AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

10-19-90
Vol. 55 No. 203

federal register

Friday
October 19, 1990

United States
Government
Printing Office
SUPERINTENDENT
OF DOCUMENTS
Washington, DC 20402

OFFICIAL BUSINESS
Penalty for private use, $300

SECOND CLASS NEWSPAPER

Postage and Fees Paid
U.S. Government Printing Office
(ISSN 0097-6326)

10-19-90
Vol. 55 No. 203
Pages 42345-42550

federal register

Friday
October 19, 1990

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The seal of the National Archives and Records Administration authenticates this issue of the **Federal Register** as the official serial publication established under the Federal Register Act. 44 U.S.C. 1507 provides that the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** will be furnished by mail to subscribers for $340 per year in paper form; $195 per year in microfiche form; or $37,500 per year for the magnetic tape. Six-month subscriptions are also available at one-half the annual rate. The charge for individual copies in paper or microfiche form is $1.50 for each issue, or $1.50 for each group of pages as actually bound, or $175.00 per magnetic tape. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or charge to your GPO Deposit Account or VISA or Mastercard.

There are no restrictions on the republication of material appearing in the **Federal Register.**

How To Cite This Publication: Use the volume number and the page number. Example: 55 FR 12345.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	202–783–3238
Magnetic tapes	275–3328
Problems with public subscriptions	275–3054

Single copies/back copies:

Paper or fiche	783–3238
Magnetic tapes	275–3328
Problems with public single copies	275–3050

FEDERAL AGENCIES

Subscriptions:

Paper or fiche	523–5240
Magnetic tapes	275–3328
Problems with Federal agency subscriptions	523–5240

For other telephone numbers, see the Reader Aids section at the end of this issue.

Contents

Federal Register

Vol. 55, No. 203

Friday, October 19, 1990

Agency for Toxic Substances and Disease Registry
NOTICES
Health assessment guidance manual; availability, 42481

Agricultural Marketing Service
PROPOSED RULES
Fruits; import regulations:
Withdrawn, 42391

Agriculture Department
See also Agricultural Marketing Service; Animal and Plant Health Inspection Service; Forest Service
RULES
Administrative regulations:
Department employees as witnesses to judicial or administrative proceedings, 42347

Air Force Department
RULES
Privacy Act; implementation, 42370

Animal and Plant Health Inspection Service
RULES
Interstate transportation of animals and animal products (quarantine):
Brucellosis in swine—
State and area classifications, 42353
Plant-related quarantine, foreign:
Apricots, nectarines, peaches, and plums from Chile, 42349
PROPOSED RULES
Viruses, serums, toxins, etc.:
Veterinary biological products; distribution and use restrictions, 42392
NOTICES
Committees; establishment, renewal, termination, etc.:
Foreign Animal and Poultry Diseases Advisory Committee, 42418

Arts and Humanities, National Foundation
See National Foundation on the Arts and the Humanities

Blind and Other Severely Handicapped, Committee for Purchase From
See Committee for Purchase From the Blind and Other Severely Handicapped

Centers for Disease Control
NOTICES
Meetings:
Industrial respirators performance levels; NIOSH assessment; prerulemaking technical conference, 42482
Prevention of HIV Infection Advisory Committee, 42483

Coast Guard
RULES
Drawbridge operations:
Florida, 42370–42372
(4 documents)
Ports and waterways safety:
Naval Submarine Base Kings Bay, GA; safety and security zone, 42373
St. Johns River, FL; safety and security zone, 42374
PROPOSED RULES
Drawbridge operations:
Texas, 42408

Commerce Department
See Export Administration Bureau; Foreign-Trade Zones Board; International Trade Administration; National Oceanic and Atmospheric Administration

Commission on Minority Business Development
NOTICES
Hearings, 42426

Committee for Purchase From the Blind and Other Severely Handicapped
NOTICES
Procurement list, 1990:
Additions and deletions, 42427–42428
(4 documents)

Committee for the Implementation of Textile Agreements
NOTICES
Textile consultation; review of trade:
Nepal, 42426

Consumer Product Safety Commission
PROPOSED RULES
Hazardous substances:
Crib toys; strangulation hazards to children; labeling and other requirements, 42402

Defense Department
See also Air Force Department
RULES
Civilian health and medical program of uniformed services (CHAMPUS):
Cardiac rehabilitation, 42368
NOTICES
Meetings:
Science Board task forces, 42428–42429
(4 documents)

Education Department
NOTICES
Agency information collection activities under OMB review, 42429
Grants and cooperative agreements; availability, etc.:
Projects with industry program; correction, 42429
Talent search and educational opportunity centers programs; application preparation workshop, 42430
Meetings:
Fund for Improvement and Reform of Schools and Teaching Board, 42430

Employment and Training Administration
NOTICES
Adjustment assistance:
ABB Kent, Inc., et al., 42507

Electronic Processors, Inc., et al., 42508
Committees; establishment, renewal, termination, etc.:
Job Training Partnership Act Presidential Awards Review Panel, 42508
Dictionary of Occupational Titles; review, 42509
Labor surplus classifications:
Annual list, 42509

Employment Standards Administration
NOTICES
Minimum wages for Federal and federally-assisted construction; general wage determination decisions, 42506

Energy Department
See also Energy Information Administration; Federal Energy Regulatory Commission
NOTICES
Grant and cooperative agreement awards:
Virginia Polytechnic Institute and State University, 42430

Energy Information Administration
NOTICES
Agency information collection activities under OMB review, 42431

Environmental Protection Agency
PROPOSED RULES
Drinking water:
National primary drinking water—
Lead and copper, 42409
NOTICES
Agency information collection activities under OMB review, 42443
Committees; establishment, renewal, termination, etc.:
National Drinking Water Advisory Council, 42444
Environmental statements; availability, etc.:
Comment availability, 42445
Weekly receipts, 42445
Pesticide registration, cancellation, etc.:
Dragon Corp. et al., 42445
Toxic and hazardous substances control:
Premanufacture exemptions approvals, 42463
Premanufacture notices receipts, 42447–42474
(2 documents)

Executive Office of the President
See Presidential Documents

Export Administration Bureau
NOTICES
Foreign availability assessments:
Gallium arsenide, 42419

Family Support Administration
NOTICES
Agency information collection activities under OMB review, 42483–42484
(3 documents)

Federal Aviation Administration
RULES
Airworthiness directives:
Airbus Industrie, 42354–42356
(2 documents)
Boeing, 42357
McDonnell Douglas, 42358
Compulsory reporting points, 42359
Control zones, 42360
Control zones and transition areas, 42360
Jet routes, 42364
(2 documents)
Restricted areas, 42363
Standard instrument approach procedures, 42365–42367
(2 documents)
Transition areas, 42361, 42362
(2 documents)
VOR Federal airways, 42362
PROPOSED RULES
Airworthiness directives:
Boeing, 42393–42395
(2 documents)
British Aerospace, 42397–42398
(2 documents)
Transition areas, 42399–42400
(2 documents)
VOR Federal airways, 42401
NOTICES
Airport compatibility programs:
Burlington International Airport, VT, 42530
Meetings:
Aeronautics Radio Technical Commission, 42531

Federal Communications Commission
RULES
Common carrier services:
Dominant carrier rates; price caps, 42375

Federal Energy Regulatory Commission
NOTICES
Electric rate, small power production, and interlocking directorate filings, etc.:
Alabama Power Co. et al., 42432
Natural gas certificate filings:
Texas Eastern Transmission Corp. et al., 42439
Natural Gas Policy Act:
Self-implementing transactions, 42433
Applications, hearings, determinations, etc.:
El Paso Natural Gas Co., 42442
Exxon Gas System, Inc., 42442
San Jacinto Gas Transmission Co., 42443
Sumas Energy, Inc., 42443

Federal Maritime Commission
PROPOSED RULES
Maritime carriers in domestic offshore and foreign commerce:
Automated Tariff Filing and Information System (ATFI); electronic filing processing, and retrieval of tariff data, 42416
NOTICES
Agreements filed, etc., 42476

Federal Reserve System
NOTICES
Meetings; Sunshine Act, 42441
Applications, hearings, determinations, etc.:
ComSouth Bankshares, Inc., et al., 42477
NCNB Corp., 42477
Osterreichische Landerbank Aktiengessellschaft, 42478
South Florida Bank Holding Corp. et al., 42478

Federal Trade Commission
NOTICES
Prohibited trade practices:
Amersham International PLC, 42479

Fertility Institute of Western Massachusetts, 42479

Food and Drug Administration
NOTICES
Food additive petitions:
Nissin Chemical Industry Co., Ltd., 42484
GRAS or prior-sanctioned ingredients:
Suddeutsche Zucker AG et al., 42484
Human drugs:
Patent extension; regulatory review period determinations—
Ergamisol, 42485
Medical devices; premarket approval:
Hoffmann medizinische technik, 42486
Simpson Coronary Atherocath, 42486
Meetings:
Consumer information exchange, 42487

Foreign-Trade Zones Board
NOTICES
Applications, hearings, determinations, etc.:
Allied Products Corp.; steel automobile body parts manufacturing plant, 42420

Forest Service
NOTICES
Environmental statements; availability, etc.:
Six Rivers National Forest, CA, 42418

General Services Administration
PROPOSED RULES
Acquisition regulations:
Restriction on advertising clause, 42416

Health and Human Services Department
See Agency for Toxic Substances and Disease Registry; Centers for Disease Control; Family Support Administration; Food and Drug Administration; Human Development Services Office; National Institutes of Health; Public Health Service; Social Security Administration

Health Resources and Services Administration
See Public Health Service

Housing and Urban Development Department
NOTICES
Grant and cooperative agreement awards:
Nehemiah housing opportunity program—
Dudley Street Neighborhood Initiative et al., 42496
Grants and cooperative agreements; availability, etc.:
Facilities to assist homeless—
Excess and surplus Federal property, 42496

Human Development Services Office
PROPOSED RULES
Adoption and foster care data collection under Titles IV–B and IV–E of Social Security Act, 42416

Indian Affairs Bureau
PROPOSED RULES
Human services:
Social services programs; consultation hearings, 42406
NOTICES
Grants and cooperative agreements; availability, etc.:
Indian child welfare program, 42498

Interior Department
See also Indian Affairs Bureau; Land Management Bureau; Minerals Management Service
NOTICES
School facilities; new construction applications; 1992 FY priority list, 42497

International Trade Administration
NOTICES
Antidumping:
Heavy forged hand tools, finished or unfinished, with or without handles from China, 42420
Portable electric typewriters from Japan, 42423
Sodium thiosulfate from West Germany and United Kingdom, 42424

Interstate Commerce Commission
NOTICES
Environmental statements; availability, etc.:
Mokena Illinois Railroad Co., 42503
Motor carriers:
Compensated intercorporate hauling operations, 42503
Railroad operation, acquisition, construction, etc.:
Burlington Northern Railroad Co., 42503
Railroad services abandonment:
Burlington Northern Railroad Co., 42504

Labor Department
See also Employment and Training Administration; Employment Standards Administration; Mine Safety and Health Administration; Occupational Safety and Health Administration
NOTICES
Agency information collection activities under OMB review, 42504

Land Management Bureau
NOTICES
Meetings:
Carson City District Grazing Advisory Board, 42501
Craig District Advisory Council, 42501
Survey plat filings:
Arizona, 42502

Maritime Administration
NOTICES
Applications, hearings, determinations, etc.:
American Maritime Transport, Inc., et al., 42532

Mine Safety and Health Administration
NOTICES
Safety standards petitions:
Clinchfield Coal Co., 42518
Coggins/Continental Granite, Inc., 42518, 42519 (2 documents)
Consolidation Coal Co., 42519
Kosmos Cement Co., 42519
Minton Hickory Coal Co., Inc., 42520
Peabody Coal Co., 42520
Wolf-Creek Collieries Co., 42520

Minerals Management Service
NOTICES
Environmental statements; availability, etc.:
Exclusive Economic Zone adjacent to Hawaii and Johnston Island; lease sale, 42502

National Foundation on the Arts and the Humanities
NOTICES
Meetings:
Humanities Panel, 42521

National Institute for Occupational Safety and Health
See Centers for Disease Control

National Institutes of Health
NOTICES
Meetings:
National Cancer Institute, 42489
(2 documents)
National Center for Research Resources, 42488
National Eye Institute, 42488
National Heart, Lung, and Blood Institute, 42489
National Institute of Allergy and Infectious Diseases, 42487
National Institute of Child Health and Human Development, 42489
National Institute of Diabetes and Digestive and Kidney Diseases, 42488

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
Bering Sea and Aleutian Islands groundfish, 42387

National Science Foundation
PROPOSED RULES
Freedom of Information and Privacy Acts; implementation, 42413
NOTICES
Agency information collection activities under OMB review, 42521
Meetings:
Biological, Behavioral, and Social Sciences Advisory Committee, 42522
Cell Biology Program Advisory Panel, 42522
Earth Sciences Advisory Committee, 42522
Engineering Advisory Committee, 42522
Materials Research Advisory Committee, 42522
Physics Special Emphasis Panel, 42523
Sociology Advisory Panel, 42523

Nuclear Regulatory Commission
NOTICES
Environmental statements; availability, etc.:
Yankee Atomic Electric Co., 42523
Applications, hearings, determinations, etc.:
Indiana Michigan Power Co., 42526
Niagra Mohawk Power Corp., 42524
Northern States Power Co., 42527

Occupational Safety and Health Administration
PROPOSED RULES
Safety and health standards:
1,3–Butadiene; occupational exposure, 42406

Personnel Management Office
PROPOSED RULES
Employment:
Time-in-grade restrictions, 42389

Presidential Documents
PROCLAMATIONS
Special observances
Drug–Free Schools and Communities Education and Awareness Day (Proc. 6206), 42345
Veterans Day (Proc. 6207), 42545
EXECUTIVE ORDERS
Government employees:
Ethical conduct (EO 12731), 42547

Public Health Service
See also Agency for Toxic Substances and Disease Registry; Centers for Disease Control; Food and Drug Administration; National Institutes of Health
NOTICES
Extramural research, possible misconduct; policies and procedures; document availability, 42490
Meetings:
National Toxicology Program; Scientific Counselors Board, 42490
(2 documents)
Organization, functions, and authority delegations:
Agency for Health Care Policy and Research, 42490

Railroad Retirement Board
NOTICES
Agency information collection activities under OMB review, 42529

Securities and Exchange Commission
NOTICES
Meetings; Sunshine Act, 42541

Small Business Administration
NOTICES
Disaster loan areas:
California, 42529
Meetings; regional advisory councils:
Arkansas, 42529
California, 42529
Connecticut, 42529
New Mexico, 42529
Oklahoma, 42530
Texas, 42530
(5 documents)

Social Security Administration
NOTICES
Agency information collection activities under OMB review, 42495

Tennessee Valley Authority
NOTICES
Meetings; Sunshine Act, 42541

Textile Agreements Implementation Committee
See Committee for the Implementation of Textile Agreements

Thrift Supervision Office
NOTICES
Conservator appointments:
International Federal Savings & Loan Association, 42533
Receiver appointments:
Golden Triangle Savings & Loan Association, 42533
International Savings & Loan Association, 42533

Toxic Substances and Disease Registry Agency
See Agency for Toxic Substances and Disease Registry

Transportation Department
See Coast Guard; Federal Aviation Administration; Maritime Administration

Treasury Department
See also Thrift Supervision Office
NOTICES
Organization, functions, and authority delegations:
Assistant Secretary (Tax Policy), 42532

Veterans Affairs Department
NOTICES
Privacy Act:
Systems of records, 42534–42540 (2 documents)

Separate Parts In This Issue

Part II
The President, 42545

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:

6206 42345
6207 42545

Executive Orders:

12731 42547

5 CFR

Proposed Rules:

300 42389
330 42389

7 CFR

1 42347
319 42349

Proposed Rules:

944 42391

9 CFR

78 42353

Proposed Rules:

101 42392
102 42392

14 CFR

39 (4 documents) 42354–42358
71 (6 documents) 42359–42362
73 42363
75 (2 documents) 42364
97 (2 documents) 42365–42367

Proposed Rules:

39 (4 documents) 42393–42398
71 (3 documents) 42399–42401

16 CFR

Proposed Rules:

Ch. II 42402

25 CFR

Proposed Rules:

20 42406

29 CFR

Proposed Rules:

1910 42406

32 CFR

199 42368
806b 42370

33 CFR

117 (4 documents) 42370–42372
165 (2 documents) 42373, 42374

Proposed Rules:

117 42408

40 CFR

Proposed Rules:

141 42409
142 42409

45 CFR

Proposed Rules:

612 42413
613 42413
1355 42416
1356 42416
1357 42416

46 CFR

Proposed Rules:

550 42416
580 42416
581 42416

47 CFR

61 42375
65 42375
69 42375

48 CFR

Proposed Rules:

552 42416

50 CFR

675 42387

Federal Register
Vol. 55, No. 203
Friday, October 19, 1990

Presidential Documents

Title 3—

The President

Proclamation 6206 of October 17, 1990

National Drug-Free Schools and Communities Education and Awareness Day, 1990

By the President of the United States of America

A Proclamation

Our Nation's efforts to eliminate the scourge of illicit drug use and trafficking—efforts made in cooperation with other countries and conducted at all levels of law enforcement—have begun to bear fruit. In many parts of the United States today cocaine is harder to find, more expensive, and less pure than it was one year ago. Drug cartels that once seemed invincible have seen their operations significantly disrupted. Last month, new survey research released by the Partnership for a Drug Free America confirmed a trend already observed in other surveys and government indicators: a turn away from drugs in American attitudes and behavior, especially among young people, fewer of whom are using drugs than at any time since 1979. Such progress accentuates the importance of maintaining a strong, united front among government officials, law enforcement personnel, parents, educators, and business and community leaders as we wage the war against drugs.

Although we have made important advances in the struggle to reclaim our schools and communities from the deadly influence of drug dealers, we know that there is still much work to do. Each day the news brings grim reminders of the violence and despair caused by substance abuse. Illicit drug use and its consequences affect Americans of every age, every region, every race, and every walk of life. The toll in terms of health care costs and other economic losses is enormous. The toll in terms of personal suffering and wasted human potential is incalculable.

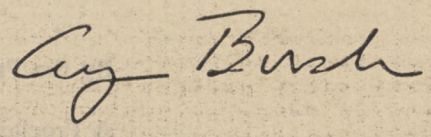
The high price imposed on our society by drugs underscores the need for education and other efforts aimed at prevention. We must teach young Americans about the dangers of experimenting with drugs, and we must refuse to tolerate in our communities the merchants of death who deal them. Because children learn by example, we must also ensure that our own lives reflect strong values, respect for the law, and a sense of personal responsibility and concern for others.

Securing a drug-free future for every American school and community will require the personal commitment and sustained cooperation of parents, students, teachers, law enforcement personnel, members of the clergy, elected officials, and business and community leaders. On this occasion, let us renew our determination to promote policies, educational programs, and activities designed to deter drug use, and let us reaffirm our commitment to helping drug-addicted individuals in need of rehabilitation.

The Congress, by Senate Joint Resolution 304, has designated October 17, 1990, as "National Drug-Free Schools and Communities Education and Awareness Day" and has authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim October 17, 1990, as National Drug-Free Schools and Communities Education and Awareness Day. I urge all Americans and their elected representatives at every level of government to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of October, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fifteenth.



[FR Doc. 90-24947
Filed 10-17-90; 3:31 pm]
Billing code 3195-01-M

Rules and Regulations

Federal Register
Vol. 55, No. 203
Friday, October 19, 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.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 1

Appearance of USDA Employees as Witnesses in Judicial or Administrative Proceedings

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document establishes procedures governing the appearance of USDA employees as witnesses in order to testify or produce official documents in judicial or administrative proceedings.

EFFECTIVE DATES: October 19, 1990.

FOR FURTHER INFORMATION CONTACT: Robert L. Siegler, Deputy Assistant General Counsel, Research and Operations Division, Office of the General Counsel, United States Department of Agriculture, Washington, DC 20250–1400, (202) 447–6035.

SUPPLEMENTARY INFORMATION: At present, USDA has an internal directive (Departmental Regulation 1530–1) that sets forth procedures governing the appearance of USDA employees as witnesses in order to testify or produce official documents in administrative or judicial proceedings. In addition, as part of its regulations relating to the Freedom of Information Act, USDA has a section relating to compulsory process (7 CFR 1.21). Finally, there is currently no regulation that specifically provides the conditions under which USDA will prohibit its employees who have received subpoenas from testifying as to matters that arise out of their employment with USDA, where the United States is not a party to the proceeding. This rule consolidates the provisions contained in 7 CFR 1.21 and in Departmental Regulation 1530–1, and adds provisions that provide the conditions under which employees may testify in judicial or administrative proceedings where their testimony arises out of their employment with USDA.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comment are not required, and this rule may be made effective less than 30 days after publication in the Federal Register. Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Order No. 12291. Finally, this action is not a rule as defined by the Regulatory Flexibility Act, Public Law No. 96–354, and, thus, is exempt from the provisions of that Act.

List of Subjects in 7 CFR Part 1

Administrative practice and procedures; Witnesses.

PART 1—ADMINISTRATIVE REGULATIONS

Accordingly, part 1, title 7, Code of Federal Regulations is amended as follows:

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

Authority: 5 U.S.C. 301, unless otherwise noted.

2. Section 1.21 is removed.

3. A new subpart K is added to read as follows:

Subpart K—Appearance of USDA Employees as Witnesses in Judicial or Administrative Proceedings.

Sec.

1.210 Purpose.
1.211 Definitions.
1.212 General.
1.213 Appearance as a witness on behalf of the United States.
1.214 Appearance as a witness on behalf of a party other than the United States where the United States is not a party.
1.215 Subpoenas duces tecum for USDA records in judicial or administrative proceedings in which the United States is not a party.
1.216 Appearance as a witness or production of documents on behalf of a party other than the United States where the United States is a party.
1.217 Witness fees and travel expenses.
1.218 Penalty.

Authority: 5 U.S.C. 301

§ 1.210 Purpose.

This subpart sets forth procedures governing the appearance of USDA employees as witnesses in order to testify or produce official documents in judicial or administrative proceedings when such appearance is in their official capacity or arises out of or is related to their employment with USDA. These regulations do not apply to appearances by USDA employees as witnesses in judicial or administrative proceedings which are purely personal or do not arise out of or relate to their employment with USDA. This subpart also does not apply to Congressional requests or subpoenas for testimony or documents.

§ 1.211 Definitions.

(a) *Administrative proceeding* means any proceeding pending before any federal, state, or local agency and undertaken for the purpose of the issuance of any regulations, orders, licenses, permits, or other rulings, or the adjudication of any matter, dispute, or controversy.

(b) *Appearance* means testimony or production of documents the request for which arises out of an employee's official duties with USDA or relates to his or her employment with USDA. For the purpose of this subpart, an appearance also includes an affidavit, deposition, interrogatory, or other required written submission.

(c) *Judicial proceeding* means any case or controversy pending before any federal, state, or local court.

(d) *Travel expenses* means the amount of money paid to a witness for reimbursement for transportation, lodging, meals, and other miscellaneous expenses in connection with attendance at a judicial or administrative proceeding.

(e) *USDA* means the United States Department of Agriculture.

(f) *USDA agency* means an organizational unit of USDA whose head reports to an official within the Office of the Secretary of Agriculture.

(g) *Valid summons, subpoena, or other compulsory process* means an order that is served properly and within the legal authority and the jurisdictional boundaries of the court or administrative agency or official that has issued it.

(h) *Witness fees* means the amount of money paid to a witness as

compensation for attendance at a judicial or administrative proceeding.

§ 1.212 General.

No USDA employee may provide testimony or produce documents in a judicial or administrative proceeding unless authorized in accordance with this subpart.

§ 1.213 Appearance as a witness on behalf of the United States.

An employee of USDA may appear as a witness on behalf of the United States in any judicial or administrative proceeding without the issuance of a summons, subpoena, or other compulsory process. Employees should obtain permission for such an appearance from their immediate supervisor unless the USDA agency or General Counsel has issued instructions providing otherwise.

§ 1.214 Appearance as a witness on behalf of a party other than the United States where the United States is not a party.

(a) An employee of USDA served with a valid summons, subpoena, or other compulsory process demanding his or her appearance, or otherwise requested to appear on behalf of a party other than the United States in a judicial or administrative proceeding in which the United States is not a party, shall promptly notify the head of his or her USDA agency of the existence and nature of the order compelling his or her appearance, or of the document requesting his or her attendance. He or she shall also specify, if that is known, the nature of the judicial or administrative proceeding and the nature of the testimony or documents requested.

(b)(1) An employee of USDA served with a valid summons, subpoena, or other compulsory process, or requested to appear as a witness on behalf of a party other than the United States in a judicial or administrative proceeding in which the United States is not a party, may appear only if such appearance has been authorized by the head of his or her USDA agency, with the concurrence of the General Counsel, based upon a determination that such an appearance is in the interest of USDA.

(2) An employee of USDA requested to appear as a witness on behalf of a party other than the United States in a judicial or administrative proceeding in which the United States is not a party, without the service of a valid summons, subpoena, or other compulsory process, may appear only if such appearance has been authorized by the head of his or her USDA agency and approved by the appropriate Assistant Secretary, Under Secretary or other general officer, and by the General Counsel, based upon a determination that such an appearance is in the interest of USDA.

(c) Unless an appearance is authorized as provided in paragraphs (b)(1) or (b)(2) of this section, the employee shall appear at the stated time and place (unless advised by the General Counsel or his or her designee that the summons, subpoena, or other process was not validly issued or served), produce a copy of these regulations and respectfully decline to provide any testimony. As appropriate, the General Counsel or his or her designee will request the assistance of the Department of Justice or of a United States Attorney, in the case of a judicial proceeding; or of the official or attorney representing the United States, in the case of an administrative proceeding, to represent the interests of the employee and USDA.

(d) If there is any question regarding the validity of a summons, subpoena, or other compulsory process, an employee shall contact the Office of the General Counsel for advice.

(e)(1) In determining whether the employee's appearance is in the interest of USDA, authorizing officials should consider the following:

(i) what interest of USDA would be promoted by the employee's testimony;

(ii) whether an appearance would result in an unnecessary interference with the duties of the USDA employee;

(iii) whether an employee's testimony would result in the appearance of improperly favoring one litigant over another.

(2) The considerations listed in paragraph (e)(1) of this section are illustrative and not exhaustive.

§ 1.215 Subpoenas duces tecum for USDA records in judicial or administrative proceedings in which the United States is not a party.

(a) Subpoenas duces tecum for USDA records in judicial or administrative proceedings in which the United States is not a party shall be deemed to be requests for records under the Freedom of Information Act and shall be handled pursuant to the rules governing public disclosure under subpart A of this part.

(b) Whenever a subpoena duces tecum compelling the production of records is served on a USDA employee in a judicial or administrative proceeding in which the United States is not a party, the employee, after consultation with the General Counsel or his or her designee, shall appear in response thereto, respectfully decline to produce the records on the grounds that it is prohibited by this section and state that the production of the records involved will be handled in accordance with subpart A of this part.

§ 1.216 Appearance as a witness or production of documents on behalf of a party other than the United States where the United States is a party.

(a) An employee of USDA served with a valid summons, subpoena, or other compulsory process demanding his or her appearance, or otherwise requested to appear or produce documents on behalf of a party other than the United States in a judicial or administrative proceeding in which the United States is a party, shall promptly notify the head of his or her USDA agency and the General Counsel or his or her designee of the existence and nature of the order compelling his or her appearance, or of the document requesting his or her appearance. He or she shall also specify, if that is known, the nature of the judicial or administrative proceeding and the nature of the testimony or documents requested.

(b)(1) Except as provided in paragraph (b)(2) of this section, an employee of USDA only may appear as a witness or produce records on behalf of a party other than the United States in a judicial or administrative proceeding in which the United States is a party if such appearance or production has been ordered by the service on the employee of a valid summons, subpoena, or other compulsory process issued by a court, administrative agency, or other official authorized to compel his or her appearance.

(2) An employee requested to appear as a witness or produce records on behalf of a party other than the United States in a judicial or administrative proceeding in which the United States is a party, without being served a valid summons, subpoena, or other compulsory process, may appear or produce records only if such appearance or production has been authorized by a representative of the Department of Justice, the United States Attorney, or other counsel who is representing the United States in the case of a judicial proceeding; or by the official or attorney representing the United States, in the case of an administrative proceeding.

(c) The head of the USDA agency shall consult with the General Counsel or his or her designee as to whether there are grounds to oppose the employee's attendance or production of documents and, if so, whether to seek to quash the summons, subpoena, compulsory process, or to deny authorization under paragraph (b)(2) of this section.

(d) As appropriate, the General Counsel or his or her designee will request the assistance of the Department of Justice, a United States Attorney, or other counsel representing the United States, in the case of a judicial proceeding; or of the official or attorney representing the United States, in the case of an administrative proceeding, to represent the interest of the employee and USDA.

(e) If there is any question regarding the validity of a summons, subpoena, or other compulsory process, an employee shall contact the Office of the General Counsel for advice.

§ 1.217 Witness fees and travel expenses.

(a) Any employee of USDA who attends a judicial or administrative proceeding as a witness in order to testify or produce official documents on behalf of the United States is entitled to travel expenses in connection with such appearance in accordance with the Agriculture Travel Regulations.

(b) An employee of USDA who attends a judicial or administrative proceeding on behalf of the United States is not entitled to receive fees for such attendance.

(c) An employee of USDA who attends a judicial or administrative proceeding on behalf of a party other than the United States when such appearance is in his or her official capacity or arises out of or relates to his or her employment with USDA is entitled to travel expenses in accordance with the Agriculture Travel Regulations to the extent that such expenses are not paid for by the court, agency, or official compelling his or her appearance or by the party on whose behalf he or she appears.

(d) An employee of USDA who attends a judicial or administrative proceeding on behalf of a party other than the United States when such appearance is in his or her official capacity or arises out of or relates to his or her employment with USDA is required to collect the authorized fees for such service and remit such fees to his or her USDA agency.

§ 1.218 Penalty.

An employee who testifies or produces records in a judicial or administrative proceeding in violation of the provisions of this regulation shall be subject to disciplinary action.

Done this 12th day of October, 1990, at Washington, DC.

Clayton Yeutter,

Secretary of Agriculture.

[FR Doc. 90-24763 Filed 10-18-90; 8:45 am]

BILLING CODE 3410-01-M

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. 89-191]

Apricots, Nectarines, Peaches, and Plums From Chile

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the Fruits and Vegetables regulations to relieve restrictions on the importation of stonefruit (apricots, nectarines, peaches, and plums) from Chile. This change will allow these fruits to be imported under multiple safeguards, including inspection in Chile, but without mandatory treatment. This action is necessary to help ensure that untreated fruits can be imported without significant risk of introducing insect pests into the United States.

EFFECTIVE DATE: November 19, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Frank Cooper, Senior Operations Officer, Port Operations, PPQ, APHIS, USDA, room 632, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8645.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 7 CFR 319.56 (the regulations) prohibit or restrict the importation of fruits and vegetables into the United States because of the risk that the fruits or vegetables could introduce insect pests that could damage domestic plants.

Apricots, nectarines, peaches, and plums (referred to below as stonefruit) from Chile present a risk of introducing various insect pests, including *Proeulia* spp., *Leptoglossus chilensis*, *Megalometis chilensis*, *Naupactus xanthographus*, *Listroderes subcinctus*, and *Conoderus rufangulus*. These pests do not normally feed on stonefruit, but may be present in shipments of stonefruit as "hitchhiking" pests.

Under current § 319.56-2m, these fruits may be imported from Chile only after they have undergone an approved methyl bromide treatment to destroy insects known to attack them or to be associated with them as hitchhikers.

We published in the **Federal Register** on July 13, 1989 (54 FR 29566-29569, Docket No. 88-176), a proposal to amend the regulations by allowing stonefruit from Chile to be imported without mandatory treatment, if the stonefruit is imported in accordance with a preclearance program involving inspections of the stonefruit in Chile and other requirements designed to ensure the stonefruit is free of insect pests.

Clearance for export to the United States will involve inspection, safeguards, treatments, and other procedures required by the regulations. Clearance activities will be performed under the direction of Animal and Plant Health Inspection Service (APHIS) inspectors in Chile, and will include inspections by APHIS inspectors, or by inspectors of the national plant protection service of Chile in the presence of APHIS inspectors. These activities, to determine the eligibility of the fruit for shipment to the United States, are called preclearance to distinguish them from similar inspections, treatments, and other procedures performed by APHIS inspectors at ports of arrival in the United States.

The proposal solicited comments to be submitted by September 11, 1989. We received a total of 30 written comments during the comment period. Four comments opposed the proposed rule, 7 comments supported the proposed rule as it was written, and 19 comments generally supported the proposed rule but suggested changes to its provisions. Comments received on the proposed rule and our responses to them are discussed below.

We are adopting the provisions of the proposed rule, with certain changes discussed below, for the reasons set forth in the proposal and in this supplementary information section.

Comments and Responses

Comment: The regulations attempt to be too specific in implementing what is essentially a trial program that will need fine-tuning as participants adjust to it. Technical aspects such as minimum lot size, sample sizes and sampling procedures, and administrative details should be negotiated and resolved annually in an operational agreement, rather than specified in the regulations.

Response: No change was made in response to this comment; however, note that minimum lot size requirements have been eliminated in response to another comment discussed below. We believe that the regulations contain specific requirements only to the degree necessary to meet legal requirements and to support enforcement and operational feasibility. If the regulations did not contain specific references to matters such as sample sizes and sampling procedures, the interested public could not analyze and comment on the rule in any meaningful way, operational planning for implementing

the stonefruit program would suffer from the lack of data, and enforcement actions would always be open to argument. We agree that future experience gained from implementing the stonefruit program may show that some technical aspects need adjustment. If this occurs, we will propose to change the regulations to reflect better standards.

Comment: The proposal states that if a shipment is rejected because preclearance inspections find a plant pest for which there is an authorized treatment, the shipment may be exported to the United States after it undergoes treatment for the pest in Chile. The rule should be changed to allow such shipments to be treated for the pest either in Chile or upon arrival in the United States.

Response: No change was made in response to this comment. We believe that allowing shipments known to be infested with plant pests to move to the United States for treatment unacceptably increases the risk of introducing plant pests into the United States, especially since treatment is readily available in Chile, and we do not plan to allow treatment upon arrival as a routine practice. Note that proposed § 319.56–2s(g) allows the Administrator to allow inspection and/or treatment upon arrival in extraordinary or emergency situations.

Comment: The procedure for selecting cartons of fruit for the preclearance inspection sample should be changed. Instead of selecting cartons for inspection randomly from the entire inspection unit (from multiple pallets), select 1 pallet randomly and inspect the number of cartons from that pallet necessary to ensure 95 percent probability of detecting 3 percent infestation. The packing and palletization process is sufficiently random to ensure than any pallet will have the same level of infestation as any other pallet.

Response: No change was made in response to this comment. We do not have data to support the claim that packing and palletization is sufficiently random to ensure that any randomly selected pallet will make a good sample. Good statistical practice suggests that taking the sample randomly from the entire inspection unit will result in a more reliable sample.

Comment: The sample size of cartons of fruit selected for preclearance inspections should be calculated to allow detection of a 1 percent infestation level with 99 percent confidence, not a 3 percent infestation with 95 percent confidence. The proposed standard allows too great a risk that infestations may not be detected by the preclearance inspections.

Response: No change was made in response to this comment. The suggested sample size would present too great a drain on inspection resources by requiring inspection of a far greater number of fruit from each inspection unit. The sample size proposed in the regulations is sufficient to prevent the introduction of pests with a reliability comparable to the entry requirements for many other articles imported from many countries.

Comment: The proposal states that preclearance for an article will be terminated for the remainder of the shipping season if inspections show the rate of infestation for that article exceeds 20 percent calculated on any consecutive 14 days of actual inspections. The rule should be changed to terminate preclearance for an article when the level of rejection over 14 days exceeds 25 percent, not 20 percent.

Response: No change was made in response to this comment. Our analysis of pest risk concerns and our experience inspecting fruits and vegetables from many sources indicate that a 20 percent infestation rate is the appropriate level at which preclearance should be terminated for an article, and is a standard that growers and shippers can readily meet. The commenter submitted no data in support of this suggestion to lower this standard to a 25 percent infestation rate, and we continue to believe the proposed 20 percent rate is consistent with the preclearance program goals.

Comment: The rule should be changed to terminate preclearance for an article when the level of rejection over 14 days exceeds 10 percent, not 20 percent. The proposed rule is too lenient in this standard.

Response: No change was made in response to this comment. Our analysis of pest risk concerns and our experience inspecting fruits and vegetables from many sources indicate that a 20 percent infestation rate is the appropriate level at which preclearance should be terminated for an article, and is a standard that growers and shippers can readily meet. The commenter submitted no data in support of this suggestion to change this standard to a 10 percent infestation rate, and we continue to believe the proposed 20 percent rate is consistent with the preclearance program goals.

Comment: The rule should eliminate the minimum lot size for inspection units (5,000 cartons for maritime shipments and 350 cartons for air shipments). The minimum size requirements will cause hardship to small growers and shippers.

