, or letterhead that contain certain mandatory disclosures. In response to such comments, the proposed amendment has been revised to include new section 35(g)(2)(E), which incorporates the requirements now set forth in Article III, section 27(g)(2) of the Rules of Fair Practice regarding telephone directly listings, business cards, and letterhead.

Section 35(g)(1)

Several commentators requested clarification of exactly what "communications" the proposal would affect. In addition, questions were raised as to whether business cards and letterhead would be subject to the amendment. In response to such comments, section 35(g) has been amended to define the term "communication" for the purpose of section 35(g) and expressly to note that letterhead and business cards fall within that definition.

Section 35(g)(1)(A)

One commentator questioned whether so-called "blind" recruiting ads would continue to be allowed under this section. Several other commentators suggested alternative language to "prominently," such as "conspicuously," "unambiguously" or "clearly identified."

The NASD considered such comments and amended the subsection so as explicitly to reference the exclusion of blind recruiting ads set forth in section 35(d)(2)(A). No substitution was made for the term "prominently," which the NASD believes is sufficiently clear.

Section 35(g)(1)(B)

This proposal received a total of twenty-six negative comments. The majority of comments registered objections to the equal type-size requirement. Some commentators complained that the type-size requirement was unnecessary since the previous subsection already requires "clear and prominent" disclosure. Other commentators complained that the type-size proposal was impractical for business cards and letterhead. One commentator noted the difficulty of requiring equal prominence of names of the managing underwriter and lesser members of the syndicate in a tombstone advertisement. The majority of commentators indicated that they could accept a requirement that they make "prominent" disclosure of the identity of the member firm, so long as there was no equal type-size requirement.

The NASD considered such comments and determined that, since there was a "clear and prominent disclosure" requirement in subsection (g)(1)(A), the equal type-size requirement was unduly burdensome. Therefore, the original subsection (g)(1)(B) (*i.e.*, the version of that subsection that was published for member comment) has been deleted.

Section 35(g)(1)(C)

Several commentators objected to this subsection, which they interpreted as requiring an explanation of the relationships between each entity named in a communication, regardless of whether the relationship, or lack of relationship, was apparent without additional explanation. Other commentators that objected to this provision interpreted it as requiring that commmunications include references to all entities with which a member firm was related.

The NASD considered these comments, but believes that they reflect a misunderstanding of the subsection. First, the NASD believes that the subsection does not require complicated explanations of corporate relationships if such relationships are clear. Thus, the member can structure communications so as to avoid the need to include any lengthy explanation of corporate relationships.

Second, the NASD does not construe the proposal as imposing an affirmative obligation upon members to include in their commmunications references to all entities with which they have relationships. Rather, the subsection leaves it to the member to decide whether to include references to nonmember entities. If the member chooses to include such references, the subsection merely requires that the relationship, if any, between the member and nonmember be made clear.

In response to comments, clarifying language was added to the subsection, and proposed subsection (g)(1)(C) was renumbered as (g)(1)(B).

Section 35(g)(1)(D)

Certain commentators objected to this subsection on the ground that, as long as the nature of an individual's relationship with a broker/dealer was clear, explanations of the individual's relationships with other entities should not be required. Other commentators questioned whether the subsection required the use of titles, such as "registered representative," in communications.

The NASD considered these comments and notes that proposed amendment merely requires that the nature of relationships be clear. Consequently, it is the NASD's view that, if the nature of a relationship is apparent without the use of a title, a title need not be used.

In response to comments, however, the subsection has been amended so as to require only that the relationship between the individual and the member be clear.

Sections 35 (g)(1)(F) and (g)(1)(G)

These subsections received comments from insurance-affiliated broker/dealers or representatives, who suggested that the proposals contained in the subsections were impractical and inconsistent with the methods of

operation of such broker/dealers. One commentator maintained that requiring identification of securities products with a particular broker/dealer would preclude an agent/registered representative from obtaining securities products from other broker/dealers when the agent/registered representative deemed this more appropriate. The NASD considered these comments and determined that no revision to the proposal was appropriate. In this connection, the NASD notes that, although it is apparently accepted practice in the insurance field for agents to turn to various insurance companies for different products, this is not an acceptable practice in the securities field. Thus, the NASD believes that it is appropriate to require that securities products and services be clearly identified as being offered by a specific member.

Proposed subsection (1)(F) has been renumbered as subsection (1)(C), and proposed subsection (1)(G) has been renumbered as subsection (1)(F).

Section 35(g)(2)(A)

One commentator expressed concern that this subsection, which sets forth standards governing the use of "doing business as" designations, contained no provision for a bank broker/dealer subsidiary that provided networking arrangements under fictitious names at the request of its financial institution customers. The commentator noted that bank broker/dealer subsidiaries usually have names that are similar to those of their parents, and that for competitive reasons customers that are financial institutions may prefer that fictional names be used in connection with the provision of networking arrangements. The commentator suggested that such fictitious names should be allowed under the following circumstances: (a) The actual name of the broker/dealer is fully disclosed in all customer agreements; (b) the fictitious name is made known to the NASD and state regulatory authorities in advance of use; and (c) the use of the fictitious name is requested by the financial institution customer.

The NASD considered this suggestion, but determined that no change in the amendment was necessary to address the predicament of the bank broker/dealer subsidiary. In this connection, the NASD observes that when similar situations have arisen in the past, NASD staff has advised the subsidiary to use a legal name not connected with that of the parent, thereby avoiding the problem. Alternatively, NASD staff has advised that, if the financial institution customer is a bank acting as an introducing broker, it is not required to include the name of its clearing broker (the bank broker/dealer subsidiary) in its communications.

Since there exist alternative means of addressing the problem of customer-requested fictitious names, the NASD has left this subsection essentially unchanged. Certain amendments have been made to the subsection, however, in order to clarify that the provision addresses use in public communications of fictitious names, not the permissibility of conducting business under such names.

Section 35(g)(2)(B)(i)

The majority of comments regarding this subsection expressed concern over the requirement that generic names be derived from the name of the member. Commentators noted that the subsection would preclude Tucker, Anthony, R.L. Day from being identified as "A John Hancock Company." Commentators also noted that the proposed subsection would prevent Federated Securities Corp. from being identified as "One of the Aetna Life & Casualty Companies." Some commentators also questioned the NASD's authority to require that a generic name be derivative of a broker/dealer name.

The NASD considered such comments in light of the primary purposes of the proposed amendment, which are ensuring proper disclosure of the member name and eliminating public confusion as to the identity of broker/dealers. Since the requirement that generic names be a derivative of member firm names did not appear to further those purposes, the NASD determined that the subsection should be deleted.

Section 35(g)(B)(ii)

This proposal was the subject of a large number of comments, all of which objected to the "equal prominence" requirement. In order to be consistent with changes in (g)(1)(B), this subsection was amended to require that the member name be "clearly and prominently" disclosed. It was also renumbered as (g)(2)(B)(i).

Section 35(g)(2)(B)(iii)

Several commentators pointed out that a generic name is not an "entity" and that this section should be amended to delete references to generic names as entities. Other commentators maintained that the only relationship that required disclosure was that between the generic name and the member. In response to such comments, subsection (g)(2)(B)(iii) has been revised to require the relationship between the generic name and the member to be clear. It has also been renumbered (g)(2)(B)(ii). Additionally, a new (g)(2)(B)(iii), which would require that there is no implication that the generic name is the name of a registered broker/dealer, has been added to the proposal.

Section 35(g)(2)(C)

The majority of comments regarding this subsection dealt with the equal prominence issue. In order to be consistent with (g)(1)(B) and (g)(2)(B)(i), that proposed subsection has been revised to require "clear and prominent" disclosure of the member name.

Section 35(g)(2)(D)

Commentators made two observations regarding this subsection. One commentator suggested the inclusion of a reference to "Securities offered through" designations. The other commentator addressed the same "equal prominence" issue that was raised with respect to previous subsections.

In response to these comments, the proposed subsection has been revised to include requirements with respect to "Service of/Securities Offered Through" designations and to require the "clear and prominent" disclosure of member names.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

A. By order approve such proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed

rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to the file number in the caption above and should be submitted by June 20, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3(a)(12).

Dated: May 22, 1990.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90-12433 Filed 5-29-90; 8:45 am]

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[Rel. No. 34-28040; File No. SR-NYSE-90-22]

Self-Regulatory Organizations; Filing and Order Granting Temporary Accelerated Approval to Proposed Rule Change by New York Stock Exchange, Inc., Relating to Pilot Program Eliminating Odd-Lot Differentials and Floor Brokerage Charges

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on April 27, 1990, the New York Stock Exchange, Inc. ("NYSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The NYSE has filed a proposed rule change which consists of a four-month, three-firm pilot program to eliminate all odd-lot differentials and to extend the Exchange's current "no commission policy" to provide that no floor brokerage charges shall be imposed on systematized odd-lot orders.[1] The Exchange seeks accelerated approval of the proposed rule change. Accelerated effectiveness will allow the Exchange immediately to provide improved odd-lot pricing for some investors and will permit the Exchange to extend that pricing to all investors at an earlier date.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item III below. The NYSE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

Purpose—The Exchange has an automated system for the execution of odd-lot market orders. Under the system, odd lot orders are executed against the specialist using a pre-determined pricing algorithm. While the Exchange currently does not permit the imposition of a differential or floor brokerage charges on standard odd-lot market orders,[2] differentials and floor brokerage charges may be imposed on virtually all other odd-lot orders.[3] The Exchange proposes to eliminate all odd-lot differentials and extend the "no commission policy" to cover floor brokerage charges on all odd-lot orders in order to improve customer odd-lot executions. In addition, such a new pricing policy would have improve the Exchange's competitive posture as it seeks to attract additional odd-lot business.

However, the Exchange also believes that the elimination of all odd-lot differentials and floor brokerage charges could lead to abuses, particularly since customers using limit orders would be able to buy odd-lots on the bid and sell odd-lots on the offer, depending on the price of the next transaction.[4] Specifically, the Exchange is concerned that abusive trading patterns could develop where traders enter odd-lot limit orders in an attempt to capture the spread without undertaking the market-making obligations that apply to Exchange specialists.

In addition, the Exchange believes that it is important to ensure that specialists will continue to have incentives to execute odd-lot orders. If the Exchange were to eliminate all odd-lot differentials and floor brokerage charges, specialists would receive compensation for their odd-lot business only to the extent that they receive the spread for executing odd-lot market orders. Thus, the Exchange believes that such a new pricing policy would be viable only if member organizations were to continue sending to the Exchange a mix of odd-lot market and limit orders similar to historical order flow patterns, which heavily favors market orders.

The Exchange proposes to use the four-month pilot program to begin the process of eliminating the remaining odd-lot differentials and floor brokerage charges, with the pilot providing an opportunity to examine odd-lot order flow and trading patterns in a controlled environment. The three firms included in the pilot will represent a cross-section of member organizations with an active retail business: a large national full-line broker-dealer, a regional firm, and a discount broker-dealer.[5] Including these

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[1] The Exchange originally sought approval for a three-month pilot. Subsequently, the Exchange requested an extension of the pilot period to October 15, 1990. *See* letter from James E. Buck, Senior Vice President and Secretary, NYSE, to Howard Kramer, Assistant Director, Commission, dated May 21, 1990.

[2] Standard odd-lot market orders are odd-lot orders to purchase, sell or sell short exempt "at the market," and which carry no qualifying notations.

[3] The only exception is for odd-lot orders marked "with or without sale." Such limit orders currently are filled either at the price of the next transaction or at an "effective bid or offer," whichever occurs first, without the imposition of a differential.

[4] Odd-lot limit orders must be executed on the first eligible effective transaction. Under the Exchange's current odd-lot pricing rules, the effective transaction for odd-lot limit orders to buy is the first round-lot transaction which is below the specified limit by the amount of the differential or by a greater amount. For an odd-lot limit order to sell long, the effective transaction is the first round-lot transaction above the limit by the amount of any differential or by a greater amount. For an odd-lot limit order to sell short, the effective transaction is the first round-lot transaction that is both higher in value than the last different price and above the limit stated in the order. Under the existing rules, the buy or sell odd-lot limit order is filled at the price of the effective transaction, plus or minus any differential that may be charged. *See* NYSE Rule 124(A)(1)-(3).

Under the Exchange's proposal, which eliminates differentials for odd-lot limit orders, the effective transaction that will trigger the execution of an odd-lot limit order is a transaction at or lower than the specified limit for buy limit orders or at or higher than the specified limit for sell limit orders. As a result, for example, if a customer places an odd-lot limit order to buy at 20 and the next transaction is at the bid at 20, the customer's order will be filled at 20 automatically under the Exchange's system. As a result, the customer can buy at the bid—the price of a the next transaction—rather than at the offer. If a stock is liquid, the customer will be able to buy on the bid and turn around and sell on the offer. The Exchange is concerned that the customer will receive the advantage of execution at the specialist's quotes without undertaking the specialist's market making responsibilities.

[5] The Exchange will start the pilot with one firm, will add one additional firm at the start of the

Continued

three firms will provide the Exchange with the ability to monitor the operation of the rule in a limited environment with a cross-section of member firms and yet will provide a significant number of investors with the benefit of the early implementation of the rule.