Response: We proposed the minimum lot sizes for maritime and air shipments to allow efficient use of the services of APHIS and Servicio Agricola Y Ganadero (SAG) inspectors. Our reasoning was that inspecting a small shipment of stonefruit takes nearly as long as inspecting a large shipment, and therefore a minimum lot size seemed necessary to maximize the amount of stonefruit that could be inspected under this program. We recognize that minimum lot sizes may cause some growers and shippers to forego exporting small shipments under this program, and we have consulted further with APHIS and SAG personnel in Chile concerning the operational difficulties of meeting the demand for inspection services. Based on their workload projections, we have determined that for the foreseeable future, inspector resources should be adequate to meet the demands for inspection of stonefruit in Chile regardless of lot size, and therefore we are removing the minimum lot size requirement from § 319.56–2s(d). If the number of small stonefruit shipments submitted for inspection increases to the point of causing operational difficulties in the future, we may propose to establish minimum lot sizes.

Comment: As an alternative to participating in preclearance, shippers should be allowed to choose to fumigate their shipments as in the past, rather than submit them for preclearance.

Response: We agree, and are making the requested change. Allowing shippers to choose between fumigation and preclearance, which are both effective programs for Chilean stonefruit, could maximize the flexibility available to shippers and importers without increasing the risk of introducing plant pests into the United States. Therefore, this final rule will retain language in § 319.56–2m that authorizes fumigation as an approved treatment for stonefruit from Chile. The proposed rule would have deleted this language and would have made preclearance the only approved procedure for persons seeking to import Chilean stonefruit.

Comment: The proposed rule calls for a trust fund agreement between APHIS and SAG, under which SAG agrees to pay to APHIS at the start of each shipping season all estimated costs to be incurred by APHIS in providing preclearance services that season. The rule should allow the trust fund agreement to be made between APHIS and any agent of the Chilean Government that is authorized to enter

into such agreements. Due to the internal procedures of the Chilean Government, an entity other than SAG may be best qualified to manage the funds collected for the program and make payment to APHIS.

Response: Recently developed policy changes within APHIS dictate that such trust fund agreements must be intergovernmental in nature. Section 607(a) of the Foreign Assistance Act (21 U.S.C. 2357) (Act) provides that agencies of the United States Government must enter into reimbursement agreements with the governments of friendly countries. The United States Department of State has authorized APHIS to participate in a preclearance program under the Act to enable fruits, vegetables, and nursery products to be inspected before shipment to the United States. This authorization requires the exporting country's national plant protection service to enter into a trust fund agreement to establish a preclearance program.

However, we agree that entities other than SAG may be involved in collecting and managing funds for the agreement, if SAG makes arrangements for such services. The proposed rule requires SAG to sign the agreement and make the seasonal payments to APHIS, but does not preclude SAG from using an exporters' association or other agent to assist in collecting and managing the funds. Therefore, no change was made in response to this comment.

Comment: In proposed § 319.56–2s(b), the trust fund agreement requires advance payment to APHIS of all estimated costs for providing preclearance services during a shipping season. It would be better to continue the type of payment schedule used for other services in the past, e.g., payment in advance of receipt of services, but on a monthly schedule rather than one payment for an entire shipping season. Also, the trust fund agreement calls for APHIS to return at the end of the shipping season any funds it receives in excess of actual costs incurred during that shipping season. It may be more convenient for exporters and the Chilean Government to apply those amounts to the next shipping season, rather than having them returned.

Response: We agree, and are making the suggested changes. Trust fund agreement payments may be made, in advance of receipt of services, on a schedule agreed upon between APHIS and the agent administering the trust fund. Any excess funds at the end of the shipping season will be returned by APHIS upon request, and if return is not requested, the funds will be applied to services during the next shipping season.

Comment: The rule should include provisions for significant back-up inspections of precleared articles upon arrival in the United States, and should terminate preclearance for any article that arrives with a live pest.

Response: No change was made in response to this comment. APHIS has the legal authority to inspect any imported fruits, including precleared articles from Chile, upon their arrival in the United States, and APHIS may choose to inspect some precleared shipments upon arrival to monitor the effectiveness of the preclearance program. However, a main point of preclearance is that the inspections conducted in Chile are comparable in effectiveness to inspection at the port of entry in the United States. We do not believe that it is necessary to include in the regulations requirements for specified levels of essentially duplicative inspections at the time of arrival of precleared articles.

Comment: Why doesn't the proposal require detection of pests at the Probit 9 level? Is there sound research data to support a lower level of detection being adequate?

Response: Probit 9 at the 95 percent confidence level is used as a measure of effectiveness for the development of a treatment for shipments known to be infested. Inspection, such as the preclearance inspection required by this rule, is conducted to determine the presence or absence of infestation.[1] It would be an inappropriate use of statistical methods to apply Probit 9 standards useful in treatment studies to the study of the effectiveness of an inspection program. In the case of Chilean stonefruit, an inspection system which detects infestation at the 3 percent level with a 95 percent confidence level was determined to be effective, based on studies of a wide variety of inspection levels used for agricultural commodities at U.S. ports in recent years.

Comment: How would the regulations protect against introduction of numerous internal and external feeders found in Chile but not in California?

Response: External feeders would be readily visible during the required preclearance inspection, and infested shipments would not be allowed import until they were treated with the appropriate Plant Protection and Quarantine Treatment Manual treatment for the pest. All the internal feeders that are known to attack stonefruit in the areas shipping fruit under this program leave evidence of their attack on the surface of the fruit, which would be readily detected during preclearance inspections. We believe the requirements of this rule, in conjunction with the requirements of all other applicable APHIS regulations concerning exotic pests, will serve to prevent the introduction into California of exotic pests.

Comment: What safeguards will be used to protect shipments from infestation between preclearance and loading for shipment?

Response: We do not believe that specific safeguards need to be added to this rule, in view of the existing safeguards in place at Chilean ports and the proximity of the inspection sites to the means of conveyance. The inspection sites are located at the seaport and at the airport within a few hundred yards of the vessels or aircraft, so there is minimal opportunity for infestation during movement from the inspection site to the vessel or aircraft. Also, SAG enforces the following types of safeguards for both inspected and treated fruit loaded at airports and seaports. All shipments are completely covered with tarpaulins, or enclosed in containers or sealed trucks, during movement from the inspection or treatment facility to the vessel or aircraft. All such movements are supervised by SAG or USDA personnel. Between inspection or treatment and loading, all inspected shipments are held only in holding areas approved and supervised by SAG or USDA. An additional safeguard that can be applied if needed is the opportunity for APHIS to inspect shipments at the port of arrival in the United States.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this 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 rule will have an effect on the economy of less than $100 million; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not cause a significant adverse effect on competition, employment, investment, productivity, innovation, or on the

[1] Information on APHIS studies concerning Probit 9 standards and their use compared to statistical standards for inspection activities may be obtained by writing to the Administrator, c/o Port Operations, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, room 635, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Based on interest expressed in importing stonefruit from Chile, we anticipate that the annual average of approximately 60,000 metric tons of stonefruit imported from Chile will increase by a small percentage as a result of adopting this rule. The average import figure of 60,000 metric tons was derived by averaging the weight of stonefruit from Chile imported over the past several years, because the total weight of stonefruit imported from Chile varies greatly from year to year (often by 20 percent or more) due to harvest conditions, market prices, and other factors. By comparison, stonefruit production in the United States was approximately 1,411,000 metric tons in 1986, the most recent year for which complete statistics are available.

Although there are many small business entities in the United States that grow, pack, or sell stonefruit, we do not believe this rule will have a significant economic impact on them because the volume of Chilean fruit expected to be imported is relatively low and the Chilean fruit would compete equally in the market place with U.S.-produced stonefruit. Importers of precleared Chilean stonefruit will probably realize a small savings for each unit of stonefruit imported, because the cost of importing unfumigated stonefruit under the preclearance program is expected to be slightly less than the cost of importing fumigated stonefruit. This may result in a slight decrease in the price of imported Chilean stonefruit, which would be beneficial to the U.S. consumer. Importers of Chilean stonefruit also import a variety of other fruits and vegetables, and importations of the Chilean stonefruit constitute a small portion of their total importations.

This rule will cause some loss of income to U.S. fumigation companies that fumigate imported Chilean stonefruit. Currently, fumigation of imported Chilean stonefruit is performed by a few large companies with many other sources of business, such as fumigation of other articles and fumigation of homes and buildings. The loss of income due to reduction in the amount of Chilean stonefruit fumigated each year will be a very small percentage of the total income of each of these companies.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

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.)

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 319

Agricultural commodities, Fruit, Imports, Plant diseases, Plant pests, Plants (Agriculture), Quarantine, Transportation.

PART 319—FOREIGN QUARANTINE NOTICES

Accordingly, 7 CFR part 319 is amended as follows:

1. The authority citation for part 319 continues to read as follows:

Authority 7 U.S.C. 150dd, 150ee, 150ff, 151–167; 7 CFR 2.17, 2.51, and 371.2(c).

2. In "Subpart-Fruits and Vegetables," a new section, § 319.56–2s, is added to read as follows:

§ 319.56–2s Administrative instructions governing the entry of apricots, nectarines, peaches, and plums from Chile.

(a) *Importations allowed.* Pursuant to § 319.56(c), the Administrator has determined that apricots, nectarines, peaches, and plums may be imported into the United States from Chile in accordance with this section and other applicable provisions of this subpart, as an alternative to importation in accordance with § 319.56–2m.

(b) *Trust fund agreement.* Except as provided in § 319.56–2m or in paragraph (g) of this section, apricots, nectarines, peaches, and plums may be imported only if the plant protection service of Chile (Servicio Agricola Y Ganadero, referred to in this section as SAG), has entered into a trust fund agreement with the Animal and Plant Health Inspection Service (APHIS) for that shipping season. This agreement requires SAG to pay in advance all estimated costs incurred by APHIS in providing the preclearance prescribed in paragraph (d) of this section. Payment of costs will be made on a monthly or other schedule designated by APHIS, but payment must be made for each preclearance service before APHIS provides the service. These costs will include administrative expenses incurred in conducting the preclearance services; and all salaries (including overtime and the federal share of employee benefits), travel expenses (including per diem expenses), and other incidental expenses incurred by the inspectors in providing these services. The agreement requires SAG to deposit certified or cashier's checks with APHIS for the amount of these costs, as estimated by APHIS based on projected shipment volumes and cost figures from previous inspections. The agreement further requires that, if the deposit is not sufficient to meet all costs incurred by APHIS, SAG must deposit with APHIS a certified or cashier's check for the amount of the remaining costs, as determined by APHIS, before the inspections will be completed. The agreement also requires that, in the event of unexpected end-of-season costs, SAG must deposit with APHIS a certified cashier's check sufficient to meet such costs as estimated by APHIS, before any further preclearance services will be provided. If the amount SAG deposits during the shipping season exceeds the total costs incurred by APHIS in providing preclearance services, the difference will be returned to SAG by APHIS at the end of the shipping season upon request, or otherwise will be applied to preclearance services for the next shipping season.

(c) *Responsibilities of Servicio Agricola Y Ganadero.* SAG will ensure that:

(1) Apricots, nectarines, peaches, or plums are presented to APHIS inspectors for preclearance in their shipping containers at the shipping site for preclearance as prescribed in paragraph (d) of this section.

(2) Apricots, nectarines, peaches, and plums presented for inspection are identified in shipping documents accompanying each load of fruit that identify the packing shed where they were processed and the orchards where they were produced; and this identity is maintained until the apricots, nectarines, peaches, or plums are released for entry into the United States.

(3) Facilities for the inspections prescribed in paragraph (d) of this section are provided in Chile at an inspection site acceptable to APHIS.

(d) *Preclearance inspection.* Preclearance inspection will be conducted in Chile under the direction of APHIS inspectors. An inspection unit will consist of a lot or shipment from which a statistical sample is drawn and examined. An inspection unit may represent multiple grower lots from

different packing sheds. Apricots, nectarines, peaches, or plums in any inspection unit may be shipped to the United Sates only if the inspection unit passes inspection as follows:

(1) Inspectors will examine, fruit by fruit, the contents of the cartons which were selected based on a sampling scheme established for each inspection unit. An APHIS inspector will designate which cartons to inspect in each inspection unit to ensure that units infested at a level of 3 percent or more will be identified with a confidence level of 95 percent.

(i) If the inspectors find evidence of any plant pest for which a treatment authorized in the Plant Protection and Quarantine Treatment Manual is available, fruit in the inspection unit will remain eligible for shipment to the United States if the entire inspection unit is treated for the pest in Chile. However, if the entire inspection unit is not treated in this manner, or if a plant pest is found for which no treatment authorized in the Plant Protection and Quarantine Treatment Manual is available, the entire inspection unit will not be eligible for shipment to the United States.

(ii) Apricots, nectarines, peaches, and plums precleared for shipment to the United States as prescribed in this paragraph will not be inspected again in the United States except as necessary to ensure that the fruit has been precleared and for occasional monitoring purposes.

(e) *Termination of preclearance programs.* Shipments of apricots, nectarines, peaches, and plums will be individually evaluated regarding the rates of infestation of inspection units of these articles presented for preclearance. The inspection program for an article will be terminated when inspections determine that the rate of infestation of inspection units of the article by pests listed in paragraph (f) of this section exceeds 20 percent calculated on any consecutive 14 days of actual inspections (not counting days on which inspections are not conducted). Termination of the inspection program for an article will require mandatory treatment in Chile, prior to shipment to the United States, of shipments of the article for the remainder of that shipping season. If a preclearance inspection program is terminated with Chile, precleared fruit in transit to the United States at the time of termination will be spot-checked by APHIS inspectors upon arrival in the United States for evidence of plant pests referred to in paragraph (f) of this section.

(f) *Plant pests; authorized treatments.*

(1) Apricots, nectarines, peaches, or plums from Chile may be imported into the United States only if they are found free of the following pests or, if an authorized treatment is available, they are treated for the pest under the supervision of an APHIS inspector: *Proeulia* spp., *Leptoglossus chilensis, Megalometis chilensis, Naupactus xanthographus, Listroderes subcinctus,* and *Conoderus rufangulus,* and other insect pests that the Administrator has determined do not exist, or are not widespread, in the United States.

(2) Authorized treatments are listed in the Plant Protection and Quarantine Treatment Manual. The Plant Protection and Quarantine Treatment Manual is incorporated by reference. For the full identification of this standard, see § 300.1 of this chapter. "Materials incorporated by reference."

(g) *Inspection in the United States.* Notwithstanding provisions to the contrary in paragraphs (c) and (d) of this section, the Administrator may, in emergency or extraordinary situations, allow apricots, nectarines, peaches, or plums imported under this section to be inspected at a port of arrival in the United States, in lieu of a preclearance inspection of fumigation in Chile, under the following conditions:

(1) The Administrator is satisfied that a unique situation exists which justifies a limited exception to mandatory preclearance;

(2) The Administrator has determined that inspection and/or treatment can be accomplished at the intended port of arrival without increasing the risk of introducing insect pests into the United States;

(3) The entire shipment of apricots, nectarines, peaches, or plums must be offloaded and moved, under the supervision of APHIS inspectors, to an enclosed warehouse, where inspection and treatment facilities are available.

(4) The Administrator must determine that a sufficient number of inspectors are available at the port of arrival to perform the services required.

(5) The method of sampling and inspection will be the same as prescribed in paragraph (d) of this section for preclearance inspections.

Done in Washington, DC, this 16th day of October 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90-24764 Filed 10-18-90; 8:45 am]

BILLING CODE 3410-34-M

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 90-161]

Validated Brucellosis-Free States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule.

SUMMARY: We are amending the brucellosis regulations concerning the interstate movement of swine by removing New Jersey from the list of validated brucellosis-free States. We have determined that New Jersey no longer meets the criteria for classification as a validated brucellosis-free State. This action imposes certain restrictions on the interstate movement of breeding swine from New Jersey.

EFFECTIVE DATE: Interim rule effective October 19, 1990. Consideration will be given only to comments received on or before December 18, 1990.

ADDRESSES: To help ensure that your 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 Number 90-161. Comments received may be inspected at USDA, room 1141, South Building, 14th 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. Delorias M. Lenard, Senior Staff Veterinarian, Swine Diseases Staff, VS, APHIS, USDA, room 735, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-7767.

SUPPLEMENTARY INFORMATION:

Background

Brucellosis is a contagious disease affecting animals and man, caused by bacteria of the genus *Brucella.* The brucellosis regulations contained in 9 CFR part 78 (referred to below as the regulations) prescribe conditions for the interstate movement of cattle, bison and swine.

Under the swine brucellosis regulations, States, herds, and individual animals are classified according to their brucellosis status. Interstate movement requirements for animals are based upon the disease status of the herd, or State from which the animal originates.

We are amending § 78.43 of the regulations, which lists validated

brucellosis-free States, by removing new Jersey from the list. Validated brucellosis-free status is based on a State having:

(1) The necessary authorities for classification as a validated brucellosis-free State for swine;

(2) No known focus of swine brucellosis at the time of validation and completion of one of several methods of surveillance; or no diagnosed case of swine brucellosis in the 12-month period preceding the classification, and a statistical analysis of the combined results of certain tests that indicate the testing is equivalent to either complete herd testing or slaughter surveillance during a period chosen by the State; and

(3) Certification by the appropriate State animal health official, the Veterinarian in Charge and the Deputy Administrator.

The regulations provide that the Administrator may amend § 78.43 to reclassify States as validated brucellosis-free States or to remove States from the status when a determination has been made that the States do or do not meet the standards of a validated brucellosis-free State. The regulations also provide that in the case of any reclassification to a lower status or removal of validated brucellosis-free status, the State animal health official of the State involved will be notified and given an opportunity to be heard prior to the reduction of status.

The State of New Jersey has notified us they have discovered five herds infected with swine brucellosis. Based on this information, New Jersey no longer meets the criteria for classification as a validated brucellosis-free State. The State Veterinarian for New Jersey has been notified of the prospective removal of New Jersey from validated brucellosis-free status and has declined a hearing on the matter. Therefore, we are removing New Jersey from the list of validated brucellosis-free States in § 78.43. This action will impose certain restrictions on the interstate movement of breeding swine from New Jersey.

Immediate Action

James W. Glosser, Administrator of the Animal and Plant Health Inspection Service, has determined that there is good cause for publishing this interim rule without prior opportunity for public comment. Immediate action is warranted to prevent the interstate spread of swine brucellosis from New Jersey.

Since prior notice and other public procedures with respect to this interim rule are impracticable and contrary to the public interest under these circumstances, there is good cause under 5 U.S.C. 553 to make it effective upon publication. We will consider comments received within 60 days of publication of this interim rule in the **Federal Register.** After the comment period closes, we will publish another document in the **Federal Register,** including a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this 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 rule will have an effect on the economy of less than $100 million; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will 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.

For this action, the Office of Management and Budget has waived the review process required by Executive Order 12291.

Herd owners in New Jersey will be affected by this action. The termination of validated brucellosis-free status will mean that breeding swine must be tested for brucellosis prior to being allowed to move from New Jersey. Approximately 90 sows will be tested for brucellosis annually in order to be eligible for interstate movement from New Jersey at an average cost to the seller of $4.75 per test. Using these numbers, we estimate that the testing requirement will result in an approximate cost of $427.50 for swine herd owners in New Jersey. Of the approximately 3,000 swine herd owners nationwide who regularly ship breeding swine interstate, 20 herd owners regularly ship breeding swine interstate from New Jersey. All 20 herd owners would be considered small entities.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

This rule contains no 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 78

Animal diseases, Brucellosis, Cattle, Hogs, Quarantine, Transportation.

Accordingly, we are amending 9 CFR part 78 as follows:

PART 78—BRUCELLOSIS

1. The authority citation for part 78 continues to read as follows:

Authority: 21 U.S.C. 111–114a–1, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 78.43 [Amended]

2. Section 78.43 is amended by removing "New Jersey".

Done in Washington, DC, this 16th day of October 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90–24765 Filed 10–18–90; 8:45 am]

BILLING CODE 3410–34–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90–NM–12–AD; Amdt. 39–6775]

Airworthiness Directives; Airbus Industrie Model A300–B2, A300–B2K, and A300–B4 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Airbus Industrie Model A300–B2, A300–B2K, and A300–B4 series airplanes, which requires repetitive visual or high frequency eddy current inspections to detect cracks in the upper skin and spar web joining parts of the trimmable horizontal stabilizer (THS), and repair, if necessary. This amendment is prompted by reports that cracks have been found on the THS center box rear upper skin outboard of Rib 3 and in the rear spar web joining

part. This condition, if not corrected, could result in reduced structural capability of the horizontal stabilizer.

EFFECTIVE DATE: November 21, 1990.

ADDRESSES: The applicable service information may be obtained from Airbus Industrie, Airbus Support Division, Avenue Didier Daurat, 31700 Blagnac, France. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Greg Holt, Standardization Branch, ANM–113; telephone (206) 227–2140. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include a new airworthiness directive, applicable to Airbus Industrie Model A300–B2, A300–B2K, and A300–B4 series airplanes, which requires repetitive visual or high frequency eddy current inspections to detect cracks in the upper skin and spar web joining parts of the trimmable horizontal stabilizer (THS), and repair, if necessary, was published in the Federal Register on March 7, 1990 (55 FR 8148).

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supported the rule.

The commenter also noted that the proposed rule did not incorporate the options specified in the service bulletin for stop drilling the ends of a crack, and cold expanding the stop drill holes when the crack length is between certain limits. The commenter suggested that the rule be revised to permit this action as a temporary measure. The FAA concurs and has revised the final rule to provide for optional interim actions that can be performed if cracking is found within certain limits. These optional actions vary depending upon the type of initial inspection performed. The FAA has determined that accomplishing these interim actions will have no adverse affect on safety.

Paragraph D. of the final rule has been revised to specify the current procedure for submitting requests for approval of an alternate means of compliance.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes noted above. The FAA has determined that this change will neither increase the economic burden on any operator, nor increase the scope of the rule.

It is estimated that 11 airplanes of U.S. registry will be affected by this AD, that it will take approximately 14 manhours per airplane to accomplish the required actions, and that the average labor cost will be $40 per manhour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $6,160.

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.

For the reasons discussed above, 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 final evaluation has been prepared for this action and is contained in the regulatory docket. A copy of it may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Aircraft, Air transportation, Aviation safety, Safety.

Adoption of the Amendment

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

Airbus Industrie: Applies to all Model A300–B2, A300–B2K, and A300–B4 series airplanes, certificated in any category. Compliance is required as indicated, unless previously accomplished.

To prevent reduced structural capability of the horizontal stabilizer, accomplish the following:

A. Perform a visual inspection of the upper skin and spar web joining parts of the trimmable horizontal stabilizer (THS), in accordance with either the "preferred" or "alternative" method as described in Airbus Industrie Service Bulletin A300–55–0035, dated September 11, 1989, as follows:

1. For airplanes that have accumulated less than 11,000 landings, perform the initial inspection within 1,000 landings after the effective date of this AD, or prior to the accumulation of 11,400 landings, whichever occurs first.

2. For airplanes that have accumulated 11,000 or more landings, but less than 16,000 landings, perform the initial inspection within 400 landings after the effective date of this AD, or prior to the accumulation of 16,200 landings, whichever occurs first.

3. For airplanes that have accumulated 16,000 or more landings, perform the initial inspection within 200 landings after the effective date of this AD.

B. If the "preferred inspection method" (THS support fitting removed), as specified in Airbus Industrie Service Bulletin A300–55–0035, dated September 11, 1989, is used to accomplish the inspection required by paragraph A. of this AD, proceed as follows:

1. If a crack indication is found in the top integral skin, accomplish the following:

a. If the crack extends to the outer box top skin, repair prior to further flight in a manner approved by the Manager, Standardization Branch, ANM–113. Perform repetitive inspections at intervals approved by the Manager, Standardization Branch, ANM–113.

b. If the crack does not extend to the outer box top skin, and there is no crack in the joining part, prior to further flight, accomplish either subparagraph (1) or (2), below:

(1) Revise the FAA-approved Airplane Flight Manual (AFM) to impose the operational limits specified in the service bulletin for Vmo/Mmo and CCI, and install placards showing these limits in a prominent position in the cockpit until a permanent repair is made. Thereafter, repeat the inspection every 350 landings. Stop drill the ends of the crack and cold-expand the stop drill holes when the crack length is between the limits specified in the service bulletin; or

(2) Repair in accordance with the service bulletin. After repair, conduct repetitive high frequency eddy current (HFEC) inspections of the visible area of the integral top skin and the reinforcing plate web finger areas at intervals not to exceed 7,500 landings.

c. If the crack does not extend to the outer box top skin, and a crack is detected in the joining part, repair prior to further flight, in accordance with the service bulletin. After repair, conduct repetitive HFEC inspections at intervals not to exceed 7,500 landings, in accordance with the service bulletin.

2. If no crack indication is found in the top integral skin, accomplish the following:

a. If no crack indication is found in the joining part, repeat the inspection required by paragraph A. of this AD at intervals not to exceed 6,000 landings.

b. If a crack indication is found in the joining part, repair prior to further flight, in a manner approved by the Manager, Standardization Branch, ANM–113. After

repair, conduct repetitive HFEC inspections at intervals not to exceed 7,500 landings, in accordance with the service bulletin.

C. If the "alternative inspection method" (THS support fitting installed), as specified in Airbus Industrie Service Bulletin A300–55–0035, dated September 11, 1989, is used to accomplish the inspection required by paragraph A. of this AD, proceed as follows:

1. If a crack indication is found in the top integral skin, accomplish the following:

a. If the crack extends to the outer box top skin, repair prior to further flight in a manner approved by the Manager, Standardization Branch, ANM–113.

b. If the crack does not extend to the outer box top skin, remove the THS support fitting and inspect the joining part using an HFEC inspection technique, in accordance with the service bulletin.

(1) If the joining part is cracked, repair prior to further flight, in accordance with the service bulletin. After repair, conduct repetitive HFEC inspections at intervals not to exceed 7,500 landings, in accordance with the service bulletin.

(2) If the joining part is not cracked, prior to further flight, accomplish either subparagraph (a) or (b), below:

(a) Revise the FAA-approved Airplane Flight Manual (AFM) to impose the operational limits specified in the service bulletin for Vmo/Mmo and CCI, and install placards showing these limits in a prominent position in the cockpit until permanent repair is made. Thereafter, repeat the inspection every 350 landings. Stop drill the ends of the crack and cold-expand the stop drill holes when the crack length is between the limits specified in the service bulletin; or

(b) Repair in accordance with the service bulletin. After repair, conduct repetitive HFEC inspections at intervals not to exceed 7,500 landings, in accordance with the service bulletin.

2. If no crack indication is found in the top integral skin, repeat the inspection required by paragraph A. of this AD at intervals not to exceed 1,700 flights.

D. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

Note. The request should be submitted directly to the Manager, Standardization Branch, ANM–113, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrence to the Manager, Standardization Branch, ANM–113.

E. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements to this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to Airbus Industrie, Airbus Support Division, Avenue Didier Daurat, 31700 Blagnac, France. These documents may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

This amendment becomes effective November 21, 1990.

Issued in Renton, Washington, on October 4, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–24779 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 39

[Docket No. 90–NM–199–AD; Amdt. 39–6781]

Airworthiness Directives; Airbus Industrie Model A320–231 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Airbus Industrie Model A320–231 series airplanes, which requires repetitive visual inspections to detect cracks in the rear engine mount barrel nuts, and replacement, if necessary; and a daily torque check of the nuts, and retorquing, if necessary. This amendment is prompted by several reports of cracked rear engine mount barrel nuts on in-service airplanes. This condition, if not corrected, could result in reduced structural integrity of the rear engine support structure and loss of the engine.

EFFECTIVE DATE: November 5, 1990.

ADDRESSES: The applicable service information may be obtained from Airbus Industrie, Airbus Support Division, Avenue Didier Daurat, 31700 Blagnac, France. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Greg Holt, Standardization Branch, ANM–113; telephone (206) 227–2140. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

SUPPLEMENTARY INFORMATION: The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority of France, in accordance with existing provisions of a bilateral airworthiness agreement, has notified the FAA of an unsafe condition which may exist on all Airbus Industrie Model A320–231 series airplanes. There have been several reports of fatigue cracks on the rear engine mount barrel nuts found on in-service airplanes. This condition, if not corrected, could result in reduced structural integrity of the rear engine support structure and loss of the engine.

Airbus Industrie has issued Operator Information Telex ST/999.0085/90, dated April 3, 1990, which describes procedures for repetitive visual inspections to detect cracks in the rear engine mount barrel nuts, and replacement, if necessary. Airbus Industrie has also issued Operator Information Telex ST/999.0087/90, dated April 4, 1990, which describes procedures for a daily torque check of the rear engine mount bolts, and retorquing, if necessary. These telexes reference International Aero Engine Service Bulletin No. V2500–NAC–71–0071, Revision 3, dated March 30, 1990, for additional instructions. The French DGAC has classified the Airbus operator information telexes as mandatory, and has issued Airworthiness Directive 90–079–009(B) addressing this subject.

This airplane model is manufactured in France and type certificated in the United States under the provisions of § 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement.

Since this condition is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD requires repetitive visual inspections to detect cracks in the rear engine mount barrel nuts, and replacement if necessary; and a daily torque check of the rear engine mount bolts, and retorquing, if necessary, in accordance with the Airbus Industrie operator information telexes previously described.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Since a situation exists that requires 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.

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 has 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

Aircraft, Air transportation, Aviation safety, Safety.

Adoption of the Amendment

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

Airbus Industrie: Applies to all Model A320–231 series airplanes, certificated in any category. Compliance is required as indicated, unless previously accomplished.

To detect cracks in the rear engine mount barrel nuts, and to prevent reduced structural integrity of the rear engine support structure, accomplish the following:

A. Within 25 hours time-in-service after the effective date of this AD, and thereafter at intervals not to exceed 700 hours time-in-service, perform a visual inspection of the rear engine mount barrel nuts, in accordance with Airbus Industrie Operator Information Telex (AOT) S999.0085/90, dated April 3, 1990. If a nut is cracked, replace with a new nut, prior to further flight, in accordance with the Operator Information Telex. Following replacement of the nut, continue the visual inspections at intervals not to exceed 700 hours time-in-service in accordance with the AOT.

Note: This Airbus Industrie telex references International Aero Engines (IAE) Service Bulletin No. V2500–NAC–71–0071, Revision 3, dated March 30, 1990, for additional information.

B. On each day that flying occurs, perform a torque check of the rear engine mount bolts in accordance with Airbus Industrie Operator Information Telex (AOT) ST/999.0087/90, dated April 4, 1990. Any bolt which does not meet the appropriate torque limits specified in the AOT must be retorqued prior to further flight.

Note: This Airbus Industrie telex references IAE Service Bulletin No. V2500–NAC–71–0071, Revision 3, dated March 30, 1990, for additional information.

C. Alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

Note: The request should be submitted directly to the Manager, Standardization Branch, ANM–113, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrence to the Manager, Standardization Branch, ANM–113.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service information from the manufacturer may obtain copies upon request to Airbus Industrie, Airbus Support Division, Avenue Didier Daurat, 31700 Blagnac, France. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

This amendment becomes effective November 5, 1990.

Issued in Renton, Washington, on October 10, 1990.

Leroy A. Keith,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–24780 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 39

[Docket No. 90–NM–105–AD; Amt. 39–6779]

Airworthiness Directives; Boeing Model 767 Series Airplanes Equipped with Pratt and Whitney JT9D–7R4 Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 767 series airplanes, which requires replacement of three existing drain tubes and a tee fitting in order to reroute the tee fitting away from the number 3 bearing oil pressure line. This amendment is prompted by reports of oil leaks in the number 3 bearing oil pressure line due to chafing by the adjacent tee fitting from the drain system. This condition, if not corrected, could result in possible engine fires and potential in-flight shutdowns due to oil loss.

EFFECTIVE DATE: November 26, 1990.

ADDRESSES: The applicable information may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

FOR FURTHER INFORMATION CONTACT: Mr. Lanny C. Pinkstaff, Seattle Aircraft Certification Office, Propulsion Branch, ANM–140S; telephone (206) 227–2684. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include an airworthiness directive, applicable to Boeing Model 767 series airplanes, which requires replacement of three existing drain tubes and a tee fitting in order to reroute the tee fitting away from the number 3 bearing oil pressure line, was published in the **Federal Register** on July 19, 1990 (55 FR 29384).

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received. The commenter expressed no objection to the adoption of the proposed rule.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

There are approximately 92 Model 767 series airplanes of the affected design in the worldwide fleet. It is estimated that 31 airplanes of U.S. registry will be affected by this AD, that it will take approximately 8 manhours per airplane to accomplish the required actions, and that the average labor cost will be $40 per manhour. Modification parts are available from the manufacturer at a cost of $1,072 per airplane. Based on these figures, the total cost impact of the

AD on U.S. operators is estimated to be $43,152.

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.

For the reasons discussed above, 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 final evaluation has been prepared for this action and is contained in the regulatory docket. A copy of it may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Aircraft, Air transportation, Aviation safety, Safety.

Adoption of the Amendment

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

Boeing: Applies to Model 767 series airplanes, equipped with Pratt and Whitney JT9D-7R4 engines, as listed in Boeing Alert Service Bulletin 767-71A0057, dated February 22, 1990, certificated in any category. Compliance required within 9 months after the effective date of this AD, unless previously accomplished.

To prevent possible engine fires and potential in-flight engine shutdowns due to oil loss, accomplish the following:

A. Modify the drain system on each engine in accordance with Boeing Alert Service Bulletin 767-71A0057, dated February 22, 1990.

B. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note: The request should be submitted to the Manager, Seattle ACO, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrence to the Seattle ACO.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service information from the manufacturer may obtain copies upon request to Boeing Commercial Airplane, Group., P.O. Box 3707, Seattle, Washington 98124. These documents may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

This amendment becomes effective November 26, 1990.

Issued in Renton, Washington, on October 10, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90-24781 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 39

[Docket No. 90-NM-190-AD; Amdt. 39-6780]

Airworthiness Directives; McDonnell Douglas Model DC-9-80 Series Airplanes and Model MD-88 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to McDonnell Douglas Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), and DC-9-87 (MD-87) series airplanes and Model MD-88 airplanes, which requires inspection of passenger service unit oxygen doors for proper seating, and readjustment, if necessary. This amendment is prompted by reports that passenger service unit oxygen doors have been pushed up past the door seal, which has caused the door to jam. This condition, if not corrected, could result in passenger oxygen not being readily available for use in the event of a cabin decompression.

EFFECTIVE DATE: November 5, 1990.

ADDRESSES: The applicable service information may be obtained from Douglas Aircraft Company, Post Office Box 1771, Long Beach, California 90801, Attn: Business Unit Manager, Technical Publications, C1-HCW (54-60). This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington, or the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California.

FOR FURTHER INFORMATION CONTACT: Robert T. Razzeto, Aerospace Engineer, Los Angeles Aircraft Certification Office, ANM-131L, FAA, Transport Airplane Directorate, 3229 East Spring Street, Long Beach, California 90806-2425; telephone (213) 988-5355.

SUPPLEMENTARY INFORMATION: One operator of McDonnell Douglas Model DC-9-80 series and MD-88 airplanes reported that 41 of 56 passenger service unit (PSU) oxygen doors failed to open during a PSU oxygen door inspection and test. McDonnell Douglas surveyed 4 other operators and found that, during PSU oxygen door tests, up to 30 PSU oxygen doors failed to open. Investigation revealed that latch-side corners of PSU oxygen doors had been pushed up past the door seal, which caused the seal to become trapped between the PSU oxygen door and the PSU panel. This interference caused the PSU oxygen doors to remain closed after door release activation was initiated. This condition, if not corrected, could result in passenger oxygen not being readily available for use after cabin decompression.

The FAA has reviewed and approved McDonnell Douglas Service Bulletin A25-315, Revision 1, dated August 24, 1990, which describes procedures for inspection for proper seating of the PSU oxygen door, and readjustment, if necessary. A modification is described which involves installation of two door stops for each PSU oxygen door to prevent the oxygen door being pushed up past the seal.

Since this situation is likely to exist or develop on other airplanes of the same type design, this AD requires repetitive inspection of the PSU oxygen door, and readjustment, if necessary, in accordance with the service bulletin previously described. Accomplishment of the modification described in the service bulletin is considered terminating action for the repetitive inspection requirements of the AD.

Since a situation exists that requires 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.

This is considered interim action. The FAA may consider further rulemaking to require additional corrective action to ensure that Model DC–9 passenger service unit doors will not fail to open when activated.

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 Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has 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

Aircraft, Air transportation, Aviation safety, Safety.

Adoption of the Amendment

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

McDonnell Douglas: Applies to Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87) series airplanes and Model MD–88 airplanes, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent passenger service unit (PSU) oxygen doors from being jammed closed, accomplish the following:

A. Within 45 days after the effective date of this AD, and thereafter at intervals not to exceed 45 days, inspect all PSU oxygen doors for proper closure in accordance with Paragraph 2 of the Accomplishment Instructions, Phase I, of McDonnell Douglas Alert Service Bulletin A25–315, Revision 1, dated August 24, 1990. If any PSU oxygen door does not close properly, prior to further flight, readjust the door in accordance with Phase I of Paragraph 2 of the Accomplishment Instructions of the service bulletin.

B. Accomplishment of the modification specified in Phase II of Paragraph 2 of the Accomplishment Instructions of McDonnell Douglas Alert Service Bulletin A25–315, Revision 1, dated August 24, 1990, constitutes terminating action for the repetitive inspections required by paragraph A of this AD.

C. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note: The request should be submitted directly to the Manager, Los Angeles ACO, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrence to the Los Angeles ACO.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service information from the manufacturer may obtain copies upon request to Douglas Aircraft Company, Post Office Box 1771, Long Beach, California 90801, Attn: Business Unit Manager, Technical Publications, C1–HCW (54–60). This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington, or the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California.

This amendment becomes effective November 5, 1990.

Issued in Renton, Washington, on October 10, 1990.

Leroy A. Keith,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–24782 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 90–ANM–3]

Revocation of Compulsory Reporting Point; Montana

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revokes the CHARL Intersection as a compulsory reporting point. CHARL Intersection is located between Mullan Pass and Great Falls, MT, on Federal Airway V–120. The FAA has determined that this intersection is no longer needed as a compulsory reporting point but will be useful as a noncompulsory reporting point.

EFFECTIVE DATE: 0901 u.t.c., December 13, 1990.

FOR FURTHER INFORMATION CONTACT: Alton D. Scott, Airspace and Obstruction Evaluation Branch (ATP–240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–9252.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) revokes CHARL Intersection as a compulsory reporting point. CHARL Intersection is located between Mullan Pass and Great Falls, MT, on Federal Airway V–120. The FAA has determined that this intersection is no longer needed as a compulsory reporting point but will be useful as a noncompulsory reporting point. This action will result in an increase to the minimum en route altitude on V–120. This action improves air safety and aids air traffic controllers.

I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor technical amendment in which the public would not be particularly interested. Section 71.203 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6F dated January 2, 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. It, therefore—(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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Compulsory reporting point.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended, as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

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.

§ 71.203 [Amended]

2. § 71.203 is amended as follows:

CHARL [Removed]

Issued in Washington, DC, on October 12, 1990.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 90-24783 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 71

[Airspace Docket No. 90-ASO-14]

Revision of Control Zone, Charlotte, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment revises the Charlotte, NC, control zone. A new standard instrument approach procedure (SIAP) has been developed to serve Runway 23 based on the Charlotte VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME). Additional controlled airspace is required for protection of instrument flight rules (IFR) aircraft executing this SIAP. Ordinarily, an arrival area extension would be added to the existing control zone. However, there are existing extensions north, northeast, and southwest of the control zone. Rather than add another arrival area extension, this action will encompass the numerous extensions by enlarging the basic control zone from a 5-mile radius to a 7-mile radius of the Charlotte/Douglas International Airport. This will provide the necessary controlled airspace for protection of all existing and proposed IFR aeronautical operations. Additionally, a minor correction is made in the latitude/longitude coordinates of the airport.

EFFECTIVE DATE: 0901 u.t.c., December 13, 1990.

FOR FURTHER INFORMATION CONTACT: James G. Walters, Airspace Section, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 763-7646.

SUPPLEMENTARY INFORMATION:

History

On July 31, 1990, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Charlotte, NC, control zone (55) FR (31065). Rather than add another arrival area extension to the control zone, in order to provide airspace protection for a recently developed SIAP serving Runway 23, this action would enlarge the existing zone from a 5-mile radius to a 7-mile radius of the Charlotte/Douglas International Airport. Also, a minor correction would be made in the latitude/longitude coordinates of the airport. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. This amendment is the same as that proposed in the notice. Section 71.171 of part 71 of the Federal Aviation Regulations was republished in FAA Handbook 7400.6F dated January 2, 1990.

The Rule

This amendment to part 71 of the Federal Aviation Regulations revises the Charlotte, NC, control zone. The radius of the zone is increased from 5 to 7 miles of the Charlotte/Douglas International Airport to accommodate a new SIAP to runway 23. Also, a minor correction is made in the latitude/longitude coordinates of the airport.

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. It, therefore, (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 Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended, as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

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

§ 71.171 [Amended]

2. Section 71.171 is amended as follows:

Charlotte, NC [Revised]

Within a 7-mile radius of Charlotte/Douglas International Airport (latitude 35°12'52" N, longitude 80°56'37" W).

Issued in East Point, Georgia, on September 20, 1990.

Don Cass,

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 90-24784 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 71

[Airspace Docket No. 90-AEA-12]

Modify Control Zone and Transition Area; Lancaster, PA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This notice amends the effective hours of the Lancaster, PA, Control Zone and updates the geographic coordinates of the Lancaster, PA, Control Zone. and 700 foot Transition Area to reflect the actual geographic position of the Lancaster Airport, Lancaster, PA, upon which the Control Zone and Transition Area is

based. This action is necessary due to the extension of the operating hours of the Lancaster Air Traffic Control Tower from 2200 to 2230 local.

EFFECTIVE DATE: 0901 U.T.C. December 13, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Curtis L. Brewington, Airspace Specialist, System Management Branch, AEA–530, Federal Aviation Administration, Fitzgerald Federal Building # 111, John F. Kennedy International Airport, Jamaica, New York 11430; telephone: (718) 917–0857.

SUPPLEMENTARY INFORMATION:

The Rule

The purpose of these amendments to §§ 71.171 and 71.181 of part 71 of the Federal Aviation Regulations is to extend the operating hours of the Lancaster, PA, Control Zone by thirty minutes from 2200 to 2230 local. Additionally, the geographic position of the Lancaster Airport used in the Lancaster, PA, Control Zone and 700 foot Transition Area descriptions is being updated to reflect the actual location of the airport. The physical dimensions of the controlled airspace will remain unaltered by this change. Sections 71.171 and 71.181 of part 71 of the Federal Aviation Regulations were republished in FAA Handbook 7400.6F, January 2, 1990. Since the FAA finds that the public would not be interested in commenting, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary and contrary to the public interest.

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 Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

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.

2. Section 71.171 is amended as follows:

Lancaster, PA [Amended]

§ 71.171 [Amended]

Change the coordinates of the Lancaster Airport, Lancaster, PA from "40°07′16″N." to "40°07′18″N.";

Change the last sentence to read as follows:

"The Control Zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory."

§ 71.181 [Amended]

3. Section 71.181 is amended as follows:

Lancaster, PA [Amended]

Change the coordinates of the Lancaster Airport, Lancaster, PA from "40°07′16″N." to "40°07′18″N.";

Issued in Jamaica, New York, on September 21, 1990.

Gary W. Tucker,

Manager, Air Traffic Division.

[FR Doc. 90–24785 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 71

[Airspace Docket No. 90–ASO–15]

Amendment to Transition Area, Orlando, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment updates the latitude/longitude coordinate position of the Orlando International Airport. When the third parallel runway was constructed, the geographic position (GP) of the airport was recalculated. The GP had shifted approximately ½ mile to the east. This action realigns the transition which is centered on the GP coordinates of the Orlando International Airport.

EFFECTIVE DATE: 0901 U.T.C., December 13, 1990.

FOR FURTHER INFORMATION CONTACT: James G. Walters, Airspace Section, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 763–7646.

SUPPLEMENTARY INFORMATION:

History

On August 14, 1990, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to update the latitude/longitude coordinates for the Orlando International Airport (55 FR 33136). With construction of the third parallel runway, the GP of the airport shifted approximately ½ mile to the east. Since the transition area is centered on the GP, the transition area would be realigned accordingly. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Section 71.181 of part 71 of the Federal Aviation Regulations was republished in FAA Handbook 7400.F, dated January 2, 1990.

The Rule

This amendment to part 71 of the Federal Aviation Regulations updates the geographic position coordinates of the Orlando International Airport and realigns the transition area which is centered on the airport.

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. It, therefore, (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 Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended, as follows:

PART 71—DESIGNATED OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

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

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Orlando, FL [Amended]

By amending the coordinates for Orlando International Airport to read, "(lat. 28°25'43"N., long. 81°18'58"W)."

Issued in East Point, Georgia, on October 2, 1990.

Don Cass,

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 90–24791 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 71

[Airspace Docket No. 90–AGL–11]

Alteration of Transition Area; Greenwood, IN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this action is to alter the existing Greenwood, IN, transition area to accommodate a new NDB Runway 36 Standard Instrument Approach Procedure (SIAP) to Greenwood Municipal Airport, Greenwood, IN, and change the airport name from Skyway to Greenwood Municipal. The intended effect of this action is to ensure segregation of the aircraft using approach procedures under instrument flight rules from other aircraft operating under visual flight rules in controlled airspace.

EFFECTIVE DATE: 0901 U.T.C., February 7, 1991.

FOR FURTHER INFORMATION CONTACT: Douglas F. Powers, Air Traffic Division, System Management Branch, AGL–530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694–7568.

SUPPLEMENTARY INFORMATION:

History

On Thursday, August 9, 1990, the Federal Aviation Administration (FAA) proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to alter a transition area airspace near Greenwood, IN (55 FR 32444).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.181 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6F dated January 2, 1990.

The Rule

This amendment to part 71 of the Federal Aviation Regulations alters the designated transition area airspace near Greenwood, IN. The transition area is being modified to accommodate a new NDB Runway 36 SIAP to Greenwood Municipal Airport, Greenwood, IN. The modification to the existing airspace will consist of a 4.5-mile width each side of the 180° bearing from the airport, extending from the 6.5-mile radius area to 8.5 miles south of the airport.

The development of a new SIAP requires that the FAA alter the designated airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for the procedure may be established below the floor of the 700-foot controlled airspace.

Aeronautical maps and charts will reflect the defined area which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rules requirements.

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. It, therefore—(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 when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended, as follows:

PART 71—[AMENDED]

1. The authority citation for part 71 continues to read as follows:

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.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Greenwood, IN [Revised]

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Greenwood Municipal Airport (lat. 39°37'53" N., long. 86°05'16" W.); within 4.5 miles each side of the 180° bearing from the airport, extending from the 6.5-mile radius to 8.5 miles south of the runway 36 arrival threshold, excluding that portion which overlies the Indianapolis, IN, transition area.

Issued in Des Plaines, Illinois, on October 3, 1990.

Teddy W. Burcham,

Manager, Air Traffic Division.

[FR Doc. 90–24792 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 71

[Airspace Docket No. 90–AGL–13]

Alteration of VOR Federal Airways

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the descriptions of VOR Federal Airways V–128 and V–246 by renumbering the airway segment of V–128, located between the Dubuque, IA, very high frequency omnidirectional radio range and tactical air navigational aid (VORTAC) and the Janesville, WI, VORTAC, to V–246. This action will eliminate ambiguity regarding air traffic control (ATC) holding clearance on V–128 southwest of the Janesville VORTAC.

EFFECTIVE DATE: 0901 U.T.C., December 13, 1990.

FOR FURTHER INFORMATION CONTACT: Jesse B. Bogan, Jr., Airspace and Obstruction Evaluation Branch (ATP–240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–9253.

The Rule

The purpose of this amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) is to amend the descriptions of VOR Federal Airways V–128 and V–246 by renumbering the airway segment of V–128 between the Dubuque, IA, VORTAC and the Janesville, WI, VORTAC to V–246. This action will eliminate the confusion regarding ATC holding clearance on V–128. When pilots are cleared to hold on V–128 southwest of the Janesville VORTAC, ambiguity exists because there are two segments of V–128 southwest of the Janesville VORTAC. In order to eliminate this confusion, one of two segments of V–128 southwest of the Janesville VORTAC is being renumbered as V–246. This action makes no change in the configuration of controlled airspace. Accordingly, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor technical amendment in which the public would not be particularly interested. Section 71.123 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6F dated January 2, 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. It, therefore—(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 Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, VOR federal airways.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended, as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

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.

§ 71.123 [Amended]

2. Section 71.123 is amended as follows:

V–128 [Amended]

By removing the words "From Dubuque, IA; Janesville, WI;" and substituting the words "From Janesville, WI; via"

V–246 [Amended]

By removing the words "From Dubuque, IA, via" and substituting the words "From Janesville, WI; via Dubuque, IA;"

Issued in Washington, DC, on October 9, 1990.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 90–24793 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 73

[Airspace Docket No. 90–ASO–13]

Amend Controlling Agency for Restricted Area R–3701A; Kentucky

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action changes the controlling agency for Restricted Area R–3701A Fort Campbell, KY, from the FAA to the United States Army. The lateral and vertical dimensions of the restricted area lie entirely within the airspace delegated to Fort Campbell Approach Control.

EFFECTIVE DATE: 0901 u.t.c., December 13, 1990.

FOR FURTHER INFORMATION CONTACT: Mike Ostapiej, Military Operations Program Office (ATM–420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–7685.

The Rule

This amendment to part 73 of the Federal Aviation Regulations changes the controlling agency for Restricted Area R–3701A, Fort Campbell, KY, from FAA, Memphis ARTCC to United States Army, Fort Campbell Army Air Field Army Radar Approach Control. The lateral and vertical dimensions of the restricted area lie within the airspace delegated to Fort Campbell Approach Control; therefore, this action enhances airspace management. Because this action does not affect the airspace configuration, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor technical amendment in which the public would not be particularly interested. Section 73.37 of part 73 of the Federal Aviation Regulations was republished in Handbook 7400.6F dated January 2, 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. It, therefore—(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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 73

Aviation safety, Restricted areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 73 of the Federal Aviation Regulations (14 CFR part 73) is amended, as follows:

PART 73—SPECIAL USE AIRSPACE

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510, 1522; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 73.37 [Amended]

2. Section 73.37 is amended as follows:

R–3701A Fort Campbell, KY [Amended]

By removing the present Controlling agency and substituting the following:

Controlling agency. U.S. Army, Fort Campbell Army Air Field Army Radar Approach Control.

Issued in Washington, DC, on October 12, 1990.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 90–24788 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 75

[Airspace Docket No. 90-AWA-4]

Establishment of Jet Routes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes new Jet Routes J-571, J-572, J-574, J-576, and J-577 located in the northwest portion of the United States. The establishment of these jet routes is the result of a request from Transport Canada and coincides with changes in the Canadian airspace structure. This action improves traffic flow during transborder operations and supports that request.

EFFECTIVE DATE: 0901 u.t.c., December 13, 1990.

FOR FURTHER INFORMATION CONTACT: Alton D. Scott, Airspace and Obstruction Evaluation Branch (ATP-240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-9252.

SUPPLEMENTARY INFORMATION:

History

On May 22, 1990, the FAA proposed to amend part 75 of the Federal Aviation Regulations (14 CFR part 75) to establish new Jet Routes J-571, J-572, J-574, J-576, and J-577 located in the northwest portion of the United States (55 FR 18352). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. One comment was received from the Air Transport Association of America (ATA). ATA concurred with this proposal. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 75.100 of part 75 of the Federal Aviation Regulations was published in Handbook 7400.6F dated January 2, 1990.

The Rule

This amendment to part 75 of the Federal Aviation Regulations establishes new Jet Routes J-571, J-572, J-574, J-576, and J-577 located in the northwest portion of the United States. This amendment is at the request of Transport Canada to support airway changes in the Canadian airspace structure. This action improves traffic flow during transborder operations and will reduce controller workload.

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. It, therefore—(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 Flexibility Act.

List of Subjects in 14 CFR Part 75

Aviation safety, Jet routes.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 75 of the Federal Aviation Regulations (14 CFR part 75) is amended, as follows:

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

1. The authority citation for part 75 continues to read as follows:

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.

§ 75.100 [Amended]

2. Section 75.100 is amended as follows:

J-571 [New]

From Williston, ND; to Brandon, MB, Canada. The airspace within Canada is excluded.

J-572 [New]

From Glasgow, MT; to Swift Current, SK, Canada; The airspace within Canada is excluded.

J-574 [New]

From Glasgow, MT; to Lethbridge, AB, Canada. The airspace within Canada is excluded.

J-576 [New]

From Glasgow, MT; to Medicine Hat, AB, Canada. The airspace within Canada is excluded.

J-577 [New]

From Minot, ND; to Lumsden, SK, Canada. The airspace within Canada is excluded.

Issued in Washington, DC, on October 12, 1990.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 90-24786 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 75

[Airspace Docket No. 90-AGL-9]

Alteration of Jet Route J-213 and Establishment of Jet Route J-526

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the description of J-213 by deleting that portion of J-213 between the Louisville, KY, VORTAC and the Beckley, WV, VORTAC; and establishes J-526 between the Louisville, KY, VORTAC and the Beckley, WV, VORTAC. This action eliminates computer processing problems and air traffic control ambiguity associated with flight plans which contain the route J-213/J-8 or J-8/J-213.

EFFECTIVE DATE: 0901 u.t.c, December 13, 1990.

FOR FURTHER INFORMATION CONTACT: Jesse B. Bogan, Jr., Airspace and Obstruction Evaluation Branch (ATP-240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-9253.

SUPPLEMENTARY INFORMATION:

History

On July 31, 1990, the FAA proposed to amend part 75 of the Federal Aviation Regulations (14 CFR part 75) to amend the description of J-213 and establish J-526 (55 FR 31068). The problem is that J-8 and J-213 merge at two points, thereby creating flight planning and air traffic control communication problems in understanding which of the two points is being referenced. This action eliminates the problem of the two intersecting points. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal

were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 75.100 of part 75 of the Federal Aviation Regulations was republished in Handbook 7400.6F dated January 2, 1990.

The Rule

This amendment to part 75 of the Federal Aviation Regulations renumbers a segment of J–213 between the Louisville, KY, VORTAC and the Beckley, WV, VORTAC. That section of J–213 between Louisville, KY, and Beckley, WV, is deleted, reestablished, and numbered as J–526. The problem is that J–8 and J–213 merge at two points, Finks interesection and the Louisville VORTAC. When air traffic controllers at Indianapolis, IN, Air Route Traffic Control Center encounter flight plans which contain the route J–8/J–213 or J–213/J–8, they are unable to ascertain at which point an aircraft on the flight plan will join with J–213 or J–8. Also, flight plans containing J–8/J–213 or J–213/J–8 are difficult to process in the air traffic computer processing system because the airways intersect at two points. This action eliminates the problem of the airways intersecting at two points and the problems associated with that.

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. It, therefore—(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 signficant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 75

Aviation safety, Jet routes.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 75 of the Federal Aviation Regulations (14 CFR part 75) is amended, as follows:

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

1. The authority citation for part 75 continues to read as follows:

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.

§ 75.100 [Amended]

2. Section 75.100 is amended as follows:

J–213 [Revised]

From Armel, VA; via INT Armel 251° and Beckley, WV, 066° radials; to Beckley.

J–526 [New]

From Beckley, WV; via INT Beckley 264° and Louisville, KY, 101° radials; to Louisville.

Issued in Washington, DC., on October 9, 1990.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 90–24787 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 97

[Docket No. 26348; Amdt. No. 1436]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: *Effective:* An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference–approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—

Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA–200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT: Paul J. Best, Flight Procedures Standards Branch (AFS–420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–8277.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260–3, and 8260–4, and 8260–5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format take their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Futher, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are unnecessary, impracticable, and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

The FAA 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. It, therefore—(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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Approaches, Standard Instrument, Incorporation by reference.

Issued in Washington, DC, on September 28, 1990.

William C. Withycombe,

Acting Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 g.m.t. on the dates specified, as follows:

PART 97—[AMENDED]

1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 1348, 1354(a), 1421 and 1510; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

Effective December 13, 1990

Grand Junction, CO—Walker Field, ILS RWY 11, Amdt. 13
Marco Island, FL—Marco Island, VOR/DME RWY 17, Amdt. 3
Marco Island, FL—Marco Island, NDB RWY 35, Amdt. 4
Wildwood, NJ—Cape May County, VOR-A, Orig.
Wildwood, NJ—Cape May County, LOC RWY 19, Amdt. 3
Wildwood, NJ—Cape May County RNAV RWY 19, Amdt. 5
Mocksville, NC—Twin Lakes, NDB RWY 9, Amdt. 3
Monroe, NC—Monroe, LOC RWY 5, Amdt. 1
Monroe, NC—Monroe, NDB RWY 5, Amdt. 1
Lake City, SC—Lake City Muni CJ Evans Field, NDB-A, Amdt. 1
Mt. Pleasant, SC—East Cooper, VOR/DME-A, Orig.
Dickson, TN—Dickson Muni, VOR/DME RWY 17, Amdt. 3
Greeneville, TN—Greeneville Muni, LOC RWY 5, Amdt. 4
Greeneville, TN—Greeneville Muni, NDB RWY 5, Amdt. 3
Paris, TN—Henry County, SDF RWY 2, Amdt. 2
Paris, TN—Henry County, NDB RWY 2, Amdt. 2
Andrew, TX—Andrews County, NDB RWY 15, Amdt. 2
Devine, TX—Devine Muni, NDB RWY 35, Amdt. 2
Fredericksburg, TX—Gillespie County, VOR/DME-A, Amdt. 2
San Marcos, TX—San Marcos Muni, VOR/DME-A, Amdt. 3
San Marcos, TX—San Marcos Muni, NDB RWY 12, Amdt. 2
San Marcos, TX—San Marcos Muni, ILS RWY 12, Amdt. 3

Effective November 15, 1990

Rifle, CO—Garfield County Regional, LOC/DME-A, Amdt. 2
Indianapolis, IN—Greenwood Muni, VOR-A, Amdt. 2
Indianpolis, IN—Greenwood Muni, NDB RWY 36, Orig.
Fall River, MA—Fall River Muni, NDB RWY 24, Amdt. 8
Sault Ste. Marie, MI—Chippewa County Intl, VOR-A or TACAN-A, Amdt. 4
Sault Ste. Marie, MI—Chippewa County Intl, NDB RWY 16, Amdt. 4
Sault Ste. Marie, MI—Chippewa County Intl, NDB RWY 34, Amdt. 3
Sault Ste. Marie, MI—Chippewa County Intl, ILS RWY 16, Amdt. 6
Sparta, MI—Sparta, VOR-A, Amdt. 2
Sparta, MI—Sparta, RNAV RWY 24, Amdt. 1
Nashua, NH—Boire Field, NDB RWY 14, Amdt. 4
Ashtabula, OH—Ashtabula County, VOR RWY 8, Amdt. 6, CANCELLED
Ashtabula, OH—Ashtabula County, VOR RWY 8, Orig.
Caldwell, OH—Noble County, VOR-A, Orig.
Medina, OH—Medina Muni, VOR RWY 27, Orig.
Medina, OH—Medina Muni, NDB RWY 27, Amdt. 7
Granbury, TX—Granbury Muni, VOR-B, Amdt. 2

Effective October 18, 1990

Seattle, WA—Seattle-Tacoma Intl, ILS RWY 34L, Orig.
Grantsburg, WI—Grantsburg Muni, VOR/DME-A, Orig.
Grantsburg, WI—Grantsburg Muni, VOR-A, Orig., CANCELLED

Effective September 27, 1990

Chico, CA—Chico Muni, VOR RWY 31R, Amdt. 7
Chico, CA—Chico Muni, VOR/DME RWY 13L, Amdt. 5

Effective September 25, 1990

Mansfield, MA—Mansfield Muni, NDB RWY 32, Amdt. 4
Las Vegas, NV—McCarran Intl, ILS RWY 25, Amdt. 13

Effective September 19, 1990

San Jose, CA—San Jose Intl, LOC/DME RWY 30L, Amdt. 10
San Jose, CA—San Jose Intl, NDB/DME RWY 30L, Amdt. 4
San Jose, CA—San Jose Intl, ILS RWY 30L, Amdt. 19

[FR Doc. 90-24789 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

14 CFR Part 97

[Docket No. 26355; Amdt. No. 1437]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote flight operations under instrument flight rules at the affected airports.

DATES: *Effective:* An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference—approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;
2. The FAA Regional Office of the region in which the affected airport is located; or
3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—

Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT: Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8277.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are unnecessary, impracticable, and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

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. It, therefore—(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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Approaches, Standard Instrument, Incorporation by reference.

Issued in Washington, DC on October 12, 1990.

Thomas C. Accardi,

Acting Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 g.m.t. on the dates specified, as follows:

PART 97—[AMENDED]

1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 1348, 1354(a), 1421 and 1510; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS,

ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

Effective December 13, 1990

Texarkana, AR—Texarkana Regional-Webb Field, VOR RWY 13, Amdt. 14
Texarkana, AR—Texarkana Regional-Webb Field, ILS RWY 22, Amdt. 13
Texarkana, AR—Texarkana Regional-Webb Field, LOC BC RWY 4, Amdt. 11
Texarkana, AR—Texarkana Regional-Webb Field, NDB RWY 22, Amdt. 11
Miami, FL—Miami Intl, LOC RWY 30, Amdt. 5
Deridder, LA—Beauregard Parish, NDB RWY 36, Amdt. 3
Deridder, LA—Beauregard Parish, LOC RWY 36, Amdt. 1
Lake Charles, LA—Chennault Industrial Airpark, ILS RWY 15R, Amdt. 2
Lake Charles, LA—Chennault Industrial Airpark, VOR RWY 33L, Amdt. 1
Battle Creek, MI—W.K. Kellogg, VOR or TACAN RWY 31, Amdt. 14
Battle Creek, MI—W.K. Kellogg, VOR or TACAN 5, Amdt. 19
Battle Creek, MI—W.K. Kellogg, VOR or TACAN RWY 23, Amdt. 17
Battle Creek, MI—W.K. Kellogg, NDB RWY 23, Amdt. 17
Battle Creek, MI—W.K. Kellogg, ILS RWY 23, Amdt. 17
Battle Creek, MI—W.K. Kellogg, RADAR-1, Amdt. 2
Hilton Head Island, SC—Hilton Head, VOR/DME-A, Amdt. 9
Hilton Head Island, SC—Hilton Head, RNAV RWY 3, Amdt. 4
Hilton Head Island, SC—Hilton Head, RNAV RWY 21, Amdt. 4
Orangeburg, SC—Orangeburg Muni, VOR RWY 4, Amdt. 2
Orangeburg, SC—Orangeburg Muni, NDB RWY 4, Amdt. 2
Nashville, TN—Nashville Intl, VOR/DME RWY 20C, Amdt. 4
Nashville, TN—Nashville Intl, VOR/DME RWY 20R, Amdt. 6
Nashville, TN—Nashville Intl, NDB RWY 20R, Amdt. 6
Nashville, TN—Nashville Intl, RADAR-1, Amdt. 22
Shelbyville, TN—Bomar Fld-Shelbyville Muni, VOR RWY 18, Amdt. 4
Shelbyville, TN—Bomar Fld-Shelbyville Muni, VOR RWY 36, Amdt. 14
Shelbyville, TN—Bomar Fld-Shelbyville Muni, VOR/DME RWY 18, Amdt. 3
Shelbyville, TN—Bomar Fld-Shelbyville Muni, RNAV RWY 18, Amdt. 3
Anahauc, TX—Chambers County, NDB RWY 30, Amdt. 2

Effective November 15, 1990

Pryor Creek, OK—Mid-America Industrial, VOR/DME-A, Amdt. 4
Stillwater, OK—Stillwater Muni, VOR RWY 17, Amdt. 8
Pottsville, PA—Schuylkill County/Joe Zerbey/, VOR RWY 4, Amdt. 5
Pottsville, PA—Schuylkill County/Joe Zerbey/, RNAV RWY 29, Amdt. 2
Washington, PA—Washington County, VOR-B, Amdt. 6
Fort Worth, TX—Luck Field, VOR/DME-A, Amdt. 1

Effective October 4, 1990

Ukiah, CA—Ukiah Muni, VOR-A, Amdt. 3
Ukiah, CA—Ukiah Muni, LOC/DME RWY 15, Amdt. 4
Ukiah, CA—Ukiah Muni, RNAV-B, Amdt. 4

Effective October 3, 1990

Roanoke, VA—Roanoke Regional/Woodrum Field, ILS RWY 33, Amdt. 11

Effective June 28, 1990

Prescott, AZ—Ernest A. Love Field, VOR RWY 11, Amdt. 1
Prescott, AZ—Ernest A. Love Field, ILS/DME RWY 21, Amdt. 2
Prescott, AZ—Ernest A. Love Field, RNAV RWY 21, Amdt. 2

[FR Doc. 90-24790 Filed 10-18-90; 8:45 am]
BILLING CODE 4910-13-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); Cardiac Rehabilitation

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This final rule amendment revises the DoD Regulation 6010.8-R (32 CFR part 199) by establishing CHAMPUS benefits for cardiac rehabilitation. This final amendment offers coverage under the CHAMPUS program for cardiac rehabilitation when used as a treatment modality following specific cardiac events.

EFFECTIVE DATE: October 9, 1987.

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

FOR FURTHER INFORMATION CONTACT: Judy Carroll, Office of Program Development, OCHAMPUS, telephone (303) 361-3521.

SUPPLEMENTARY INFORMATION: 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. 32 CFR part 199 (DoD 6010.8-R) was reissued in the **Federal Register** on July 1, 1986 (51 FR 24008). In FR Doc. 90-9277 appearing in the **Federal Register** on April 23, 1990 (55 FR 15246), the Office of the Secretary of Defense published for public comment a notice of proposed rulemaking regarding establishing coverage under the CHAMPUS program for cardiac rehabilitation when used as treatment modality following specific cardiac events. The following summarizes the comments received and the actions taken based on these comments.

Discussion of Comments

We received two (2) public comments in response to the proposed rule to offer CHAMPUS benefits for cardiac rehabilitation. The comments received in response to the proposed rule were very supportive of the decision to expand coverage to include benefits for cardiac rehabilitation following specific cardiac events. A summary of the comments and our responses to them are listed below.

Comment: We commend the DoD for recognizing the appropriateness of cardiac rehabilitation services, and for retroactively extending coverage of these services to coincide with the date of publication of a technology assessment which discussed the safety and efficacy of cardiac rehabilitation by a nationally recognized technology assessment body.

Response: We appreciate your interest in the CHAMPUS program and its beneficiary population. As a recognized national professional organization, we acknowledge your support for extending CHAMPUS coverage for cardiac rehabilitation as being consistent with generally accepted medical practice.

Comment: We support all aspects of the proposed establishment of cardiac rehabilitation services for CHAMPUS beneficiaries. However, we feel consideration should be given to allowing payment for cardiac rehabilitation services rendered in specialized freestanding cardiac rehabilitation clinics. Limitation of cardiac rehabilitation services to only a CHAMPUS authorized hospital may restrict access for certain CHAMPUS beneficiaries.

Response: We do not find this argument persuasive. As a national program, CHAMPUS strives for uniformity and equity in benefits to ensure beneficiary safety. Toward this end, CHAMPUS relies on the existing nationwide infrastructure for accreditation and professional regulatory oversight. With the large variety of freestanding cardiac rehabilitation clinics throughout the country, it is incumbent upon CHAMPUS to seek out national

standards to provide a clear line of demarcation on CHAMPUS requirements. Currently, there is no recognized national accreditation agency for accrediting freestanding cardiac rehabilitation clinics, nor does there appear to be standarized state licensure, or certification procedures in existence which address standards for freestanding cardiac rehabilitation clinics. Since OCHAMPUS does not have the resources to conduct it own accreditation activities, the requirement for national accreditation is at least a minimum assurance that a facility or specialized treatment facility meets some standards of quality.

As stated in the proposed notice, CHAMPUS does not extend benefits for cardiac rehabilitation programs nor the monitoring of any tests while participating in a cardiac rehabilitation program. Although current regulatory provisions allow payment for medically necessary rehabilitation services designed to restore patients to a normal level of functioning following disease or injury, to date, CHAMPUS has not included coverage for cardiac rehabilitation services. The unresolved controversy over the efficacy and medical necessity of treatment, the lack of uniform standards among programs, the lack of national endorsement by a recognized technology assessing group, and the high costs, resulted in an agency decision to exclude coverage for cardiac rehabilitation.

In October 1987, the Diagnostic and Therapeutic Technology Assessment (DATTA) and in August 1988, the Office of Health Technology and Assessment (OHTA) issued reports which indicate that cardiac rehabilitation services are an integral part of the rehabilitation treatment of patients with coronary artery disease; specifically, patients who have had a myocardial infarction (MI), coronary artery bypass graft (CABG), or chronic stable angina pectoris. Additionally, in October 1988, The American College of Physicians published a report entitled "Cardiac Rehabilitation Services" in the *Annals of the Internal Medicine* which endorsed cardiac rehabilitation as appropriate for selected patients after MI, and coronary revascularization, or coronary angioplasty. The article further indicated that, although data was limited, patients with debilitating angina pectoris or symptomatic left ventricular dysfunction may also be candidates for cardiac rehabilitation when these disorders fail to respond to standard medical or surgical interventions. These endorsements further establish cardiac rehabilitation as the standard of care within the medical community and support previous premises that cardiac rehabilitation programs can improve the functional capacity of the heart and thus improve overall health outcome.

Since endorsement of cardiac rehabilitation services by several national technology assessing groups, as an effective treatment modality following certain cardiac events, OCHAMPUS feels that continued denial of cardiac rehabilitation services is inappropriate and no longer supportable under current regulatory provisions and has decided to extend benefits for cardiac rehabilitation services. Implementation of this new benefit is effective October 9, 1987, to coincide with the date the DATTA assessment appeared in the *Journal of the American Medical Association.*

In determining benefit design, the following factors influenced the resultant proposed recommendations for coverage in the proposed rule: (1) Cost, (2) current policies and reimbursement practices and trends of other third party payors, including Medicare, (3) studies which have identified the population best served through cardiac rehabilitation, (4) current and future needs of the CHAMPUS beneficiary population, and (5) current law and regulatory provisions which govern the CHAMPUS program.

The final rule incorporates many of the recommendations made by the previously mentioned national technology assessing bodies. The limits on duration of treatment provide coverage consistent with Medicare and other major third party payors. Provider status is limited to otherwise authorized CHAMPUS participating hospitals based primarily on the fact that relevant professional accreditation programs directed specifically at cardiac rehabilitation programs have not yet been established. The payment methodology is based on a total program concept similar to Medicare's. These limits ensure the expenditure of government funds for medically appropriate treatment found to be medically beneficial while simultaneously controlling government costs. The maximum projected cost of this benefit is 5.8 million dollars during the first full year of benefit coverage. This estimate is based on a user population expected to be afflicted with coronary heart disease. We expect the above projected cost for establishing and maintaining a cardiac rehabilitation benefit will offset some of the costs associated with future medical needs and complications of high risk cardiac patients.

This final rule offers coverage for services now unavailable to the CHAMPUS beneficiary population, but which are available to their civilian counterparts. It is an enhancement of military benefits.

Section 605(b) of the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) 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. The Secretary certifies, pursuant to section 605(b) of title 5, United States Code, enacted by the Regulatory Flexibility Act (Pub. L. 96-354), that this regulation amendment will not have a significant economic impact on a substantial number of small businesses, organizations, or government jurisdictions. The final rule will broaden the scope of CHAMPUS benefits by extending benefits to include coverage for cardiac rehabilitation services. It will not involve any significant burden on CHAMPUS beneficiaries or providers of cardiac rehabilitation services. Cost-containment parameters have been built into the final rule. It is not therefore, a "major rule" under Executive Order 12291.

List of Subjects in 32 CFR Part 199

Claims, Handicapped, Health insurance, and Military Personnel.

Accordingly, 32 CFR Chapter I, part 199 is amended reading as follows:

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 adding a new paragraph (e)(18) as follows:

§ 199.4 Basic Program Benefits.

* * * * *

(e) * * *

(18) *Cardiac rehabilitation.* Cardiac rehabilitation is the process by which individuals are restored to their optimal physical, medical, and psychological status, after a cardiac event. Cardiac rehabilitation is often divided into three phases. Phase I begins during inpatient hospitalization and is managed by the patient's personal physician. Phase II is a medically supervised outpatient program which begins following discharge. Phase III is a lifetime maintenance program emphasizing continuation of physical fitness with periodic followup. Each phase includes an exercise component, patient education, and risk factor modification. There may be considerable variation in

program components, intensity, and duration.

(i) *Benefits Provided.* CHAMPUS benefits are available on an inpatient or outpatient basis for services and supplies provided in connection with a cardiac rehabilitation program when ordered by a physician and provided as treatment for patients who have experienced the following cardiac events within the preceding twelve (12) months:

(A) Myocardial Infarction.

(B) Coronary Artery Bypass Graft.

(C) Coronary Angioplasty.

(D) Percutaneous Transluminal Coronary Angioplasty

(E) Chronic Stable Angina (see limitations below).

(ii) *Limitations.* Payable benefits include separate allowance for the initial evaluation and testing. Outpatient treatment following the initial intake evaluation and testing is limited to a maximum of thirty-six (36) sessions per cardiac event, usually provided 3 sessions per week for twelve (12) weeks. Patients diagnosed with chronic stable angina are limited to one treatment episode (36 sessions) in a calendar year.

(iii) *Exclusions.* Phase III cardiac rehabilitation lifetime maintenance programs performed at home or in medically unsupervised settings are not covered.

(iv) *Providers.* A provider of cardiac rehabilitation services must be a CHAMPUS authorized hospital. (Refer to Section 199.6, "Authorized Providers.") All cardiac rehabilitation services must be ordered by a physician.

(v) *Payment.* Payment for outpatient treatment will be based on an all inclusive allowable charge per session. Inpatient treatment will be paid based upon the reimbursement system in place for the hospital where the services are rendered.

(vi) *Implementation Guidelines.* The Director of OCHAMPUS shall issue guidelines as are necessary to implement the provisions of this paragraph.

* * * * *

Dated: October 16, 1990.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90–24729 Filed 10–18–90; 8:45 am]

BILLING CODE 3810–01–M

Department of the Air Force

32 CFR Part 806b

[Air Force Reg. 12–35]

Air Force Privacy Act Program

AGENCY: Department of the Air Force, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Air Force is publishing a final rule for an exempt record system subject to the Privacy Act of 1974, as amended, (5 U.S.C. 552a).