The Exchange believes that a pilot program limited to four months and three firms offers it the best chance to arrive at its overall goal of eliminating all odd-lot differentials and extending it current "no commission policy" to all odd-lot orders. Addressing the odd-lot order flow and trading pattern concerns, however, may require rule and system enhancements which may be cumbersome in both their operation and their surveillance. The proposed pilot program will enable the Exchange to assess those concerns through actual trading experience while limiting the exposure if the concerns prove to be well founded. If the pilot program proves those concerns not to be significant, the Exchange can take appropriate action. The Exchange understands that this pilot program will terminate at the end of four months unless the Exchange submits a proposal to expand the pilot that is acceptable to the Commission.

Basis—The statutory basis for this proposed rule change is the requirement under section 6(b)(5) of the Act that an exchange have rules that are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

B. Self-Regulatory Organization's Statement or Burden on Competition

The proposed rule change does not impose any burden on competition that is not necesary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any persons, other than those than that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the NYSE. All submissions should refer to File No. SR–NYSE–90–22 and should be submitted by June 20, 1990.

IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, with the requirements of section 6(b)(5) of the Act.[6] The Commission believes that the proposal's goal, which is to eliminate odd-lot differentials and floor brokerage charges on systematized odd-lot orders, will increase the quality of execution of customer odd-lot limit orders. As a result of the proposal, the price charged for the execution of all odd-lot orders will reflect the market's price without additional transaction costs.

The Commission also believes that the pilot program proposal should help the Exchange to design off-lot pricing rules which will facilitate the execution of odd-lot orders. Although the Commission has concerns about limiting the pilot to only three firms, the Commission recognizes that the Exchange prefers a small, controlled pilot in case the order flow of the odd-lot system is drastically altered by the proposed rule change. Moreover, the three firm, four month pilot program will permit the Exchange to examine odd-lot order flow and trading patterns with a cross-section of member firms. Finally, though limited to the three firms, the pilot program also should provide a significant number of investors with the benefit of the early implementation of the rule.

The Exchange has stated that pilot program will terminate at the end of four months unless the NYSE submits a proposal to expand the pilot which is acceptable to the Commission. The Commission believes that if the pilot is renewed, it should be extended to all NYSE members.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof. The pilot is designed to test new procedures for providing improved odd-lot pricing. If the pilot program is successful, acceleration of this proposed rule change will permit the Exchange to extend improved odd-lot pricing to all investors at an earlier date. In addition, the execution of odd-lot orders without a differential was the subject of prior NYSE proposals that were published in the Federal Register for the full statutory period without any comments being submitted.[7]

It is therefore ordered, pursuant to section 19(b)(2) [8] of the Act, That the proposed rule change is approved for a four month period ending on October 15, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[9]

Dated: May 22, 1990.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90–12435 Filed 5–29–90; 8:45 am]

BILLING CODE 8010–01–M

second month of the pilot, and will add the final firm at the start of the third month of the pilot. The NYSE expects to commence operating the pilot in June. The Exchange has stated that the systems that will run the pilot program will be in place and ready to commence operation by that time. *See* letter from James E. Buck, Senior Vice President and Secretary, NYSE, to Howard Kramer, Assistant Director, Commission, dated May 21, 1990.

[6] 15 U.S.C. 78f(b)(5) (1982).

[7] *See, e.g.*, Securities Exchange Act Release No. 25177 (December 7, 1987), 52 FR 47472.

[8] 15 U.S.C. 78s(b)(2) (1989).

[9] 17 CFR section 200.30–3(a)(12) (1989).

[Rel. No. 34-28034; File No. SR-PSE-90-11]

Self-Regulatory Organizations; Pacific Stock Exchange, Inc.; Order Approving Proposed Rule Change Relating to Listing Guidelines Applicable to Index Warrants

On March 27, 1990, the Pacific Stock Exchange, Inc. ("PSE" or "Exchange") submitted to the Securities and Exchange Commission ("Commission"), pursuant to section 19(b) of the Securities Exchange Act of 1934 ("Act"),[1] and Rule 19b-4 thereunder,[2] a proposed rule change to allow the PSE to list and trade warrants based upon foreign and domestic stock market indexes. The proposed rule change was published in Securities Exchange Act Release No. 27919 (April 19, 1990), 55 FR 17696. No comments were received on the proposed rule change.

The Exchange proposes to amend PSE Rule I, section 3(b), entitled "Warrants," for the purpose of providing listing guidelines for index warrants. The proposed warrants will be cash-settled, unsecured obligations of the issuer with a term ranging from one to five years. Only index warrants based on established domestic and foreign market indexes will be accepted for listing. The Exchange plans to list both American style warrants (*i.e.*, exercisable throughout their life) and European-style warrants (*i.e.*, exercisable only upon their expiration date). Upon exercise, or at the warrant's expiration date if not exercisable prior to such date, the holder of a warrant resembling a put option would receive payment in U.S. dollars to the extent that the underlying index has declined below a pre-stated cash settlement value, while the holder of a warrant resembling a call option would receive payment in U.S. dollars to the extent that the index has increased above the pre-stated cash settlement value. Warrants that are "out-of-the money" at the end of the stated term will expire worthless.

The PSE will consider listing stock index warrants on a case-by-case basis. Because the warrants will represent unsecured obligations of their issuer, only warrants issued by companies that exceed the Exchange's financial listing criteria and that have assets in excess of $100 million will be eligible for listing. The Exchange proposes to require a minimum public distribution of one million warrants together with a minimum of 400 public holders, and an aggregate market value of $4 million. In addition, warrants which have been approved for trading on another national securities exchange will be eligible for listing.

The Exchange also proposes to amend PSE Rule X, section 18(c), entitled "Suitability," to apply the options suitability standard to index warrant recommendations made by members and member organizations. The suitability standard will require that the member or member organization have reasonable grounds to believe that the recommended index warrant transaction is suitable for the customer and that the customer is able to evaluate and bear the risks of the proposed transaction. The Exchange will recommend that index warrants be sold only to options-approved accounts.

Finally, the Exchange also proposes to amend PSE Rule X, section 18(e)(1), entitled "Discretionary Accounts," so that a Senior Registered Options Principal ("SROP") or Registered Options Principal ("ROP") will be required to approve and initial any discretionary index warrant transaction on the day it is executed. The SROP shall review the acceptance of each discretionary account to determine that the ROP had a reasonable basis to believe that the customer was able to understand and bear the risks of the proposed transaction, thus ensuring that investors will be offered an explanation of the special characteristics and rules applicable to the trading of index warrants.

Index warrants represent another of the innovative methods of raising capital recently developed by business enterprises. Whereas corporations once raised capital solely through simple debt or equity offerings with the occasional sale of convertible debt or preferred stock, today a wide range of financing alternatives, such as commodity- or stock-index-linked debt, foreign currency denominated debt, and currency warrants are available. Index warrants are yet another example of this phenomenon. These innovative financing techniques not only allow business entities to raise capital more easily and less expensively, but also provide investors with an opportunity to obtain differential rates of return on a small capital outlay if the underlying currency or stock index moves in a favorable direction within a specified time period.[3]

Because index warrants are derivative in nature and closely resemble index options, the Commission has several specific concerns regarding these instruments. In particular, index warrants raise customer suitability, disclosure, and secondary market trading issues that must be addressed adequately. In this regard, the PSE has proposed safeguards that are designed to meet these investor protection concerns, including the application of options suitability standards to index warrant recommendations and the requirement that discretionary orders in index warrants be approved on the day entered by a SROP or a ROP.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, the requirements of section 6(b)(5).[4] More specifically, the Commission believes that index warrants are an innovative financing technique designed to allow an issuer to offer debt at a lower rate than in a straight debt offering in return for assuming some overall market volatility risk. Purchasers of the warrants can use them to hedge against or speculate on stock market fluctuations.

The Commission believes that the PSE has designed reasonable rules and procedures to address the special concerns attendant to the secondary trading of index warrants. By imposing special suitability, disclosure, and compliance requirements on index warrants, the PSE has addressed potential public customer problems that could arise from the derivative nature of these products. The Commission believes further that it is appropriate to apply options suitability and risk disclosure standards to index warrants. More specifically, index warrants possess the same basic risks as index options. Consequently, disclosure of these risks should be similar to that required for options trading. Similarly, applying existing options suitability procedures to index warrants should ensure that only customers with an understanding of options and the financial capacity to bear the risks attendant to options trading will be trading index warrants on their broker's recommendations. Moreover, a SROP or ROP will be required to review any discretionary index warrant transaction on the day the transaction is executed. As with index options, this procedure will ensure that appropriate supervisory

[1] 15 U.S.C. 78s(b)(1) (1982).

[2] 17 CFR 240.19-4 (1989).

[3] Of course, if the underlying currency or stock index moves in the wrong direction or fails to move in the right direction within the specified time period, the warrant will expire worthless and the investor will have lost his entire investment.

[4] 15 U.S.C. 78(f)(b)(5) (1982).

personnel at member firms review these transactions promptly. In addition, the PSE will recommend that index warrants be sold only to options-approved accounts. Finally, the listing standards for index warrants should ensure that only substantial companies capable of meeting their warrant obligations issue the index warrants.

Although the proposed rule change provides a structure for listing stock index warrants, the PSE will be required to submit, as separate 19(b)(2) rule changes for Commission approval, the listing of each specific stock index that it proposes to trade warrants on. The rule change will provide the Commission with an opportunity to determine, among other things, if a particular index raises the potential for manipulation or other trading abuse concerns.[5] In addition, the Commission is examining the experience with stock index warrants currently trading on the American Stock Exchange, and may in the future recommend modifications to the standards contained in this filing for a specific stock index warrant.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[6] that the proposed rule change (SR–PSE–90–11) be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[7]

Dated: May 22, 1990.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90–12480 Filed 5–29–90; 8:45 am]

BILLING CODE 8010–01–M

TENNESSEE VALLEY AUTHORITY

Paperwork Reduction Act of 1980, as Amended by Public Law 99–591; Information Collection Under Review by the Office of Management and Budget (OMB)

AGENCY: Tennessee Valley Authority.

ACTION: Information collection under review by the Office of Management and Budget (OMB).

SUMMARY: The Tennessee Valley Authority (TVA) has sent to OMB the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), as amended by Public Law 99–591.

Requests for information, including copies of the information collection proposed and supporting documentation, should be directed to the Agency Clearance Officer whose name, address, and telephone number appear below. Questions or comments should be directed to the Agency Clearance Officer and also to the Desk Officer for the Tennessee Valley Authority, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503; Telephone: (202) 395–3084.

Agency Clearance Officer: Mark R. Winter, Tennessee Valley Authority, Edney Building 4W 13B, Chattanooga, TN 37402; (615) 751–2523.

Type of Request: Regular submission.

Title of Information Collection: Salary Survey for Salary Policy Bargaining Unit Employees.

Frequency of Use: Annually.

Type of Affected Public: State or local governments, Federal agencies, non-profit institutions, businesses, or other for-profit.

Small Businesses or Organizations Affected: No.

Federal Budget Functional Category Code: 999.

Estimated Number of Annual Responses: 45.

Estimated Total Annual Burden Hours: 180.

Estimated Average Burden Hours Per Response: 4.

Need For and Use of Information: TVA conducts an annual salary survey for employee compensation and benefits as a basis for labor negotiations in determining prevailing rates of pay and benefits for represented salary policy employees. TVA surveys firms, and Federal, State, and local governments whose employees perform work similar to that of TVA's salary policy employees.

Louis S. Grande,

Vice President, Information Services, Senior Agency Official.

[FR Doc. 90–12346 Filed 5–29–90; 8:45 am]

BILLING CODE 8120–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Approval of Noise Compatibility Program; Keahole Airport, Kailua-Kona, HI

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the State of Hawaii, Department of Transportation under the provisions of title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96–193) and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96–52 (1980). On November 14, 1989 the FAA determined that the noise exposure maps submitted by State of Hawaii under part 150 were in compliance with applicable requirements. On May 10, 1990 the Assistant Administrator for Airports approved the Keahole Airport noise compatibility program. Ten of the twelve (12) recommendations of the program were approved. Partial approval was issued on one noise abatement recommendations. One noise abatement measure was disapproved.

EFFECTIVE DATE: The effective date of the FAA's approval of the Keahole Airport noise compatibility program is May 10, 1990.

FOR FURTHER INFORMATION CONTACT: David J. Welhouse, Airport Engineer/Planner, Honolulu Airports District Office, Federal Aviation Administration, Mailing Address: P.O. Box 50244, Honolulu, Hawaii 96850–0001. Street Address: 300 Ala Moana Boulevard, room 7116, Honolulu, HI. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the noise compatibility program for Keahole Airport, effective May 10, 1990.

Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing noncompatible land uses and prevention of additional noncompatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) part 150 is a local program, not a Federal program. The FAA does not substitute

[5] In this connection, the Commission notes that for warrants based on a foreign stock index, adequate surveillance sharing agreements between the PSE and foreign market(s) where the index's component stocks are traded would be a necessary prerequisite to deter and detect potential manipulations or other improper or illegal trading.

[6] 15 U.S.C. 78s(b)(2) (1982).

[7] 17 CFR 200.30–3(a)(12) (1989).

its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR part 150 program recommendations is measured according to the standards expressed in part 150 and the Act and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of additional noncompatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Assistant Administrator for Airports prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR part 150, § 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, State, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action on approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Were federal funding is sought, requests for project grants must be submitted to the FAA Airports Division Office in Hawthorne, California.

The State of Hawaii submitted to the FAA on April 4, 1988 and amended on September 20, 1989 the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from September 1985 through September 1989. The Keahole Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on November 14, 1989. Notice of this determination was published in the Federal Register on December 11, 1989.