EFFECTIVE DATE: October 19, 1990.

ADDRESSES: Send comments to Mrs. Anne Turner, SAF/AAIA, The Pentagon, Washington, DC 20330–1000. Telephone (202) 697–3491 or Autovon 227–3491.

SUPPLEMENTARY INFORMATION: On August 22, 1990, at 55 FR 34310 of the **Federal Register**, the Department of the Air Force published an exemption change which added a system manager and expanded the exemption rule to include all system locations to an existing record system. See also 55 FR 34286, August 22, 1990. No comments were received, therefore the Department of the Air Force is adopting the change as part of the final rule.

List of subjects in 32 CFR part 806b

Privacy.

PART 806b—AIR FORCE PRIVACY ACT PROGRAM

For the reasons set forth in the preamble, 32 CFR part 806b is amended as follows:

1. The authority citation for 32 CFR part 806b continues to read as follows:

Authority: Pub. L. 93–579, 88 Stat. 1896 (5 U.S.C. 552a)

2. Section 806b.13 is amended by revising paragraph (a)(5) as follows:

§ 806b.13 General and specific exemptions.

(a) * * *

(5) *System identification and name*—F125 AF A, Correction and Rehabilitation Records.

Exemption—Portions of this system that fall within 5 U.S.C. 552a(j)(2) are exempt from the following provisions of 5 U.S.C. 552a, Sections (c)(3) and (c)(4); (d)(1) through (d)(5); (e)(2) and (e)(3); (e)(4)(G) and (e)(4)(H), (e)(5); (f)(1) through (f)(5); (g)(1) through (g)(5); and (h) of the Act.

Authority—5 U.S.C. 552a(j)(2).

Reason—The general exemption will protect ongoing investigations and protect from access criminal investigation information contained in this record system so as not to jeopardize any subsequent judicial or administrative process taken as a result of information contained in the files.

* * * * *

Dated: October 16, 1990.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90–24728 Filed 10–18–90; 8:45 am]

BILLING CODE 3810–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD7–90–57]

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Florida

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of Monroe County, the Coast Guard is changing the regulations governing the operation of the Jewfish Creek drawbridge at Key Largo by permitting the number of openings to be limited during certain periods. This change is being made because periods of peak vehicular traffic have increased. This action will accommodate current needs of vehicular traffic and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effect on November 19, 1990.

FOR FURTHER INFORMATION CONTACT: Ian MacCartney (305) 536–4103.

SUPPLEMENTARY INFORMATION: On July 19, 1990, the Coast Guard published a proposed rule (55 FR 29389) concerning this change with a comment limit date of September 4, 1990. The Commander, Seventh Coast Guard District, also published the change as a Public Notice dated August 17, 1990. In each notice, interested persons were given until September 4, 1990 to submit comments.

Drafting Information

The drafters of this notice are Ian MacCartney, project officer, and Lt. Genelle Tanos, project attorney.

Discussion of Comments

Two comments were received. Both were in favor of the regulation. No other comments were received. The final rule is, therefore, unchanged from the proposed rule published on July 19, 1990.

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.

Economic Assessment and Certification

These 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 has been found 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 is expected to be minimal, the Coast Guard certifies that they will not have a significant impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, part 117 of title 33, Code of Federal Regulations, is amended as follows:

PART—117 DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1g.

2. Section 117.261 (qq) is revised to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(qq) *Jewfish Creek, mile 1134, Key Largo.* The draw shall open on signal; except that from 10 a.m. to sunset, Thursday through Sunday and federal holidays, the draw need open only on the hour and half hour.

Dated: October 9, 1990.

Robert E. Kramek,

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

[FR Doc. 90–24763 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–14–M

---

33 CFR Part 117

[CGD7–90–54]

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of Congressman Tom Lewis, the Coast Guard is revising the regulations governing the PGA Boulevard and Parker bridges at North Palm Beach by permitting the number of openings to be limited during certain periods. This change is being made because it will improve the movement of vehicular traffic in the area. This action will accommodate the current needs of vehicular traffic and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on November 19, 1990.

FOR FURTHER INFORMATION CONTACT: Walt Paskowsky, (305) 536–4103.

SUPPLEMENTARY INFORMATION: On June 27, 1990, the Coast Guard published proposed rule (55 FR 26220) concerning this amendment. The Commander, Seventh Coast Guard District, also published the proposal as a Public Notice dated July 13, 1990. In each notice interested persons were given until August 13, 1990, to submit comments.

Drafting Information

The drafters of these regulations are Walter J. Paskowsky, project officer, and Lt. Genelle Tanos, project attorney.

Discussion of Comments

A Supplemental Notice of Proposed Rulemaking was published on June 27, 1990, proposing a seasonal 20 minute opening schedule from November 1 until April 30. Five comments were received. Four commentors, including a large marine industry association, supported the proposed rule. One commentor, representing a local homeowners association, requested staggered annual 30 minute openings. No additional information was presented to justify this proposal. No other comments were received. The Coast Guard has carefully considered the comments and has determined that no new information has been presented which justifies changing the proposed regulations. The final rule is, therefore, unchanged from the proposed rule published on June 27, 1990.

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 rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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).

The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because the regulations exempt tugs with tows. Since the economic impact is expected to be minimal, the Coast Guard certifies that they will not have a significant impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, part 117 of title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–01(g).

2. Sections 117.261 (s) and (t) are revised to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(s) *PGA Boulevard Bridge, mile 1012.6.* The draw shall open on signal; except that, from 7 a.m. to 9 a.m. and 4 p.m. to 7 p.m., Monday through Friday except Federal holidays, the draw need open only on the quarter-hour and three-quarter hour. On Saturdays, Sundays and Federal holidays from 8 a.m. to 6 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour. On weekdays except Federal holidays from November 1 through April 30 from 9 a.m. to 4 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

(t) *Parker (US 1) bridge, mile 1013.7.* The draw shall open on signal; except that, from 7 a.m. to 9 a.m. and 4 p.m. to 7 p.m. Monday through Friday except Federal holidays, the draw need open only on the hour and half-hour. On Saturdays, Sundays and Federal holidays from 8 a.m. to 6 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour. On weekdays except Federal holidays from November 1 through April 30 from 9 a.m. to 4 p.m., the draw need open only on the hour, 20 minutes after the hour, and 40 minutes after the hour.

* * * * *

Dated: October 1, 1990.

Robert E. Kramek,

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

[FR Doc. 90-24769 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD7-90-37]

Drawbridge Operation Regulations; Okeechobee Waterway, Florida

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Lee County Department of Transportation, the Coast Guard is revising the regulations governing the Sanibel Causeway bridge, mile 151 at Punta Rassa by changing the hours of the regulated operations. This change is being made because of the back-to-back openings which are occurring during periods of peak vehicular traffic. This action should accommodate the needs of vehicular traffic and still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on November 19, 1990.

FOR FURTHER INFORMATION CONTACT: Ian MacCartney (305) 536-4103.

SUPPLEMENTARY INFORMATION: On June 22, 1990, the Coast Guard published proposed rule (55 FR 25676) concerning this amendment with a comment limit date of August 6, 1990. The Commander, Seventh Coast Guard District, also published the proposal as a Public Notice dated July 5, 1990. Comment period was subsequently extended to 15 September 1990.

Drafting Information

The drafters of this notice are Ian MacCartney, project officer, and Lt. Genelle Tanos, project attorney.

Discussion of Comments

Four comments were received. One waterway user objected to any restrictions, stating that strong tidal currents and a lack of maneuvering room makes holding at the bridge unsafe. Two commentors were in favor of the proposal and encouraged even more restrictive opening regulations. Lee County indicated that while using the temporary 15 minute regulations, there were no adverse effects on navigation and vehicles appeared to move smoothly. They also recommended a 30 minute opening schedule from January 1 through April 15. Available data does not support this proposal. No other comments were received. The Coast Guard has carefully considered the comments and has determined that no new information has been presented which justifies changing the proposed regulations. The final rule is, therefore, unchanged from the proposed rule published on June 22, 1990.

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.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the 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. We conclude this because the rule exempts tugs with tows. Since the economic impact is expected to be minimal, the Coast Guard certifies that they will not have a significant impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, part 117 of title 33, Code of Federal Regulations, is amended as follows:

PART 117 DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1g

2. Section 117.317(k) is revised to read as follows:

§ 117.317 Okeechobee Waterway.

* * * * *

(k) Sanibel Causeway bridge, mile 151 at Punta Rassa. The draw shall open on signal; except that from 11 a.m. to 6 p.m., the draw need open only on the hour, quarter hour, half hour, and three-quarter hour. Exempt vessels shall be passed at any time.

Dated: October 9, 1990.

Robert E. Kramek,

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

[FR Doc. 90-24770 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CGD7-90-95]

Drawbridge Operation Regulations; St. Johns River, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: At the request of the State of Florida, the Coast Guard is temporarily changing the regulations governing the operation of three bridges across the St. Johns River at Jacksonville, Florida, the Main Street (US17) Bridge, mile 24.7, the Acosta (SR13) Bridge, mile 24.9 and the Fuller Warren (I10-I95) Bridge, mile 25.4, in order to improve the flow of peak morning commuter traffic. This action accommodates the needs of vehicular traffic and still provides for the reasonable needs of navigation.

EFFECTIVE DATES: These temporary regulations became effective on September 24, 1990 and will terminate on November 23, 1990.

ADDRESSES: Comments regarding this temporary change should be mailed to Commander (oan), Seventh Coast Guard District, Brickell Plaza Federal Building, 909 SE 1st Avenue, Miami, Florida 33131-3050. Any comments received will be available for inspection and copying in the office of the Bridge Administrator located in Room 484, Brickell Plaza Federal Building, 909 S.E. 1st Avenue, Miami, Florida. Documents and comments concerning this regulation may be inspected Monday through Friday between the hours of 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Gary D. Pruitt (305) 536-4103.

SUPPLEMENTARY INFORMATION: Interested parties submitting written views, comments, data, or arguments should include their names and addresses, identify the bridge, and give reasons for concurrence with or any recommended change to the temporary regulation.

Drafting Information

The drafters of this notice are Mr. Gary Pruitt, Bridge Administration Specialist, project officer, and Lieutenant Genelle G. Tanos, project attorney.

Discussion of Temporary Regulations

This temporary regulation changes only the morning regulated period on weekdays. The bridge presently opens on signal except that the bridge need not open from 7:30 a.m. to 8:30 a.m. Monday through Friday except Federal holidays. The Coast Guard has determined that a

shift of the existing morning regulated period one-half hour earlier at all three bridges will accommodate the change in morning automobile traffic. The problem with the change in peak traffic has been accentuated by revised travel patterns caused by the detour route in place due to the construction of the new Acosta Bridge. All other aspects of the existing regulations remain in full force and effect. Because this is a temporary regulation, it will not appear in the Code of Federal Regulations.

Federalism

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

Economic Assessment and Certification

This temporary regulation is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034: February 26, 1979). The economic impact of this temporary rule is expected to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because the temporary rule will not change the total amount of time bridges are allowed to be maintained in the closed position. Since the economic impact of the proposal is expected to be minimal, the Coast Guard certifies that it does not have a significant impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Temporary Regulations

In consideration of the foregoing, the Coast Guard has amended part 117 of title 33 Code of Federal Regulations as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

2. For the period between September 24 and November 23, 1990 paragraph (a) of § 117.325 is revised to read as follows:

§ 117.325 St. Johns River.

(a) The draws of the Main Street (US17) Bridge, mile 24.7, the Acosta (SR13) Bridge, mile 24.9 and the Fuller Warren (I10/I95) Bridge, mile 25.4, all at Jacksonville, shall open on signal except that, from 7 a.m. to 8:30 a.m. and 4:30 p.m. to 6 p.m., Monday through Saturday except Federal holidays, the draw need not be opened for the passage of vessels. The draws shall open at any time for vessels in an emergency involving life or property.

* * * * *

Dated: October 9, 1990.

Robert E. Kramek,

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

[FR Doc. 90–24771 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–14–M

COAST GUARD

33 CFR Part 165

[COTP Jacksonville, FL; Regulation 90–94]

Safety/Security Zone; Naval Submarine Base, Kings Bay, GA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a safety zone concurrent with the security zone stipulated in 33 CFR 165.731, specifically, the waters surrounding Naval Submarine Base, Kings Bay, Georgia. The present regulations are also modified to allow the activation of a fixed and moving safety/security zone during the arrival or departure of specified military vessels. It has been necessary to implement these requirements on several previous occassions by emergency rule. The zone is necessary to safeguard the specified military vessel and likewise to protect the boating public from the hazards associated with a large number of vessels operating in restricted waters. Entry into this zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation becomes effective on 25 September 1990. Comments on this regulation must be received on or before 01 December 1990.

ADDRESSES: Comments should be mailed to Commanding Officer, Coast Guard Marine Safety Office, 2831 Talleyrand Avenue, Jacksonville, FL 32206–3497. The comments will be available for inspection and copying at MSO Jacksonville, Room 222. Normal office hours are between 7:30 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Mike Maes, Tel: (904) 791–2648.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days for **Federal Register** publication. Following normal rulemaking procedures was unnecessary in that little or no economic impact is envisioned and no adverse comments are expected concerning the terms of the regulation.

Although this regulation is published as a final rule without prior notice, an opprtunity for public comment is nevertheless desirable to ensure that the regulation is both reasonable and workable. Accordingly, persons wishing to comment may do so by submitting written comments to the office listed under **"ADDRESSES"** in this preamble. Commenters should include their names and addresses, identify the docket number for the regulations, and give their comments. Based upon comments received, the regulation may be changed.

Drafting Information

The drafters of this regulation are Lieutenant Christopher K. Lockwood, project officer for the Captain of the Port, and Lieutenant G.G. Tanos, project attorney, Seventy Coast Guard District Legal Office.

Discussion of Regulation

The situation requiring this regulation is the continued need to safeguard specified military vessels and to protect the boating public from the special hazards involved while these vessels transit restricted waters. The lack of maneuverability, large wakes, and escort vessels in formation increase the collision risks if spectator craft are allowed within close proximity.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 and 50 U.S.C. 191 as set out in the authority citation for all of part 165.

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).

The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. The security zone in the waters surrounding the Naval Submarine Base has been in effect since November 1985 and concurrent safety/security zones have been implemented three times during the past two years in order to provide a safe environment for the transit of U.S. Naval vessels while within restricted waters. The establishment of the permanent and the temporary zones have yet to elicit a complaint based on economic considerations. Only minor delays to mariners are foreseen, just prior to and

during the transit of these vessels. Since the economic 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 persons.

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 to the preparation of Federalism Assessment.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety Navigation (water), Security measures, Vessels, Waterways.

Final Regulation

In consideration of the foregoing, subpart F of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as folows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5.

2. Section 165.731 is revised to read as follows:

§ 165.731 Safety/Security Zone: Cumberland Sound, Georgia and St. Marys River Entrance Channel.

(a) *Location.* A permanent safety/security zone is established within the following coordinates, the area enclosed by a line starting at

30°44'55" N, 081°29'39" W; thence to
30°44'55" N, 081°29'18" W; thence to
30°46'35" N, 081°29'18" W; thence to
30°47'02" N, 081°29'34" W; thence to
30°47'21" N, 081°29'39" W; thence to
30°48'00" N, 081°29'42" W; thence to
30°49'07" N, 081°29'56" W; thence to
30°49'55" N, 081°30'35" W; thence to
30°50'15" N, 081°31'08" W; thence to
30°50'14" N, 081°31'30" W; thence to
30°49'58" N, 081°31'45" W; thence to
30°49'58" N, 081°32'03" W; thence to
30°50'12" N, 081°32'17" W; thence following the land based perimeter boundary to the point of origin.

(b) A temporary safety/security zone, when activated by the Captain of the Port, Jacksonville, Florida, encompasses all waters and land from bank to bank within Cumberland Sound and the St. Marys Entrance Channel: the northern extent of this zone starts at the southern tip of Crab Island; lighted buoy number "1" at the mouth of the Amelia River demarks the southern boundary; day marker number "2" at the mouth of the St. Marys River indicates the western boundary; and the eastern boundary extends out to three (3) nautical miles in the Atlantic Ocean, with the zone also encompassing the waters within 1000 yards of the entrance channel east of the jetties.

(c) *Regulations.* (1) The Captain of the Port, Jacksonville, Florida will activate the temporary safety/security zone described in paragraph (b) of this section by issuing a local broadcast notice to mariners.

(2) All persons and vessels in the vicinity of the safety/security zone shall immediately obey any direction or order of the Captain of the Port, Jacksonville, Florida.

(3) The general regulations governing safety and security zones contained in 33 CFR 165.23 and .33 apply. No person or vessel may enter or remain within the designated zones without the permission of the Captain of the Port, Jacksonville, Florida.

(4) This regulation does not apply to persons or vessels operating under the authority of the United States Navy nor to authorized law enforcement agencies.

Dated: September 25, 1990.

R.J. O'Pezio,
Captian, U.S. Coast Guard, Captain of the Port, Jacksonville, FL.

[FR Doc. 90–24772 Filed 10–18–90; 8:45 am]
BILLING CODE 4910–14–M

Coast Guard

33 CFR Part 165

[COTP Jacksonville, FL Regulation 90–82]

Safety/ Security Zone Regulations; St. Johns River, Jacksonville, FL

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard has established a combined safety and security zone around specified military supply vessels while transiting the St. Johns River and while berthed at Blount Island Terminal. This zone is needed to protect boats and onlookers from harm, and to prevent interference with ongoing Department of Defense operations. Entry into this zone is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation is effective 15 August 1990; it terminates on 11 December 1990.

FOR FURTHER INFORMATION CONTACT: Lieutenant M. Maes, Tel: (904) 791–2648.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to potential hazards which may occur within the water and shore areas involved.

Drafting Information

The drafters of this regulation are Lieutenant Christopher K. Lockwood, project officer for the Captain of the Port, and Lieutenant G.G. Tanos, project attorney, Seventh Coast Guard District Legal Office.

Discussion of Regulation

The circumstances requiring this regulation is the safety of military supply vessels during transit and while berthed at Blount Island. The protection of vital United States assets as well as the safety of unwary boaters and onlookers necessitates the establishment of both a safety and security zone. Only minor delays to mariners is foreseen, mainly during the transit of these vessels.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of part 165.

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.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation

(water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C and subpart D of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5.

2. A new 165.T0754 is added to read as follows:

§ 165.T0754 Safety/ Security Zone: St. Johns River, Jacksonville, Florida.

(a) *Location.* The water and the land within the following boundaries are established as a safety and security zone during specified conditions:

(1) All waters within 200 yards of Blount Island, Jacksonville, FL and all adjacent land within 100 yards of the island shoreline during staging of Department of Defense equipment and subsequent loading of military supply vessels.

(2) All waters within 200 yards of any specified military supply vessel beginning three nautical miles offshore and during transit of the St. Johns River.

(b) *Effective date.* This regulation becomes effective on 15 August 1990. It terminates on 11 December 1990.

(c) *Regulations:* (1) The COTP Jacksonville will activate this zone or specific portions thereof by means of a locally promulgated broadcast notice to mariners. Once implemented, overtaking or meeting situations are not allowed during specified vessel transits. In accordance with the general regulations governing safety and security zones contained in 33 CFR 165.23 and 165.33 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Jacksonville, Fl.

(2) This regulation does not apply to authorized law enforcement agencies operating within the security/safety zone.

Dated: August 15, 1990.

R.J. O'Pezio

Captain, U.S. Coast Guard, Captain of the Port, Jacksonville, FL.

[FR Doc. 90–24773 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–14–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 61, 65, and 69

[CC Docket No. 87–313, FCC 90–314]

RIN 3060–AE38

Policy and Rules Concerning Rates for Dominant Carriers

AGENCY: Federal Communications Commission [FCC].

ACTION: Final rule

SUMMARY: The Commission has adopted a Second Report and Order implementing for local exchange carriers a form of incentive regulation, referred to as "price cap" regulation. This action results in the replacement of the rate of return regulatory model with one that directly limits rates by means of price caps. The Commission has found that the price cap method of regulation will promote efficiency and innovation, and will benefit consumers more effectively than rate of return regulation.

EFFECTIVE DATE: October 31, 1990. These Final Rules will become effective on less than 30 days' notice pursuant to 5 U.S.C. 553(d)(3).

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Mary Brown, Common Carrier Bureau, (202) 632–5550 or Daniel Grosh, Common Carrier Bureau, (202) 632–6387.

SUPPLEMENTARY INFORMATION:

Background

Notice of Proposed Rulemaking, In the Matter of Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87–313. *Adopted:* August 4, 1987. *Released:* August 21, 1987. 52 FR 33962 [Sept. 9, 1987]. By the Commission. Further Notice of Proposed Rulemaking, In the Matter of Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87–313. *Adopted:* May 12, 1988. *Released:* May 23, 1988. 53 FR 22356 [June 15, 1988]. By the Commission. Report and Order and Second Further Notice of Proposed Rulemaking, In the Matter of Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87–313. *Adopted:* March 16, 1989. *Released:* April 17, 1989. 54 FR 19836, 19846 [May 8, 1989]. By the Commission. Supplemental Notice of Proposed Rulemaking, CC Docket No. 87–313. *Adopted:* March 8, 1990. *Released:* March 12, 1990. 55 FR 12526 [April 4, 1990]. By the Commission.

Summary of Second Report and Order

This is a summary of the Commission's Second Report and Order in the Matter of Policy and Rules Concerning Rates for Dominant Carriers, CC Docket No. 87–313, FCC 90–314, released October 4, 1990.

The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, (202) 857–3800, 2100 M Street NW., suite 140, Washington, DC 20037.

1. Introduction

A. Statement of purpose

1. This Report and Order adopts a new system of regulating the interstate common carrier services of the Nation's largest local exchange carriers (LECs). These companies, in providing the critical telecommunications link between a customer's premises and the interexchange networks, have until now been regulated under a "cost-plus" system of regulation, in which rates the LECs can charge for services are based on costs plus a return on invested capital. By our action today, the "cost-plus" system of regulation will be replaced for the largest of the LECs on January 1, 1991, with an incentive-based system of regulation will reward companies that become more productive and efficient, while ensuring that productivity and efficiency gains are shared with ratepayers.

2. In designing an incentive-based system of regulation for the largest LECs, our objective, as with our price caps system for AT&T, is to harness the profit-making incentives common to all businesses to produce a set of outcomes that advance the public interest goals of just, reasonable, and nondiscriminatory rates, as well as a communications system that offers innovative, high quality services. To accomplish this objective, the plan we adopt for LECs modifies the tariff review process to set a ceiling, or cap, on the prices LECs can charge for their interstate offerings. The price cap is subject to an annual adjustment that ensures prices will drop in real, inflation-adjusted terms. LECs that can outperform the productivity level embedded in the annual adjustment mechanism are rewarded with the ability to retain reasonably higher earnings than would be available under the former regulatory system. Depending upon their achieved returns,

their ratepayers share in those earnings. Those LECs able to decrease prices beyond the required level can retain an even greater amount of earnings.

3. Price cap regulation of LECs, as we have designed it, is intended to produce rates within a zone of reasonableness. Higher earnings will be shared with, or returned to, ratepayers. The checks and balances built into the system ensure that, with periodic review and adjustment, price cap regulation can serve as a long term mode of regulation for the LECs subject to it. In this respect, we view price cap regulation no differently than many of the state governments and foreign administrations that have adopted incentive-based regulation for LECs' intrastate operations or their foreign equivalents, as a permanent method of regulation.

4. While the price cap system we adopt for LECs is similar in many respects to the one that we use to regulate AT&T, the differences in the markets involved, the difficulties in designing a single regulatory structure to apply to multiple companies, and a desire to safeguard regulatory programs promoting universal service, have required us at this initial stage to adopt an even more cautious and careful approach to the redesign of our regulatory processes than we did with AT&T. As with the AT&T plan, the LEC price cap system essentially operates through the tariff review process to ensure rates are within the parameters our price cap rules require. However, the LEC system also contains additional safeguards, such as sharing of profits, that represent both a limited departure and logical outgrowth from the AT&T plan. Since the release of the *Notice* in this proceeding in August, 1987, the Commission has collected over 11,000 pages of pleadings in response to three subsequent Notices of Proposed Rulemaking. At each stage in the proceeding, the plan for LEC price caps has evolved in important ways. In this Report and Order, we again modify the plan to respond directly to concerns raised in the record.

B. Rationale for adoption of incentive regulation

5. In the *Second Further Notice*, the Commission articulated a policy judgment that incentive-based regulation is superior to rate of return for the regulation of certain dominant carriers, including local exchange carriers. That policy judgment was based on a comparison of the existing rate of return system with an incentive-based system. In this Report and Order, we reaffirm the basic policy judgment that a properly-designed system of incentive regulation will be an improved form of regulation, generating greater consumer benefits, and we refine and further clarify the analysis yielding that conclusion.

6. As stated in the *Second Further Notice*, incentive regulation relies in the first instance on regulating prices. By establishing limits on prices carriers can charge for their services, and placing downward pressure on those limits or "caps," we create a regulatory environment that requires carriers to become more productive. Carriers that can substantially increase their productivity can earn and retain profits at reasonable levels above those we allow for rate of return carriers, although earnings above a certain level are shared or returned. If carriers fail to become more productive, they risk seeing their earnings erode. Rate of return regulation lacks incentives for carriers to become more productive. Under rate of return, carriers are allowed to set their rates based on the costs—investment and expense—of providing a service. Carriers are given fairly wide latitude in the costs they can claim as the basis for their rates. As the Commission stated in the *Further Notice*, in this respect rate of return is akin to a "cost-plus" contract.

7. In the course of debating the relative merits of price cap and rate of return regulation, a number of parties have asked the Commission to consider alternatives to price cap regulation. Several parties ask that we instead focus on ways of improving rate of return regulation. Some commenters unite behind the proposition that regulatory lag is a better alternative than incentive regulation. Although improvement in rate of return methods is one possible course to follow in reforming current regulatory practices, it is not the best approach. We recognize that a number of state regulatory commissions have opted to improve rate of return regulation in redesigning their regulatory structures. Nevertheless, only a few states now continue to regulate intrastate LEC activities pursuant to traditional rate of return practices. The majority of states have authorized significant reforms to their regulatory systems, as part of an effort to improve efficiency incentives, increase flexibility, reduce administrative burdens, and benefit consumers.

8. Despite the strong and growing presence of incentive-based regulation as a means of regulating LECs, a number of parties argue that a price cap plan along the lines advanced in the *Second Further Notice* and in the *Supplemental Notice* should not be adopted. We disagree. In reviewing the arguments concerning specific aspects of the proposed plan, we have made several substantial modifications. With these changes, we believe that the LEC price cap system will operate in the public interest. We therefore decline the invitation of some parties to extend even further the extensive record before us and to renew our study of the issues. In this Order we adopt a set of final rules to begin price cap regulation of LEC interstate access services effective January 1, 1991.

2. Summary of the Plan

A. The Price Cap Index

9. The *Second Further Notice* proposed an interstate access price cap mechanism composed of three elements—a measure of inflation, a productivity offset (together with a Consumer Productivity Dividend of 0.5 percent), and exogenous costs. We retain that basic adjustment mechanism, including the measure of inflation the Commission proposed and a specific list of exogenous cost changes that are generally beyond the control of the companies involved and the product of regulatory decisions. The measure of inflation will be the 45-day estimate of the Gross National Product Price Index (GNP-PI). Exogenous costs are: (1) Cost changes due to changes in the Commission's rules governing separation of costs between the state and interstate jurisdictions; (2) cost changes due to Commission-authorized changes in the Uniform System of Accounts or Generally Accepted Accounting Principles; (3) changes in pooling support obligations (Long Term and Transitional Support); (4) reallocation of regulated and nonregulated costs pursuant to our part 64 rules; (5) the expiration of depreciation reserve deficiency amortizations; and (6) access charges that LECs charge or impute to themselves. Changes in tax laws are not automatically given exogenous treatment, but will be considered on a case-by-case basis.

10. Also as proposed, we decide not to employ the basic cap mechanism for non-traffic sensitive common line services. The mechanism we adopt for common line service embraces the philosophy that local exchange carriers should split the benefits in growth in minutes per line for common line service with their ratepayers. This philosophy balances demand-inducing incentives to improve and diversify network offerings, with the recognition that under rate of

return, carriers have had somewhat limited incentives to influence growth in demand. We modify the prior proposal in response to concerns expressed by commenters that the specific equations used to determine carrier common line rates produced an unintended windfall to carriers. The equations have been revised to ensure that half the benefits of demand growth are reflected in the resulting reductions in carrier common line charges.

11. In addition to removing the unintended windfall created by the prior common line formula, we conclude that the previously proposed 3 percent productivity offset, which included a Consumer Productivity Dividend (CPD) of .5 percent, is too low given the recent performance of the largest LECs in the provision of interstate access. Therefore, for the interstate access activities of the LECs subject to price cap regulation, we will mandate a price cap that requires a higher 3.3 percent producitivity gain each year including the CPD, or if a LEC chooses, a 4.3 percent productivity gain including the CPD. Selection of a higher productivity offset, *i.e.*, lowering prices beyond the mandated level, will permit the LEC to retain a larger share of its earnings.

12. In the *Supplemental Notice*, we observed that short term and long term productivity studies appeared to yield significantly different baseline productivity offsets. We requested comment on whether the two numbers could in fact be reconciled. Despite the numerous corrections and refinements we have made to both studies, a significant gap remains. Using our revised common line cap, the best estimate of a unitary offset in the short term study is a 3.5 percent factor, and the best estimate in the long term study is a 2.1 percent factor.

13. Overall, we feel compelled to recognize the numbers produced by the two studies as representing not specific numerical results, but as likely outcomes within a range of possible values. We do not believe it would be prudent or reasonable to place exclusive weight on either study, or to ignore the evidence each provides. Thus, in setting the productivity offsets, we have selected a conservative minimum figure within the range between the two studies but subject to a tightened no-sharing zone. In our judgment, a baseline productivity offset of 2.8 percent (without the CPD) fairly balances the results of the two studies. We have then adopted a more aggressive baseline productivity factor, 3.8 percent, exceeding the figure produced by the short term study, if a LEC opts to take advantage of a 200 basis point no-sharing zone. We have thus effectively bracketed the results of the short term study, but tempered the minimum required productivity offset (before addition of the CPD) in light of the uncertainty in any short term study and the conservativism suggested by the long term study.

14. We respond in two ways to concerns about the validity of the productivity offset as to the industry as a whole and as to individual LECs. First, we will limit mandatory application of the price cap system to the eight largest LECs—the seven Regional Bell Operating Companies (RBOCs) and General Telephone and Telegraph Company (GTOC). The data we have collected as a basis for our selection of a 3.3 percent productivity offset are directly applicable to these largest carriers. For mid-sized and smaller LECs, price cap regulation will be optional. This decision addresses the concern that mid-sized carriers, those just below the largest eight in size, might not be able to generate productivity gains of the same magnitude as the largest LECs.

15. Our second response to concerns about the validity of applying a single productivity offset to a number of LECs is the adoption of sharing and adjustment devices. The mechanisms we adopt here ensure that ratepayers share further in the benefits a price cap system can produce. If a LEC whose rates are at or below the price cap can outperform the 3.3 percent productivity offset embedded in the price cap, thereby earning a higher profit, the LEC will be entitled to retain all of its earnings up to 100 basis points (or 1 percent) above the 11.25 percent unitary rate of return established for rate of return carriers. When using a 3.3 percent productivity offset to establish prices, LECs must share with their customers 50 percent of their earnings between 100 and 500 basis points (1 to 5 percent) above the 11.25 percent level, and share (or credit their customers with) 100 percent of their earnings above 16.25 percent, or 500 basis points above 11.25 percent. Based on the 11.25 percent rate of return we have selected, this mechanism allows LECs whose productivity performance exceeds the 3.3 percent productivity offset to potentially earn up to an effective equivalent of a maximum 14.25 percent rate of return.

16. If a LEC decides to lower its prices further by using a higher productivity offset of 4.3 percent, the LEC can retain more of its earnings if it subsequently is able to earn higher profits through improved efficiency. In this case, the LEC can retain all of its earnings up to 200 basis points (or 2 percent) above 11.25 percent. LECs would share with their customers 50 percent of their earnings between 200 and 600 basis points (2 to 6 percent) above 11.25 percent, and share 100 percent of their earnings above 17.25 percent, or 600 basis points above 11.25 percent. In electing to lower prices further to a level reflecting a higher 4.3 percent productivity offset, a LEC thus enables itself to reach an effective equivalent of a maximum 15.25 percent rate of return.

17. This sharing mechanism for carriers whose rates are at or below the price cap provides strong financial incentives for carriers to improve productivity to the maximum extent possible, while providing ratepayers with additional upfront benefits of productivity gains in the form of price decreases. If a carrier manages to produce significantly higher returns, those are returned to ratepayers in the form of prospective downward adjustments in the price cap. This plan eliminates certain disincentives posed by the previous plan for an automatic stabilizer device that was proposed to control high earnings of LECs under price caps. Such a stabilizer would have created permanent downward adjustments to the cap each time earnings rose above a specified level. As such, it would have created some of the same disincentives as our present rate of return system—cost padding—in order to avoid triggering the stabilizer. Sharing will be based on total interstate earnings in a base year, and will be implemented by a downward adjustment to the next year's price cap index.

18. We retain a lower end adjustment mechanism with modifications, in order to ensure that the plan automatically corrects itself should our selection of a productivity factor for the industry turn out to be too high for a given company. Should a LEC's earnings drop below the lower end figure established, that LEC is entitled to a prospective automatic upward adjustment to its cap. The lower trigger point will be located 100 basis points (1 percent) below 11.25 percent.

B. Application of the Cap to LEC Services

19. The price cap forms the cornerstone of the new regulatory system, at once protecting ratepayers as a group from high prices and providing carriers with the incentive to increase productivity. However, since a cap on aggregate prices can result in some offerings being priced relatively high, while others are priced relatively low, we adopt further ratepayer protections

in the form of baskets, service categories, and pricing bands. Baskets are broad groupings of LEC services, each subject to its own cap. Service categories are subdivisions of baskets. Pricing bands permit prices for service categories to move on a streamlined basis no more than plus or minus 5 percent per year, adjusted for the change in the price cap.

20. Together, the cap and pricing bands form a "no-suspension" zone, within which rates for LEC access services can be changed on a "streamlined" basis, *i.e.*, on 14 days' notice, with a presumption of lawfulness. If filed rates are at a level above or below the pricing bands, or above the cap, more burdensome tariff review requirements are used to evaluate the LECs' rates, and longer notice periods apply.

21. While the baskets continue to be defined by the interstate access structure contained in our part 69 rules, we have decided to expand the number of baskets of services from three to four. The first three baskets will be common line services, traffic sensitive services, and special access services. The fourth basket is created for those LECs that offer interexchange services. As previously proposed, these offerings would have been included in the basket containing special access offerings. Inclusion of these very different services into one basket raised issues concerning the flow-through of exogenous costs that can be solved by separating the interexchange activity from interstate access. Furthermore, since these services compete with the offerings of interexchange carriers, we have decided to apply the productivity factor we use for AT&T: 3 percent, or at the LEC's option and subject to increased sharing of earnings, 4 percent. Since our short term productivity study did not include a separate evaluation of the productivity of these services, we believe it would be ill-advised to apply a higher productivity requirement to the LECs' interexchange offerings than we apply to AT&T.

22. Service categories are used in two of the four baskets to limit streamlined price movements. In the traffic sensitive basket, we create three service categories: (1) Local switching; (2) local transport; and (3) information. Price changes for each of these categories will be limited to plus or minus 5 percent per year, adjusted for changes in the price cap index.

23. In the special access basket, we have decided to modify the service category proposal, reducing the number of categories from nine to four. Our decision is based on consideration of the small, and in some cases, shrinking amount of certain special access services offered by LECs. By grouping similar services together, we believe we have effectively prevented opportunities for the LECs to engage in pricing discrimination or anticompetitive practices. The four categories we adopt are: (1) Voice grade/WATS/metallic/telegraph; (2) audio/video; (3) high capacity/Digital Data Service; and (4) wideband data/wideband analog. Price changes for each of these categories will be limited to plus or minus 5 percent per year, adjusted for changes in the price cap index.

24. No service categories for the common line basket are required because prices for all rate elements except one are governed by our part 69 rules concerning subscriber line charges and the originating common line charge. No service categories for the interstate non-access service basket are mandated because such services represent a relatively small portion of LEC offerings.

25. In response to concerns about recent strategic pricing of high capacity offerings, we will further limit a LEC's ability to move prices of its DS1 and DS3 services. Prices for each of these offerings, which represent a large and rapidly growing portion of the LECs' special access business, will be allowed to move on a streamlined basis no more than plus or minus 5 percent per year, adjusted for changes in the cap. By creating individual subindexes for these services, while placing voice grade services in a separate category, rapid and dramatic movements in the prices for these services are held in check.

26. As proposed, a few LEC services will be excluded from price cap regulation. These services are offered on a one-time or contract basis or otherwise do not lend themselves to an ongoing incentive-based regulatory system. The following LEC services are excluded: (a) Individual case basis (ICB) offerings and special construction services; (b) presubscription charges that LEC's assess when end users change their interexchange carrier, (c) cable television services, (d) air-ground services and packet-switched services; (d) "string" foreign exchange service arrangements, currently grandfathered in existing tariffs; (e) certain LEC offerings to the Federal Government, including those provided in combination with interexchange carriers; and (f) any other contract-type tariff services LECs may provide.

27. In order for a price cap carrier to change its tariffed rates for a particular service under the Commission's streamlined tariff review procedures, the aggregate rates in the relevant basket may not exceed the price cap index (PCI) applicable to that basket. To determine compliance with the limitations imposed by the PCI, carrier rate levels within each basket will, with the exception of the common line basket, be measured through the use of an Actual Price Index (API) that represents the weighted sum of the percentage change in LEC rates in that basket. In each basket other than common line, the API is built up from the smallest price unit—the rate element—and weighted according to the quantity of that rate element sold in a historical base year. The historical base year will be the most recently completed calendar year as of the date of the annual price cap tariff filing. Each time a price cap carrier files rate revisions, that carrier's APIs must be recalculated to show the incremental change, if any, in that carrier's aggregate rates for each basket as a result of those revisions.

28. LECs subject to price cap regulation will use July 1, 1990 rates as a basis for their first price cap filing. Those rates were subject to scrutiny as part of the annual access filing and review process, and have thus recently been retargeted to earn the authorized rate of return. In the companion rate of return item we adopt today, we lower the authorized return. Price cap LECs will be required to flow through the effects of that adjustment to their price cap levels and rates as part of their initial filing. Since the first price cap tariff filings will occur in the middle of an annual tariff cycle, the price cap index incorporated in those filings will not reflect changes in inflation less the productivity offset. Accordingly, PCI levels filed on or before November 1, 1991, will reflect the PCI initial value of 100 on July 1, 1990, adjusted only for any changes in exogenous costs from July 1, 1990, through January 1, 1991.

C. Eligibility

29. Companies that are required to enter price caps, or that volunteer for price caps, are required to do so on an "all or nothing" basis; all operating affiliates, except average schedule affiliates, must enter the price cap system. Our "all or nothing" rule is intended to prevent cost shifting to affiliates that are regulated under rate of return from affiliates that are subject to price caps. In addition, price cap "volunteers" and their affiliates that currently participate in National Exchange Carrier Association pooling arrangements must remove themselves from the pools before entering price caps. To accommodate this requirement, we have slightly modified the exit rules for depooling carriers. We also decide to

permit voluntary elections into caps on an annual basis. A price cap carrier that acquires a non-price cap carrier (other than an average schedule company) will be required to convert the non-price cap carrier to price cap regulation within one year of the effective date of such transaction. However, a price cap LEC that acquires, merges with, or otherwise becomes affiliated with an average schedule company will not be required to convert the average schedule company to price cap regulation although it may elect to do so.

D. Evaluation of Price Cap Tariffs

30. We direct all LECs subject to price cap regulations to submit an annual filing demonstrating compliance with the price cap rules. In that annual filing, each price cap LEC will be required to show that it has correctly adjusted the price cap indexes for each basket, that the actual price index for each basket has been correctly computed and does not exceed the relevant price cap index, and that, where applicable, rates remain with service bands. The annual price cap filing will also reflect any prospective rate adjustments that arise due to the operation of the sharing requirements and any PCI change caused by the operation of the low end adjustment mechanism. Price cap LECs shall make these annual filings on at least 90 days' notice with an effective date of July 1 of each year. Thus, the first annual price cap filing will be due on or before April 2, 1991, with an effective date of July 1, 1991.

31. The tariff review standards we adopt are the same as those we now use for AT&T. Tariff transmittals containing only price changes that are within the cap and pricing bands are filed on short notice. Only those transmittals that contain within-cap and within-band changes to existing services are presumed lawful for tariff review purposes. Anyone seeking a suspension of a within-band, within-cap tariff filing must demonstrate (a) that there is a high probability that the tariff will be found unlawful after investigation; (b) that the suspension will not substantially harm other interested parties; (c) that irreparable injury will result if the tariff filing is not suspended; and (d) that suspension is not otherwise contrary to the public interest.

32. Tariff requirements for other types of filings are also modeled on the AT&T requirements. Any filings that include rate changes below the bands must be accompanied by an average variable cost showing and must be filed on 45 days' notice. Any filings proposing above-band rates are filed on 90 days' notice and must be accompanied by a showing that substantial cause exists to justify an above-band rate. Any above-cap filings are also filed on 90 days' notice and must be accompanied by a detailed cost showing that will enable the Commission to determine compliance with statutory requirements of just and reasonable rates that are not unjustly discriminatory. These latter two types of filings carry with them a heavy burden of justification and a strong likelihood of suspension. New services, defined as those that expand a ratepayer's range of choices, are filed on 45 days' notice and must be accompanied by a showing demonstrating that the new service will generate net revenues for the LEC over a specified period of time. Restructured services, those that simply redefine existing offerings, are also subject to 45-day notice requirements, and are not presumed lawful.

E. Small Company Issues

33. Throughout this proceeding, this Commission has reaffirmed its commitment to a range of programs that provide assistance to small and high cost telephone companies and their subscribers, as well as to low income subscribers generally. These programs, including the Universal Service Fund, Long Term Support, Transitional Support, Link Up America, and Lifeline Assistance share a common purpose: Promoting affordable telephone service throughout the United States. These programs will not be adversely affected by either our adoption of mandatory price cap regulation for the largest LECs or by our decision to make such regulation available to mid-size and smaller LECs on an optional basis. We also reaffirm our commitment to geographic rate averaging. However, several issues of special interest to small telephone companies do appear to require further consideration as we move into price cap regulation. Among those issues are the impact of our regulatory changes on NECA and its pools and the impact of these changes on average schedule companies. Accordingly, we have determined to initiate further proceedings dealing specifically with regulatory issues of concern to small and mid-size LECs. In that proceeding, we intend to develop a better record on whether and in which cases a lower productivity factor may be appropriate for such LECs, whether other regulatory options may be more appropriate for them, as well as other issues affecting small telephone companies and their customers.

3. Monitoring

34. This Commission is committed to assuring the availability of high quality, innovative communications services, and to the development of the telecommunications infrastructure needed to provide these services. While we believe that our price cap plan creates strong incentives for LECs to maintain high quality and to further develop the network, we have decided to expand our monitoring of service quality and infrastructure development. First, we modify and continue our semi-annual RBOC service quality reporting and make it applicable to GTOC. Second, we supplement these reports with the quarterly service report from each price cap carrier that will include data on installation intervals, repair intervals, and blocking percentages. Third, as part of this quarterly filing requirement we will collect data on post-dial delay and switch downtime. If our monitoring shows that service quality has deteriorated, we have the authority to set specific standards and to order carriers to undertake specific investments. To assist us in monitoring the past and future development of infrastructure by LECs subject to price cap regulation, we direct the RBOCs and GTOC to file on an ongoing basis, the network investment data that we required RBOCs to file on a one-time basis in CC Docket No. 89-624, our rate of return proceeding.

35. We recognize that in launching an entirely new system of regulating local exchange carriers, we have a responsibility to monitor is application and results to guard against unintended, unanticipated effects or problems. For example, one effective safeguard against any misallocation of costs between the Federal jurisdiction and state jurisdictions is our use of the ARMIS reports. We also must to consider the information that will necessary for us to conduct the performance review of the price cap program which we expect to begin after no more than three years and to complete by the fourth year of the plan. In light of these needs, we have reviewed our monitoring and data collection capabilities and requirements. In the area of LEC costs, jurisdictional separations, usage, and earnings data, we currently monitor LEC performance using the computerized ARMIS data base and the data derived from Form 492. Based on our review of these reports and their contribution to price cap regulation, we conclude that these reports will adequately provide the information we will need to monitor price cap regulation of the LECs.

36. Our LEC price cap performance review is scheduled to begin after three years of price cap regulation and is to be completed within a year of its commencement. It is calculated to evaluate the system as implemented as well as LEC performance under that system. We chose a review period of several years because we believe that the period must be long enough to allow the effects of incentive regulation to unfold before a scheduled evaluation. We will, however, monitor LEC performance throughout, for indications such as great disparity in rates, declines in service quality, or other signs of system failure that indicate a need for intervention. Should such signs of system failure materialize, we will accelerate our performance review and make whatever corrections or other adjustments as are necessary. Absent such problems, we intend to make no major, systemic adjustments until the conclusion of the scheduled review.

4. Effect of Price Cap Regulation on Other Regulation

37. With regard to the treatment of Open Network Architecture (ONA) under price cap regulation, we conclude that ONA services, and other LEC services that require fundamental changes in the structure of our access charge rules, raise pricing issues that can best be resolved in other proceedings. We therefore defer decisions related to the pricing of ONA services to the pending ONA part 69 proceeding. *See* Amendments of Part 69 of the Commission's Rules Relating to the Creation of Access Charge Subelements for Open Network Architecture, Notice of Proposed Rulemaking, CC Docket No. 89–79, 4 FCC Rcd 3983 (1989). Pricing issues related to other services that require fundamental changes in access charge structure will be resolved in appropriate proceedings as they arise.

38. Notwithstanding our adoption of price cap regulation for local exchange carriers, in a number of key areas we intend to retain existing policies that foster competition and help prevent discrimination in the provision of telecommunications services. These areas include: (1) Existing market and accounting rules, including open entry, equal access, resale and shared use, interconnection, unbundling of tariffed services, and non-structural safeguards where LECs provide enhanced services, as well as the separations rules, the joint cost rules, and the USOA; (2) existing complaint procedures; and (3) the part 63 rules concerning the extension of lines and discontinuation of service. We find that the implementation of price cap regulation for LECs will be enhanced by the continuation of these rules and policies, and that such retention will ensure that our implementation of price cap regulation for interstate access services and interexchange services does not disrupt either our continuing regulation of other interstate services or state regulatory systems.

5. Legal Authority

39. In adopting price cap regulation for AT&T in March 1989, this Commission explained in its *Report and Order* the legal basis for its action. There, we concluded, *inter alia*, that: (1) Substitution of price cap regulation for traditional rate of return regulation was within our authority under the Communications Act; (2) price cap regulation would comply with the Act's requirement that rates be just, reasonable, and non-discriminatory; (3) our no-suspension zone approach to price cap regulation was consistent with the Act and relevant judicial authority; (4) a rate prescription was not required in connection with our use of existing rates; and (5) a *de facto* rate prescription had not been undertaken in connection with our no-suspension zone approach to price cap regulation. Consistent with our tentative conclusion in the *Second Further Notice* that price cap regulation of local exchange carriers is lawful, we conclude that our LEC price cap plan is within our legal authority under the Act, and that it will assure that LEC interstate rates remain just, reasonable, and non-discriminatory.

40. In view of our earlier finding that we have legal authority to adopt a price cap plan for AT&T, the primary basis for our conclusion that also have legal authority to adopt our LEC price cap plan lies in the fact that the LEC plan was derived from the AT&T plan and accordingly shares a number of common elements. Compared with the price cap plan we adopted for AT&T, we have added one additional safeguard to our LEC plan to address concerns that we may not be able to select a productivity figure for the LECs in which we have precisely the same high degree of confidence as we have in the figure chosen for AT&T. That additional safeguard is the sharing mechanism described above. By setting an upper limit on LEC profits and including an additional mechanism to enable ratepayers to share the benefit of certain increases in LEC profits, we further ensure that LEC rates will remain within a zone of reasonableness. We adopt that sharing mechanism pursuant to our general rulemaking authority contained in sections 4(i) and 201–203 of the Act as well as our prescription authority contained in section 205 of the Act. In addition to the sharing mechanism, and under the same authority, we have included in our LEC price cap plan a lower end adjustment mechanism consistent with our obligation to ensure that LEC rates are not confiscatory. We will continue to rely, as we do with AT&T, on the section 204 investigation and section 208 complaint processes as part of our plan to ensure just, reasonable, and non-discriminatory rates.

6. Paperwork Reduction Act

41. On May 11, 1989, after the release of the *Second Further Notice* in this proceeding, the Commission requested that the Office of Management and Budget (OMB) review the proposed information collection requirements for compliance with the Paperwork Reduction Act (PRA). On July 20, 1989, OMB approved the Commission's proposed information collection requirements contained in the *Second Further Notice* on LEC price cap regulations. The Report and Order adopted here contains final rules that modify the reporting requirements proposed in the *Second Further Notice* and approved by OMB.

42. This Order adopts incentive regulation for the LECs, and promulgates final rules to implement such regulation. In connection with this Report and Order, we renew our request for review of Paperwork Reduction Act requirements in light of the modifications here of proposals made in the *Second Further Notice* and the *Supplemental Notice*. The rules for LECs contained herein have been analyzed with respect to the Paperwork Reduction Act of 1980 and found generally to decrease the information collection burden on the public, although some new reporting requirements have been added in three sections of this Report and Order: first, increased service quality reporting, with the addition of data on post dial delay, installation interval, repair intervals, and network blockage; second, increased reporting on infrastructure development, with the addition of the reporting categories established in Common Carrier Docket No. 89–624; and, third, new reporting of excluded services revenues. These modifications in the information collection burden are subject to approval by OMB as prescribed by the Paperwork Reduction Act.

43. As was done in the case of adopting final rules for AT&T, we identify those portions of this *Further Notice* that respond to the eight OMB

concerns raised in response to our *Further Notice*. With respect to the LECs, our response to OMB's concerns can be found in the full text of this Order at: (1) Need for a rate "floor" designating the bottom of the no-suspension zone—pages 95, 135–137; (2) need to band rates by rate element—pages 90–93; (3) need for 90-day review period for above-band rates—pages 129–132; (4) need for identical tariff treatment of AT&T and LEC filings—pages 124–144; (5) burdens of expanding service quality reporting from Tier 1 LECs to all price cap carriers—pages 148–165; (6) election of price caps by LECs—pages 111–117; (7) quantification of administrative savings and identification of changes in reporting requirements—pages 20, 83, 124–144, 148–165; and (8) impact on state regulators—pages 20–24, 165–169.

7. Regulatory Flexibility

44. We certify that the Regulatory Flexibility Act is not applicable to the rule changes we adopt for the LECs in this proceeding. Because of the nature of local exchange and access service, we have concluded that small telephone companies are dominant in their fields of operation and therefore are not small entities as defined by the Regulatory Flexibility Act. *See* MTS and WATS Market Structure, 93 FCC 2d 241, 338–39 (1983). Thus, this Commission is not required by the terms of that Act to apply the formal procedures set forth therein. We are nevertheless committed to reducing the regulatory burdens on small telephone companies whenever possible consistent with our other public interest responsibilities. Accordingly, we have chosen to utilize, on an informal basis, appropriate Regulatory Flexibility Act procedures to analyze the effect of proposed regulations on small telephone companies. In accordance with the provisions of section 605 of that Act, a copy of this certification will be sent to the Chief Counsel for Advocacy of the Small Business Administration at the time of publication of a summary of this Second Report and Order in the **Federal Register.**

45. As part of our analysis of the regulation adopted in this Report and Order, however, this Commission has considered the impact of this Second Report and Order on small telephone companies, *i.e.*, those serving 50,000 or fewer access lines. As a result of our decision to make price cap regulation elective for depooled cost companies other than the RBOCs and GTOC, no small carrier will be forced to change the method by which it is regulated. Small companies that currently file their own cost-based access tariffs are free to remain under rate of return if they decide that rate of return is better suited to their circumstances than is price cap regulation. Small carriers participating in the NECA pools, and for whom NECA files access tariffs, will not be forced to leave the pools as a result of the price cap rules we are adopting in this Report and Order. In addition, nothing in the price cap program would discontinue or impair the variety of programs we have established to provide support to small carriers. These programs, such as our High Cost Fund and long term support mechanisms, continue intact. Furthermore, average schedule companies that are or become affiliated with cost companies that are regulated under price caps would not need to relinquish average schedule, rate of return regulation. We have also determined that, for companies that have not yet begun conversion to equal access, conversion costs are to be treated as exogenous costs under the price cap formula. This determination ensures that small carriers, who are the least likely to have begun equal access conversion, can flow through these costs to their rates should they elect price caps. These regulations, when viewed in their totality, permit small, depooled cost companies to take advantage of the benefits of price cap regulation at their option, while ensuring that the status quo is maintained for small carriers that do not participate in price cap regulation.

8. Conclusion and Ordering Clauses

46. The rules adopted here, establishing tariff filing requirements, the adjustment formulas, and other requirements for price cap regulation, will be effective October 31, 1990, in order to implement the November 1, 1990 filing date and January 1, 1991, tariff effective date. We find good cause to make these rules effective on less than 30 days' notice after publication in the **Federal Register.** *See* 5 U.S.C. 553(d)(3). The January 1, 1991 tariff effective date will provide the earliest and fullest availability of the price cap plan's substantial benefits to the public. The tariff filing ordered here, like traditional tariff filings, relies on information that the carriers collect and compile on a quarterly and annual basis; the tariff year is July 1 to June 30. Our selection of a January 1, 1991, effective date implements an initial half-year period of price cap regulation; this will allow the first full annual filing, to be made 90 days before July 1, 1991, to reflect some initial experience with price cap regulation and the modified filing requirements it establishes, and to apply the formula adjustments discussed herein. Further, the companies that the price cap rules will require to take action within less than 30 days from **Federal Register** publication have been actively involved in the development of these regulations, and are fully supportive of the initiation of price cap regulation as soon as possible. We do not believe it would be appropriate to shorten the review period for this initial price cap filing. The public interest requires an adequate review period to ensure that this Commission and interested parties can fully consider and evaluate the initial submissions of LECs participating in the price cap plan. The 61-day review period we have established, from November 1, 1990, to January 1, 1991, is the minimum period necessary for this comprehensive review and evaluation. Were we to establish an effective date later than October 31, 1990, for the rules defining the tariff filings, we would delay the effectiveness of price cap regulation, and its benefits for ratepayers, until at least July 1, 1991. This would also mean that the first price cap tariff filing would be a full annual filing, and that the application of the adjustment formulas, and the incentives they create, would be delayed for a full year after that filing, or until July 1, 1992.

47. Accordingly, *it is ordered* that, pursuant to sections 4(i), 4(j), 201–205, 303(r), and 403 of the Communications Act of 1934, 47 U.S.C. 154(i), 154(j), 201–205, 303(r), 403, and section 553 of title 5, United States Code, that part 61, part 65, part 69, and §§ 61.3, 61.38, 61.39, 61.41, 61.42, 61.43, 61.44, 61.45, 61.46, 61.47, 61.48, 61.49, 61.58, 65.1, 65.600, 65.701, 65.703, 69.1, 69.3, 69.101, 69.105, 69.111, 69.113, 69.114, and 69.205 of this Commission's Rules, 47 CFR part 61, part 65, and part 69, §§ 61.3, 61.38, 61.39, 61.41, 61.42, 61.43, 61.44, 61.45, 61.46, 61.47, 61.48, 61.49, 61.58, 65.1, 65.600, 65.701, 65.703, 69.1, 69.3, 69.101, 69.105, 69.111, 69.113, 69.114, and 69.205, are amended as set forth below and in appendix B to this Order effective October 31, 1990.

48. *It is further ordered* that authority is delegated to the Chief, Common Carrier Bureau, as specified herein, to effect the decisions set forth above.

49. *It is further ordered* that the Joint Motion for Tentative Decision filed by ADAPSO *et al.* is denied.

List of Subjects

47 CFR Part 61

Communications common carriers, Reporting and recordkeeping requirements, Telephone, Price cap regulation, Price cap tariff filing and review procedures.

47 CFR Part 65

Administrative practice and procedure, Communications common carriers, Price cap regulation, Reporting and recordkeeping requirements, Telephone.

47 CFR Part 69

Communications common carriers, Price cap regulation, Reporting and recordkeeping requirements, Telephone.

For the reasons set forth in the preamble, title 47, parts 61, 65, and 69 of the Code of Federal Regulations are amended as follows:

PART 61—TARIFFS

1. The authority citation for part 61 continues to read as follows:

Authority: Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 203, 48 Stat. 1070; 47 U.S.C. 203.

2. Section 61.3 is amended by revising paragraphs (u), (w), and (x) to read as follows:

§ 61.3 Definitions.

* * * * *

(u) *Price Cap Index* (PCI). An index of costs applying to carriers subject to price cap regulation, which index is calculated for each basket pursuant to §§ 61.44 or 61.45.

* * * * *

(w) *Price cap tariff.* Any tariff filing involving a service that is within a price cap basket, or that requires calculations pursuant to §§ 61.44, 61.45, 61.46, or 61.47.

(x) *Productivity factor.* An adjustment factor used to make annual adjustments to the Price Cap Index to reflect the margin by which a carrier subject to price cap regulation is expected to improve its productivity relative to the economy as a whole.

* * * * *

3. Section 61.38 is amended by revising the last sentence of paragraph (a) to read as follows:

§ 61.38 Supporting information to be submitted with letters of transmittal.

(a) * * * This section (other than the preceding sentence of this paragraph) shall not apply to tariff filings proposing rates for services identified in §§ 61.42 (a), (b), (d), (e), and (g), which filings are submitted by carriers subject to price cap regulation.

* * * * *

4. Section 61.39 is amended by adding the following new sentence at the end of paragraph (a) to read as follows:

§ 61.39 Optional supporting information to be submitted with letters of transmittal for Access Tariff filings effective on or after April 1, 1989, by local exchange carriers serving 50,000 or fewer access lines in a given study area that are described as subset 3 carriers in § 69.602.

(a) * * * This section (other than the preceding sentence of this paragraph) shall not apply to tariff filings proposing rates for services identified in §§ 61.42 (d), (e), and (g), which filings are submitted by carriers subject to price cap regulation.

* * * * *

5. Section 61.41 is revised to read as follows:

§ 61.41 Price cap requirements generally.

(a) Sections 61.42 through 61.49 shall apply as follows:

(1) To dominant interexchange carriers, as specified by Commission order;

(2) To such local exchange carriers as specified by Commission order, and to all local exchange carriers, other than average schedule companies, that are affiliated with such carriers; and

(3) On an elective basis, to local exchange carriers, other than those specified in paragraph (a)(2) of this section, that are neither participants in any Association tariff, nor affiliated with any such participants, except that affiliation with average schedule companies shall not bar a carrier from electing price cap regulation provided the carrier is otherwise eligible.

(b) If a telephone company, or any one of a group of affiliated telephone companies, files a price cap tariff in one study area, that telephone company and its affiliates, except its average schedule affiliates, must file price cap tariffs in all their study areas.

(c) The following rules apply to telephone companies subject to price cap regulation, as that term is defined in § 61.3(v), which are involved in mergers, acquisitions, or similar transactions.

(1) Any telephone company subject to price cap regulation that is a party to a merger, acquisition, or similar transaction shall continue to be subject to price cap regulation notwithstanding such transaction.

(2) Where a telephone company subject to price cap regulation acquires, is acquired by, merges with, or otherwise becomes affiliated with a telephone company that is not subject to price cap regulation, the latter telephone company shall become subject to price cap regulation no later than one year following the effective date of such merger, acquisition, or similar transaction and shall accordingly file price cap tariffs to be effective no later than that date in accordance with the applicable provisions of this part 61.

(3) Notwithstanding the provisions of § 61.41(c)(2) above, where a telephone company subject to price cap regulation acquires, is acquired by, merges with, or otherwise becomes affiliated with a telephone company that qualifies as an "average schedule" company under §§ 69.605 and 69.606, the latter company may, but shall not be obligated to, become subject to price cap regulation.

(d) Local exchange carriers that become subject to price cap regulation as that term is defined in § 61.3(v) of this chapter shall not be eligible to withdraw from such regulation.

6. Section 61.42 is amended by redesignating paragraph (d) as paragraph (g), by revising the first phrase thereof, and by adding new paragraphs (d), (e), and (f) to read as follows:

§ 61.42 Price cap baskets and service categories.

* * * * *

(d) Each local exchange carrier subject to price cap regulation shall establish baskets of services as follows:

(1) A basket for the common line interstate access elements as described in § 69.103, 69.104, 69.105, and 69.115 of this chapter;

(2) A basket for traffic sensitive switched interstate access elements;

(3) A basket for special access services as described in § 69.114 of this chapter; and

(4) to the extent that a local exchange carrier specified in § 61.41(a) (2) or (3) above offers interexchange services that are not classified as access services for the purposes of part 69 of this Commission's Rules, such exchange carrier shall establish a fourth basket for such services.

(e)(1) The traffic sensitive switched interstate access basket shall contain such services as the Commission shall permit or require, including the following service categories:

(i) Local switching as described in § 69.106;

(ii) Information, as described in § 69.109; and

(iii) Transport, as described in §§ 69.111 and 69.112 of this chapter.

(2) The basked for special access services shall contain such services as the Commission shall permit or require, including the following service categories:

(i) Voice grade, WATS, metallic, and telegraph services;

(ii) Audio and video services;

(iii) High capacity and DDS services; and

(iv) Wideband data and wideband analog services.

(f) Each local exchange carrier subject to price cap regulation shall exclude from its price cap baskets such services or portions of such services as the Commission has designated or may hereafter designate by order.

(g) New services, other than those within the scope of paragraphs (c) and (f) of this section, * * *

7. Section 61.43 is amended by revising the first sentence to read as follows:

§ 61.43 Annual price cap filings required.

Carriers subject to price cap regulation shall submit annual price cap tariff filings that propose rates for the upcoming year, that make appropriate adjustments to their PCI, API, and SBI values pursuant to §§ 61.44 through 61.47, and that incorporate the costs and rates of new services into the PCI, API, or SBI calculations pursuant to §§ 61.44(g), 61.45(g), 61.46(b), and 61.47 (b) and (c). * * *

8. Section 61.44 is amended by revising the section heading and first sentences of paragraphs (a) and (b) to read as follows:

§ 61.44 Adjustments to the PCI for Dominant Interexchange Carriers.

(a) Dominant interexchange carriers subject to price cap regulation shall file adjustments to the PCI for each basket as part of the annual price cap tariff filing, and shall maintain updated PCIs to reflect the effect of mid-year access and exogenous cost changes. * * *

(b) Subject to paragraph (d) of this section, adjustments to each PCI of dominant interexchange carriers subject to price cap regulation shall be made pursuant to the following formula: * * *

* * * * *

9. New section 61.45 is added to read as follows:

§ 61.45 Adjustments to the PCI for Local Exchange Carriers.

(a) Local exchange carriers subject to price cap regulation shall file adjustments to the PCI for each basket as part of the annual price cap tariff filing, and shall maintain updated PCIs to reflect the effect of mid-year exogenous cost changes.

(b) Adjustments to local exchange carrier PCIs for the baskets designated in §§ 61.42(d) (2), (3), and (4) shall be made pursuant to the formula set forth in § 61.44(b), and as further explained in §§ 61.44 (e), (f), (g), and (h).

(1) Notwithstanding the value of X defined in § 61.44(b), the X value applicable to the baskets specified in § 61.42(d) (2) and (3) shall be 3.3%, or 4.3% if the carrier so elects.

(2) For the basket specified in § 61.42(d)(4), the value of X shall be 3%, or 4% if the carrier so elects.

(c) Subject to paragraph (e) of this section, adjustments to local exchange carrier PCIs for the basket designated in § 61.42(d)(1) shall be made pursuant to the following formula:

$$PCI_t = PCI_{t-1}[1 + w[(GNP - PI - X - (g/2))/(1 + (g/2))] + \Delta Z/R]$$

where

GNP−PI=The percentage change in the GNP−PI between the quarter ending six months prior to the effective date of the new annual tariff and the corresponding quarter of the previous year,

X=Productivity factor of 3.3%, or 4.3% if the carrier so elects,

g=The ratio of minutes of use per access line during the base period, to minutes of use per access line during the previous base period, minus 1,

ΔZ=The dollar effect of current regulatory changes when compared to the regulations in effect at the time the PCI was updated to PCI_{t-1}, measured at base period level of operations.

R=Base period quantities for each rate element "i", multiplied by the price for each rate element "i" at the time the PCI was updated to PCI_{t-1},

w=R+ΔZ, all divided by R,

PCI_{t-1}=The new PCI value, and

PCI_{t-1}=The immediately preceeding PCI value.

(d) The exogenous cost changes represented by the term "ΔZ" in the formulas detailed in paragraphs (b) and (c), shall be limited to those cost changes that the Commission shall permit or require.

(1) Subject to further order of the Commission, those exogenous cost changes shall include cost changes caused by

(i) The completion of the amortization of depreciation reserve deficiencies;

(ii) Changes in the Uniform System of Accounts;

(iii) Changes in the Separations Manual;

(iv) Changes to the level of obligation associated with the Long Term Support Fund and the Transitional Support Fund described in § 69.612;

(v) The reallocation of investment from regulated to nonregulated activities pursuant to § 64.901;

(vi) Such tax law changes and other extraordinary exogenous cost changes as the Commission shall permit or require, and

(vii) Retargeting the PCI to the level specified by the Commission for carriers whose base year earnings are below the level of the lower adjustment mark.

(2) Local exchange carriers specified in § 61.41 (a)(2) or (a)(3) shall also make such temporary exogenous cost changes as may be necessary to reduce PCIs to give full effect to any sharing of base period earnings required by the sharing mechanism set forth in the Commission's Second Report and Order in Common Carrier Docket No. 87–313. FCC 90–314, adopted September 19, 1990.

(3) Local exchange carriers specified in § 61.41 (a)(2) or (a)(3) shall, in their annual access tariff filing, recognize all exogenous cost changes attributable to modifications during the coming tariff year in the obligations specified in § 61.45(d)(1)(iv) as well as those changes attributable to alterations in their Subscriber Plant Factor and the Dial Equipment Minutes factor.

(4) Exogenous cost changes shall be apportioned on a cost-causative basis between price cap services as a group, and excluded services shall be further apportioned on a cost-causative basis among the price cap baskets.

(e) The "w[(GNP–PI–X–(g/2))/(1+(g/2))]" component of the PCI formula contained in paragraph (c) shall be employed only in the adjustment made in connection with the annual price cap filing.

(f) The exogenous costs caused by new services subject to price cap regulation must be included in the appropriate PCI calculations under paragraph (c) of this section beginning at the first annual price cap tariff filing following completion of the base period in which such services are introduced.

(g) In the event that a price cap tariff becomes effective, which tariff results in an API value (calculated pursuant to § 61.46) that exceeds the currently applicable PCI value, the PCI value shall be adjusted upward to equal the API value.

(h) To the extent a local exchange carrier elects the higher productivity factor, the election must be made in all baskets.

10. Section 61.46 is amended by revising the first sentence of paragraph (a) and by adding new paragraphs (d), (e) and (f) to read as follows:

§ 61.46 Adjustments to the API.

(a) Except as provided in paragraphs (d) and (e) of this section, in connection with any price cap tariff filing proposing rate changes, the carrier must calculate an API for each affected basket pursuant to the following methodology:

* * * * *

(d) In connection with any price cap tariff proposing changes to rates for services in the basket designated in § 61.42(d)(1), the carrier common line (CCL) charges shall be computed pursuant to the following methodology:

$CCL_{MOU} = CL_{MOU}$* (1+% change in CL PCI) − $EUCL_{MOU}$* 1/ (1+(g/2))

where

CCL_{MOU} = The sum of each of the proposed Carrier Common Line rates multiplied by its corresponding base period Carrier Common Line minutes of use, divided by the sum of all types of base period Carrier Common Line minutes of use,

CL_{MOU} = The sum of each of the existing Carrier Common Line rates multiplied by its corresponding base period Carrier Common Line minutes of use plus each existing End User Common Line (EUCL) rate multiplied by its corresponding base period lines, divided by the sum of all types of base period Common Line minutes of use,

$EUCL_{MOU}$ = Proposed End User Common Line rates multiplied by base period lines, and

g = The ratio of minutes of use per access line during the base period to minutes of use per access line during the previous base period, minus 1.

(e) In addition, for the purposes of § 61.46(d), "Existing Carrier Common Line Rates" shall include existing originating premium, originating non-premium, terminating premium, and terminating non-premium rates; and "End User Common Line Rates" used to calculate the CL_{MOU} and the $EUCL_{MOU}$ factors shall include, but not be limited to, Residential and Single Line Business rates, Multi-Line Business rates, Centrex rates, Limited Pay Telephone Rates, and the Special Access surcharge.

(f) The "1/(1+(g/2)" component of the CCL_{MOU} formula contained in paragraph (d) shall be employed only in the adjustment made in connection with the annual price cap filing.

11. Section 61.47 is amended by adding paragraph (h) to read as follows:

§ 61.47 Adjustments to the SBI; pricing bands.

* * * * *

(h) Local exchange carriers subject to price cap regulation as that term is defined in § 61.3(v) of this chapter shall use the methodology set forth in paragraphs (a) through (d) of this section to calculate two separate subindexes: One for the DS1 services offered by such carriers and the other for the DS3 services offered by such carriers. Notwithstanding paragraph (e) of this section, the annual pricing flexibility for each of these two subindexes shall be limited to an annual increase or decrease of five percent, relative to the percentage change in the PCI for the special access services basket, measured from the last day of the preceding tariff year.

12. Section 61.48 is amended by adding paragraphs (c), (d), (e), and (f) to read as follows:

§ 61.48 Transition rules for price cap formula calculations.

* * * * *

(c) Local exchange carriers subject to price cap regulation shall file initial price cap tariffs not later than November 1, 1990, to be effective January 1, 1991.

(d) In connection with the initial price cap filing described in paragraph (c) of this section, each PCI, API, and SBI shall be assigned an initial value prior to adjustment of 100, corresponding to the costs and rates in effect as of July 1, 1990.

(e) In connection with the initial price cap filing described in paragraph (c) of this section, initial PCI calculations shall be made without adjustment for any changes in inflation or productivity. Annual price cap filings incorporating the full values of the GNP–PI and productivity offsets will commence April 2, 1991, with a scheduled effective date of July 1, 1991.

(f) Local exchange carriers specified in § 61.41(a) (2) or (3) shall, in their initial price cap filings described in paragraph (c) of this section, adjust their PCIs through use of an exogenous cost factor to account for the represcription of the rate of return, effective January 1, 1991.

13. Section 61.49 is amended by revising paragraph (a) and the last sentence of paragraph (g) to read as follows:

§ 61.49 Supporting information to be submitted with letters of transmittal for tariffs of carriers subject to price cap regulation.

(a) Each price cap tariff filing must be accompanied by supporting materials sufficient to calculate required adjustments to each PCI, API, and SBI pursuant to the methodologies provided in §§ 61.44, 61.45, 61.46, and 61.47, as applicable

* * * * *

(g) * * * Each such tariff filing must also be accompanied by data sufficient to make the API and PCI calculations required by §§ 61.46(b), 61.44(g), and 61.45(f), § 61.46(d), and, as necessary, to make the SBI calculations provided in §§ 61.47 (b) and (c).

14. Section 61.58 is amended by revising paragraphs (c)(1), (c)(5), and (c)(6) to read as follows:

§ 61.58 Notice Requirements.

* * * * *

(c) * * *

(1) For annual adjustments to the PCI, API, and SBI values under §§ 61.44, 61.46, and 61.47, respectively, dominant interexchange carrier filings must be made on at least 45 days' notice. For annual adjustments to the PCI, API, and SBI values under §§ 61.45, 61.46, and 61.47, respectively, local exchange carrier tariff filings must be made on not less than 90 days' notice.

* * * * *

(5) Tariff filings involving a change in rate structure of a service included in a basket listed in § 61.42(a) or § 61.42(d), or the introduction of a new service within the scope of § 61.42(g), must be made on at least 45 days' notice.

(6) The required notice for tariff filings involving services included in § 61.42(c) or § 61.42(f), or involving changes to tariff regulations, shall be that required in connection with such filings by dominant carriers that are not subject to price cap regulation.

* * * * *

PART 65—INTERSTATE RATE OF RETURN PRESCRIPTION PROCEDURES AND METHODOLOGIES

1. The authority citation for part 65 continues to read as follows:

Authority: Secs. 4, 201, 202, 203, 205, 218, 403, 48 Stat. 1066, 1072, 1077, 1094, as amended, 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

2. Section 65.1 is revised to read as follows:

§ 65.1 Application of Part 65.

This part establishes procedures and methodologies for Commission prescription of interstate rates of return. This part shall apply to those interstate services and carriers as the Commission shall designate by order. This part shall not apply to dominant interexchange carriers subject to §§ 61.41 through 61.49, except as set forth in §§ 65.600(c), 65.701(c) and 65.703(g) of this chapter. Local exchange carriers subject to §§ 61.41 through 61.49 are exempt from the requirements of this part with the following exceptions:

(a) Carriers that meet the requirements of § 65.200(b) shall be subject to the filing requirements of Subpart C of this part;

(b) Carriers subject to §§ 61.41 through 61.49 shall employ the rate of return value calculated for interstate access services in complying with any applicable rules under parts 36 and 69 that require a return component;

(c) Carriers subject to §§ 61.41 through 61.49 shall be subject to §§ 65.600(d), 65.701(d), and 65.703(h); and

(d) Carriers subject to §§ 61.41 through 61.49 shall continue to comply with the prescribed rate of return when offering any services specified in § 61.42(f) unless the Commission otherwise directs.

3. Section 65.600 is amended by revising paragraph (b) and adding new paragraph (d), to read as follows:

§ 65.600 Rate of return reports.