The Keahole Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion to the year 1990. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 104(b) of the Act. The FAA began its review of the program on November 14, 1989 and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period shall be deemed to be an approval of such program.

The submitted progam contained 12 proposed actions for noise mitigation both on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR part 150 have been satisfied. The overall program, therefore, was approved by the Assistant Administrator for Airports effective May 10, 1990.

Outright approval was granted for 10 of the 12 specific program elements. Approved program measures included: Request to change downwind approach for Runway 35; Continue use of informal noise abatement departure procedure; conduct comprehensive planning and urban growth management; sequencing of implementation of capital improvements and public works projects; recommend Hawaii County adopt height/noise/safety overlay zone; requirement for soundproofing of new noise-sensitive structures within 60 Ldn noise contour; Acquisition of aviation easements within 60 Ldn noise contour; require Fair Disclosure Policy for residential property in Hawaii County; Evaluation of tax incentives for retaining open space land uses; Request Veterans Administration and Federal Housing Administration to consider restricting the insuring of home mortgages to areas outside of the 65 Ldn noise contour.

Partial approval was issued on the measure that would limit aircraft types. Approval was granted on the portion that recommends increased voluntary use of State 3 aircraft. Use of reduced landing fees to induce use of these aircraft was disapproved.

The noise abatement measure that recommended construction of high-speed exit taxiways was disapproved.

These determinations are set forth in detail in a Record of Approval endorsed by the Assistant Administrator for Airports on May 10, 1990. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative offices of the State of Hawaii.

Issued at Hawthorne, California on Monday May 14, 1990.

James J. Wiggins,

Acting Manager, Airports Division.

[FR Doc. 90-12411 Filed 5-29-90; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Bus Driver Training; Public Forum

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of public forum.

SUMMARY: The Federal Highway Administration's Office of Motor Carriers announces a one-day public forum on the subject of bus driver training. The need for, and widespread industry interest in, adopting a voluntary, industry-developed curricula for training bus drivers will be a key topic of the conference. The conference will include a presentation of the results of a recent study funded by the FHWA, titled "Evaluation of the Availability and Extent of Structured Bus Driver Training Curricula." The presentation will be conducted by Jack Faucett Associates, Inc., a transportation consulting firm. The FHWA is interested in obtaining the views from as many representatives as possible of the different segments of the bus industry and the public about the results of the study and in facilitating the exchange of ideas. The FHWA is asking that the participants be prepared to share their views on six open discussion topics:

Topic 1: What is the need for and industry interest in developing a bus driver training curricula?

Topic 2: What are the benefits of such training programs?

Topic 3: What are the challenges in applying bus driver training programs across the various industry segments?

Topic 4: What should the curricula include?

Topic 5: How sould the curricula be developed?

Topic 6: What organization(s) sould be involved and how should

coordination and leadership be structured.

DATES: The forum will be held on June 19, 1990, from 9 a.m. to 2:30 p.m., ET.

ADDRESSES: Federal Highway Administration, Nassif Building, 400 Seventh Street, SW., room 2230, Washington, DC.

FOR PLANNING PURPOSES AND FURTHER INFORMATION CONTACT: Mr. Jerry Robin, Federal Highway Administration, Office of Motor Carriers, 400 Seventh Street, SW., room 3404, Washington, DC 20590, telepone (202) 366–2985, by June 14, 1990.

SUPPLEMENTARY INFORMATION: Formal training is one of the most reliable ways to learn the many skills required for the safe operation of any motor vehicle and to improve driver performance. Recognizing this, the FHWA developed the Model Curriculum for Training Tractor-Trailer Drivers in 1985 to be used as a voluntary standard by the trucking industry for developing training programs. The curriculum emphasizes four goals: Student safety during training, ability to drive safely, ability to drive legally, and the ability to drive efficiently. To achieve these goals, the curriculum specified minimum recommended standards for training tractor-trailer drivers, including the specific subjects to be taught; instructional objectives to be attained; the number of hours necessary for the attainment of each of the objectives; and the recommended equipment, vehicles, and facilities to obtain these instructional objectives. Currently, the Professional Truck Driver Institute of America, Inc. (PTDIA) uses the Model Curriculum as the basis to certify those organizations that offer tractor-trailer training. As of April 1990, PTDIA has certified a total of 64 courses offered by 20 organizations with 34 sites in 22 States. This clearly demonstrates that the industry is interested in adopting voluntary training standards when they exist. However, the Model Curriculum focuses on tractor-trailer training standards and, as a result, does not include or address bus driving techniques or "requirements." Discussions at this forum will focus on whether bus driver training curricula developed by the industry are appropriate and desirable and whether there is sufficient interest on the part of the industry to pursue the subject.

Authority: 23 U.S.C. 315; 49 CFR 1.49.

Issued On: May 22, 1990.

T.D. Larson,

Administrator.

[FR Doc. 90–12488 Filed 5–29–90; 8:45 am]

BILLING CODE 4910–22–M

National Highway Traffic Safety Administration

Petition for Exemption from the Vehicle Theft Prevention Standard; American Honda Motor Co., Inc.

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Grant of petition for exemption.

SUMMARY: This notice grants the petition by American Honda Motor Co., Inc. (Honda) for an exemption from the parts marking requirements of the vehicle theft prevention standard for the Honda Acura Legend car line for Model Year 1991. The agency has determined that the antitheft device which the petitioner intends to install on this line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as would compliance with the parts marking requirements.

DATES: The exemption granted by this petition will become effective beginning with the 1991 Model Year.

SUPPLEMENTARY INFORMATION: On January 23, 1990, this agency received from Honda a petition for exemption from the theft prevention standard for the Model Year (MY) 1991 Acura Legend car line pursuant to 49 CFR 543, *Exemption from Vehicle Theft Prevention Standard.* The agency reviewed the January 23, 1990, submission and concluded that it constituted a complete petition. Accordingly, January 23, 1990, is the date on which the statutory 120 day period for processing Honda's petition began.

In its petition, Honda included a detailed description and diagrams of the identity, design, and location of the components of the antitheft device for the Acura Legend car line.

The antitheft device is a comprehensive security alarm system which includes an engine starter interrupt function and an alarm function. The antitheft device is activated by removing the key from the ignition and locking the driver or passenger door with the key. Honda stated that the Legend is equipped with an automatic lock system as standard equipment. This system enables the driver/operator to lock all doors by locking either the driver or passenger side front door with the ignition switch key, thus arming the theft deterrent system.

It will also be possible to arm the theft deterrent system by using a door button without using a key. When the driver's door button is pushed down, all other door buttons will be pushed down automatically. When the driver's door is closed, the theft deterrent system will be armed. The system incorporates a security indicator light, located on the driver's door lining, that enables one to visually check to see whether the system is armed. The indicator light starts flashing when the arming procedure is completed. The engine starter interrupt function of the system is armed immediately upon completion of the arming procedure. The alarm is armed 15 seconds after completion of the arming function.

The alarm monitors the doors, hood, trunk lid, battery terminals, engine starter circuit, and battery circuit. If the doors, hood or trunk lid are forced opened, battery terminal(s) removed and reconnected, or the engine starter circuit and battery circuit are byassed by breaking the ignition switch, or the engine hood, or trunk lid opener located inside the vehicle are forced, the alarm will go off. When this happens, the horns will sound, headlights pop up and flash, and sidemarker lamps, position lamps, and tail lamps will flash for about two minutes. These audible and visual alarms will draw the attention of the people around the vehicle to the illegal efforts of the unauthorized person. After the activation of the alarm for about two minutes, the system is automatically rearmed and if any of the conditions described above occur, the alarm will activate again. The system is disarmed when either door is unlocked by using the key.

As already noted, the theft deterrent system of the Legend has an engine starter interrupt feature. While the theft deterrent system is armed, the electric line which activates an engine starter motor is kept interrupted by the starter relay. As a result of this, the engine cannot be started by bypassing the engine starter and battery circuit or rotating the ignition switch by means other than the authentic key.

The theft deterrent functions reinforce one another, making theft of the vehicle more difficult. Even if an unauthorized person could enter the vehicle without activating the alarm, Honda states it is impossible to move the vehicle because the Legend is equipped with a steering lock device. If the steering lock device is broken, the engine starter interrupt function is still in operation and makes it impossible to start the engine. If the starter circuit and the battery circuit are bypassed for starting the engine, the alarm is activated.

Honda also states that the system is designed to make attempts to defeat the system difficult. All the switches and wiring activating the system are inaccessible from outside of the vehicle to prevent tampering by an unauthorized

person. The battery terminals are not accessible without opening the front hood (if it is opened, an alarm will activate). If the battery terminal(s) could be disconnected from under the vehicle, the alarm will activate when the disconnected terminal(s) is reconnected in order to start the engine. The horn is placed in a location that makes it difficult to tamper with.

In order to ensure the reliability and durability of the system, Honda conducted the following tests, based on their own specified standards: Instant power source voltage cut test; power source voltage test; surge test; battery reversed connection test; electromagnetic wave test; high and low temperature test; temperature and humidity change test; temperature and humidity resistance test; vibration resistance test; drop test; thermal shock test; operation endurance test; static electricity test; noise resistance test; and walkie talkie test.

Honda stated that since the theft deterrent system of the Legend is the first newly developed system as standard for Honda car lines, no theft record has been established and no objective data can be provided to determine that the system is likely to be as effective as compliance with the parts-making requirements.

Honda made a comparison of the Acura Legend system with those systems used on car lines which NHTSA has determined to be as effective in reducing and deterring motor vehicle theft as would compliance with the parts-making requirements.

Honda states that the following carlines have similar NHTSA approved theft deterrent systems as the one proposed for the Legend; Chrysler Conquest, Mazda RX-7, Nissan Maxima, Mitsubishi Starion and Toyota Cressida. In selecting these similar systems, the following criteria were considered by Honda: Similar sensor switches that are incorporated in the theft deterrent system to activate the alarm; the kind of audio/visual alarm the system provides; and incorporation of a starter interrupt function.

Honda concludes that the Legend theft deterrent system is not less effective than those systems in the above car lines for which NHTSA has granted exemptions from the parts-making requirements.

Based on this substantial evidence, the agency believes that the antitheft device for the Honda Acura Legend in Model Year 1991 is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-making requirements of the theft prevention standard (49 CFR part 541).

The agency believes that the device will provide the types of performance listed in 49 CFR part 543.6(a)(3): Promoting activation; attracting attention to unauthorized entries; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

As required by section 605(b) of the statute and 49 CFR 543.6(a)(4), the agency also finds that Honda has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information Honda provided on its device. This information concluded a description of reliability and functional tests conducted by Honda for the antitheft system and its components. As was previously stated, Honda asserts that the function and design of the Honda antitheft device is similar to those of other devices, such as that on the Chrysler Conquest, Mazada RX-7, Nissan Maxima, Mitsubishi Starion, and Toyota Cressida that the agency previously has considered likely to be at least as effective as complying with part 541 would be. Each of these systems allows activation and deactivation by an ignition key. All these systems are equipped with sensor switches in the doors, door key cylinders, trunk, engine hood, ignition key, and front hood. All systems are additionally equipped with an indicator warning light, a type of flashing light, a horn alarm function, and a starter interrupt function.

If Honda decides not to use the exemption for the Legend car line, it should formally notify the agency. If this is the case, the car line must be marked according to the requirements under 49 CFR parts 541.5 and 541.6 (making of major component parts and those replacement parts).

The agency notes that the limited and apparently conflicting data on the effectiveness of the pre-standard parts marking programs make it difficult at this early stage of the theft standard's implementation to compare the effectiveness of an antitheft device with the effectiveness of compliance with the theft prevention standard. The statute clearly invites such a comparison, which the agency has made on the basis of the limited data available.

NHTSA notes that if Honda wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption was based. Further, § 543.9(c)(2) provides for the submission of petitions "(t)o modify and exemption to permit the use of an antitheft device similar to but differing from the one specified in that exemption."

However, the agency wishes to minimize the administrative burden which § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change in the components or design of an antitheft device. The significance of many such changes could be *de minimus*. Therefore, NHTSA suggests that if Honda contemplates making any changes the effects of which might be charaterized as *de minimus*, then the company should consult the agency before preparing and submitting a petition to modify. (15 U.S.C. 2025, delegation of authority at 49 CFR 1.50).

Issued on: May 23, 1990.

Howard M. Smolkin,

Executive Director.

[FR Doc. 90-12387 Filed 5-29-90; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

Date: May 23, 1990.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0162.
Form Number: 4136.
Type of Review: Revision.
Title: Credit for Federal Tax on Fuels.
Description: Internal Revenue Code section 34 allows a credit for Federal excise tax for certain fuels uses. This form is used to figure the amount of income tax credit. Data is used to

verify the validity of the claims for the type of use.
Respondents: Individuals or households, Farms, Businesses or other for-profit, Small businesses or organizations.
Estimated Number of Respondents: 1,651,077.
Estimated Burden Hours Per Response/ Recordkeeping:
Recordkeeping—6 hours, 56 minutes.
Learning about the law or the form—6 minutes.
Preparing and sending the form to IRS—13 minutes.
Frequency of Response: Annually.
Estimated Total Recordkeeping/ Reporting Burden: 11,970,308 hours.
Clearance Officer: Garrick Shear (202) 535–4297, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 90–12379 Filed 5–29–90; 8:45 am]

BILLING CODE 4830–01–M

Public Information Collection Requirements Submitted to OMB for Review

Date: May 23, 1990.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the Submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Office of Thrift Supervision

OMB Number: New.
Form Number: None.
Type of Review: New Collection.
Title: Service Corporation Notice Filings.
Description: These notice filings consist of the collection of information from insured savings associations regarding their service corporations and subsidiaries to meet a statutory obligation and to implement new thrift industry restrictions and filling requirements.
Respondents: Businesses or other for-profit.
Estimated Number of Respondents: 1,500.
Estimated Burden Hours Per Responses: 6 hours.
Frequency of Response: Frequency of reporting is determined by frequency of occurrence of regulated activities.
Estimated Total Reporting Burden: 9,000 hours.
Clearance Officer: John Turner (202) 906–6025, Office of Thrift Supervision, 1700 G Street, NW., 3rd Floor, Washington, DC 20552.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Department Reports, Management Officer.