* * * * *

(b) Each local exchange carrier or group of affiliated carriers which is not subject to §§ 61.41 through 61.49 of this chapter and which has filed individual access tariffs during the preceding enforcement period shall file with the Commission within three (3) months after the end of each calendar quarter, a quarterly rate of return monitoring report. Each report shall contain two parts. The first part shall contain rate of return information on a cumulative basis from the start of the enforcement period through the end of the quarter being reported. The second part shall contain similar information for the most recent quarter. The final quarterly monitoring report for the entire enforcement period shall be considered the enforcement period report. Reports shall be filed on the appropriate report form prescribed by the Commission (*see* § 1.795 of this chapter) and shall provide full and specific answers to all questions propounded and information requested in the currently effective report form. The number of copies to be filed shall be specified in the applicable report form. At least one copy of the report shall be signed on the signature page by the responsible officer. A copy of each report shall be retained in the principal office of the respondent and shall be filed in such manner as to be readily available for reference and inspection. Final adjustments to the enforcement period report shall be made by September 30 of the year following the enforcement period to ensure that any refunds can be properly reflected in an annual access filing. For local exchange carriers subject to §§ 61.41 through 61.49 of this chapter, final adjustments to the final enforcement period report covering the period ending December 31, 1990, shall be made no later than September 30, 1991.

* * * * *

(d) Each local exchange carrier or group of affiliated carriers subject to §§ 61.41 through 61.49 of this chapter shall file with the Commission within three (3) months after the end of each calendar year a report of its total interstate access rate of return for that year. Such filings shall include a report of the total revenues, total expenses and taxes, operating income, and the rate base. Reports shall be filed on the appropriate report form prescribed by the Commission (*see* § 1.795 of this chapter) and shall provide full and specific answers to all questions propounded and information requested in the currently effective report form. The number of copies to be filed shall be specified in the applicable report form. At least one copy of the report shall be signed on the signature page by the responsible officer. A copy of each report shall be retained in the principal office of the respondent and shall be filed in such manner as to be readily available for reference and inspection.

4. Section 65.701 is amended by adding paragraph (d) to read as follows:

§ 65.701 Period of review.

* * * * *

(d) Notwithstanding other provisions in this subpart, the final period of review for any local exchange carrier subject to §§ 61.41 and 61.49 of this chapter shall end on December 31, 1990.

5. Section 65.703 is amended by revising the first sentence of paragraph (g) and by adding new paragraph (h) to read as follows:

§ 65.703 Refunds.

* * * * *

(g) For interexchange carriers subject to §§ 61.41 through 61.49 of this chapter, refund obligations incurred prior to the date their tariffs filed pursuant to §§61.41 through 61.49 of this chapter take effect for the first time shall be effectuated by an adjustment to the applicable Actual Price Index, Service Band Index, and Price Cap Index (as defined in § 61.3 of this chapter). * * *

(h) For each local exchange carrier subject to §§ 61.41 through 61.49 of this chapter, refund obligations incurred prior to the end of its final period of review shall be effectuated by an adjustment to the applicable Actual Price Index, Service Band Index, and Price Cap Index (as defined in § 61.3 of this chapter). Carriers making an adjustment to effectuate any outstanding refund requirements from their final enforcement period shall make such adjustments no later than the next scheduled annual price cap adjustment tariff filing following the submission of the final enforcement report. The adjustment shall be designed to complete the required refund within 12 months of the close of such period. Upon completion of the required refund, the Actual Price Index, the Service Band Index, or the Price Cap Index shall be adjusted to remove the effect of the adjustment.

PART 69—ACCESS CHARGES

1. The authority citation for part 69 continues to read as follows:

Authority: Secs. 4, 201, 202, 203, 205, 218, 403, 48 Stat. 1066, 1070, 1072, 1077, 1094, as amended, 47 U.S.C. §§ 154, 201, 202, 203, 205, 218, 403, unless otherwise noted.

2. Section 69.1 is amended by revising the first sentence of paragraph (b) and adding paragraph (c) to read as follows:

§ 69.1 Application of access charges.

* * * * *

(b) Except as provided in § 69.1(c), charges for such access service shall be computed, assessed, and collected and revenues from such charges shall be distributed as provided in this part.

* * *

(c) The following provisions of this part shall apply to telephone companies subject to price cap regulation only to the extent that application of such provisions is necessary to develop the nationwide average carrier common line charge and for purposes of reporting pursuant to § 43.21 and § 43.22: §§ 69.3(f), 69.105(b)(4), 69.105(b)(5), 69.106(b), 69.107(b), 69.107(c), 69.109(b), 69.111(c), 69.112(a), 69.112(b)(2), 69.112(b)(3), 69.112(d)(2), 69.112(d)(3), 69.114(b), 69.114(d), 69.205(e), 609.301 through 69.310, and 69.401 through 69.412. The computation of rates pursuant to these provisions by telephone companies subject to price cap regulation, as that term is defined in § 61.3(v) of this chapter, shall be governed by the price cap rules set forth in part 61 of this chapter and other applicable Commission Rules and orders.

3. Section 69.3 is amended by revising paragraphs (a) and (e)(4), and by adding new paragraphs (h) and (i) to read as follows:

§ 69.3 Filing of access service tariffs.

(a) Except as provided in paragraphs (f) and (g) of this section, a tariff for access service shall be filed with this Commission for an annual period. Such tariffs shall be filed on a minimum of 90 days' notice with a scheduled effective date of July 1. Such tariff filings shall be limited to rate level changes.

* * * * *

(e) * * *

(4) Except for charges subject to price cap regulation as that term is defined in § 61.3(v) of this chapter, any charge in such a tariff that is not an association charge must be computed to reflect the combined investment and expenses of all companies that participate in such a charge;

* * * * *

(h) Local exchange carriers subject to price cap regulation as that term is defined in § 61.3(v) of this chapter, shall file with this Commission a price cap

tariff for access service for an annual period. Subject to § 61.48, such tariffs shall be filed to provide a minimum of 90 days' notice with a scheduled effective date of July 1. Such tariff filings shall be limited to changes in the Price Cap Indexes, rate level changes (with corresponding adjustments to the affected Actual Price Indexes and Service Band Indexes), and the incorporation of new services into the affected indexes as required by § 61.49 of this chapter.

(i) The following rules apply to the withdrawal from Association tariffs by telephone companies electing to file price cap tariffs pursuant to § 69.3(h).

(1) In addition to the withdrawal provisions of § 69.3(e)(9), a telephone company or group of affiliated telephone companies that participates in one or more Association tariffs during the current tariff year and that elects to file price tariffs effective July 1, 1991, shall notify the Association not later than December 31, 1990, that it is withdrawing from all Association tariffs effective June 30, 1991, subject to the terms of this Rule.

(2) Such withdrawal shall only be filed for the purpose of becoming eligible to file price cap tariffs effective July 1, 1991.

(3) Notwithstanding the provisions of § 69.3(e)(9), in the event a telephone company or group of affiliate telephone companies withdraws from all Association tariffs for the purpose of filing price cap tariffs, such companies may exclude from such withdrawal any or all affiliates that qualify as "average schedule" companies under §§ 69.605 and 69.606 provided that all affiliates so excluded are clearly specified in the withdrawal.

(4) If a telephone company elects to withdraw from Association tariffs and thereafter becomes subject to price cap regulation as that term is defined in § 61.3(v) of this chapter, neither such telephone company nor any of its withdrawing affiliates shall thereafter be permitted to participate in any Association tariffs.

4. Section 69.101 is revised to read as follows:

§ 69.101 General.

Except as provided in § 69.1 and subpart C of this part, charges for each access element shall be computed and assessed as provided in this subpart.

5. Section 69.105 is amended by adding paragraphs (b)(7) and (b)(8), to read as follows:

§ 69.105 Carrier Common Line.

* * * * *

(b) * * *

(7) The Carrier Common Line charges of telephone companies that are subject to price cap regulation as that term is defined in § 61.3(v) of this chapter, shall be computed at the level of Carrier Common Line access element aggregation selected by such telephone companies, subject to § 69.3(e)(7). For each such Carrier Common Line access element tariff, the premium originating Carrier Common Line charge shall be one cent per minute. The premium terminating Carrier Common Line charge shall be set at a level that, when aggregated with the one cent originating charge and the non-premium originating and terminating carrier common line charges, shall not cause the aggregate carrier common line charge for the common line basket to exceed the capped charge computed pursuant to § 61.46(d) for that basket. The non-premium charges shall be equal to .45 multiplied by the premium charges.

(8) If the calculations described in paragraph (b)(7) of this section result in a per minute charge on premium terminating minutes that is less than one cent, the originating and terminating charges shall be equal, and set at a level that does not cause the aggregate carrier common line charge for the common line basket to exceed the capped charge computed pursuant to § 61.46(d). The non-premium charges shall be equal to .45 multiplied by the premium charge.

* * * * *

6. Section 69.111 is amended by revising paragraph (a) to read as follows:

§ 69.111 Common transport.

(a) A charge that is expressed in dollars and cents per access minute shall be assessed upon all interexchange carriers that use

(1) Switching or transmission facilities that are apportioned to the Common Transport element for purposes of apportioning investment, or

(2) Equivalent facilities offered by carriers subject to price cap regulation as that term is defined in § 61.3(v) of this chapter.

* * * * *

7. Section 69.112 is amended by revising paragraph (b)(1), the first sentence of paragraph (c), and paragraph (d)(1) to read as follows:

§ 69.112 Dedicated transport.

* * * * *

(b) * * *

(1) Such charges shall be assessed upon all interexchange carriers for the interface arrangements they use to provide interstate or foreign services and for the equivalent arrangements offered by companies subject to price cap regulation as that term is defined in § 61.3(v) of this chapter.

* * * * *

(c) Charges for the use of voice grade transmission facilities shall be assessed upon interstate carriers that use such facilities to provide interstate or foreign services and for the use of equivalent facilities offered by companies subject to price cap regulation as that term is defined in § 61.3(v) of this chapter. * * *

(d) * * *

(1) Such charges shall be assessed upon all interexchange carriers that use conditioning arrangements in the provision of interstate and foreign services and those that use equivalent arrangements offered by companies subject to price cap regulation as that term is defined in § 61.3(v) of this chapter.

* * * * *

8. Section 69.113 is amended by revising paragraph (c) to read as follows:

§ 69.113 Non-premium charges for MTS-WATS equivalent services.

* * * * *

(c) For telephone companies that are not subject to price cap regulation as that term is defined in § 61.3(v) of this chapter, the non-premium charge for the Local Switching element shall be computed by multiplying a hypothetical premium charge for such element by .45. The hypothetical premium charge for such element shall be computed by dividing the annual revenue requirement for each element by the sum of the projected access minutes for such period and a number that is computed by multiplying the projected non-premium minutes for such element for such period by .45. For telephone companies that are price cap carriers, the non-premium charge for the Local Switching element shall be computed by multiplying the premium charge for such element by .45. Through December 31, 1992, the non-premium charge shall be computed by multiplying the LS1 charge for such element by .45.

* * * * *

9. Section 69.114 is amended by revising paragraph (a) to read as follows:

§ 69.114 Special access.

(a) Appropriate subelements shall be established for the use of equipment or facilities that are assigned to the Special Access element for purposes of apportioning net investment, or that are equivalent to such equipment or facilities for companies subject to price

cap regulation as that term is defined in § 61.3(v) of this chapter.

* * * * *

10. Section 69.205 is amended by revising paragraph (c) to read as follows:

§ 60.205 Transitional premium charges.

* * * * *

(c) Except for telephone companies subject to price cap regulation, as that term is defined in § 61.3(v) of this chapter, the charge for an LS2 premium access minute shall be computed by dividing the premium Local Switching revenue requirement by the sum of the projected LS2 premium access minutes and a number that is computed by multiplying the projected LS1 premium access minutes by the applicable LS1 transition factor. For all telephone companies, the charge for an LS1 premium access minute shall be computed by multiplying the charge for an LS2 premium minute by the applicable LS1 transition factor. For telephone companies that are not subject to price regulation, as that term is defined in § 61.3(v) of this chapter, the premium Local Switching revenue requirement shall be computed by subtracting the projected revenues from non-premium charges attributable to the Local Switching element from the revenue requirement for each element.

* * * * *

Federal Communications Commission.

Donna R. Searcy,

Secretary.

Separate Statement of Commissioner Andrew C. Barrett

I support the Commission's efforts in adopting a new system to regulate the interstate common carrier services of the largest local exchange carriers (LECs). Price cap regulation should result in a more efficient and competitive telecommunications industry. In addition, price caps, as an incentive-based form of regulation, promotes the development of a technologically advanced telecommunications infrastructure. Such an infrastructure is necessary to maintain our nation's competitive posture in the global marketplace.

I write separately to voice my concern about language in this report that could be misinterpreted.[1] Specifically, I want to emphasize that my support for this Order is not based on the notion that price cap regulation prevents cross-subsidies. The adoption of this Order should not in any way be interpreted as a lessening of my concern about preventing cross-subsidization. Nor, should it be construed as a weakening of the Commission's obligation to enforce its rules against such behavior. It is important that this Commission make clear that it will not countenance LECs engaging in cross-subsidization to the detriment of particular classes of customers. Price cap regulation does not serve as a substitute for strict enforcement of our rules against predation or cross-subsidization. As I have stated in the past, cross-subsidization is a symptom of complex structural and cost allocation issues. Thus, I do not believe that price cap regulation alone removes either the potential or the actual ability of the LECs to cross-subsidize services. Therefore, it is upon the staff of the Commission and the state regulatory bodies to do their best to continue to police the LECs. This Order affirms that commitment on the part of the FCC.[2] I plan to work with my colleagues on the Commission to ensure that this commitment is kept.

[FR Doc. 90-24698 Filed 10-18-90; 8:45 am]

BILLING CODE 6712-01-M

[1] *See Second Report and Order* in CC Docket No. 87-313, adopted September 19, 1990 at para. 36.

[2] *Id.*

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 675

[Docket No. 91046-0006]

Groundfish of the Bering Sea and Aleutian Islands Area

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

ACTION: Notice of apportionment; request for comments.

SUMMARY: The Secretary of Commerce (Secretary) announces that amounts of the reserve are needed in domestic annual processing operations (DAP) for the Pacific Ocean perch (POP) complex in the Aleutian Islands (AI) subarea and are being apportioned to that fishery. This action is necessary to promote optimum use of groundfish in the AI subarea. It is intended to carry out the management objectives contained in the Fishery Management Plan for Bering Sea/Aleutian Islands Groundfish (FMP).

DATES: *Effective* noon, Alaska local time, October 13, 1990.

Comments are invited until October 31, 1990.

ADDRESSES: Comments should be mailed to Steven Pennoyer, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802, or be delivered to the Federal Building Annex, Suite 6, 9109 Mendenhall Mall Road, Juneau, Alaska.

FOR FURTHER INFORMATION CONTACT: Patsy A. Bearden, Resource Management Specialist, NMFS, 907-586-7229.

SUPPLEMENTARY INFORMATION: The FMP governs the groundfish fishery in the Exclusive Economic Zone within the Bering Sea and Aleutian Islands (BSAI) management area under the Magnuson Fishery Conservation and Management Act. The FMP was developed by the North Pacific Fishery Management Council (Council) and is implemented by regulations codified at 50 CFR 611.93 and 50 part 675.

Section 675.20(a)(1) of the implementing regulations establishes an optimum yield (OY) range of 1.4 to 2.0 million metric tons (mt) for all groundfish species in the BSAI management area. Total allowable catches (TACs) for target species and the "other species" category are specified annually within the OY range and apportioned by subarea under § 675.20(a)(2).

Under § 675.20(a)(3), 15 percent of the TAC for each target species and the "other species" category is automatically placed in a reserve not designated by species or species group, and the remaining 85 percent of the TAC for each target species and the "other species" category is apportioned between domestic annual harvest (DAH) and total allowable level of foreign fishing (TALFF). Under § 675.20(b)(1)(i), the Secretary will apportion reserve amounts to a target species or the "other species" category as needed, provided that the apportionments do not result in overfishing.

The initial 1990 TAC for POP in the AI subarea, under § 675.20(a)(2), is 5,610 metric tons (mt), which was initially apportioned to DAP (55 FR 1434, January 16, 1990). On August 3, 1990, 3,000 mt of reserve was apportioned to DAP for POP (55 FR 32421, August 9, 1990) under § 675.20(b)(1)(i). On September 12, 1990, the Secretary apportioned 4,000 mt of reserve to DAP POP (55 FR 38331, September 18, 1990), bringing the current amount for DAP POP to 12,610 mt.

Under § 675.20(b)(1)(i), the Secretary now finds that the DAP fishery in the AI subarea requires an additional 3,990 mt of POP for the remainder of the year. Therefore, he apportions 3,990 mt from

the reserve to DAP POP in the AI subarea. This apportionment results in a revised amount of 16,600 mt for DAP POP in the AI subarea as listed in Table 1. The revised DAP POP amount is equal to the acceptable biological catch (ABC) for POP; therefore, overfishing of POP will not occur. The amount of 16,600 mt for POP ABC was approved by the Council during its December 5–8, 1989, meeting. The ABC was incorrectly noted as 16,000 mt in the last apportionment notice (55 FR 38331, September 18, 1990).

Classification

The Assistant Administrator for Fisheries, NOAA, finds for good cause that it is impractical and contrary to the public interest to provide prior notice and comment or to delay the effective date of this notice. Immediate effectiveness of this notice is necessary to benefit U.S. fishermen participating in DAP POP operations who would otherwise be prohibited from fishing due to a premature closure. However, interested persons are invited to submit comments in writing to the address above until October 31, 1990.

This action is taken under § 675.20, and is in compliance with Executive Order 12291.

TABLE 1.—ALEUTIAN ISLANDS APPORTIONMENT OF TAC

[Values are in metric tons]

	Current	This action	Revised
Pacific Ocean Perch Complex (AI)			
ABC=16,600 (DAP)	12,610	3,990	16,600
TAC=16,600 (JVP)	0	0	0
Total (BSAI)			
(ABC=2,938,500) (DAP)	1,704,730	+3,990	1,708,720
(TAC=2,000,000) (JVP)	257,992	0	257,992

TABLE 1.—ALEUTIAN ISLANDS APPORTIONMENT OF TAC—Continued

[Values are in metric tons]

	Current	This action	Revised
Reserves	37,278	−3,990	33,288

List of Subjects in 50 CFR Part 675

Fish, Fisheries, Recordkeeping and reporting requirements.

Authority: 16 U.S.C. 1801, *et seq.*

Dated: October 15, 1990.

Richard H. Schaefer,

Director of Office of Fisheries, Conservation and Management, National Marine Fisheries Service.

[FR Doc. 90–24724 Filed 10–16–90; 12:10 pm]

BILLING CODE 3510–22–M

Proposed Rules

Federal Register
Vol. 55, No. 203
Friday, October 19, 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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 300 and 330

Employment (General); Time-in-Grade Restrictions

AGENCY: Office of Personnel Management.

ACTION: Proposed rule.

SUMMARY: The Office of Personnel Management (OPM) proposes to revise its regulations governing the time-in-grade restriction on advancement to positions in the General Schedule. These changes would provide additional flexibility and simplify or clarify provisions.

DATES: Comments must be received on or before December 18, 1990.

ADDRESSES: Send or deliver written comments to Leonard R. Klein, Associate Director for Career Entry and Employee Development, Office of Personnal Management, room 6F08, 1900 E Street, NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Leota Shelkey, (202) 606–0398; FTS 266–0398.

SUPPLEMENTARY INFORMATION: Since the early 1950's, Federal employees in General Schedule positions at GS–5 and above have been required to serve at least 1 year in grade before being promoted. The time-in-grade requirement helps to control budgets and rates of promotion and to assure proper use of competitive examination registers. It originated with the "Whitten Amendment," a series of controls on expansion of the Federal work force during the Korean conflict.

Since expiration of the Whitten Amendment in 1978, OPM has continued the time-in-grade restriction in regulation. Because of the expiration of its statutory basis, the restriction applies only to filling General Schedule positions in the competitive service but not in the excepted service. Except for a minor change in 1985, the time-in-grade regulations have not been revised since 1978. The proposals in this notice are intended to eliminate inconsistencies, simplify application, or clarify provisions.

OPM periodically receives suggestions to abolish the time-in-grade restriction. However, we believe its elimination is unnecessary. A 1-year waiting period between promotions is not unreasonable. Furthermore, the impact of employee salaries and related benefits on the Federal budget continues to be a concern. Our approach has been to provide agency managers with needed flexibility so the restriction does not prevent them from filling jobs with qualified candidates. For example, OPM gave agencies the authority to approve training agreements that permit accelerated promotions in shortage occupations and to waive the restriction to prevent undue hardship or inequity. That approach is continued in the following proposals.

Section 300.601. A new "purpose" section is added.

Section 300.602. A new "definitions" section is added.

Section 300.603. This section on coverage (currently § 300.601) clarifies that an employee who held a General Schedule position in the executive branch under nontemporary appointment within the previous 52 weeks is subject to the restriction. This section also addresses temporary appointment to a GS position.

In addition, this section clarifies existing exceptions and adds several new ones (currently § 300.603). Under current policy, new appointments of disabled veterans and new Veterans Readjustment Act appointments are not subject to the restriction. Consistent with the approach that eligibility under a statutory appointing authority should not be restricted by this regulatory requirement, a new exception is added to permit appointment under any special noncompetitive appointment authority. In such a case, the employee would have to be qualified and all procedural requirements met for making such appointments. In addition to the veterans' appointments, this provision would cover appointing authorities in 5 CFR part 315, subpart F, and similar statutory authorities.

Under current regulations, an exception is allowed for repromotion up to GS–5 to a grade previously held. Repromotion above GS–5 is allowed only when an employee lost the higher grade by reduction in force. The proposal broadens this exception by allowing promotion up to any grade previously held under a nontemporary competitive appointment, regardless of how the grade was lost.

Currently, an agency may waive time in grade to avoid undue hardship or inequity. This proposal redefines (in § 300.602) those terms to give agencies additional flexibility to deal with shortages and organizational difficulties. However, as with the existing policy, this authority does not include waiver of qualification standards.

Section 300.604. This section (currently § 300.602) contains the time-in-grade waiting period. The major change is that the waiting period of 1 year is changed to 52 weeks to make it consistent with the waiting period for within grade increases to steps 2, 3, and 4 of General Schedule grades. This change should eliminate confusion between the two waiting periods and reduce paperwork in those cases where separate within grade increase and promotion actions must be processed because of the 1 to 2 day difference in the waiting periods.

In addition, this section gives agency heads the authority to determine whether time in grade is satisfied by service one grade or two grades lower when positions with 1-grade interval work have mixed interval promotion patterns (e.g., GS–5, 6, 8). Allowing the agency to make this determination would help insure that the policy takes into account the particular promotion patterns and organizational arrangements of the agency.

Section 300.605. This section (currently § 300.604) defines creditable service for meeting time in grade. The major change is in the crediting of higher grade temporary service that occurs prior to an employee's first competitive appointment. Under current rules (5 CFR 330.502), such service is credited for time-in-grade purposes at the grade of the subsequent competitive appointment. The purpose is to prevent abuse of the competitive examining system.

This rule was adopted because agencies were appointing individuals from low grade registers (because they were not within reach at higher grade levels) and then promoting them to

higher grades held under temporary appointment. This continues to be a concern and OPM believes the restriction is still needed. However, we believe both agencies and employees could benefit from a modification of the rule. Therefore, the proposal would continue the same rule, but it would apply only until an employee had served in pay status for 52 weeks under nontemporary competitive appointment. We propose also to move this requirement from 5 CFR part 330 to § 300.605.

Other changes include adding nonappropriated fund employment as creditable service and clarifying District of Columbia service. The rule for using representative rates to determine equivalent grades for non-GS service is revised because agencies have difficulty in understanding and applying the current rule. Also, the special rule for crediting non-GS service that intervenes between two periods of GS service is dropped to simplify application.

Section 300.606. This new provision reflects existing policy but makes clear that an agency may adopt additional policies, beyond these regulations, to control rates of promotion.

E.O. 12291, Federal Regulation

I have determined that this is not a major rule as defined under section 1(b) of E.O. 12291, Federal Regulation.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it pertains only to Federal employees and agencies.

List of Subjects in 5 CFR Parts 300, 330

Government employees, Personnel Management Office.

U.S. Office of Personnel Management.

Constance Berry Newman,

Director.

Accordingly, OPM proposes to amend 5 CFR parts 300 and 330, as follows:

PART 300—EMPLOYMENT (GENERAL)

1. The authority citation for part 300 continues to read as follows:

Authority: 5 U.S.C. secs. 552, 3301, 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., page 218, unless otherwise noted.

Secs. 300.101 through 300.104 also issued under 5 U.S.C. secs. 7201, 7204, 7701; E.O. 11478, 3 CFR, 1966–1970 Comp., page 803.

Sec. 300–301 also issued under 5 U.S.C. 3324.

Secs. 300.401 through 300.408 also issued under 5 U.S.C. secs. 3102(a), 2301, and 2302.

Secs. 300.501 through 300.507 also issued under 5 U.S.C. 1103(a)(5).

Sec. 300.603 also issued under 5 U.S.C. 1104.

2. Subpart F is revised to read as follows:

Subpart F—Time-in-Grade Restrictions

Sec.

300.601 Purpose.
300.602 Definitions.
300.603 Coverage.
300.604 Restrictions.
300.605 Creditable service.
300.606 Agency authority.

Subpart F—Time-in-Grade Restrictions

§ 300.601 Purpose.

The restrictions in this subpart are intended to prevent excessively rapid promotions in competitive service positions and to protect competitive principles. They provide a budgetary control on promotion rates and help assure that appointments are made from appropriate registers. These restrictions are in addition to the eligibility requirements for promotion in part 335 of this chapter.

§ 300.602 Definitions.

In this subpart—

Nontemporary appointment means any appointment other than a temporary appointment pending establishment of a register (TAPER) or a temporary or excepted appointment not to exceed 1 year or less.

Hardship to an agency involves serious difficulty in filling a position, including when:

(a) The situation to be redressed results from circumstances beyond the organization's control and otherwise would require extensive corrective action; or

(b) A position at the next lower grade in the normal line of promotion does not exist and the resulting action is not a career ladder promotion; or

(c) There is a shortage of candidates for the position to be filled and the criteria in § 572.301(b) of this chapter are met.

Inequity to an employee involves situations where a position is upgraded as a result of a new classification standard or correction of a classification error but without change in the employee's duties or responsibilities, or where discrimination or administrative error prevented an employee from reaching a higher grade.

Advancement means a position change or any type of appointment.

Competitive appointment means an appointment based on selection from a competitive examination register of eligibles or a direct hire authority.

§ 300.603 Coverage.

(a) *Coverage.* This subpart applies to any advancement to a General Sehedule position in the competitive service by any individual who within the previous 52 weeks held a General Schedule position under nontemporary appointment in the competitive or excepted service in the executive branch, unless excluded by paragraph (b) of this section.

(b) *Exclusions.* This subpart does not apply to the following actions:

(1) Appointment based on selection from a competitive examination certificate of eligibles or under a direct hire authority.

(2) Noncompetitive appointment, based on a special authority in law or executive order, that is made in accordance with all requirements applicable to new appointments under that authority.

(3) Advancement up to any General Schedule grade the employee previously held under a nontemporary appointment in the competitive service.

(4) Advancement of an employee under a non-General Schedule pay system unless the employee held a General Schedule position under nontemporary appointment in the executive branch within the previous 52 weeks.

(5) Advancement of an individual whose General Schedule service during the previous 52 weeks has been totally under temporary appointment.

(6) Advancement of an employee under a training agreement established in accordance with chapter 338 of the Federal Personnel Manual. However, an employee may not receive more than two promotions in any 52-week period solely on the basis of one or more training agreements. Also, only OPM may approve a training agreement that provides for consecutive promotions at rates that exceed those permitted by § 300.604 of this part.

(7) Advancement to avoid hardship to an agency or inequity to an employee in an individual meritorious case but only with the prior approval of the agency head or other official to whom this authority has been redelegated. However, an employee may not be promoted more than three grades during any 52-week period on the basis of this paragraph.

(8) Advancement when OPM authorizes it to avoid hardship to an agency or inequity to an employee in an individual meritorious case.

§ 300.604 Restrictions.

The following time-in-grade restrictions must be met unless an

advancement is permitted by § 300.603(b) of this part:

(a) *Advancement to positions at GS–12 and above.* Candidates for advancement to position at GS–12 and above must have completed a minimum of 52 weeks in positions no more than one grade lower (or equivalent) than the position to be filled.

(b) *Advancement to positions at GS–6 through GS–11.* Candidates for advancement to a position at GS–6 through GS–11 must have completed a minimum of 52 weeks in positions:

(1) No more than two grades lower (or equivalent) when the position to be filled is in a line of work properly classified at 2-grade intervals; or

(2) No more than one grade lower (or equivalent) when the position to be filled is in a line of work properly classified at 1-grade intervals; or

(3) No more than one or two grades lower (or equivalent), as determined by the agency head, when the position to be filled is in a line of work properly classified at 1-grade intervals but has a mixed interval promotion pattern.

(c) *Advancement to positions up to GS–5.* Candidates may be advanced without time restriction to positions up to GS–5 if the position to be filled is no more than two grades above the lowest grade the employee held within the preceding 52 weeks under his or her latest nontemporary competitive appointment.

§ 300.605 Creditable service.

(a) All service at the required or higher grade (or equivalent) in positions to which appointed in the Federal civilian service is creditable towards the time periods required by § 300.604 of this part, except as provided in paragraph (c) of this section. Creditable service includes competitive and excepted service in positions under the General Schedule and other pay systems, including employment with a nonappropriated fund instrumentality, but does not include service while on detail. It also includes appropriate service with the District of Columbia Government prior to January 1, 1980 (or prior to September 26, 1980, for those District employees who were converted to the District personnel system on January 1, 1980).

(b) Service in positions not subject to the General Schedule (GS) is credited at the equivalent GS grade by comparing representative rates (as defined in § 351.203 of this chapter) in effect when the service was performed. The equivalent GS grade is the GS grade with a representative rate that equals the representative rate of the employee's non-GS position. When the representative rate of the non-GS position falls between the representative rates of two GS grades, the non-GS service is credited at the higher grade. When the employee's non-GS position has no representative rate, the actual pay rate is used.

(c) In applying the restrictions in § 300.604 of this part, prior service under temporary appointment at a level above that of a subsequent nontemporary competitive appointment is credited as if the service had been performed at the level of the nontemporary appointment. This provision applies until the employee has served in pay status for 52 weeks under nontemporary competitive appointment; thereafter, the service is credited at its actual grade level (or equivalent).

§ 300.606 Agency authority.

An agency may adopt policies to control promotion rates of employees not covered by this subpart or to expand on the provisions in this subpart.

PART 330—RECRUITMENT, SELECTION, AND PLACEMENT (GENERAL)

3. The authority citation for part 330 continues to read as follows:

Authority: 5 U.S.C. 1302, 3301, 3302; E.O. 10577, 3 CFR, 1954–58 Comp., p. 218.

Sec. 330.102 also issued under 5 U.S.C. 3327.

Subpart B also issued under 5 U.S.C. 3315 and 8151.

Sec. 330.401 also issued under 5 U.S.C. 3310.

Subpart H also issued under 5 U.S.C. 8337(h) and 8457(b).

§ 330.502 [Removed and Reserved]

4. In part 330, § 330.502 is removed and reserved.

[FR Doc. 90–24727 Filed 10–18–90; 8:45 am]

BILLING CODE 6325–01–M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 944

[Docket No. FV–90–130PR]

Fruit Import Regulations; Withdrawal of Proposed Rule to Change Orange Import Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Withdrawal of proposed rule.

SUMMARY: This document withdraws a proposed rule which would have changed the minimum grade and size requirements for oranges imported into the United States. The proposed rule is being withdrawn because of a lack of record evidence to support the change.

FOR FURTHER INFORMATION CONTACT: Gary D. Rasmussen, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, P.O. Box 96456, Room 2525–S, Washington, DC 20090–6456; telephone: (202) 475–3918.

SUPPLEMENTARY INFORMATION:

This action withdraws a proposed rule published in the **Federal Register** (55 FR 24249, June 15, 1990), which gave notice that the Department was considering revising § 944.312 (7 CFR 944.312) to change the minimum grade and size requirements for oranges imported into the United States. Section 944.312 is effective under section 8e (7 U.S.C. 608e–1) of the amended Agricultural Marketing Agreement Act of 1937.

Section 8e of the Act provides that whenever specified commodities, including oranges, are regulated under a Federal marketing order, imports of these commodities into the United States are prohibited unless they meet the same or comparable grade, size, quality, or maturity requirements as those in effect for the domestically produced commodities. Section 8e also provides that whenever two or more marketing orders regulate the same commodity produced in different areas of the United States, the Secretary shall determine which area the imported commodity is in most direct competition with and apply the regulations for that area to the imported commodity. Currently, the orange import requirements are the same as those applied to Texas oranges under marketing order (7 CFR part 906).

The proposal would have based orange import requirements on the Florida orange marketing order (7 CFR part 905), instead of the Texas marketing order. In response to the proposal, twenty-four comments were received from 21 individuals. On the basis of the information supplied therein, there is insufficient evidence in the rulemaking record to conclude that imported oranges are in most direct competition with Florida oranges.

Therefore, the proposed rule published in the **Federal Register** (55 FR 24249, June 15, 1990), is hereby withdrawn, and imported oranges shall continue to meet the Texas marketing order requirements.

List of Subjects in 7 CFR Part 944

Avocados, Food grades and standards, Grapefruit, Grapes, Imports, Limes, Olives, Oranges.

Dated: October 15, 1990.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 90-24655 Filed 10-18-90; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Parts 101 and 102

[Docket No. 88-187]

Viruses, Serums, Toxins and Analogous Products; Restrictions on Distribution and Use

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the regulations pertaining to veterinary biological products to: (1) Clarify that restrictions on the distribution and use of federally licensed biological products may be imposed by a State or other jurisdiction based on local disease conditions, and (2) provide a procedure whereby any person, including a State or other jurisdiction, may request that federal restrictions be imposed on such products. The purpose of this proposed rule is to clarify the regulations with respect to State restrictions on the use and distribution of veterinary biologics, and to specify how a person can request that federal restrictions be imposed on such products.

DATES: Consideration will be given only to comments postmarked or received on or before December 18, 1990.

ADDRESSES: Send an original and three copies of written comments 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 No. 88-187. Comments received 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. David A. Espeseth, Deputy Director, Veterinary Biologics, BBEP, APHIS, USDA, Room 838, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8245.

SUPPLEMENTARY INFORMATION:

Background:

The Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture (USDA) is responsible for the administration and enforcement of the Virus-Serum-Toxin Act (21 U.S.C. 151-159) (Act). That Act prohibits the importation or the shipment anywhere in or from the United States of any veterinary biologic which is worthless, contaminated, dangerous, or harmful. The Secretary of Agriculture is authorized to prescribe regulations which are necessary to carry out the purposes of the Act, including regulations governing the preparation of these products. The Act requires that, unless they are subject to exemption, products prepared in the United States must be prepared in establishments licensed by the Secretary of Agriculture pursuant to regulations issued by the Secretary.

Regulations concerning veterinary biologics appear in 9 CFR parts 101-118. They are intended to ensure that only pure, safe, potent and efficacious products are available to farmers, livestock owners, and others who use them.

Section 102.5(d) (2) of the present regulations pertaining to the distribution of veterinary biological products reads as follows:

The licensee shall distribute the product in any State or other jurisdiction only in accordance with the requirements of such State or other jurisdiction.

The intent of the provision is to recognize that States or other jurisdictions have a legitimate interest in regulating certain biologics based on local disease conditions, and that licensees are subject to such regulation, as well as to the regulations under the Virus-Serum-Toxin Act.

There has been some confusion concerning the provision in § 102.5(d) (2), as currently written. Questions have arisen whether APHIS is enforcing State law and to what extent State and local restrictions may be imposed on animal biologics in addition to Federal regulations. We believe that it is necessary to clarify the meaning of this section. We are therefore proposing to amend § 102.5(d) (2) as follows:

In addition to restrictions imposed by the Deputy Administrator pursuant to paragraph (e) of this section, biological products shall be subject to restrictions imposed by any State or other jurisdiction pertaining to the distribution and use of such products, based on local disease conditions.

This provision is intended to reflect the Department's long standing policy which recognizes that local disease conditions may require special restrictions to be imposed on biological products. For example, a State may have an active program to eradicate a specific disease within its borders. If a veterinary biological product has been licensed for use against this disease, a State may want to restrict use of the biological product to veterinarians to ensure that its use by nonveterinarians does not interfere with the eradication program. In the event that a disease does not exist within a State, the State may wish to prevent distribution of a vaccine against that disease because there would be no need to vaccinate, or because allowing the use of the vaccine would complicate diagnosis or serological surveillance since serological responses in animals due to vaccine are often difficult to distinguish from those due to disease.

APHIS issues U.S. Veterinary Biological Product Licenses (see 9 CFR Part 102) for products which meet the requirements of the Act and the regulations. The regulations provide that the Administrator of APHIS may impose additional restrictions on the use or distribution of a licensed biological product when the protection of domestic animals or the public health, interest, or safety, or both necessitate such restrictions. Restrictions imposed under this authority are prescribed on the product license, and may be required to be included on product labels. The regulations state that the restrictions may include, but are not limited to, limits on distribution of a product, or provisions that a biological product is restricted to use by veterinarians, or under the supervision of veterinarians, or both. (9 CFR 102.5(e)).

Any interested person, including a State, may request that Federal restrictions be imposed on the distribution and use of a particular biologic. However, the regulations do not contain a provision concerning such a request. Therefore, we are proposing to add a new § 102.5(f) to the regulations which would provide that any person may request that APHIS impose restrictions on the distribution and use of veterinary biologics, and which would contain procedures for submitting such a request.

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, it has been 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 have 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.

Under certain circumstances, States may restrict the distribution and use, within their own borders, of veterinary biological products licensed by APHIS. The current regulations, however, have caused some confusion regarding such restrictions as they relate to the requirements under the Virus-Serum-Toxin Act. The proposed rule would clarify the meaning of the regulation. It would also provide procedures whereby any person could request that federal restrictions be imposed on an animal biologic.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial-number of small entities.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the information collection provisions that are included in the proposed rule have been submitted for approval to the Office of Management and Budget (OMB). Written comments concerning any information collection provisions should be submitted to the Office of Information and Regulatory Affairs, OMB, Attention Desk Officer for APHIS, Washington, D.C. 20503. A duplicate copy of such comments should be submitted to: (1) Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, Room 866, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782 and (2) Clearance Officer, OIRM, USDA, room 404–W, 14th Street and Independence Avenue SW., Washington, DC 20250.

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

9 CFR Part 101

Animal biologics.

9 CFR Part 102

Animal biologics.

Accordingly, it is proposed to amend title 9 of the Code of Federal Regulations as follows:

Part 101—DEFINITIONS

1. The authority citation for 9 CFR part 101 would continue to read as follows:

Authority: 21 U.S.C. 151–159; 7 CFR 2.17, 2.51, and 371.2(d).

2. Section 101.2 would be amended to remove all the paragraph designations, to rearrange the definitions in alphabetical order, and to add, in alphabetical order, the following definition:

§ 101.2 Administrative terminology.

* * * * *

Animal and Plant Health Inspection Service. The Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS).

* * * * *

PART 102—LICENSES FOR BIOLOGICAL PRODUCTS

3. The authority citation for 9 CFR part 102 would continue to read as follows:

Authority 21 U.S.C. 151–159; 7 CFR 2.17, 2.51, and 371.2(d).

§ 102.5 [Amended]

4. In § 102.5, paragraph (d)(2) would be revised to read as follows:

(d) * * *

(2) In addition to restrictions imposed by the Deputy Administrator pursuant to paragraph (e) of this section, biological products shall be subject to restrictions imposed by any State or other jurisdiction pertaining to the distribution and use of such products, based on local disease conditions.

* * * * *

5. In § 102.5, a new paragraph (f) would be added to read as follows:

* * * * *

(f) Any person may request that the distribution and use of a veterinary biological product be restricted if the restriction pertains to the protection of domestic animals or the public health, interest, or safety, or both. All requests must be sent, in writing, to the Director, Biotechnology, Biologics and Environmental Protection, USDA, APHIS, c/o Deputy Director, Veterinary Biologics, room 838, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Requests must specify the restriction(s) being requested and must explain why the restrictions are needed. Copies of any supporting documents, such as scientific literature, published or unpublished articles, or data from tests, should be attached to the request. When a decision is reached regarding the request, the person submitting the request will be sent written notification of such decision.

Done in Washington, DC, this 16 day of October 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90–24767 Filed 10–18–90; 8:45 am]

BILLING CODE 3410–34–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90–NM–179–AD]

Airworthiness Directives; Boeing Model 737 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to supersede an existing airworthiness directive (AD), applicable to certain Boeing Model 737 series airplanes, which currently requires ultrasonic inspections of the bonded waffle doublers for delamination between body station (BS) 360 and BS 1016. This action would require inspections for delamination, cracking, and corrosion, in an area expanded to include the area between BS 259 and BS 360, the circumferential fuselage splices, stringer (S)–17, and bonded doublers. This proposal is prompted by reports of cracking of the skin at S–17. This condition, if not corrected, could result in rapid decompression of the airplane.

DATES: Comments must be received no later than December 7, 1990.

ADDRESSES: Send comments on the proposal in duplicate to Federal Aviation Administration, Northwest Mountain Region, Transport Airplane Directorate, ANM–103, Attention: Airworthiness Rules Docket No. 90–NM–179–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056. The applicable service information may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle,

Washington 98124. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Dan R. Bui, Airframe Branch, ANM-120S; telephone (206) 227-2785. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue. SW., Renton, Washington 98055-4056.

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 specified above will be considered by the Administrator 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.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this Notice must submit a self-addressed, stamped post card on which the following statement is made: "Comments to Docket Number 90-NM-179-AD." The post card will be date/time stamped and returned to the commenter.

Discussion

On July 20, 1989, the FAA issued AD 89-16-05, Amendment 39-6281 (54 FR 31507, July 31, 1989), to require ultrasonic inspections of the bonded waffle doublers for delamination between body station (BS) 360 and BS 1016. Affected operators were required to submit reports to the FAA of any cracking or disbonding found as a result of the inspections. That action was prompted by reports of delamination of the waffle doublers on several Boeing Model 737 series airplanes. This condition, if not corrected, could lead to the inability of the airplane to carry fail-safe loads, which may result in rapid decompression.

Since issuance of that AD, one operator recently reported cracking of the skin at stringer (S)-17 at multiple locations. As a result of this and other reports from operators, in accordance with AD 89-16-05, the FAA has determined that additional inspections are necessary in order to detect cracking and disbonding in a more timely manner.

The FAA has reviewed and approved Boeing Service Bulletin 737-53-1124, dated August 24, 1989; Service Bulletin 737-53-1089, Revision 1 and Revision 3, dated October 13, 1988, and November 2, 1989, respectively; Service Bulletin 737-53-1076, Revision 2, dated February 8, 1990; and Alert Service Bulletin 737-53A1039, Revision 5, dated May 25, 1989; all of which describe procedures for inspection of the bonded doublers and repair, as necessary.

Additionally, the FAA has re-evaluated the fatigue life of repairs made using blind fasteners, and has determined that such repairs should be repetitively inspected for cracks and loose or missing fasteners every 3,000 flight cycles, and must be replaced prior to the accumulation of 10,000 flight cycles.

Since this condition is likely to exist or develop on other airplanes of the same type design, an AD is proposed which would supersede AD 89-16-05 with a new AD which would require inspection for delamination, cracking, and corrosion of an expanded area to include BS 259 and BS 360, the circumferential fuselage splices, S-17, and bonded doublers in accordance with the service bulletins previously described. This action would also revise the interval for repetitive inspections of blind fasteners from 1,000 to 3,000 flight cycles; and the interval for replacement of blind fasteners from 3,000 to 10,000 flight cycles. This action would also delete the reporting requirement of the existing AD.

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.

For the reasons discussed above, I certify that this proposed 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) 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 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 proposes to amend 14 CFR part 39 of the Federal Aviation Regulations 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 superseding Amendment 39-6281 (54 FR 31507, July 31, 1989), AD 89-16-05, with the following new airworthiness directive:

Boeing: Applies to Model 737 series airplanes, line numbers 520 through 610, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent the inability of the airplane to carry fail-safe loads due to disbonded doublers, and to reduce the possibility of rapid decompression, accomplish the following:

A. Within 60 calendar days after the effective date of this AD, perform a one-time external ultrasonic inspection of the bonded doublers above stringer (S)-26 between body station (BS) 259 and BS 1016 in accordance with Boeing Service Bulletin 737-53-1124, dated August 24, 1989.

Note: The area inspected, in accordance with AD 89-16-05, Amendment 39-6281, does not require reinspection for disbonding.

B. If disbond is detected, prior to further flight, accomplish the following:

1. Perform a high frequency eddy current (HFEC) inspection for cracks and a visual inspection for corrosion along the upper rivet row of the lower lap splices and both rivet rows of S-17 (if affected), for the entire length of affected panel, in accordance with Boeing Service Bulletin 737-53-1124, dated August 24, 1989. If, during the inspections required by this paragraph, paint inhibits identification of the fastener heads or cracks, the paint must be stripped using an FAA-approved chemical stripper.

a. If no cracking or corrosion is found, repeat the HFEC and visual inspections at intervals not to exceed 4,500 flight cycles

until the preventive modification required by paragraph C. of this AD is accomplished.

b. If cracks are found, repair prior to further flight, in accordance with Boeing Service Bulletin 737–53–1124, dated August 24, 1989. Within 3,000 flight cycles following the repair, accomplish the lap splice preventive modification on the affected panel, which includes installation of oversize protruding head solid fasteners in the lap splice upper row and S–17, in accordance with Boeing Service Bulletin 737–53–1124, dated August 24, 1989.

(1) Blind fasteners may be used as a temporary repair only. Repairs using blind fasteners must be repetitively inspected for loose or missing fasteners at intervals not to exceed 3,000 flight cycles following installation, and replaced with protruding head solid fasteners within 10,000 flight cycles following installation.

(2) Repairs previously installed with blind fasteners prior to the effective date of this AD must be inspected for loose or missing fasteners within 1,000 flight cycles after the effective date of this AD and at thereafter intervals not to exceed 3,000 flight cycles. Blind fasteners must be replaced with protruding head solid fasteners within 10,000 flight cycles following installation.

2. Perform a detailed external visual inspection for cracks and corrosion at circumferential splices along the most forward and most aft rivet row of each panel found to contain delamination, in accordance with Boeing Service Bulletin 737–53–1076, Revision 2, dated February 8, 1990. Remove paint with an FAA-approved chemical stripper prior to inspection, or ensure that the fastener head is clearly visible. In addition to the detailed external visual inspection, perform an HFEC inspection for cracks at each circumferential splice from S–10R to S–10L in accordance with Boeing Service Bulletin in 737–53–1076, Revision 2, dated February 8, 1990, along the most forward and most aft rivet row of each circumferential splice.

a. If no cracks, corrosion, or delamination are found as a result of the detailed external visual inspection, repeat the detailed external visual and HFEC inspections required by this paragraph at intervals not to exceed 4,500 landings or 15 months, whichever occurs first.

b. If any cracking is detected, repair prior to further flight, in accordance with Boeing Service Bulletin 737–53–1076, Revision 2, dated February 8, 1990.

c. Replacement of the most forward and most aft fastener rows with standard protruding head solid fasteners at all circumferential fuselage splices, in accordance with Boeing Service Bulletin 737–53–1076, Revision 2, dated February 8, 1990, constitutes terminating action for the inspections required by this subparagraph, B.2.

3. In areas where corrosion or delamination are found as a result of the inspections required by paragraphs B.1. and B.2. of this AD, prior to further flight, perform a low frequency eddy current (LFEC) inspection using an FAA-approved method:

a. If corrosion depth does not exceed 10% of the skin's thickness, conduct the repetitive external detailed visual inspections required by paragraphs B.1. and B.2. of this AD, of each panel found to contain corrosion at intervals not to exceed 2,250 flight cycles or 6 months, whichever occurs first.

b. If corrosion depth exceeds 10% of the skin's thickness, or if cracks or delamination is found as a result of the detailed external visual inspections, repair prior to further flight, in accordance with Boeing Service Bulletin 737–53–1076, Revision 2, dated February 8, 1990. Following such a repair, continue to inspect in accordance with paragraphs B.1. and B.2. of this AD, at intervals not to exceed 4,500 flight cycles or 15 months, whichever occurs first.

c. Any cracks found must be repaired, prior to further flight, in accordance with an FAA-approved method. Blind fasteners may be used as a temporary repair only. They must be repetitively inspected for loose or missing fasteners at intervals not to exceed 3,000 flight cycles following installation, and then replaced with protruding head solid fasteners within 10,000 flight cycles following installation.

4. Repair all disbonded tearstraps prior to further flight, in accordance with Boeing Alert Service Bulletin 737–53A1039, Revision 4, dated April 14, 1988, or Revision 5, dated May 25, 1989; or Boeing Service Bulletin 737–53–1089, Revision 1, dated October 13, 1989; or Revision 3, dated November 2, 1989; as appropriate.

C. Within 24 months after detection of disbonding as a result of the inspection required by paragraph A. of this AD, accomplish the lap splice and S–17 preventative modification of the affected panel, which includes installation of oversize protruding head solid fasteners in the upper rivet row, in accordance with Boeing Service Bulletin 737–53–1124, dated August 24, 1989. Accomplishment of this modification constitutes terminating action for the inspection requirements of paragraphs B.1. and B.2. of this AD for the affected panel.

D. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note: The request should be submitted directly to the Manager, Seattle ACO, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrence to the Seattle ACO.

E. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service information from the manufacturer may obtain copies upon request to Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124. This information may be examined at the FAA, Northwest Mountain Region. Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

Issued in Renton, Washington, on October 4, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–24794 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 39

[Docket No. 90–NM–189–AD]

Airworthiness Directives; Boeing Model 727 Series 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 certain Boeing Model 727 series airplanes, which would prohibit storage of items other than life rafts in the life raft stowage compartments unless certain modifications are accomplished. This proposal is prompted by an operator's report that loose items stored in these compartments became discolored and scorched after falling through gaps in the compartment onto hot passenger service unit lights. This condition, if not corrected, could result in an on-board cabin fire.

DATES: Comments must be received no later than December 10, 1990.

ADDRESSES: Send comments on the proposal in duplicate to the Federal Aviation Administration, Northwest Mountain Region, Transport Airplane Directorate, ANW–103, Attention: Airworthiness Rules Docket No. 90–NM–189–AD. 1601 Lind Avenue SW., Renton, Washington 98055–4056. The applicable service information may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Terrell W. Rees, Seattle Aircraft Certification Office, Airframe Branch ANM–120S; telephone (206) 227–2785. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Seattle, Washington 98055–4056.

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 specified above will be considered by the Administrator 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.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this Notice must submit a self-addressed, stamped post card on which the following statement is made: "Comments to Docket Number 90–NM–189–AD." The post card will be date/time stamped and returned to the commenter.

Discussion

When life rafts are not required, the overhead raft stowage compartments have been utilized to store carry-on baggage and passenger comfort items such as blankets and pillows. One operator of Boeing Model 727 series airplanes reported that small items such as the blankets and pillows can slip down through gaps in the life raft compartment (the opening between the door and the outboard closure panel) onto the hot passenger service lights. These items have been found scorched and discolored. This condition, if not corrected, could result in an on-board cabin fire.

The FAA has reviewed and approved Boeing Service Bulletin 727–25–0271, dated April 19, 1990, which describes modifications to these stowage compartments to improve the retention of small items.

Since this condition is likely to exist or develop on other airplanes of this same type design, an AD is proposed which would require installation of a placard stating that storage of items other than life rafts in the life raft stowage compartments is prohibited. The placard may be removed and the life raft compartment may be used for stowage if or when the life raft compartment is modified in accordance with the service bulletin previously described.

There are approximately 72 Model 727 series airplanes of the affected design in the worldwide fleet. It is estimated that 71 airplanes of U.S. registry would be affected by this AD, that it would take approximately 2 manhours per airplane to accomplish the required placard in action, and that the average labor cost would be $40 per manhour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $5,680. Modification of each airplane's compartments, should operators choose to accomplish it, would require approximately 66 manhours at a labor cost of $40 per manhour. Modification kits cost approximately $5,208 per airplane. Based on these figures, the total cost to modify each airplane is estimated to be $7,848.

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.

For the reasons discussed above, I certify that this proposed 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) 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 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 proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation of 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:

Boeing: Applies to Boeing Model 727 series airplanes, as listed in Service Bulletin 727–25–0271, dated April 19, 1990, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent a fire hazard associated with unrestrained loose items in life raft stowage compartments falling onto hot passenger service unit lights, accomplish the following:

A. Within the next 30 days after the effective date of this AD, install a placard on each affected life raft compartment, stating: "LIFE RAFT STOWAGE ONLY".

B. The life raft compartment may be used for stowage and the placard required by paragraph A of this AD may be removed if or when the life raft compartment is modified in accordance with Boeing Service Bulletin 727–25–0271, dated April 19, 1990.

C. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Note: The request should be submitted directly to the Manager, Seattle ACO, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrence to the Seattle ACO.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124. These documents may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

Issued in Renton, Washington, on October 9, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–24795 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 90-NM-191-AD]

Airworthiness Directives: British Aerospace Model ATP Series Airplanes Equipped with AC Generators, Part Numbers BA03301, BA03301-01, and BA03301-02

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 certain British Aerospace Model ATP series airplanes, which would require repetitive inspections to detect debris in the left and right AC generators' oil inlet strainer and outlet and vent filters, and replacement of the generator, if necessary; the installation of new outlet and vent filters; and the installation of a new end plate and mainframe on the left and right AC generators. This proposal is prompted by reports of rupture of the generator oil system due to debris blocking the vent and outlet oil strainers. This condition, if not corrected, could result in rupture of the AC generators' oil system and subsequent loss of electrical power.

DATES: Comments must be received no later than December 10, 1990.

ADDRESSES: Send comments on the proposal in duplicate to the Federal Aviation Administration, Northwest Mountain Region, Transport Airplane Directorate, ANM-103, Attention: Airworthiness Rules Docket No. 90-NM-191-AD, 1601 Lind Avenue S.W., Renton, Washington 98055-4056. The applicable service information may be obtained from British Aerospace, PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041-0414. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. William Schroeder, Standardization Branch, ANM-113; telephone (206) 227-2148. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

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 specified above will be considered by the Administrator 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 Rule Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this Notice must submit a self-addressed, stamped post card on which the following statement is made: "Comments to Docket Number 90-NM-191-AD." The post card will be date/time stamped and returned to the commenter.

Discussion

The United Kingdom Civil Aviation Authority (CAA), in accordance with existing provisions of a bilateral airworthiness agreement, has notified the FAA of an unsafe condition which may exist on certain British Aerospace Model ATP series airplane equipped with AC generators, part numbers BA03301, BA03301-01, and BA03301-02. There have been recent reports of rupture of the generator oil system due to debris blocking the vent and outlet oil filters. This condition, if not corrected, could result in rupture of the AC generator's oil system and subsequent loss of electrical power.

British Aerospace has issued Service Bulletin ATP-24-23, dated March 14, 1990, which describes procedures for repetitive visual inspections to detect debris in the inlet strainer, and outlet and vent oil filters, and replacement of the generator, if necessary; the installation of new outlet and vent filters; and the installation of a new end plate and a new mainframe on the left and right AC generators. The British Aerospace service bulletin references Lucas Service Bulletins BA03301-24-1, Revision 3, dated August 28, 1989; BA03301-24-2, Revision 3, dated August 14, 1989; and BA03301-24-3, dated September 19, 1989; for additional instructions. The United Kingdom CAA has classified these service bulletins as mandatory.

The airplane model is manufactured in the United Kingdom and type certificated in the United States under the provisions of Section 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement.

Since this condition is likely to exist or develop on other airplanes of the same type design registered in the United States, an AD is proposed which would require repetitive visual inspections to detect debris in the inlet strainer, and outlet and vent oil filters, and replacement of generator, if necessary; the installation of new outlet and vent filters; and the installation of a new end plate and a new mainframe on the AC generator, in accordance with the service bulletins previously described.

It is estimated that 15 airplanes of U.S. registry would be affected by this AD, that it would take approximately 9 manhours per airplane to accomplish the required actions, and that the average labor cost would be $40 per manhour. The estimated cost for required parts is $210. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $8,550.

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.

For the reasons discussed above, I certify that this proposed 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) if promulgated, will not have 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 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 proposes to amend 14 CFR part 39 of the Federal Aviation Regulations 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:

British Aerospace: Applies to Model ATP series airplanes equipped with AC generators, part numbers BA03301, BA03301–01, and BA03301–02; certificated in any category. Compliance is required as indicated, unless previously accomplished.

To prevent rupture of the AC generators' oil system and subsequent loss of electrical power, accomplish the following:

A. Within 125 hours time-in-service after the effective date of this AD, and thereafter at intervals not to exceed 500 hours time-in-service, perform a visual inspection of the inlet oil strainer, and the outlet and vent oil filters, in accordance with Lucas Aerospace Service Bulletin BA03301–24–1, Revision 3, dated August 28, 1989. If evidence of debris is found, prior to further flight, replace the generator.

B. On generators having part numbers BA3301–01 and BA3301–02, within 1,250 hours time-in-service after the effective date of this AD, install a new outlet filter and new vent filter, in accordance with Lucas Aerospace Service Bulletin BA03301–24–2, Revision 3, dated August 14, 1989. Repeat the inspection required by paragraph A. of this AD at intervals not to exceed 500 hours time-in-service.

C. Within 18 months after the effective date of this AD, install a new end plate, a new mainframe, and revised sealing features on the stator bolts and within the terminal block area, in accordance with Lucas Aerospace Service Bulletin BA03301–24–3, dated September 19, 1989. Incorporation of this modification terminates the requirements for the repetitive inspections and modifications required by paragraphs A. and B. of this AD.

D. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

Note: The request should be submitted directly to the Manager, Standardization Branch, ANM–113, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrece to the Manager, Standardization Branch, ANM–113.

E. Special flight permits may be issued in accordance with FAR 21. 197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to British Aerospace, PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041–0414. These documents may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

Issued in Renton, Washington, on October 9, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90–24796 Filed 10–18–80; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 39

[Docket No. 90–NM–192–AD]

Airworthiness Directives; British Aerospace Model BAC 1–11 200 and 400 Series 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 British Aerospace Model BAC 1–11 200 and 400 series airplanes, which would require repetitive visual inspections to detect cracks in the flight deck canopy area, and repair, if necessary. This proposal is prompted by several reports of cracks in various structural members in the flight deck canopy area. This condition, if not corrected, could result in reduced structural integrity of the fuselage.

DATES: Comments must be received no later than December 10, 1990.

ADDRESSES: Send comments on the proposal in duplicate to the Federal Aviation Administration, Northwest Mountain Region, Transport Airplane Directorate, ANM–103, Attention: Airworthiness Rules Docket No. 90–NM–192–AD, 1601 Lind Avenue S.W., Renton, Washington 98055–4056. The applicable service information may be obtained from British Aerospace, PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041–0414. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Willaim Schroeder, Standardization Branch, ANM–113; telephone (206) 227–2148. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

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 specified above will be considered by the Administrator 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 Rule 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 Rule Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this Notice must submit a self-addressed, stampted post card on which the following statement is made: "Comments to Docket Number 90–NM–192–AD." The post card will be date/time stamped and returned to the commenter.

Discussion

The United Kingdom Civil Aviation Authority (CAA), in accordance with existing provisions of a bilateral airworthiness agreement, has notified the FAA of an unsafe condition which may exist on all British Aerospace Model BAC 1–11 200 and 400 series airplanes. There have been recent reports of fatigue cracks found in various structural members in the flight deck canopy area. In one case, the joint strap had failed completely. This condition, if not corrected, could result in reduced structural integrity of the fuselage.

British Aerospace has issued Alert Service Bulletin 53–A–PM5994, Issue 2, dated June 5, 1990, which describes procedures for repetitive visual inspections to detect cracks in the flight deck canopy area, and repair, if necessary. The United Kingdom CAA has classified this service bulletin as mandatory.

This airplane model is manufactured in the United Kingdom and type certificated in the United States under the provisions of section 21.29 of the Federal Aviation Regulations and the

applicable bilateral airworthiness agreement.

Since this condition is likely to exist or develop on other airplanes of the same type design registered in the United States, and AD is proposed which would require repetitive visual inspections to detect cracks in the flight deck canopy area, and repair, if necessary, in accordance with the service bulletin previously described.

It is estimated that 70 airplanes of U.S. registry would be affected by this AD, that it would take approximately 18 manhours per airplane to accomplish the required actions, and that the average labor cost would be $40 per manhour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $50,400.

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.

For the reasons discussed above, I certify that this proposed 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) if promulgated, will will 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 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 proposes to amend 14 CFR part 39 of the Federal Aviation Regulations 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:

British Aerospace. Applies to all Model BAC 1–11 200 and 400 series airplanes, certificated in any category. Compliance is required as indicated, unless previously accomplished.

To detect cracks in the flight deck canopy area and to prevent reduced structural integrity of the fuselage, accomplish the following:

A. Prior to the accumulation of 30,000 landings, or within 6 months after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 5,000 landings, perform a visual inspection of the flight deck canopy area, in accordance with British Aerospace Alert Service Bulletin 53–A–PM5994, Issue 2, dated June 5, 1990. Pay particular attention to the top sill joint strap, the top sill intercostal, the frame at Station 113, and the top sill boom and web.

B. If cracks are found, repair prior to further flight, in a manner approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. After repair, repeat the inspections required by paragraph A. of this AD at intervals not to exceed 5,000 landings.

C. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

Note: The request should be submitted directly to the Manager, Standardization Branch, ANM–113, and a copy sent to the cognizant FAA Principal Inspector (PI). The PI will then forward comments or concurrence to the Manager, Standardization Branch, ANM–113.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to British Aerospace. PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041–0414. These documents may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

Issued in Renton, Washington, on October 9, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

FR Doc. 90–24797 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 90–ASW–41]

Proposed Revision of Transition Area; Las Cruces, NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to revise the transition area located at Las Cruces, NM. The creation of two original standard instrument approach procedures (SIAP), NDB RWY 8 and NDB RWY 30, with the concurrent termination of the NDB A SIAP, has made this proposed revision necessary. In addition, this proposal would include minor revisions to the coordinates used to describe the transition area and would revise the airport name to the Las Cruces International Airport. The intended effect of this proposal is to provide adequate controlled airspace for aircraft executing the new SIAP's to the Las Cruces International Airport and to revise the airport coordinates.

DATES: Comments must be received on or before November 30,1990.

ADDRESSES: Send comments on the proposal in triplicate to:

Manager, System Management Branch, Air Traffic Division, Southwest Region, Docket No. 90–ASW–41, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193–0530.

The official docket may be examined in the office of the Assistant Chief Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

FOR FURTHER INFORMATON CONTACT: Mark F. Kennedy, System Management Branch, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193–0530; telephone: (817) 624–5561.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communicatiosn should identify the airspace docket and be submitted in triplicate to the address listed above.

Commenters wishing the FAA to acknowlege receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statements is made: "Comments to Airspace Docket No. 90–ASW–41." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The propopsal contained in this notice may be changed in the light of comments received.

All comments submitted will be available for examination in the office of the Assistant Chief Counsel, 4400 Blue Mound Road, Forth Worth, TX, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filedinthe docket.

Availability of NPRM's

Any person may obtain a copy of this notice of proposed rulemaking (NPRM)— by submitting a request to the Manager, System Management Branch, Department of Transportation, Federal Aviation Administration, Forth Worth, TX 76193–0530. Communcations must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A which describes the application procedure.

The Proposal

The FAA is considering an amendment to § 71.181 of the Federal Aviation Regulations (14 CFR part 71) to revise the transition are located at Las Cruces, NM. Section 71.181 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6F dated January 2, 1990.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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 reglatory 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, when promulgated, will not have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

The Proposed Amendment

PART 71—[AMENDED]

Accordingly, pursuant to the authority delegated to me, the FAA prposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTIGN POINTS

1. The authority citation for part 71 continues to read as follows:

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.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Las Cruces, NM [Revised]

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of the Las Cruces International Airport (latitude 32°17'22" N., longitude 106°55'17" W.).

Issued in Forth Worth, TX on September 26, 1990.

Larry L. Craig,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 90–24798 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 71

[Airspace Docket No. 90–AGL–14]

Proposed Transition Area Alteration; Morris, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Morris, MN, transition area to accommodate a new VOR Runway 14 Standard Instrument Approach Procedure (SIAP) to Morris Municipal Airport, Morris, MN. The intended effect of this action is to ensure segregation of the aircraft using approach procedures under instrument flight rules from other aircraft operating under visual flight rules in controlled airspace.

DATES: Comments must be received on or before November 16, 1990.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL–7, Attn: Rules Docket No. 90–AGL–14, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket may be examined in the Office of the Assistant Chief, Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

An informal docket may also be examined during normal business hours at the Air Traffic Division, System Management Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

FOR FURTHER INFORMATION CONTACT: Douglas F. Powers, Air Traffic Division, System Management Branch, AGL–530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694–7568.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 90–AGL–14". The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA–430, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 426–8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to § 71.181 of part 71 of the Federal Aviation Regulations (14 CFR part 71) to alter the designated transition area airspace near Morris, MN. The present transition area is being modified to accomodate a new VOR Runway 14 SIAP to Morris Municipal Airport. The modification to the existing airspace will consist of a 2.75 miles width each side of the 331° bearing from the airport, extending from the 5.5-mile radius area to 8.5 miles northwest of the airport.

Aeronautical maps and charts will reflect the defined area which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements. Section 71.181 of part 71 of the Federal Aviation Regulation was republished in Handbook 7400.6F dated January 2, 1990.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—[AMENDED]

1. The authority citation for part 71 continues to read as follows:

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.

§ 71.181 [Amended]

2. Section 71.181 amended as follows:

Morris, MN [Revised]

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Morris Municipal Airport (lat. 45°34'00"N., long. 95°58'00"W.); and, within 3 miles each side of the 138° bearing from the Morris Municipal Airport extending from the 5.5-mile radius to 7 miles southeast of the airport; and within 2.75 miles each side of the 331° bearing from the airport extending from the 5.5-mile radius to 8.5 miles northwest of the airport.

Issued in Des Plaines, Illinois, on September 25, 1990.

Teddy W. Burcham,

Manager, Air Traffic Division.

[FR Doc. 90–24799 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 71

[Airspace Docket No. 90–AEA–9]

Proposed Alteration of Federal Airways

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the descriptions of several Federal airways located in the States of New York, Pennsylvania, and New Jersey. This action is the result of the relocation of the LaGuardia, NY, Very High Frequency Omnidirectional Radio Range (VOR), and the associated air traffic control (ATC) procedural changes as a result of the relocation.

DATES: Comments must be received on or before November 16, 1990.

ADDRESSES: Send comments on the proposal in triplicate to:

Manager, Air Traffic Division, AEA–500, Docket No. 90–AEA–9, Federal Aviation Administration, JFK International Airport, The Fitzgerald Federal Building, Jamaica, NY 11430.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Jesse B. Bogan, Jr., Airspace and Obstruction Evaluation Branch (ATP–240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–9253.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 90–AEA–9." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal

Aviation Administraiton, 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 NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A which describes the applicaiton procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to alter the descriptions of VOR Federal Airways V–6, V–123, V–157, V–433, and V–445 located in the States of New York, Pennsylvania, and New Jersey. The airway changes are the result of the relocation of the LaGuardia, NY, VOR, and the associated ATC procedural changes as a result of the relocation. Section 71.123 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6F dated January 2, 1990.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, VOR federal airways.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

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.

§ 71.123 [Amended]

2. § 71.123 is amended as follows:

V–6 [Amended]

By removing the words "INT Solberg 105° and Canarsie, NY, 245° radials; INT Canarsie 245° and LaGuardia, NY, 209° radials;" and substituting the words "INT Solberg 107°T(117°M) and Yardley, PA, 068°T(078°M) radials; INT Yardley 068°T(078°M) and LaGuardia, NY, 213°(225°M) radials;"

V–123 [Amended]

By removing the words "LaGuardia, NY, 209°" and substituting the words "LaGuardia, NY, 213°T(225°M)".

V–157 [Amended]

By removing the words "LaGuardia, NY, 209°" and substituting the words "LaGuardia, NY, 213°T(225°M)".

V–433 [Amended]

By removing the words "LaGuardia, NY, 209°" and substituting the words "LaGuardia, NY, 213°T(225°M)".

V–445 [Amended]

By removing the words "INT Yardley 065° and LaGuardia, NY, 209° radials;" and substituting the words "INT Yardley 068°T(078°M) and LaGuardia, NY, 213°T(225°M) radials;"

Issued in Washington, DC, on September 27, 1990.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 90–24800 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Strangulation Hazards Associated With Crib Toys; Advance Notice of Proposed Rulemaking

AGENCY: Consumer Product Safety Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Consumer Product Safety Commission is beginning a rulemaking proceeding which may result in the issuance of labeling and other requirements for crib toys to address risks of strangulation to children associated with those products.[1] As used in this notice, the term "strangulation" means asphyxiation due to occlusion of respiration and/or circulation by external compression of the neck.

Crib toys are toys which are intended to be attached to or near a crib or playpen for use by children younger than two years of age. Since 1973, the Commission has received reports of 51 strangulation or near-strangulation incidents associated with crib toys. These reports include 31 deaths and one permanent injury involving severe brain damage. The other 19 incidents did not result in permanent injury. Victims in these incidents ranged in age from one month to two years old. However, a majority of the victims were from six to twelve months old.

This notice describes some types of crib toys and some risks of strangulation to children associated with those particular crib toys. The Commission solicits written comments from all interested persons concerning all risks of strangulation associated with crib toys, including any risk of strangulation associated with any crib toy which is not described in this notice. The Commission also solicits comments on the regulatory alternatives discussed in this notice, and other possible means to address risks of strangulation associated with crib toys. The Commission also invites all interested persons to submit an existing standard or a statement of intent to modify or develop a voluntary standard to address risks of strangulation to children associated with crib toys.

DATES: Written comments and submissions in response to this notice must be received by December 18, 1990.

ADDRESSES: Comments should be mailed, preferably in five (5) copies, to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, or delivered to the Office of the Secretary, room 528, 5401 Westbard Avenue, Bethesda, Maryland; telephone (301) 492–6800.

FOR FURTHER INFORMATION CONTACT: Elaine A. Tyrrell, Project Manager, Office of Program Management and Budget, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 492–6554.

SUPPLEMENTARY INFORMATION:

A. Background

Crib toys are articles which are intended to be attached to or near a crib or playpen for use by children younger than two years of age. (A description of several types of crib toys appears below

[1] The Commission decided to begin this proceeding by a 2–1 vote, with Commissioner Carol G. Dawson dissenting. Copies of the Commissioners' separate statements are available upon request from the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 492–6800.

under the heading "C. The Products and Risks of Injury.")

On November 17, 1988, the Consumer Federation of America and the New York State Attorney General's Office petitioned the Commission to issue a rule under provisions of the Federal Hazardous Substances Act (FHSA) (15 U.S.C. 1261 *et seq.*) banning various crib toys described in the petition. (2) [2] The petition alleged that these crib toys present risks of strangulation to infants.

The petition requested the Commission to issue a rule which would:

- Ban any manipulative crib toy with a horizontal suspension member, unless (a) the horizontal member is rigid and can be attached at or above the height of the crib side rails; (b) the horizontal member does not have any vertical protrusion; and (c) the toy is labeled with the following statement:

Warning

Always use both ends attached to opposite crib sides.

Child could strangle on unconnected end.

- Ban any crib toy with vertical strings six inches or longer.
- Ban any crib toy with cords or other components which form a perimeter greater than 14 inches.
- Ban any crib toy with any protrusion which can catch an infant's clothing or other item worn by an infant.
- Ban any crib toy with a pull ring attached to a cord.
- Ban any crib mobile that can be located within reach of an infant not capable of pushing up on hands or knees when inside the crib.
- Ban any mobile that can be attached to a crib unless the following statement appears clearly and conspicuously on the product, its packaging, and as the first item in any instructions accompanying the product:

Warning

Keep toy away from baby's reach.

Remove mobile and attachment clamp (and music box attachment, if applicable) when baby becomes 5 months of age or begins to push up on hands or knees.

Child could strangle if clothing, head, or neck gets caught on toy part.

- Ban any crib toy which fails to include a conspicuous warning as the first item in any instructions accompanying the product to advise that when the toy is used in the crib, the crib sides should be raised and the crib mattress should be in one of the lower positions, or a strangulation hazard may result.

In support of its request for rulemaking, the petition cited two documents prepared by the Commission staff. One is a report prepared in 1987 by the Division of Human Factors, Directorate for Epidemiology, which analyzes strangulation incidents associated with crib toys, and discusses provisions of a voluntary standard applicable to crib toys (3). The second is a memorandum dated June 22, 1987, from the Division of Hazard Analysis, Directorate for Epidemiology, providing information about the numbers of strangulation incidents associated with crib toys from 1973 through April 1987 (4).

The documents cited by the petition describe and analyze reports of 49 strangulation or near-strangulation incidents associated with crib toys received by the Commission from 1973 through April of 1987. Since the preparation of these documents in 1987, the Commission has received two additional reports of strangulation incidents associated with crib toys (13, 22). One of these incidents resulted in the death of a one-year-old child who was found in a crib with his bib caught on some portion of a crib mobile attached to a crib railing (22). The other involved a seven-month-old child who was found in a playpen with the cord of a toy telephone receiver, which was part of an activity box, wrapped around his neck. This incident did not result in death or permanent injury (13).

The injury information cited by the petition in support of its request for rulemaking included reports of 30 deaths, four of which were associated with home-made toys (4). One case associated with a crib toy resulted in permanent injury involving severe brain damage. The other 18 incidents described in the documents cited by the petition did not result in any permanent injury. The victims ranged in age from one month to two years. However, most of the victims were six to twelve months old (4).

Twelve deaths and 13 other incidents resulted when cords from a crib toy became entangled around a child's neck. Seven deaths and three other incidents resulted when an article of clothing or other item worn by the child (such as a pacifier cord, bib, or necklace) caught on a protrusion on the crib toy. Six deaths and two other incidents occurred when the child's head and neck were suspended over a horizontal cord, and the weight of the child's body created pressure on the neck. In six incidents, the mode of strangulation was not known (3).