[FR Doc. 90–12380 Filed 5–29–90; 8:45 am]

BILLING CODE 4810–25–M

Public Information Collection Requirements Submitted to OMB for Review

Date: May 23, 1990.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545–0062.
Form Number: 3903 and 3903F.
Type of Review: Extension.
Title: Moving Expenses; Foreign Moving Expenses.
Description: Internal Revenue Code section 217 requires itemization of various allowable moving expenses. Internal Revenue Code section 274(n) limits certain meal expenses to 80%. Forms 3903 and 3903F are filed with Form 1040 by individuals claiming employment related moves. The data is used to help verify that the expenses are deductible and that the deduction is computed correctly.
Respondents: Individuals or households.
Estimated Number of Respondents: 1,607,278.
Estimated Burden Hours Per Response/ Recordkeeping:

	3903	3903F
Recordkeeping	1 hour, 5 minutes.	52 minutes.
Learning about the law or the form.	7 minutes	7 minutes.
Preparing the form.	37 minutes	35 minutes.
Copying, assembling, and sending the form to IRS.	20 minutes	20 minutes.

Frequency of Response: Annually.
Estimated Total Recordkeeping/ Reporting Burden: 3,456,266 hours.
OMB Number: 1545–0144.
Form Number: 2438.
Type of Review: Extension.
Title: Regulated Investment Company Undistributed Capital Gains Tax Return.
Description: Form 2438 is used by regulated investment companies to figure capital gains tax on undistributed capital gains designated under Internal Revenue Code section 852(b)(3)(D). IRS uses this information to determine the correct tax.
Respondents: Businesses or other for-profit.
Estimated Number of Respondents: 10.
Estimated Burden Hours Per Response/ Recordkeeping:
Recordkeeping—7 hours, 25 minutes.
Learning about the law or the form—35 minutes.
Preparing and sending the form to IRS—45 minutes.
Frequency of Response: Annually.
Estimated Total Recordkeeping/ Reporting Burden: 875 hours.
OMB Number: 1545–0967.
Form Number: 8453–F.
Type of Review: Extension.
Title: U.S. Fiduciary Income Tax Declaration for Magnetic Media Filing.
Description: This form is used to secure taxpayer signatures and declarations for the Electronic Filing Pilot for trust and fiduciary income tax returns. This form, together with the electronic transmission, will comprise the taxpayer's income tax return (Form 1041).
Respondents: Individuals or households.
Estimated Number of Respondents: 10,000.
Estimated Burden Hours Per Response/ Recordkeeping:
Recordkeeping—7 minutes.
Learning about the law or the form—1 minute.
Preparing the form—13 minutes.
Copying, assembling, and sending the form to IRS—20 minutes.

Frequency of Response: Annually.
Estimated Total Recordkeeping/ Reporting Burden: 6,800 hours.
Clearance Officer: Garrick Shear (202) 535–4297, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,
Departmental Reports Management Officer.
[FR Doc. 90–12381 Filed 5–29–90; 8:45 am]
BILLING CODE 4830–01–M

Public Information Collection Requirements Submitted to OMB for Review

Date: May 23, 1990.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2224, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

U.S. Customs Service

OMB Number: 1515–0151
Form Number: None
Type of Review: Extension
Title: Foreign Trade Zone Annual Reconciliation Certification and Recordkeeping Requirement
Description: Each foreign trade zone operator will be responsible for maintaining its inventory control in compliance with statute and regulations. The operator will furnish Customs an annual certification of his compliance.
Respondents: Businesses or other for-profit
Estimated Number of Respondents: 150
Estimated Burden Hours Per Response/ Recordkeeping: 1 hour, 10 minutes
Frequency of Response: Annually
Estimated Total Recordkeeping/ Reporting Burden: 175 hours
Clearance Officer: Dennis Dore (202) 535–9267, U.S. Customs Service, Paperwork Management Branch, Room 6316, 1301 Constitution Avenue, NW., Washington, DC 20229.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,
Departmental Reports Management Officer.
[FR Doc. 90–12382 Filed 5–29–90; 8:45 am]
BILLING CODE 4820–02–M

Public Information Collection Requirements Submitted to OMB for review.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: New
Form Number: 8815
Type of Review: New Collection
Title: Exclusion of Interest From Series EE U.S. Savings Bonds Issued After 1989
Description: If an individual redeems series EE U.S. savings bonds issued after 1989 and pays qualified higher education expenses during the year, the interest on the bonds may be excludable from income. Form 8815 is used by the individual to figure the amount of savings bond interest that is excludable.
Respondents: Individuals or households
Estimated Number of Respondents: 25,000
Estimated Burden Hours Per Response/ Recordkeeping:
Recordkeeping—53 minutes
Learning about the law or the form—11 minutes
Preparing the form—35 minutes
Copying, assembling, and sending the form to IRS—34 minutes
Frequency of Response: Annually
Estimated Total Recordkeeping/ Reporting Burden: 50,420 hours

OMB Number: 1545–0869
Form Number: None
Type of Review: Extension
Title: Federal Grants Not Includable in Income in Certain Cases
Description: The regulations relate to information needed to verify the propriety of an exclusion from gross income of certain amounts received by an individual taxpayer as a scholarship or grant under a Federal program which requires the recipient to perform future service as a Federal employee.
Respondents: Individuals or households
Estimated Number of Recordkeepers: 500
Estimated Burden Hours Per Recordkeeper: 10 minutes
Frequency of Response: Other
Estimated Total Reporting Burden: 83 hours

Internal Revenue Service

OMB Number: 1545–0884
Form Number: 8279
Type of Review: Revision
Title: Election To Be Treated as a FSC or as a Small FSC
Description: A foreign corporation and its shareholders must elect to be a Foreign Sales Corporation (FSC) or small FSC. Form 8279 is used to make the election. Form 8279 provides IRS with the necessary information to determine that the foreign corporation qualifies to be a FSC, number and type of shareholders, and tax year of the FSC and its principal shareholder.
Respondents: Businesses or other for-profit
Estimated Number of Respondents: 5,000
Estimated Burden Hours Per Response/ Recordkeeping:
Recordkeeping—4 hours, 32 minutes
Learning about the law or the form—1 hour, 29 minutes
Preparing and sending the form to IRS—1 hour, 38 minutes
Frequency of Response: One-time election
Estimated Total Recordkeeping/ Reporting Burden: 38,300 hurs
Clearance Officer: Garrick Shear (202) 535–4297, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,
Departmental Reports Management Officer.
[FR Doc. 90–12383 Filed 5–29–90; 8:45 am]
BILLING CODE 4830–01–M

Treasury Advisory Committee on Commercial Operations of U.S. Customs Service; Meeting

AGENCY: Departmental Offices, Treasury.

ACTION: Notice of meeting.

SUMMARY: This notice announces the date of the next meeting and the tentative agenda for consideration by

the Treasury Advisory Committee on Commerical Operations of the U.S. Customs Services.

DATES: The next meeting of the Treasury Advisory Committee on Commercial Operations of the U.S. Customs Service will be held on Friday, June 22, 1990 at 9:30 a.m. in room 4121 of the Department of the Treasury, 1500 Pennsylvania Avenue, NW. Washington, DC.

FOR FURTHER INFORMATION CONTACT: Dennis M. O'Connell, Director, Office of Trade and Tariff Affairs, Office of the Assistant Secretary (Enforcement), room 4004, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220. Tel.: (202) 566–8435.

SUPPLEMENTARY INFORMATION: Tentative agenda items for the seventh meeting of the Treasury Advisory Committee on Commercial Operations of the U.S. Customs Service on June 22, 1990 will include:

I. Old Business

1. Status of renewal of the Advisory Committee for an additional two-year term.
2. Update on user fee legislation.

II. New Business

1. Customs Modernization Act
2. Role of the Customs Ombudsman
3. Problems in the administration of trade in textiles.

The meeting is open to the public. Owing to the security procedures in place at the Treasury Building, it is necessary for any person other than an Advisory Committee member who wishes to attend the meeting to give advance notice. In order to be admitted to the building to attend the meeting, contact Dennis M. O'Connell at (202) 566–8435, no later than Friday, June 15, 1990.

Dated: May 23, 1990.

John P. Simpson,

Acting Assistant Secretary (Enforcement).

[FR Doc. 90–12389 Filed 5–24–90; 8:45 am]

BILLING CODE 4810–25–M

Office of Thrift Supervision

[LN–4/1]

Broadview Federal Savings Bank; Replacement of Conservator With Receiver

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5(d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for Broadview Federal Savings Bank, Cleveland, Ohio ("Association"), with the Resolution Trust Corporation as sole Receiver for the Association on May 17, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12372 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[N–4/2]

First Federal Savings Association of Conroe; Appointment of Conservator

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2) (B) and (H) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Conservator for First Federal Savings Association of Conroe, Conroe, Texas ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12366 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Replacement of Conservator With Receiver, First Federal Savings and Loan Association of Southeast Missouri

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5 (d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for First Federal Savings and Loan Association of Southeast Missouri, Cape Girardeau, Missouri ("Association") with the Resolution Trust Corporation as sole Receiver for the association on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12373 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Replacement of Conservator With Receiver; Peoples Savings and Loan Association, FA

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5(d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for Peoples Savings and Loan Association, FA, Hampton, Virginia ("Association"), with the Resolution Trust Corporation as sole Receiver for the Association on May 17, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12374 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Replacement of Conservator With Receiver; Shawnee Federal Savings and Loan Association

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5(d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for Shawnee Federal Savings and Loan Association, Topeka, Kansas ("Association") with the Resolution Trust Corporation as sole Receiver for the Association on May 17, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12375 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/2]

Appointment of Conservator; First Federal Savings Association

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2) (B) and (H) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989,

the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Conservator for First Federal Savings Association, Borger, Texas ("Association") on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12368 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/2]

Appointment of Conservator; Home Savings Bank, F.S.B.

Notice is hereby given that, pursuant to the authority contained in § 5(d)(2)(B) and (H) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision duly appointed the Resolution Trust Corporation as sole Conservator for Home Savings Bank, F.S.B., Salt Lake City, Utah ("Association") on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12369 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/2]

Jennings Federal Savings Association; Appointment of Conservator

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(B) and (H) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Conservator for Jennings Federal Savings Association, Jennings, Louisiana ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary

[FR Doc. 90–12370 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/2]

Jonesboro Federal Savings Association; Appointment of Conservator

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(B) and (H) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Conservator for Jonesboro Federal Savings Association, Jonesboro, Louisiana, on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12365 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Appointment of Conservator; Southwest Savings Association

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(A) and (B), of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Conservator for Southwest Savings Association, Dallas, Texas ("Association"), on May 18, 1990.

Dated: May 23, 1990.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12371 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[N–4/2]

United Savings Bank, F.S.B.; Appointment of Conservator

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(B) and (H), of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Conservator for United Savings Bank, F.S.B., Paterson, New Jersey ("Savings Bank") on May 15, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12367 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

American Savings of Colorado, A Federal Savings and Loan Association; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for American Savings of Colorado, a Federal Savings and Loan Association, Colorado Springs, Colorado ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12352 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

City Federal Savings and Loan Association; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for City Federal Savings and Loan Association, Oakland, California ("Association"), on May 17, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12353 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

First Federal Savings and Loan Association of Conroe; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(A) of the Home Owners' Loan Act of 1933, as amended by section 301

of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for First Federal Savings and Loan Association of Conroe, Conroe, Texas ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12354 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Appointment of Receiver; First Savings and Loan Association

Notice is hereby given that, pursuant to the authority contained in section (d)(2)(C) of the Home Owner's Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for First Savings and Loan Association, Borger, Texas ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12355 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Germantown Trust Savings Bank; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Germantown Trust Savings Bank, Germantown, Tennessee, Docket No. 7562, on May 17, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12356 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Hallmark Savings and Loan Association, F.A.; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Hallmark Savings and Loan Association, F.A., Plano, Texas ("Association"), on May 16, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12357 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Appointment of Receiver; Home Savings Bank

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(C) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Home Savings Bank, Salt Lake City, Utah ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12358 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Horizon Federal Savings and Loan Association, Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Horizon Federal Savings and Loan Association, Baton Rouge, Louisiana ("Association"), on May 17, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12359 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Jennings Federal Savings and Loan Association; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(A) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Jennings Federal Savings and Loan Association, Jennings, Louisiana ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12360 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Jonesboro Federal Savings and Loan Association; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(A) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Jonesboro Federal Savings and Loan Association, Jonesboro, Louisiana, Docket No. 2406, on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–12361 Filed 5–29–90; 8:45 am]

BILLING CODE 6720–01–M

[LN–4/1]

Midwest Federal Savings and Loan Association; Notice of Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989,

the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Midwest Federal Savings and Loan Association, Nebraska City, Nebraska ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90-12362 Filed 5-29-90; 8:45 am]

BILLING CODE 6720-01-M

[LN-4/1]

North American Federal Savings Association; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for North American Federal Savings Association, San Antonio, Texas ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90-12363 Filed 5-29-90; 8:45 am]

BILLING CODE 6720-01-M

[LN-4/1]

United Savings Bank, S.L.A.; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(A) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for United Savings Bank, S.L.A., Paterson, New Jersey ("Savings Bank") on May 15, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90-12364 Filed 5-29-90; 8:45 am]

BILLING CODE 6720-01-M

Sunshine Act Meetings

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1989

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of May 28, June 4, 11, and 18, 1990.

PLACE: Commissioners' Conference Room , 11555 Rockville Pike, Rockville, Maryland.

STATUS: Open and Closed.

MATTERS TO BE CONSIDERED:

Week of May 28

Thursday, May 31

11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of June 4—Tentative

Monday, June 4

9:00 a.m.
Briefing by ALWR Utility Steering Committee on Advanced Light Water Reactor Certification Issues (Public Meeting)

Friday, June 8

10:00 a.m.
Briefing on IIT Report of Vogtle Event (Public Meeting)
11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting)
2:00 p.m.
Discussion of Management-Organization and Internal Personnel Matters (Closed—Ex. 2, 6, & 7)

Week of June 11—Tentative

Thursday, June 14

2:00 p.m
Briefing on Accident Sequence Precursor Program (Public Meeting)

Friday, June 15

10:00 a.m.
Briefing on Staff Recommendations for Implementation of Severe Accident Policy for Externally Initiated Events (Public Meeting)
11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of June 18—Tentative

Wednesday, June 20

2:00 p.m.
Briefing on NUREG-1150 Peer Review Group Status (Public Meeting)

Thursday, June 21

2:30 p.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Note: Affirmation sessions are initially scheduled and announced to the public on a time-reserved basis. Supplementary notice is provided in accordance with the Sunshine Act as specific items are identified and added to the meeting agenda. If there is no specific subject listed for affirmation, this means that no item has as yet been identified as requiring any Commission vote on this date.

To Verify the Status of Meetings Call (Recording)—(301) 492–0292

CONTACT PERSON FOR MORE INFORMATION: William Hill (301) 492–1661.

Dated May 24, 1990.

William M. Hill, Jr.,
Office of the Secretary.

[FR Doc. 90–12634 Filed 5–25–90; 8:45 am]
BILLING CODE 7590–01–M

RESOLUTION TRUST CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that on Thursday, May 24, 1990, at 10:25 a.m., the Board of Directors of the Resolution Trust Corporation met in closed session to consider the following matters:

Matters relating to the resolution of certain failed thrift institutions.

Matters regarding the Corporation's administrative activities.

In calling the meeting, the Board determined, on motion of Director C. C. Hope, Jr. (Appointive), seconded by Director Robert L. Clarke (Comptroller of the Currency), concurred in by Chairman L. William Seidman and Director T. Timothy Ryan, Jr. (Director of the Office of Thrift Supervision), that Corporation business required its consideration of the matters on less than seven days notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the RTC Auditorium located at 801–17th Street, NW., Washington, DC.

Dated: May 24, 1990.

Resolution Trust Corporation.
John M. Buckley, Jr.,
Executive Secretary.

[FR Doc. 90–12578 Filed 5–25–90; 10:41 am]
BILLING CODE 6714–01–M

Corrections

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1990

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 97

[PR Docket No. 88-139; FCC 89-180]

Reorganization and Deregulation of Part 97, Rules Governing the Amateur Radio Service

Correction

In rule document 89-14433 beginning on page 25857 in the issue of Tuesday, June 20, 1989, make the following correction:

§ 97.305 [Corrected]

On page 25869, in § 97.305, a portion of the table was incorrectly published. The table, beginning at "VHF", is correctly published below.

Wavelength band	Frequencies	Emission types authorized	Standards see § 97.307(f), paragraph:
• • •	• • •	• • •	• • •
VHF:			
6 m	50.1–51.0 MHz	MCW, phone, image, RTTY, data	(2), (5).
6 m	51.0–54.0 MHz	MCW, phone, image, RTTY, data, test	(2), (5), and (8).
2 m	144.1–148.0 MHz	MCW, phone, image, RTTY, data, test	(2), (5), and (8).
1.25 m	Entire band	MCW, phone, image, RTTY, data, test	(2), (5), and (8).
UHF:			
70 cm	Entire band	MCW, phone, image, RTTY, data, test	(6), (8).
33 cm	Entire band	MCW, phone, image, RTTY, data, test, pulse	(7), (8), and (12).
23 cm	Entire band	MCW, phone, image, RTTY, data, SS, test	(7), (8), and (12).
13 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
SHF:			
9 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
5 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
3 cm	Entire band	MCW, phone, image, RTTY, data, SS, test	(7), (8), and (12).
1.2 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
EHF:			
6 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
4 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
2.5 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
2 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
1 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
—	Above 300 GHz	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 878

[Docket No. 88N-0244]

General and Plastic Surgery Devices; Effective Date of the Requirement for Premarket Approval of Silicone Gel-filled Breast Prosthesis

Correction

In proposed rule document 90-11471 beginning on page 20568, in the issue of Thursday, May 17, 1990, make the following correction:

On page 20568, in the first column, under **DATES**, the 2nd sentence should read "FDA intends that if a final rule is issued, based on this proposed rule, PMA's will be required to be submitted by (the date 90 days after the date of promulgation of that final rule, or December 31, 1990, whichever is later).".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 448

[Docket No. 90N-0133]

Antibiotic Drugs; Cyclosporine Capsules

Correction

In rule document 90-11135 beginning on page 19872, in the issue of Monday, May 14, 1990 make the following correction:

§ 448.123b [Corrected]

In § 448.123b(b)(1)(ii), on page 19874, in the first line, after "where:" add "A_u = Area of the cyclosporine peak in the chromatogram of the sample (at a retention time equal to that observed for the standard);".

BILLING CODE 1505-01-D

federal register

Wednesday
May 30, 1990

Part II

Department of Education

34 CFR Part 201

Chapter 1—Migrant Education Program; Final Regulations

DEPARTMENT OF EDUCATION

34 CFR Part 201

RIN 1810-AA48

Chapter 1—Migrant Education Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The U.S. Secretary of Education amends the regulations implementing the chapter 1—Migrant Education Program, operated under subpart 1 of part D, chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended. The Secretary takes this action to correct several errors found in the published regulations for this program. These technical amendments will clarify any misunderstanding that may have resulted from the incorrect information.

EFFECTIVE DATES: These regulations take effect either 45 days after publication in the **Federal Register** or later if the Congress takes certain adjournments. If you want to know the effective date of these regulations, call or write the Department of Education contact person. A document announcing the effective date will be published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Marie P. Strahan, Office of Migrant Education, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW., room 2155, FOB #6, Washington, DC 20202–6135. Telephone: (202) 732–4637.

SUPPLEMENTARY INFORMATION: On October 23, 1989, final regulations for the chapter 1—Migrant Education Program were published in the **Federal Register** (54 FR 43219). Those regulations govern migrant education programs and projects administered and operated under subpart 1 of part D, chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended.

Upon review of the published regulations, the Secretary has determined that they contain several errors. One concerns service priorities that govern preschool educational services available to children three years of age or older (§ 201.31(b)). Another concerns the use of national or State normed achievement tests in evaluating projects through comparison of project outcomes to those of an appropriate non-project comparison group (§ 201.54(b)). The third error concerns nomenclature. In several instances, provisions made applicable to an "LEA" (local educational agency) should have applied more broadly to any "operating agency," which encompasses both an LEA and any other subgrantee that operates a project under the chapter 1—Migrant Education Program. Finally, paragraph (a)(2)(i) of § 201.18 (Approval of a project application for a subgrant) incorrectly identifies the regulation governing maintenance of effort as § 201.40 rather than § 201.41, and paragraph (a) of § 201.32. (Annual needs assessment) incorrectly identifies the paragraph of that regulation that contains special rules for preschool projects as paragraph (c) rather than paragraph (e). Changes made in response to the first three of these errors are explained more fully in the following discussion.

Section 201.31(b) Section 201.31(b) currently contains language providing that if, in order to provide instructional services to preschool currently migratory children, it would be necessary to provide either day care services to currently migratory children under three years of age or preschool services to those who are three years of age or older and not enrolled in instructional programs, the operating agency may provide those services to these children as if they had a higher priority for services than do formerly migratory children. The language suggests that the Secretary distinguishes, at the preschool level, between educational services that are considered to be "instructional" activities and those that encompass a broader range of services, such as day care and child development activities, that might not be considered "instructional." The language also suggests, incorrectly, that the Secretary places a priority on providing formal instructional services in programs for preschool migratory children.

The current language in § 201.31(b) is inconsistent with the response the Secretary made to a public comment on § 201.11 (Documents an SEA must submit to receive a grant) of the proposed migrant education program regulations published on January 25, 1989. In that discussion, the Secretary stated that preschool "educational" services encompass child development and day care activities. See 54 FR 43234 (October 23, 1989). The Secretary did not intend to suggest through the parenthetical language in § 201.31(b) that these educational activities, such as child development or day care, are not "instructional." Moreover, Congress intended for migrant children three years of age or older who are not enrolled in regular school instructional programs to receive the benefits of migrant education preschool services. See H.R. Rep. 100–95, 100th Cong., 1st Sess., 37 (1987); S. Rep. 100–222, 100th Cong., 1st Sess., 21 (1987). However, section 1202(b) of the statute does not suggest that these preschool educational services need to constitute formal "instructional" activities.

To eliminate confusion about the scope of preschool educational services for migratory children, the Secretary has revised § 201.31(b), and the definition of "preschool children" in § 201.3, to eliminate the existing references to "instructional" preschool programs, and to permit programs that encompass any "educational" activities. The form and scope of an operating agency's preschool project will depend upon the results of the annual needs assessment (§ 201.32), rather than, as § 201.31(b) suggests, on whether those children need the benefits of an instructional activity.

Section 201.54(b) Section 201.54 concerns the use of non-project comparison groups in evaluating State and local migrant education projects. Paragraph (b) of that section requires that to fulfill the evaluation requirements of § 201.52 (b) and (c), SEAs and operating agencies, to the extent possible, must use appropriate forms and levels of national or State normed achievements tests. The Secretary believes that § 201.54(b) is confusing and unnecessary, and therefore has determined that the provisions should be deleted. Deletion of § 201.54(b) makes the remaining requirement in § 201.54, which defines an appropriate non-project comparison group, consistent with § 201.52(b) and (c), governing the evaluation information to be collected for both regular term and summer term projects.

Section 201.52 (b) and (c) provides that the evaluation design for all instructional projects must include objective measurements of the educational progress of project participants. Specifically, for the regular school year instructional project, § 201.52(b) states that those measures, if possible, should allow measurement against national or State normed achievement tests. If this is not possible, the SEA or operating agency may use other acceptable measures of educational progress as measured against an appropriate non-project comparison group. For summer school instructional projects, § 201.52(c) requires only that, to the extent possible, a means of comparing project outcomes to those of an appropriate non-project comparison group be used. Section 201.52(c) does not require the use of national or State normed achievement tests for summer school projects.

The Secretary does not believe that the requirement of § 201.54(b) is compatible with § 201.52 (b) and (c), which do not require the use of national

or State normed achievement tests where project evaluations are made using non-project comparison groups. While the Secretary re-emphasizes (see 54 FR 41249–50) the benefits that can be obtained by evaluating migrant education projects through testing of this kind, the Secretary does not insist, through regulations, that this occur.

Operating agencies. In the discussion of public comment on proposed § 201.10 (Eligibility of an SEA to participate as a grantee), the Secretary explained that because there was no need to distinguish between local educational agencies (LEAs) and other operating agencies in the subgrant process, appropriate portions of the regulations had been changed to make them apply to all operating agencies rather than merely to LEAs. This regulation corrects certain instances in which this change of nomenclature was not made. Remaining references solely to an LEA are to: (1) Responsibilities for maintenance of fiscal effort and (2) the prohibition in § 201.50 against considering payments under the Migrant Education Program in determining State aid, neither of which apply to a non-LEA operating agency.

Executive Order 12291

These regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in that order.

Intergovernmental Review

The program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for the program.

Waiver of Notice of Proposed Rulemaking

In accordance with section 431(b)(2)(A) of the General Education Provisions Act and the Administrative Procedure Act, 5 U.S.C. 553, the Secretary published in the **Federal Register** proposed regulations for the Chapter 1—Migrant Education Program on January 26, 1989 (54 FR 3924). The final regulations for 34 CFR part 201, published on October 23, 1989, resulted after a review of public comment.

All of the amendments to §§ 201.31 and 201.54 announced in these regulations are consistent with the Secretary's discussion of that public comment that was published in the **Federal Register** along with the final regulations for part 201, and merely correct inadvertent errors in these regulations. Further public comment could have no effect on these amendments. Therefore, the Secretary has determined that publication of a proposed regulation is unnecessary and contrary to the public interest under 5 U.S.C. 553(b)(B).

List of Subjects in 34 CFR Part 201

Evaluation, Local educational agencies, Migratory children, State educational agencies.

(Catalog of Federal Domestic Assistance Number: 84.011; Migrant Education Basic Formula Grant Program)

Dated: April 30, 1990.

Lauro F. Cavazos,

Secretary of Education.

The Secretary amends title 34 of the Code of Federal Regulations by revising part 201 as follows:

PART 201—CHAPTER 1—MIGRANT EDUCATION PROGRAM

1. The authority citation for part 201 continues to read as follows:

Authority: 20 U.S.C. 2781–2782, unless otherwise noted.

§ 201.2 [Amended]

2. In § 201.2, paragraph (a)(5) is amended by removing "LEAs" and adding, in its place, the words "operating agencies".

§ 201.3 [Amended]

3. In § 201.3, the definition of "Preschool children" in paragraph (b) is amended by removing the word "instructional" wherever it appears and adding, in its place, the word "educational".

§ 201.18 [Amended]

4. Section 201.18 is amended by removing "§ 201.40" in paragraph (a)(2)(i) and adding, in its place, "§ 201.41", and by removing "LEA" wherever it appears in paragraph (b) and adding, in its place, the words "operating agency".

§ 201.25 [Amended]

5. In § 201.25, paragraphs (b) and (c) are amended by removing "LEA" and adding, in its place, the words "operating agency".

6. In § 201.31, paragraph (b) is revised to read as follows:

§ 201.31 Service priorities.

* * * * *

(b) If, in order to provide migrant education services to preschool currently migratory children or migrant education instructional services to school-aged currently migratory children, it would be necessary to provide day care or similar services to currently migratory children aged two years of age or younger, and no funds—except Chapter 1—Migrant Education Program funds—are available for that purpose, an SEA or an operating agency may provide day care or similar services to those children as if they had a higher priority for services than do formerly migratory children.

* * * * *

§ 201.32 [Amended]

7. Section 201.32 is amended by removing "paragraph (c)" in paragraph (a), and adding, in its place, "paragraph (e)".

§ 201.43 [Amended]

8. In § 201.43, paragraph (b) is amended by removing "LEA" and adding, in its place, the words "operating agency".

§ 201.44 [Amended]

9. Section 201.44 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.45 [Amended]

10. Section 201.45 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.47 [Amended]

11. Section 201.47 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.49 [Amended]

12. In § 201.49, paragraph (a) is amended by removing "LEA" and adding, in its place, the words "operating agency".

§ 201.51 [Amended]

13. Section 201.51 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.54 [Amended]

14. Section 201.54 is amended by removing paragraph (b) and by removing the paragraph designation "(a)".

[FR Doc. 90–12402 Filed 5–29–90; 8:45 am]

BILLING CODE 4000–01–M

federal register

Wednesday
May 30, 1990

Part III

Department of Transportation

Federal Aviation Administration

14 CFR Parts 36 and 91

Civil Supersonic Aircraft Noise Type Certification Standards and Operating Rules; Notice of Proposed Rulemaking

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 36 and 91

[Docket No. 25109; Notice No. 86-16]

RIN 2120-AC22

Civil Supersonic Aircraft Noise Type Certification Standards and Operating Rules

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This notice proposes revisions to the aircraft type certification standards and operating rules to require that future supersonic aircraft meet noise limits consistent with those required for future subsonic aircraft. These revisions would aid the development of next-generation supersonic aircraft by establishing a noise impact goal that is consistent with noise limits for conventional (subsonic) aircraft. The FAA believes that these revisions are necessary to guide developers of supersonic aircraft and to assure consistent and equitable noise type certification standards and operating rules for both subsonic and supersonic aircraft.

DATES: Comments must be received on or before November 26, 1990.

ADDRESSES: Send comments on the rule in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Docket No. 25109, 800 Independence Avenue, SW., Washington, DC 20591 or deliver comments in duplicate to: FAA Rules Docket, room 916, 800 Independence Avenue, SW., Washington, DC 20591.

Comments may be examined in the Rules Docket, weekdays except federal holidays, between 8:30 a.m. and 5 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Richard N. Tedrick, Policy and Regulatory Division (AEE-300), Office of Environment and Energy, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, (202) 267-3556.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in these preliminary rulemaking procedures by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address above. All communications received on or before the closing date for comments will be considered by the Administrator before taking further rulemaking action. Persons wishing the FAA to acknowledge receipt of their comment submitted in response to this notice must submit with those comments a preaddressed, stamped postcard on which the following statement is made: "Comments to Docket No. 25109." The postcard will be date stamped and returned to commenter. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket. If it is determined to be in the public interest to proceed with further rulemaking after considering the available data and comments received in response to the Notice of Proposed Rulemaking, a final rule will be issued.

Availability of NPRM

Any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center (APA-230), 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this notice and the NPRM. Persons interested in being placed on the mailing list for future ANPRM's and NPRM's should also request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedures.

Background

On October 30, 1986, the FAA published Advance Notice of Proposed Rulemaking No. 86-16 (51 FR 39663), which provided for a 120-day comment period closing on February 27, 1987. The comment period for Notice No. 86-16 was reopened on March 12, 1987 (52 FR 7618), to allow interested parties additional time to comment. In that notice, the FAA announced its tentative intention to amend parts 36 and 91 of the Federal Aviation Regulations (FAR) to provide for noise type certification of civil supersonic aircraft and to establish a corresponding operating rule for such airplanes. Although only one type of civil SST, the Anglo-French Concorde, is currently operating, it is entirely possible that several other types may be developed within the next several years. Several nations are known to have preliminary design studies underway to determine mission requirements and technological feasibility. The wide range of propulsion systems and civil missions under consideration make it difficult to completely assess the environmental and economic consequences of any proposed regulatory alternative. However, it is important that airplane designers, both domestic and international, and airport planners fully consider the possible noise impacts of these new aircraft. By publishing the Advance Notice, the FAA sought information on the type of propulsion systems that could be used, the availability of noise reduction technology for those systems, methods of noise certification, and the noise/performance/cost tradeoffs of that technology.

Twenty-two commenters responded to Notice No. 86-16, including federal agencies and departments, private citizens, special interest groups, representatives of local and State governments, airport operators, aircraft manufacturers, and one foreign government.

It is clear from the comments received that supersonic aircraft continue to represent the cutting edge of aviation technology development. Both those who favored proceeding with the rule now and those that favored waiting used the rapidly evolving technology as a reason for their position. As currently envisioned, tomorrow's supersonic aircraft are not just today's airplanes slightly modified to go a little faster. Rather, they are being designed in new forms, to be built of new materials and combinations of materials, and may even use new fuels. Accordingly, supersonic aircraft may also require separate airport and airway facilities. One of the unanswered questions is whether the current air transportation system will be capable of supporting these complex, new vehicles without rebuilding significant parts of today's aviation infrastructure.

Because of these current uncertainties, those who responded to the Docket often had widely varying opinions. Seven commenters stated that it was premature to proceed with a rule and that, because of the unique operations of supersonic aircraft and the speculative nature of future supersonic and hypersonic ("Orient Express") aircraft operations, it is not clear what must be considered in a new noise certification standard. These commenters stated that several types of propulsion systems are being evaluated ranging from air-turborockets to turbojets. The commenters stated that they could not focus on noise reduction technology until the manufacturers select a

propulsion system. Further, they indicated that the method of noise type certification could not be determined without knowledge of the airplane design and that more work needs to be done to define the technical feasibility and cost of meeting a Stage 3 rule.

On the other hand, 15 commenters stated that any new type certification rule for supersonic aircraft should, at a minimum, require these aircraft to meet Stage 3 noise limits. Allowing new aircraft to exceed Stage 3 noise requirements would be regressive. In general, the comments calling for a Stage 3 or more stringent rule stated that any new aircraft design must consider the environmental impact upon people living under flight paths and near airports and that new technology transportation systems must not increase existing noise levels around airports.

Whether future generations of supersonic aircraft need new and separate facilities or can use present day airports, the FAA believes that it is important the SST's should not generate noise levels higher than those currently permitted by the existing Stage 3 noise limits. If new facilities are required, the surrounding populations will demand protections equal to those afforded people living around today's airports. The economic and social costs associated with artificially expanding the uninhabited areas around those facilities to accommodate noisy aircraft may easily outweigh any benefits that would accrue to increase speed of transit. On the other hand, if the new supersonic aircraft are to operate out of airports with a mix of other aircraft, they will not be allowed by many local airport authorities to introduce any significant increase in noise level. As Stage 2 aircraft are phased out of service the noise-impacted areas around the nation's airports will continue to shrink in size. To allow the introduction of new, noisier aircraft would seriously undermine the orderly expansion of aviation and reverse long-standing efforts to achieve increasingly effective noise abatement at its source. However, because future SST propulsion systems have not been fully developed, the FAA believes it is important to retain sufficient flexibility in the aircraft performance and flight conditions and in the noise measurement conditions required for noise certification under part 36. The FAA believes that any proposed requirements must be clear and flexible enough to allow for optimization of environmental and economic characteristics of future SST's.

The FAA recognizes that future SST flight control systems will be more advanced than those currently in use and will include the computer controlled aerodynamic and thrust management systems needed for stable and efficient operation throughout the SST's flight envelope. For instance, flaps may be continuously translated to the optimum lift-to-drag position and thrust may be managed to a specific programmed lapse rate, to control noise. However, currently FAR part 36, mainly section C36.7, currently precludes use of thrust and flap management systems as described. As a consequence, future SST's with operational noise characteristics no louder than subsonic Stage 3 airplanes may not technically comply with the current FAR part 36 noise certification requirements. Thus, the rule may need modification to accommodate the operational characteristics of this type of aircraft.

While the FAA will evaluate the appropriateness of noise certification methods for future propulsion systems, it believes that no future SST should exceed the Stage 3 noise limits and that the operation within the United States of any future SST must be consistent with existing operating rules. Therefore, the FAA specifically seeks comments and recommendations on test and measurement conditions and operational characteristics appropriate for future SST's.

Synopsis of the Proposal

Part 36 of the Federal Aviation Regulations (14 CFR Part 36) contains noise standards for aircraft type and airworthiness certification. It requires, in part, that all turbojet and transport category large airplanes meet either the Stage 2 or Stage 3 noise requirements. The Stage 3 requirements became effective for applications for type certificates on or after November 5, 1975. This notice proposes to amend Part 36 to require future SST's to meet the same Stage 3 noise limits as are now required of current turbojet transport category airplanes.

Part 91 (14 CFR part 91) contains the general operating rules applicable to individual airplanes. Subpart E of part 91 contains operating noise limits, including one that requires that certain subsonic airplanes be shown to comply with either Stage 2 or Stage 3 as a condition to operate to or from any U.S. airport. This notice proposes to add a provision to Subpart E to require that, after the effective date of this rule, any SST aircraft, except the 14 existing Concordes, must meet Stage 3 standards to operate to or from any U.S. airport. This SST Stage 3 operating requirement coincides with the Stage 3 type certification rule and would preclude the operation, at U.S. airports, of a future Stage 2 SST produced outside of the United States.

Need for the Regulation

Part 36 contains noise certification standards for only one type of SST, the Anglo-French Concorde. Currently, no provision covers certification for other SST aircraft types. Preliminary design studies are underway in several nations to determine the feasibility of building future SST types. The wide range of propulsion systems under consideration make it necessary for both airplane designers and airport planners to consider the possible noise impacts of these new aircraft. Since no Stage 2 transport category aircraft are being manufactured or are projected to be manufactured in the foreseeable future, it is desirable to have future supersonic transport category aircraft also meet the Stage 3 noise limits. Noise forecasts by the FAA for the transport category fleet mix by the year 2010, indicate that 98 percent of the fleet will be Stage 3. Since no new civil SST's are expected to be operating in appreciable numbers before the year 2010, it is reasonable to expect that such aircraft should meet the Stage 3 noise operating requirements as set forth in part 91.

Regulatory Impact Evaluation

The FAA has prepared and included in the docket a preliminary regulatory evaluation in connection with this notice. The proposal would establish the principle that the noise impact of new supersonic aircraft should be no greater than that of new conventional aircraft designs. The FAA believes the docket contains sufficient information that would be necessary to proceed to a final rule. However, we strongly urge interested persons to submit any additional relevant information during the comment period, particularly information pertinent to the cost of the proposed rule. All submissions will be carefully evaluated before any final rule is issued. Any commenter asserting that the FAA should postpone issuing a final rule pending the receipt of additional data should specify what additional data it believes to be necessary, why the data is required, how it could reasonably be obtained, and when it would be available. In the absence of additional data about costs, or a reasonable approach to obtaining additional data, however, the FAA currently expects that the final regulatory evaluation would contain cost estimates and analyses

substantially similar to those contained in the preliminary regulatory evaluation.

The costs of the proposed rule, if any, would stem from any differences it would require in the construction or operation of civil SST aircraft from what would exist in the absence of the rule. That is, if market forces would cause manufactures and operators to meet this goal even without the proposed rule, then we would expect to conclude that the rule would impose no additional costs. Market forces could play this role if, for example, one manufacturer voluntarily met the standards and other manufacturers chose to do so as well in order to compete. Similarly, if manufacturers and operators find that local noise limitations would make it uneconomic to build and operate aircraft with noise impacts greater than Stage 3, there would also be no costs associated with the proposed rule.

We are especially interested in comments directed to the likely potential costs of the rule. Any additional technical, economic, or environmental data will be useful in analyzing the issues presented and preparing a final regulatory evaluation at the final rule stage. For example, information about the likely direction of local noise regulations would be useful to the agency in determining the extent to which the proposed rule would impose additional costs. Information on what, if any, technological or operating changes might be necessary to comply with the rule would also be useful in understanding the technical and economic issues, although the current proceeding would not impose any specific technological or operating requirements. Any such requirements would be considered, if at all, only in a subsequent rulemaking.

The amendment proposed in this notice would benefit the aviation industry by simplifying and standardizing the noise certification and operational requirements for future SST's. In addition, the proposal is expected to benefit the general public by placing an upper limit on the noise emissions from future SST's. By publishing this notice well in advance of any type certificate application for a new SST, the FAA is providing airplane designers and operators with ample time to comment upon its plan to control the noise impacts of future propulsion systems. In addition, should this proposal become a final rule, this early notice and implementation will also provide airplane designers and operators time to factor in the engineering and associated costs for future propulsion systems in order to meet Stage 3 noise limits.

The FAA will continue to seek additional information from all available sources on the technical, economic, and environmental factors influencing the development of supersonic aircraft. For example, in January 1990, the FAA and the National Aeronautics and Space Administration (NASA) renewed an agreement for the exchange of information between agencies and reconstituted the Coordinating Committee established in 1980 to facilitate such exchanges. Through this mechanism, the FAA will continue to obtain information available to NASA on NASA's High Speed Civil Transport (HSCT) program. A major focus on the HSCT program is the application of technological improvements in the reduction of community noise. The FAA expects this and other sources of information to be of assistance in any policy decisions regarding supersonic aircraft noise.

The FAA specifically invites comments on the preliminary regulatory evaluation included in the docket, including suggestions on how the agency can best evaluate the technical, economic, and environmental factors that should be included in the final decision, and the probable costs and benefits of the proposal. As noted above, the FAA is committed to the maximum possible flexibility for manufacturers and operators, consistent with safety, in designing, evaluating, and operating civil SST aircraft in compliance with the proposed rule.

Regulatory Flexibility Determination

The FAA has determined that no small entities as defined by the Regulatory Flexibility Act would be impacted by the proposed amendments to parts 36 and 91. Currently no SST aircraft are being manufactured. Any future SST manufactured would be built by major manufacturers employing more than 75 persons and are, therefore, not considered to be impacted under the regulatory flexibility determination.

Therefore, it is certified that the proposal, if enacted, would not have significant economic impact on a substantial number of small entities pursuant to FAA Order 2100.14A, September 16, 1986, Regulatory Flexibility Criteria and Guidance.

Environmental Analysis

Pursuant to Department of Transportation "Policies and Procedures for Considering Environmental Impacts" (FAA Order 1050.1D), the FAA has determined that this proposal would not constitute a major Federal action significantly affecting the quality of the human environment. The proposed changes would assure that any future SST will not exceed Stage 3 noise limits. Therefore, no detailed environmental assessment or environmental impact statement is required.

Trade Impact

There would be little or no impact on U.S. foreign trade if this proposal were adopted. At the present time part 36 contains noise certification standards for only one type of SST, the Anglo-French Concorde. Since existing regulations do not provide for certification of future civil SST aircraft, this proposal would be in keeping with FAA's policy of prohibiting the production of Stage 2 aircraft and achieving the goal of an all Stage 3 fleet. Absent this rule, future SST's could be produced to meet Stage 2 noise levels, which is not in keeping with FAA's overall goal of a Stage 3 fleet operating to and in the United States. This rule assures that overseas manufactures of any new type civil SST do not receive an economic advantage over U.S. manufacturers by precluding U.S. operation of aircraft produced outside the United States at Stage 2 noise levels while SST type aircraft manufactured in the United States would have to meet Stage 3 noise levels.

Federalism Implications

The regulations proposed herein would not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Conclusion

The FAA had determined that this proposed regulation is not major under Executive Order 12291 and certifies that this proposed rule will not have a sufficient economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. In addition, this proposal, if adopted, would have little or no impact on trade opportunities for U.S. firms doing business overseas or for foreign firms doing business in the United States. This rule is considered significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). A copy of the draft evaluation

prepared for this action has been placed in the regulatory docket. A copy may be obtained by contacting the person identified under "FOR FURTHER INFORMATION CONTACT."

The Proposed Amendments

Accordingly, the Federal Aviation Administration proposes to amend parts 36 and 91 of the Federal Aviation Regulations (14 CFR parts 36 and 91) in part as follows:

PART 36—[AMENDED]

1. The authority citation for part 36 continues to be as follows:

Authority: 49 U.S.C. 1344, 1348, 1354(a), 1355, 1421, 1423, 1424, 1425, 1428, 1429, 1430, 1431(b), 1651(b)(2), 2121 through 2125; 42 U.S.C. 4321 et. seq.; Sec. 124 of Pub. L. 98–473, E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983).

§ 36.1 [Amended]

2. Section 36.1(a)(1) is amended by removing the word "subsonic."

3. Section 36.1 is amended by adding paragraph (d)(4) to read as follows:

* * * * *

(d) * * *

(4) The Provisions of this part in effect on January 1, 1989, or at the time of application for a type certificate, whichever is later, for all new certificated civil supersonic aircraft.

4. Section 36.302 is added to subpart D to read as follows:

§ 36.302 SST Noise Limits.

For all new type civil SST or any civil supersonic transport which has not had any flight time prior to January 1, 1989, compliance with Stage 3 noise limits of this subpart must be shown with noise levels measured and evaluated as prescribed in subpart B and in appendix C of this part.

PART 91—[AMENDED]

5. The authority citation for part 91 continues to be as follows:

Authority: 49 U.S.C. 1301(7), 1303, 1344, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471, 1472, 1502, 1510, 1522, and 2121 through 2125; Articles 12, 29, 31, and 32(a) of the Convention on International Civil Aviation (61 Stat. 1180); 42 U.S.C. 4321 et. seq.: E.O. 11514; U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983).

6. Section 91.311 is revised to read as follows:

§ 91.311 Civil supersonic airplanes: Noise limits.

Except for Concorde airplanes having flight time before January 1, 1980, no person may operate, in the United States, a civil supersonic airplane that does not comply with the Stage 3 noise limits of part 36 as prescribed in appendix C. Applicable trade-off provisions may be used as prescribed in appendix C.

Issued in Washington DC, on May 22, 1990.

Louise E. Maillett,

Acting Director of Environment and Energy.

[FR Doc. 90–12412 Filed 5–29–90; 8:45 am]

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Reader Aids

Federal Register

Vol. 55, No. 104

Wednesday, May 30, 1990

INFORMATION AND ASSISTANCE

Federal Register

Index, finding aids & general information	523-5227
Public inspection desk	523-5215
Corrections to published documents	523-5237
Document drafting information	523-5237
Machine readable documents	523-3447

Code of Federal Regulations

Index, finding aids & general information	523-5227
Printing schedules	523-3419

Laws

Public Laws Update Service (numbers, dates, etc.)	523-6641
Additional information	523-5230

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the Presidents	523-5230
Weekly Compilation of Presidential Documents	523-5230

The United States Government Manual

General information	523-5230

Other Services

Data base and machine readable specifications	523-3408
Guide to Record Retention Requirements	523-3187
Legal staff	523-4534
Library	523-5240
Privacy Act Compilation	523-3187
Public Laws Update Service (PLUS)	523-6641
TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, MAY

18073-18302.....1
18303-18584.....2
18585-18716.....3
18717-18850.....4
18851-19046.....7
19047-19232.....8
19233-19616.....9
19617-19716.....10
19717-19870.....11
19871-20110.....14
20111-20260.....15
20261-20438.....16
20439-20586.....17
20587-20766.....18
20767-20998.....21
20999-21170.....22
21171-21372.....23
21373-21514.....24
21515-21734.....25
21735-21832.....29
21833-22024.....30

CFR PARTS AFFECTED DURING MAY

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:

6030 (See Proc. 6123).....18075
6122.....18073
6123.....18075
6124.....18585
6125.....18715
6126.....18717
6127.....19041
6128.....19043
6129.....19045
6130.....19233
6131.....19715
6132.....20107
6133.....20109
6134.....20259
6135.....20999
6136.....21001
6137.....21373
6138.....21515
6139.....21733
6140.....21735
6141.....21829
6142.....21835

Executive Orders:

12356 (See Order of May 4).....19235
12675 (Amended by EO 12712).....18095
12712.....18095
12713.....18719
12714.....19047
12715.....19051
12716.....21831

Administrative Orders:

Memorandums:
Apr. 26, 1990.....18299

Presidential Determinations:
No. 90-17 of Apr. 25, 1990.....18587
No. 90-18 of Apr. 25, 1990.....18589
No. 90-20 of May 19, 1990.....21833

Order:
May 4, 1990.....19235

5 CFR

1200.....21171
1630.....18851
2638.....21845

Proposed Rules:

213.....21552
305.....21552
316.....21552
317.....21552
351.....21552
831.....21552
842.....21552
870.....21552
890.....21552

7 CFR

2.....18097
3.....18591
13.....18591
27.....20439
28.....20439
29.....21737
52.....19001
54.....20441
210.....18857
245.....19237
301.....19241, 21674
400.....18097
401.....21738
704.....19243
905.....21533
910.....18858, 19717, 20587, 21740
911.....21172
915.....21003, 21172
920.....19717
927.....18097
949.....21375
979.....19719, 19720
985.....18859, 21006
993.....19617
1012.....18098
1139.....18303
1210.....20443
1230.....21847
1260.....20444
1478.....19053
1809.....21517
1902.....21517
1910.....21517
1941.....21517
1943.....21517
1944.....21517
1945.....21517
1980.....19244
3017.....21681

Proposed Rules:

220.....18908, 20023
300.....20023
301.....18342
401.....20798
911.....19740
920.....20799
926.....21754
929.....19741
948.....19631
953.....18909
958.....21555
959.....21041
981.....21202
982.....19632
1001.....21556
1002.....21556
1004.....21556

1762.....18606
1941.....18607
1943.....18607
1945.....18607

8 CFR

103.....20261, 20767, 20771
210a.....20771
245.....20261
264.....20261
286.....18860

9 CFR

71.....18099
78.....19054
82.....18099
85.....19245
92.....19253, 21534

Proposed Rules:

78.....19268
92.....21042, 21879
94.....18342
114.....18345
308.....19888
318.....19888
320.....19888
381.....19888

10 CFR

170.....21173
590.....18227
600.....21008
1036.....21681

Proposed Rules:

Ch. I.....19633
20.....19890
30.....19890
40.....19890
50.....18608
70.....19890

12 CFR

11.....21009
207.....18591
220.....18591
221.....18591
224.....18591
229.....21848
304.....21010
330.....20111
331.....20111
386.....20111

Proposed Rules:

202.....20275
563g.....18610
701.....21618
741.....18613
1611.....20023

13 CFR

145.....21681
302.....18593
309.....18594

Proposed Rules:

120.....18614
121.....20467
124.....18615
125.....19633

14 CFR

13.....18800
14.....18800
15.....18704
21.....19050, 20588
23.....18570, 19050
25.....20588
39.....18304, 18305, 18860, 18861, 19058, 19061, 19254, 19721, 19722, 20129–20133, 20590–20592, 20894, 21184, 21185, 21375, 21377, 21535, 21536, 21741, 21858, 21860
71.....18100, 18862, 19226, 19255, 19256, 20134, 21186, 21826, 21861
73.....19724, 20100
75.....19257
97.....18863, 21378
135.....20135
385.....20446
1215.....20592
1265.....21681

Proposed Rules:

Ch. I.....18702, 20609
13.....20394
21.....18346
29.....18346
36.....22020
39.....18349, 18350, 18910, 19083–19086, 19269, 19271, 20164, 20165, 20609, 20610, 21388, 21883, 21884
47.....20394
61.....20394
71.....18122, 18123, 19272–19275, 19742, 20166, 20167, 21203, 21389, 21826
75.....18351, 21826
91.....20394, 21722, 22020
183.....20394

15 CFR

26.....21681
30.....21186
799.....19724
2006.....20593

Proposed Rules:

290.....18124

16 CFR

417.....20450
600.....18804

Proposed Rules:

4.....20469

17 CFR

1.....19725
200.....18306, 19062, 19871, 20894
230.....18306, 20894

18 CFR

271.....18100, 18864
274.....20450
1303.....20453

Proposed Rules:

803.....21390

19 CFR

12.....19029
353.....20453
355.....20453

Proposed Rules:

4.....21204
122.....18352
133.....18353
201.....19276

20 CFR

212.....20454
404.....21380
416.....20612

Proposed Rules:

10.....20276
200.....19743
209.....19743
234.....19743
416.....19423, 20612

21 CFR

74.....18865, 19618, 21674
109.....20782
177.....18595, 18596, 19701
178.....18597, 18721
179.....18227, 18538, 19701
310.....18722, 19852
331.....19852
357.....19862
436.....19872
444.....18597
448.....19872, 22014
509.....20782
510.....18330, 19874
522.....18724
524.....20454
558.....18330, 18598

Proposed Rules:

Ch. I.....20799
312.....20802
333.....19868, 20434
334.....20434
335.....20434
341.....20434
344.....20434
347.....20434
348.....20434
350.....20434
355.....20434
356.....20434
357.....20434
358.....20434
448.....19868
450.....18617, 19701
874.....18830
878.....20568, 22013

22 CFR

51.....21538
137.....21681
208.....21681
310.....21681
513.....21681
1006.....21681
1508.....21681

Proposed Rules:

212.....18620, 20471

23 CFR

658.....19145

Proposed Rules:

1204.....20471

24 CFR

24.....21681
25.....18869
49.....18490
200.....18873
203.....18490, 18869
205.....18873
207.....18490
213.....18490
221.....18490
234.....18490
237.....18490
280.....20240
510.....18490
511.....20040
570.....18490

Proposed Rules:

200.....19895
203.....21620
251.....21621
252.....21621
255.....21621
511.....20070
888.....20682

25 CFR

143.....19620
177.....20455

Proposed Rules:

61.....18128
143.....19637

26 CFR

1.....19423, 19622, 19875, 21187
35a.....19622
46.....19622
301.....21742, 21862
602.....19622, 21187

Proposed Rules:

1.....18626, 18639, 19423, 19897–19947, 20278–20289
301.....21886

27 CFR

55.....21862

Proposed Rules:

9.....20168
179.....18736

28 CFR

0.....19063, 20456
67.....21681

Proposed Rules:

0.....18130

29 CFR

98.....21681
517.....19064
1471.....21681
1910.....19258
2619.....20136
2676.....20137

Proposed Rules:

1910.....19745
2700.....20805

30 CFR

75.....20137
926.....19727
936.....20138
942.....20600
948.....21304

Proposed Rules:

56.....19748
57.....19748
58.....19748
70.....19748
71.....19748
72.....19748
75.....18736, 18737, 19748
202.....18911, 20679
206.....18911, 20679
210.....18911, 20679
212.....18911, 20679
250.....18639
780.....19637
785.....19637
816.....19637
913.....19751
914.....19087

931.....19752

31 CFR

19.....21681
103.....20139

32 CFR

199.....19145, 21863
220.....21742
280.....21681
813.....20787
836.....20787
847.....18600

Proposed Rules:

199.....21624
286b.....20168
806b.....21755

33 CFR

100.....18600, 19065, 19628, 19736, 19881, 20262, 21538–21549, 21865, 21867
117.....18875, 20263
151.....18578
165.....18724, 20263–20265, 21382
208.....21508

Proposed Rules:

117.....20477, 20613, 20805, 21205, 21886
161.....21044
162.....21044
163.....21044
164.....21044
165.....19959, 21044
334.....21206

34 CFR

85.....21681
201.....22016
300.....21712
315.....21712
332.....21712
365.....21712
366.....21712
367.....21712
369.....21712
380.....21712
385.....21712
396.....21712
400.....21712
607.....21712
608.....21712
624.....21712
628.....21712
629.....21712
630.....21712
631.....21712
637.....21712
639.....21712
643.....21712
644.....21712
645.....21712
646.....21712
649.....21712
656.....21712
657.....21712
658.....21712
692.....21712

36 CFR

1206.....21541
1209.....21681
1234.....19216

37 CFR

1.....18230

Proposed Rules:

301.....18131
306.....18131

38 CFR

1.....21545
2.....21545
3.....18601, 20144
17.....20150, 21545
19.....20144
21.....18603
36.....21015
44.....21681

Proposed Rules:

3.....19088
17.....19753
21.....18641, 18642

39 CFR

20.....19260

40 CFR

32.....21681
52.....18106–18110, 18604, 18725, 19065, 19066, 19262, 19881, 20265–20272, 20601, 21021, 21546, 21750, 21751
60.....18876, 19882, 21752
61.....18330, 19882
62.....19883
145.....21191
180.....21200, 21547
228.....20274, 20788
261.....18496, 18726, 18876
264.....19262
271.....18496, 21383
272.....18112
280.....18566
302.....18496
350.....19264
721.....20792
761.....21023
790.....18881

Proposed Rules:

6.....18838
52.....18131, 20479, 20614, 20616, 20806, 21207, 21755
81.....21390, 21391
82.....18256
180.....19277–19282, 20416
185.....19283, 20416
186.....20416
261.....18132, 18507, 18643, 19830, 20169
264.....20678
721.....21887
795.....21393
799.....21393

41 CFR

60–30.....19069
101–3.....18702
101–45.....19737
105–68.....21681
201–45.....19221
271.....18507
302.....18507

42 CFR

405.....18331

Proposed Rules:

405.....20896
412.....19426
416.....20896
440.....20896
482.....20896
483.....20896
488.....20896
493.....20896

43 CFR

12.....21681
3100.....18604
5450.....19884
5460.....19884

Public Land Orders:

725 (Revoked in part by PLO 6781).....19629
1697 (Revoked).....18335
2354 (Revoked in part by PLO 6780).....19629
6777.....18335
6779.....19070
6780.....19629
6781.....19629
6782.....20766, 21674

44 CFR

17.....21681
64.....18113, 18336, 18884, 18885, 21031–21033
65.....18115, 18116
67.....18117

Proposed Rules:

67.....18138, 19961

45 CFR

76.....21681
235.....18727
620.....21681
1154.....21681
1169.....21681
1185.....21681
1215.....20152
1229.....21681
2016.....21681

Proposed Rules:

233.....18912
234.....18912
235.....18912
1355.....19089
1356.....19089
1357.....19089

46 CFR

25.....18578
31.....21548
71.....21548
91.....21548
147.....21386
401.....19145
550.....20457
580.....20457
581.....20457

Proposed Rules:

58.....18142
146.....20996
160.....18142
515.....20482
525.....20482
530.....20482
560.....20482
572.....20482

47 CFR

0.....19148
1.....19148, 20396
5.....19148, 20396
15.....18339
21.....20396
22.....20396
25.....20396, 21550
61.....19148
63.....20396
73.....18887, 18888, 19264, 19265, 19830, 20603, 21035, 21201, 21386
74.....20396
76.....18888
78.....20396
80.....20396
90.....20396
94.....18889
95.....20396
97.....20396, 22013
99.....20396

Proposed Rules:

1.....18738, 20400
21.....18354
22.....21625
25.....18918
32.....20482
43.....18354
63.....20400
65.....18920, 18921
73.....18355, 19284, 21402, 21403
74.....18354
78.....18354
80.....21626
94.....18354
95.....18740

48 CFR

1.....21706
9.....21706
23.....21706
42.....21706
52.....21706
201.....19070
202.....19070
204.....19070
206.....19070
208.....19070
215.....19070
217.....19070
219.....19070
222.....19070
223.....19070
225.....19070
226.....19070
227.....19070
232.....19070
237.....19070
244.....19070
245.....19070
246.....19070
247.....19070
251.....19070
252.....19070
App. H.....19070
App. I.....19070
513.....20457
514.....20457
515.....20457
553.....20457
1501.....18340

Proposed Rules:

9.....18296
232.....21758
237.....19967, 21674
252.....21758
915.....21404
970.....21404
1527.....20809
1552.....20809

49 CFR

29.....21681
107.....21035
171.....20796, 21035
172.....20796, 21035
173.....20796, 21035
175.....20796
176.....20796, 21035
177.....19210, 21035
178.....21035
180.....21035
571.....18889, 19630, 20158 21038, 21868, 21876
1056.....18729
1160.....21386

Proposed Rules:

27.....18644
107.....20962
171.....18438, 20962
172.....18438, 21342
173.....18438, 20242, 21342
174.....18546
175.....18546
176.....20962
177.....18546
179.....21342
396.....18355
531.....21626
571.....21891
1003.....18741
1043.....18741
1084.....18741
1105.....20810
1106.....20810
1150.....20810
1152.....20810

50 CFR

17.....18844, 19145, 21148
216.....20458
222.....20603
301.....21876, 21877
611.....19266, 19738
628.....18729
642.....21201
646.....18893
650.....18604, 20274
658.....18120, 20162
661.....18894, 20607, 21039
672.....18605, 19266 19738, 20465
675.....19266

Proposed Rules:

17.....18357, 18843, 20483, 21154, 21207, 21760
32.....19968
33.....19968
215.....21630
611.....21410, 21411
662.....19284

LIST OF PUBLIC LAWS

Last List May 29, 1990

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S. 2300/Pub. L. 101-300

To provide financial assistance to the Simon Wiesenthal Center in Los Angeles, California, for the education programs of the Museum of Tolerance. (May 24, 1990; 104 Stat. 205; 1 page) $1.00

S. 1846/Pub. L. 101-301

To make miscellaneous amendments to Indian laws, and for other purposes. (May 24, 1990; 104 Stat. 206; 7 pages) Price: $1.00

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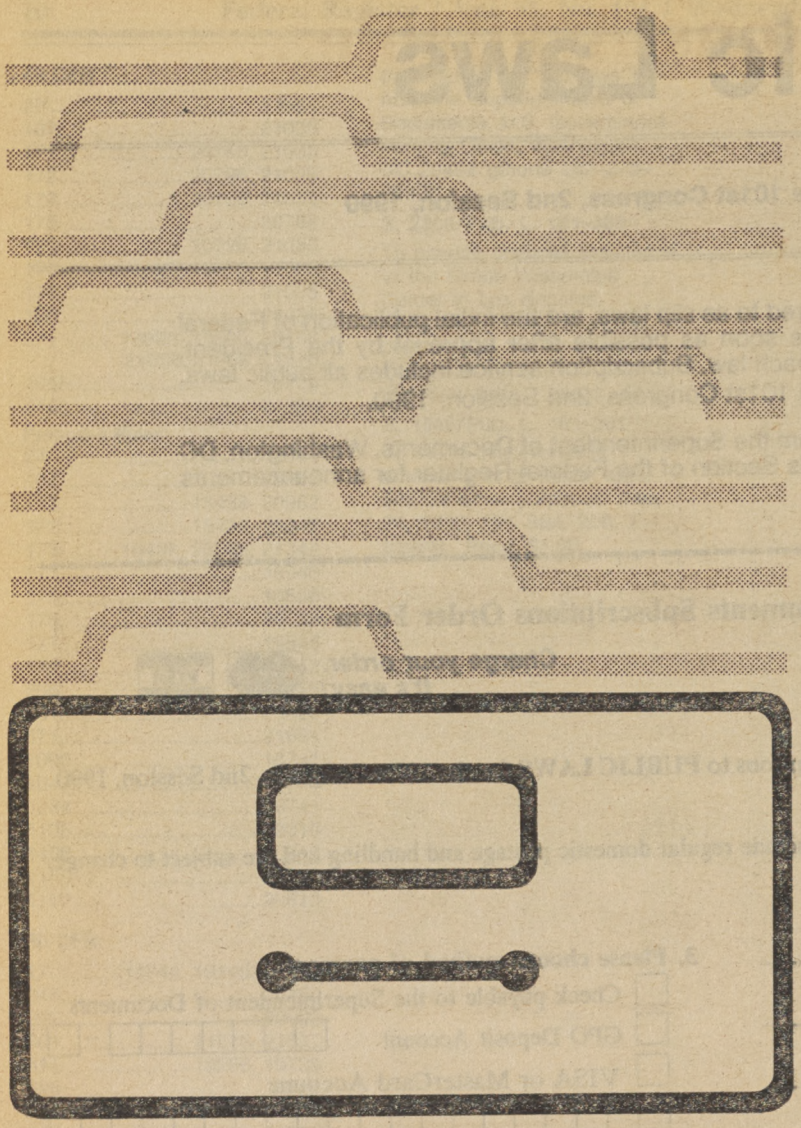

Guide to Record Retention Requirements

in the Code of Federal Regulations (CFR)

GUIDE: Revised January 1, 1989
SUPPLEMENT: Revised January 1, 1990

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The various abstracts in the GUIDE tell the user (1) what records must be kept, (2) who must keep them, and (3) how long they must be kept.

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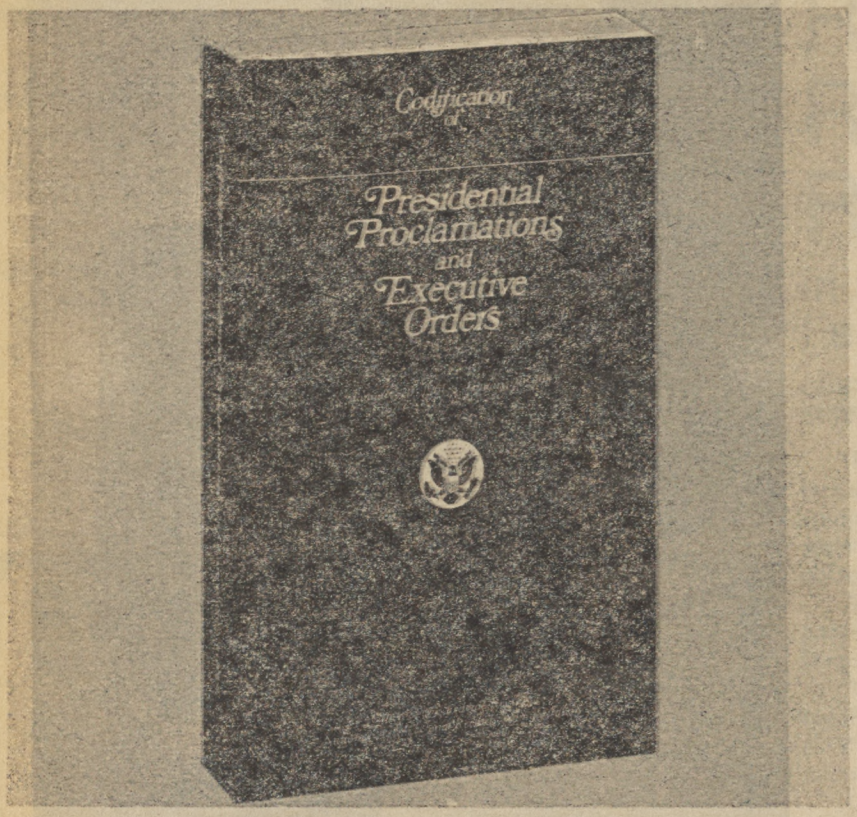

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