The Commission staff prepared a briefing package for consideration by the Commission when deciding whether to grant or deny the petition (1–12). The briefing package discussed the provisions of the rule requested by the petition (1, 5), information about strangulation incidents associated with crib toys (1, 3, 4, 5), and conclusions contained in the 1987 report prepared by the Commission's Division of Human Factors (1, 3, 5, 6). The briefing package also contained information about provisions of a voluntary standard which are applicable to crib toys (1, 3, 7, 10, 11, 12).

On June 13, and July 26, 1990, the staff presented oral briefings to the Commission on the petition.

After consideration of the petition and information provided by the petitioners in support of their request for rulemaking, the briefing materials prepared by the staff, information presented by the staff during the oral briefings, and other information (13–22), the Commission decided on August 16, 1990, to grant the petition.

Accordingly, the Commission is beginning a rulemaking proceeding which may result in the issuance of requirements to address strangulation hazards associated with crib toys. The regulation which may be issued as a result of this proceeding could include any or all of the provisions requested by the petition, or other requirements for crib toys.

B. Statutory Authority

This proceeding is conducted under provisions of the Federal Hazardous Substances Act (FHSA) (15 U.S.C. 1261 *et seq.*). Section 2(f)1(D) of the FHSA (15 U.S.C. 1261(f)1(D)) defines the term "hazardous substance" to include "[a]ny toy or other article intended for use by children" which the Commission determines by regulation to present "an electrical, mechanical, or thermal hazard." Section 2(s) of the FHSA provides that an article may be determined to present a "mechanical hazard" if in normal use or reasonably foreseeable use or abuse it presents an unreasonable risk of personal injury or illness "from points or other protrusions, surfaces, edges, openings or closures" or "because of any other aspect of the article's design or manufacture."

The Commission shall make its determination that a toy or children's article presents a mechanical hazard by issuance of a regulation in accordance with the procedures prescribed by 5 U.S.C. 553, unless the Commission elects

[2] Numbers in parentheses identify reference documents listed in the Bibliography at the end of this notice. Requests for inspection of any of these documents should be made at the Commission's Public Reading Room, 5401 Westbard Avenue, room 528, Bethesda, Maryland, or by calling the Office of the Secretary at (301) 492–6800.

to use the procedures prescribed in section 701(e) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 371(e)). In this proceeding, the Commission will use procedures in 5 U.S.C. 553. The proceeding is also governed by the provisions of sections 3 (e) through (i) of the FHSA (15 U.S.C. 1262 (e) through (i)). The proceeding is commenced by publication of an advance notice of proposed rulemaking (ANPR) in accordance with provisions of section 3(f) of the FHSA. If, after considering comments received in response to the ANPR, the Commission decides to continue the proceeding, section 3(h) of the FHSA requires publication of the text of the proposed rule and a preliminary regulatory analysis of the proposal including a description of potential benefits and potential costs of the proposal. If the Commission issues a final rule, it must publish a third notice which sets forth the text of the final rule, a summary of significant issues raised by comments on the proposal, a final regulatory analysis including a description of potential benefits and potential costs, as well as specified findings about voluntary standards and the relationship of the costs and the benefits of the rule.

C. The Products and Risks of Injury

This proceeding is concerned with "crib toys," a term used in this notice to describe a variety of toys which are intended to be attached to or near cribs or playpens and to be used by infants younger than two years of age. The term "crib toy" includes, but is not limited to, all of the articles described below:

- *Crib gyms.* These toys usually are strung across the width of a crib, and may have attached objects such as pull cords, squeakers, rotary spokes, or rattles. The attached objects are intended to be manipulated by the infant, and may provide visual or auditory stimulation.
- *Crib mobiles.* Crib mobiles typically consist of one or more rigid members suspended above the crib to which decorative objects are attached. Crib mobiles may be designed to be attached to the crib, to another article of furniture, or to a wall or ceiling. Crib mobiles are intended to be installed beyond the reach of the infant in the crib, and are not intended to be manipulated by the infant. These toys are intended to provide visual stimulation to the infant.
- *Suspended stuffed toys.* These are stuffed toys, usually in the shape of an animal, suspended by two or more cords which converge at some distance above the toy. These toys are intended to be suspended from or over the crib so that they can be manipulated by the infant in the crib.
- *Cord-activated toys.* These toys are attached in one place to a crib side or end rail and hang into the crib. These toys contain cords which can be pulled by the infant to activate a device in the toy, such as a music box. Unlike crib gyms, which usually have several types of objects to be manipulated by the infant, cord-activated toys usually have only pull-cords.
- *Activity toys.* These toys are attached to one part of a crib and contain such items as doors, push buttons, rotary knobs, and other movable objects. These toys are intended to be manipulated by the infant and to provide visual and auditory stimulation.
- *Crib music boxes.* Crib music boxes are intended to be attached to a crib. They contain a wind-up mechanism which is activated by an adult outside the crib.
- *Crib mirrors.* Crib mirrors are intended to be attached to a crib or playpen.

The risks of injury associated with crib toys under consideration in this proceeding are risks of strangulation: That is, asphyxiation due to occlusion of respiration and/or circulation by external compression of the neck. The Commission has received reports of strangulation incidents associated with crib toys which occurred when a child's neck became entangled in cords that were part of a crib toy, when an item of clothing or other article worn by a child became entangled on a protrusion on a crib toy, or when a child's head and neck were suspended over a horizontal cord which was part of a crib toy (3).

D. Voluntary Standard

The Commission is aware of only one voluntary standard applicable to crib toys and risks of strangulation associated with those products. That standard is published by the American Society for Testing and Materials (ASTM) and is designated F 963–86, Standard Consumer Safety Specification on Toy Safety. This voluntary standard has provisions intended to address a variety of hazards presented by a wide range of toys.

The provisions of this standard that apply to crib toys limit the length of any string or cord which is part of a crib toy to a maximum of twelve inches. If the crib toy has string which can tangle to form a loop, the perimeter of the loop must be less than 14 inches.

The voluntary standard provides that toys which are intended to be strung across a crib, such as crib gyms, must be labeled with the following statements:

From birth to 5 months—

Caution: To prevent possible entanglement injury, remove toy when baby begins to push up on hands and knees.

This labeling provision does not apply to crib mobiles or other types of crib toys.

The voluntary standard also requires crib gyms, crib exercisers, and similar toys to be accompanied by instructions for proper assembly to assure that the product does not present an entanglement hazard. The standard provides that those instructions should include directions to position the toy out of range of the infant's face and mouth because the toy is not intended to be "mouthed"; a statement to the effect that if the crib has an adjustable mattress level, the highest level may allow the toy to be too close to the infant and the second or lower position is more appropriate; and a warning not to leave the infant unattended with the crib gym in place and the drop side of the crib lowered (7).

The Commission believes preliminarily that the provisions of the voluntary standard which are applicable to crib toys do not eliminate or adequately address risks of strangulation deaths and injuries associated with crib toys, for the following reasons:

- Provisions of the voluntary standard limit the length of cords attached to crib toys to 12 inches (7). This limitation is not supported by current anthropometric data or by available information concerning the mechanisms involved in strangulation accidents. The 50th percentile neck circumference of infants between the ages of four and six months is 8.3 inches (3). The Commission has received one report of a death associated with a crib toy in which an infant's neck became entangled in a pull-cord nine to ten inches long (3). The Commission also has reports of six deaths and two other incidents associated with crib toys in which the infant's head and neck became suspended over a horizontal cord attached to the toy. The shortest cord involved in these incidents was 2.5 inches long (3).
- The voluntary standard provides that crib gyms and other crib toys which are "intended to be strung across the width of a crib by means of strings, cords, elastic, or straps" shall be labeled with the statements:

From birth to five months—

Caution: To prevent possible entanglement injury, remove toy when baby begins to push up on hands and knees. (7)

Crib gyms and similar toys are intended to be manipulated by infants. Infants acquire the ability to reach and grasp, shake, and pull objects at about the age of three months (3). Literature concerning child-development indicates that infants obtain the maximum value from crib gyms and similar toys when they are from three to twelve months old (3). For these reasons, the Commission has reason to believe that many parents may not follow a label recommending that the remove a crib gym or similar crib toy when an infant is five months old.

• The voluntary standard provides that if string can tangle to form a loop, the perimeter of the loop shall be less than 14 inches (7). While this provision is adequate to prevent entrapment of an infant's head in a loop, this provision does not adequately address entrapment hazards which may result from openings formed by multiple cords or by cords in combination with other parts of a crib toy, particularly on suspended stuffed toys. The Commission has reports of three deaths and one other incident in which an infant's head became entrapped in the opening formed by multiple cords of a crib toy, or by cords and a part of the crib toy (3).

• The voluntary standard contains no provision to address strangulations which have resulted when an item of clothing or other article worn by the infant became entangled on a protrusion on a crib toy (7). The Commission has reports of seven strangulation deaths (not including the 1990 fatality involving a crib mobile) and three other incidents associated with entanglement of clothing or other articles worn by infants on protrusions on crib toys (3).

From 1987 through February of 1990, the Commission's Directorate for Compliance and Administrative Litigation has identified 14 different crib toys which the Commission's staff preliminarily determined to present a substantial risk of injury to children because of a strangulation hazard. In ten instances, the projects were recalled. In the other cases, the manufacturer ceased production, stopped distribution, or corrected future production of the toy. In almost all of these cases, the product did not conform to one or more provisions applicable to crib toys in the voluntary standard (12). From this information, the Commission has reason to believe that widespread nonconformance with the voluntary standard may exist.

E. Regulatory Alternatives Under Consideration

In the proceeding initiated by publication of this ANPR, the Commission is considering the possibility of issuing a rule consisting of labeling or other requirements to address strangulation hazards associated with crib toys. Such a rule could include any or all of the requirements requested by the petition, or other requirements.

In addition to the regulatory alternatives described above, the Commission also is considering the possibility that the voluntary standard for toys, ASTM F 963–86, could be revised to reduce even further the risks of strangulation associated with crib toys. The Commission also is considering the possibility that a new voluntary standard might be developed to address the risks of strangulation associated with crib toys.

F. Solicitation of Information and Comments

This advance notice of proposed rulemaking is the first step of a proceeding which could result in the issuance of regulations to eliminate or reduce risks of strangulation to infants associated with crib toys. All interested persons are invited to submit to the Commission:

(1) Written comments concerning the risks of injury described in this notice and any other incident or medical data concerning strangulation associated with any crib toy; the regulatory alternatives being considered by the Commission to address those risks; and other possible alternatives to address those risks.

(2) Any market information regarding the annual sales and retail price for each of these types of toys, the share of the market for which imported items account, and the share of domestic manufacturers' sales derived from these products.

(3) The Commission is also soliciting estimates of the possible economic effect of potential mandatory actions, particularly those dealing with cord length, protrusion requirements, and labeling.

(4) Any existing standard or portion of a standard which could be published as a proposed regulation to address the risks of injury described in this notice.

(5) A statement of intent to modify or develop a voluntary standard to address the risks of injury discussed in this notice, together with a description of a plan to modify or develop that standard.

Any plan submitted with a statement of intent to modify or develop a voluntary standard should include, to the extent possible: A description of how interested groups and persons will be notified that a proceeding to modify or develop a voluntary standard is under way; a description of how the views of interested groups and persons will be addressed in the modification or development of the standard; a detailed discussion of how the modification or development of the standard will proceed; a realistic estimate of the length of time that will be required to modify or develop the standard; a list of persons expected to participate in the modification or development of the standard, together with information about their backgrounds and experience; and a description of any facilities or equipment that will be used during the project.

All comments and submissions should be addressed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, and received not later than December 18, 1990.

Dated: October 15, 1990.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

Bibliography

1. Memorandum to the Commission from Elaine A. Tyrrell, OPMB, concerning petition on crib toys, 14 pages, May 30, 1990.

2. Petition from Consumer Federation of America and the New York State Attorney General's Office requesting issuance of a rule to ban certain crib toys, 74 pages, November 17, 1988.

3. Report by Shelley Waters Deppa, Division of Human Factors, "Human Factors Evaluation of Provisions Which Address Crib Toy Strangulations in the Toy Safety Voluntary Standard," 21 pages, July 1987 (appendix B of petition).

4. Memorandum from Debbie Tinsworth, EPHA, to Elaine A. Tyrrell, OPMB, concerning strangulation-related incidents involving crib toys, 7 pages, June 22, 1987 (Appendix C of petition).

5. Summary of provisions requested by the petition, 1 page, undated.

6. Summary of actions requested by petition and comparison with conclusions of the staff of the Division of Human Factors, 1 page, undated.

7. Text of provisions of Standard Consumer Safety Specification on Toy Safety, ASTM F 963–86, applicable to crib toys, 1 page, April 1986.

8. List of documents published by the Consumer Product Safety Commission containing information about the safety of crib toys, 1 page, undated.

9. Memorandum from Carolyn Kennedy, ECCP, to Elaine Tyrrell, OPM, concerning market information about crib toys, 4 pages, March 20, 1987.

10. Log of telephone conversation between Douglas Thompson, Toy Manufacturers of America, and Colin B. Church, Office of the Executive Director, concerning safety issues related to crib toys and balloons, 1 page, June 6, 1987.

11. Log of meeting of ASTM F15.22 Task Group on February 28, 1990, to discuss balloon labeling and requirements for crib toys, 9 pages, undated.

12. Memorandum from Terri Rogers, Division of Corrective Actions, to Elaine A. Tyrrell, Office of Program Management, concerning crib toys, 1 page, May 7, 1990.

13. Memorandum from Debbie Tinsworth, EPHA, and John T. Kramer, EPHA, to Elaine Tyrrell, EXPM, concerning strangulations or near-strangulations involving crib toys, 8 pages including attachment, March 15, 1990.

14. Letter from Toy Manufacturers of America, Inc. to Chairman Jones-Smith concerning the crib toy petition, 7 pages, June 12, 1990.

15. Memorandum from Elaine A. Tyrrell, OPMB, to the Commission concerning the crib toy petition, 6 pages, June 26, 1990.

16. Memorandum from Terri Rogers, Division of Corrective Actions, to Elaine A. Tyrrell, OPMB concerning crib toys, 3 pages June 18, 1990.

17. Log of meeting of Commission staff and representatives of Toy Manufacturers of America on April 28, 1988, 2 pages.

18. Letter from Toy Manufacturers of America, Inc. to Chairman Jones-Smith concerning crib toy petition, 5 pages, July 11, 1990.

19. Memorandum from Elaine A. Tyrrell, OPMB, to Commission concerning crib toy petition, 1 page, August 7, 1990.

20. Memorandum from Terri Rogers, Division of Corrective Actions, to Elaine A. Tyrrell, OPMB, concerning crib toys, 1 page August 3, 1990.

21. Memorandum from Terrance R. Karels, ECPA, to Elaine A. Tyrrell, EXPB, concerning sales of crib toys, 2 pages, August 2, 1990.

22. Memorandum from Debbie Tinsworth, EPHA, to David W. Thome, EXPB, concerning injuries associated with crib toys, 1 page, August 1, 1990.

[FR Doc. 90-24804 Filed 10-18-90; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 20

Consultation Hearings on Indian Social Services Programs Proposed Revisions

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of consultation hearings.

In the matter of consultation hearings on the proposed amendments to the current regulations contained in 25 CFR part 20, Office of Tribal Services, Division of Social Services, Activity 3900, Element 22 funds and other Social Services issues.

SUMMARY: The Bureau of Indian Affairs (BIA), Office of Tribal Services, Division of Social Services announces forthcoming consultation hearings with tribal representatives, tribal members and other interested parties on proposed changes to the current regulations that govern Social Services Programs, 25 CFR part 20. The proposed regulatory changes involve all components of the Social Services Programs, including General Assistance, Child Welfare Assistance, Miscellaneous Assistance, Services to Families and Communities, Tribal Work Experience Program and Adult Care. The intent of the hearings is to consult with Tribes on the future direction of these programs.

DATES: *Date and time:* Hearing Dates: Three regional meetings have been scheduled for November 1, 1990, November 6, 1990 and November 8, 1990. The meetings are scheduled for 1½ days at each site. With the exception of Minneapolis, all meetings are scheduled to begin at 9 a.m. and end at 4 p.m. the first day. The meetings will resume at 9 a.m. and last until 12 p.m. the second day. The Minneapolis hearing will commence at 1 p.m. on November 8, and end at 5 p.m. on November 9, 1990. All meeting times are local time.

ADDRESSES: Hearing Locations: San Francisco, California November 1–2, 1990; Phoenix, Arizona November 6–7, 1990; Minneapolis, Minnesota November 8–9, 1990.

The conference locations for each site are being sent by mail to all Area Directors, Agency Superintendents and Tribal Leaders.

LOCATION CONTACT PERSON:

Aberdeen Area: Dean Krahulec (605) 226–7351
Albuquerque Area: Joe Naranjo (505) 766–3321
Anadarko Area: Jerry Bridges (405) 247–6673
Billings Area: Louise Zokan-Delos Reyes (406) 657–6651
Eastern Area: Evelyn Roanhorse (703) 235–2353
Juneau Area: Jimmie Clemmons (907) 586–7628
Minneapolis Area: Rosalie Clark (612) 349–3615
Muskogee Area: Alice Allen (918) 687–2507
Navajo Area: Nancy Evans (602) 871–5151
Phoenix Area: Elizabeth Blackowl (602) 241–2262
Portland Area: Robert Carr (503) 231–6783
Sacramento Area: Kevin Sanders (916) 978–4691

Interested persons may present oral testimony or file written statements. All written statements must be received no later than November 15, 1990, in the Bureau of Indian Affairs, Office of Tribal Services, Division of Social Services, room 3614, MIB, 1849 C Street NW., Washington, DC 20240, Attn: Ronal Eden, Deputy to the Assistant Secretary—Indian Affairs (Tribal Services).

FOR FURTHER INFORMATION CONTACT: David, Hickman, Chief, Division of Social Services or Deborah Maddox, Assistant Chief, Division of Social Services, Bureau of Indian Affairs, room 310 SIB 1849 C Street NW., Washington, DC 20240, (202) 208–2721; (202) 208–2835; or (202) 208–2536.

SUPPLEMENTARY INFORMATION: The current regulations that govern social services programs 25 CFR part 20, was revised in 1987. The revision was mandated with very specific criteria to be addressed. Since that time, there has been additional legislation and events that have occurred that must by law be incorporated into the regulations.

The draft regulations are available upon request and are being submitted to all Area Directors, Agency Superintendents and Tribal Leaders, prior to the hearings for preparatory comment time. Comments will be accepted both verbally and in written form. The intent of the hearings is to consult with tribal representatives on the future of the programs and the appropriate regulations that will be needed to assure compliance. Participation by tribal leaders is encouraged.

Dated: October 16, 1990.

Carol Bacon,

Acting Deputy to the Assistant Secretary, Indian Affairs (Tribal Services).

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket No. H-041]

RIN 1218-AA83

Occupational Exposure to 1,3-Butadiene

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Proposed rule; notice of extension of comment period, notice of change of hearing dates.

SUMMARY: On August 10, 1990, OSHA published a Notice of Proposed Rulemaking (NPRM) on Occupational Exposure to 1,3–Butadiene (BD) in the **Federal Register** (55 FR 32736). Included in the NPRM was a date by which public comments needed to be submitted and the schedule for public hearings. With this notice, OSHA is extending the dates for public comment and the dates for the public hearings. OSHA believes

extending these dates will give all interested parties the additional time they need to submit comments and prepare for the hearings.

DATES: Comments on the proposal must be postmarked on or before November 9, 1990. Notices of Intention to Appear at the hearings must be postmarked on or before November 2, 1990. Written testimony and evidence to be presented at the hearing must be postmarked on or before November 9, 1990. The Washington, DC hearing will begin January 15, 1991 at 10 a.m. The New Orleans hearing will begin February 20, 1991 at 10 a.m.

ADDRESSES: Comments on the proposed standard are to be submitted to the Docket Officer, Docket No. H–041, room N–2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 523–7894. Comments limited to 10 pages or less in length also may be transmitted by facsimile to (202) 523–5046 or (for FTS) to 8–523–5046, provided the original and 3 copies of the comment are sent to the Docket Officer thereafter.

Notices of Intention to Appear at the informal rulemaking hearings, testimony and documentary evidence for the public hearings are to be sent to Mr. Tom Hall, OSHA Division of Consumer Affairs, Docket No. H–041, room N–3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, telephone (202) 523–8615. All informal public hearings will begin at 10 a.m. The locations of the informal public hearings are:

Washington, DC: The Auditorium, Frances Perkins Building, Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone (202) 523–8615.

New Orleans, Louisiana: Denechaud Room, Le Pavillion Hotel, 833 Poydras Street, New Orleans, Louisiana 70140. Telephone: (504) 581–3111.

FOR FURTHER INFORMATION CONTACT: Mr. James F. Foster, OSHA, U.S. Department of Labor, Office of Public Affairs, room N–3647, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: (202) 523–8148.

SUPPLEMENTARY INFORMATION: On August 10, 1990, OSHA published the NPRM on Occupational Exposure to 1,3–Butadiene in the **Federal Register** (55 FR 32736). The Chemical Manufacturers Association (CMA) and the International Institute of Synthetic Rubber Producers (IISRP) have requested that the deadline for filing comments and written testimony be extended from October 19 to November 9, 1990, in order to allow the IISRP and the CMA ample time to assure that their testimony would fully cover the issues raised by OSHA's NPRM. OSHA has agreed to grant this request and believes that all interested parties will benefit from the additional time allowed for comment and to prepare for the hearings. This in turn will promote a more complete, accurate and clear rulemaking record.

Notice of Hearing

Interested persons are invited to submit written data, views, and arguments with respect to this proposed standard. These comments must be postmarked on or before November 9, 1990, and submitted in quadruplicate to the Docket Officer, Docket No. H–041, room N–2625, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Comments limited to 10 pages or less also may be transmitted by facsimile to (202) 523–5046 or (for FTS) 8–523–5046, provided the original and 3 copies are sent to the Docket Officer thereafter.

Written submissions must clearly identify the provisions of the proposal which are addressed and the position taken with respect to each issue. The data, views, and arguments that are submitted will be available for public inspection and copying at the above address. All timely written submissions will be made a part of the record of the proceeding.

Pursuant to section 6(b)(3) of the Act, an opportunity to submit oral testimony concerning the issues raised by the proposed standard including economic and environmental impacts, will be provided at two informal public hearings scheduled to begin at 10 a.m. on dates as follows: Washington, DC: January 15, 1991, in the Auditorium, Frances Perkins Building, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and to reconvene at 10 a.m. on February 20, 1991, in New Orleans, Louisiana, in the Le Pavillion Hotel (Denechaud Room) 833 Poydras Street, Telephone No. 504–581–3111.

Notice of Intention To Appear

All persons desiring to participate at the hearing must file in quadruplicate a Notice of Intention to Appear, postmarked on or before November 2, 1990, addressed to Mr. Tom Hall, OSHA Division of Consumer Affairs, Docket No. H–041, room N–3649, U.S. Department of Labor, Third Street and Constitution Avenue, NW., Washington, DC 20210; telephone 202–523–8615. A Notice of Intention to Appear also may be transmitted by facsimile to 202–523–5986 or to 8–523–5986 (for FTS), provided the original and 3 copies of the Notice are sent to the above address thereafter.

The Notices of Intention to Appear, which will be available for inspection and copying at the OSHA Technical Data Center, Docket Office (room N–2625), telephone 202–523–7894, must contain the following information:

(1) The name, address, and telephone number of each person to appear;

(2) The capacity in which the person will appear;

(3) The approximate amount of time requested for the presentation;

(4) The specific issues that will be addressed;

(5) A statement of the position that will be taken with respect to each issue addressed;

(6) Whether the party intends to submit documentary evidence, and if so, a brief summary of that evidence; and

(7) At which hearing the party wishes to testify.

Filing of Testimony and evidence Before Hearing

Any party requesting more than 10 minutes for a presentation at the hearings, or who will submit documentary evidence, must provide in quadruplicate the complete text of his or her testimony, including any documentary evidence to be presented at the hearing, to the OSHA Division of Consumer Affairs. This material must be postmarked on or before November 9, 1990. The material will be available for inspection and copying at the Technical Data Center Docket Office. Each such submission will be reviewed in light of the amount of time requested in the Notice of Intention to Appear. In those instances where the information contained in the submission does not justify the amount of time requested, a more appropriate amount of time will be allocated and the participant will be notified of that fact.

Any party who has not substantially complied with this requirement may be limited to a 10-minute presentation, and may be requested to return for questioning at a later time. Any party who has not filed a Notice of Intention to Appear may be allowed to testify, as time permits, at the discretion of the Administrative Law Judge.

OSHA emphasizes that the hearing is open to the public, and that interested persons are welcome to attend. However, only persons who have filed proper Notices of Intention to Appear at the hearing will be entitled to ask questions and otherwise participate fully in the proceedings.

Conduct and Nature of Hearing

The Washington, DC and the New Orleans hearings will commence at 10 a.m. on January 15, 1991 and February 20, 1991, respectively. At that time any

procedural matters relating to the hearing will be resolved.

The nature of the informal rulemaking hearings to be held is established in the legislative history of section 6 of the Act and is reflected by the OSHA hearing regulations (see 29 CFR 1911.15(a)). Although the presiding officer is an Administrative Law Judge and questioning by interested persons is allowed on crucial issues, it is clear that the proceedings shall remain informal and legislative in type. The essential intent is to provide an opportunity for effective oral presentation by interested persons which can be carried out expeditiously and in the absence of rigid procedures which might unduly impede or protract the rulemaking process.

Additionally, since the hearing is primarily for information gathering and clarification, it is an informal administrative proceeding, rather than an adjudicative one. The technical rules of evidence, for example, do not apply. The regulations that govern hearings and the pre-hearing guidelines to be issued for this hearing will ensure fairness and due process and also facilitate the development of a clear, accurate and complete record. Those rules and guidelines will be interpreted in a manner that furthers that development. Thus, questions of relevance, procedure and participation generally will be decided so as to favor development of the record.

The hearing will be conducted in accordance with 29 CFR part 1911. The hearing will be presided over by an Administrative Law Judge who will have all the powers necessary and appropriate to conduct a full and fair informal hearing as provided in 29 CFR part 1911 including the powers:

1. To regulate the course of the proceedings;
2. To dispose of procedural requests, objections and comparable matters;
3. To confine the presentation to the matters pertinent to the issues raised;
4. To regulate the conduct of those present at the hearing by appropriate means;
5. At the Judge's discretion, to question and permit the questioning of any witness and to limit the time for questioning; and
6. At the Judge's discretion, to keep the record open for a reasonable stated time to receive written information and additional data, views, and arguments from any person who has participated in oral proceedings.

Certification of Record and Final Determination After the Hearing

Following the close of the hearing and post-hearing comment period, the presiding Administrative Law Judge will certify the record to the Assistant Secretary of Labor for Occupational Safety and Health. The Administrative Law Judge does not make or recommend any decisions as to the content of the final standard.

The proposed standard will be reviewed in light of all oral and written submissions received as part of the record, and a permanent standard for occupational exposure to BD, will be issued, based upon the entire record in the proceeding including the written comments and data received from the public.

Authority: Sections 4, 6(b), 8(c) and 8(g) of the Occupational Safety and Health Act of 1979, Public Law 91–596, 84 stat. 1593, 1599, 1600; (29 U.S.C. 653, 655, 657), 29 CFR part 1911 and Secretary of Labor's Order Nos. 12–71 (36 FR 8754), 8–76 (41 FR 25059), 9–83 (48 FR 35736) or 1–90 (55 FR 9033) as applicable.

This document was prepared under direction of Gerard F. Scannell, Assistant Secretary of Labor for Occupational Safety and Health, U.S., Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC this 15th day of October 1990.

Gerard F. Scannell,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 90–24629 Filed 10–18–90; 8:45 am]

BILLING CODE 4510–26–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD8–90–22]

Drawbridge Operation Regulations; Colorado River, TX

AGENCY: U.S. Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the Texas Department of Highways and Public Transportation, the Coast Guard is considering a change to the regulation governing the operation of the bascule span bridge on FM 521 across the Colorado River, mile 10.7, about 5 miles southwest of Wadsworth, Texas, by requiring that at least forty-eight hours advance notice be given for an opening on weekdays between the hours of 8 a.m. and 5 p.m. At all other times the draw would remain closed. The draw is currently required to open on 24 hours notice at all times. This action will provide relief to the bridge owner, since the bridge must be opened by winch trucks. This would also allow for advance coordination with vehicular traffic that becomes congested during bridge openings. At the same time, this regulation will still provide for the reasonable needs of navigation.

DATES: Comments must be received on or before December 3, 1990.

ADDRESSES: Comments should be mailed to Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana 70130–3396. The comments and other materials referenced in this notice will be available for inspection and copying in room 1115 at this address. Normal office hours are between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: John Wachter, Bridge Administration Branch, at the address given above, telephone (504) 589–2965.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed 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. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed postcard or envelope.

The Commander, Eighth Coast Guard District, will evaluate all communications received and determine a course of final action on this proposal. This proposed regulation may be changed in the light of comments received.

Drafting Information

The drafters of this notice are John Wachter, project officer, and Lt. J. A. Wilson, project attorney.

Discussion of Proposed Regulation

Vertical clearance of the bridge in the closed position is 38 feet at normal low water (60% of the time), and 28 feet at normal high water. Navigation through the bridge that requires an opening of the draw is almost nonexistent. There were four openings in 1987; three openings in 1988; no openings in 1989; and, one opening to date during 1990 for a Coast Guard vessel.

Federalism

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

Economic Assessment and Certification

This proposed regulation is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant 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. The basis for this conclusion is that the number of vessels passing this bridge as evidenced by the bridge openings from January 1987 through August 1990, is minimal. These few vessels can reasonably give advance notice for a bridge opening by placing a collect call to the bridge owner at any time. Mariners requiring the bridge openings are repeat users of the waterway and scheduling their arrival at the bridge at the appointed time during the proposed advance notice period should involve little or no additional expense to them. Since the economic impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulation

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33, Cede of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05–1(g).

2. Section 117.963 is revised to read as follows:

§ 117.963 Colorado River.

The draw of the highway bridge, mile 10.7 at Wadsworth, Texas will open on signal Monday through Friday only, and then only from 8 a.m. to 5 p.m. At least 48 hours notice is required.

Dated: October 2, 1990.

J.M. Loy,

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

[FR Doc. 90–24774 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 141 and 142

[WH-FRL-38497]

National Primary Drinking Water Regulations: Lead and Copper

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability with request for comments.

SUMMARY: On August 18, 1988, the Environmental Protection Agency (EPA) published proposed National Primary Drinking Water Regulations (NPDWRs) and Maximum Contaminant Level Goals for lead and copper in drinking water. (53 FR 31516). EPA is making available for public review and comment new analyses of information and supporting documentation received by the Agency which is being considered in establishing a final regulation for these contaminants. The Agency is also soliciting comment on options being considered for adoption into the final lead and copper regulation.

DATES: Written comments should be submitted on or before November 19, 1990.

ADDRESSES: Send written comments to Lead Docket Clerk care of Jeff Cohen, Office of Drinking Water (WH–550), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. Commenters are also requested to submit one original and three copies of their written comments.

The data and the documents may be reviewed at the EPA Lead Docket by calling for an appointment at (202) 383–3027. The Docket is located at the EPA, 401 M Street SW., Washington, DC. The Docket hours are Monday through Friday, excluding Federal holidays, from 9:30 a.m. to 3:30 p.m. Eastern Time. Copies of the documents are also available for a fee from the National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161. The toll-free number 800/336–4700, local:703/487–4650.

FOR FURTHER INFORMATION CONTACT: Jeff Cohen, Office of Drinking Water (WH–550), U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 20460, (202) 382–5456, or one of the EPA Regional Office contacts listed below.

SUPPLEMENTARY INFORMATION:

EPA Regional Offices

I. JFK Federal Bldg., Room 2203, Boston, MA 02203, Phone: (617) 565–3610, Jerome Healy

II. 26 Federal Plaza, room 824, New York NY 10278, Phone: (212) 264–1800, Walter Andrews

III. 841 Chestnut Street, Philadelphia, PA 19107, Phone: (215) 597–8227, Jon Capacasa

IV. 345 Courtland Street, Atlanta, GA 30365, Phone: (404) 347–2913, Allen Antley

V. 230 S. Dearborn Street, Chicago, IL 60604, Phone: (312) 353–2151, Edward P. Watters

VI. 1445 Ross Avenue, suite 1200, Dallas, TX 75202, Phone: (214) 655–7150, Oscar Cabra

VII. 726 Minnesota Avenue, Kansas City, KS 66101, Phone: (913) 551–7032, Ralph Langemeier

VIII. 999–18th Street, suite 500, Denver, CO 80202–2405, Phone: (303) 293–1430, Patrick Crotty

IX. 75 Hawthorne Street, San Francisco, CA 94105, Phone: (415) 744–1817, Steven Pardieck

X. 1200 Sixth Avenue, Seattle, WA 98101, Phone: (206) 442–4092, Janis Hasting

Analyses and Supporting Documents

The analyses and supporting documents available for public comment include the following: (1) "Summary of Lead Service Line Replacement Analyses" related to survey data submitted by the American Water Works Association regarding the presence and number of lead service lines reported by public water systems; (2) "Influence of Plumbing, Lead Service Lines, and Water Treatment on Lead Levels at the Tap" and "Variability of Household Water Lead Levels in American Cities." These analyses are based on data on lead levels at household taps, submitted by the American Water Works Service Company, and data either obtained or collected by EPA before and after the public comment period on the 1988 proposal; and (3) an update of the National Inorganics and Radionuclides Survey, which provides data that the Agency is using to estimate costs associated with control of lead in drinking water supplies.

The Agency is also making available three documents related to the laboratory analysis of lead and coppera in drinking water: (1) "Use of Water Supply Performance Evaluation Data to Calculate Laboratory Certification Criteria and Practical Quantitation Limits for Inorganic Contaminants"; (2)

a September 22, 1988, EPA memorandum on "Calculation of the Practical Quantification Limits for Lead and Copper; and (3) a study by EPA's Environmental Monitoring and Support Laboratory on "Procedures for Preservation of Lead in Drinking Water." In addition, the Agency is also making available an analysis on the projected costs attributable to States' implementation of the proposed lead and copper regulations. The public is invited to comment on this information for a period of 30 days.

The Agency is also making available for review and comment a manual published by the American Water Works Association (AWWA), "Lead Control Strategies." EPA is using this manual in formulating corrosion control guidance for public water suppliers and States, and in developing a cost and technologies document to support the final rulemaking. The "Lead Control Strategies" manual may also be obtained by sending $38.50 (non-members), or $32.50 (members) to the American Water Works Association, Customer Service, 6666 West Quincy Avenue, Denver, Colorado 80235.

Regulatory Options

The Agency solicits comment on the following alternatives being considered for the final rule for lead and copper in drinking water. The regulation proposed on August 18, 1988, would have established several action levels to trigger implementation of the treatment technique. Under the proposed rule, systems would have been required to install optimal corrosion control treatment if one of the following action levels were exceeded at consumers' taps: An average lead level greater than 0.010 milligrams per liter (mg/L); a copper level in 5 percent of the samples exceeding 1.3 mg/L; a pH of less than 8.0 in 5 percent of the samples. In addition, systems would have been required to implement public education specified in the proposed rule if the level of lead exceeded 0.020 mg/L in 5 percent of the tap samples.

EPA is considering a final rule which would apply the lead and copper action levels as a trigger for corrosion control treatment only to systems serving less than 50,000 persons (small and medium size systems). Under the new option under consideration, all systems serving greater than 50,000 persons (large systems) would have to install treatment to minimize lead and copper levels at consumer taps while insuring that the treatment does not cause the water system to violate any national primary drinking water regulations (optimized corrosion control), unless they could demonstrate that the water they deliver to their users is already minimally corrosive. EPA is considering this change because larger systems may have the technical expertise to reduce lead and copper levels below the action levels that are appropriate for medium and small systems. This change in the regulation may contribute to greater public health protection than would be achieved by application of the lead action level to all systems.

In addition, the Agency is considering specifying in the regulation time periods under which systems and States would be required to conduct each step in the evaluation, installation, and adjustment of corrosion control and source water treatment. Including deadlines in the regulation would enhance the overall enforceability of the regulation and assure uniformity in treatment implementation schedules. EPA solicits comment upon the time periods, listed below, that EPA is considering for each of the following steps.

For large systems (serving more than 50,000 people): (1) Conducting corrosion control studies and submission of results and recommeded treatment to State—18 months; (2) approval or specification by State of treatment—6 months; (3) installation of corrosion control treatment approved or specified by the State and conduct of follow-up monitoring—36 months; (4) determination by State that system has installed specified corrosion control treatment and specification of water quality parameters under which system must continue to operate—6 months.

For medium size systems (serving more than 3,300 persons and fewer than 50,000 persons): (1) Adjustment of pH to above 7.0 (if necessary)—within 18 months of exceedance of lead or copper action level; (2) conduct of follow-up monitoring to determine if action levels met—12 months; (3) specification by State of treatment or corrosion control studies to be conducted by system—12 months; (4) completion by system of corrosion control studies (if required)—18 months; (5) specification by State of corrosion control treatment—12 months; (6) installation of treatment specified by State and conduct of follow-up monitoring—36 months; (7) determination by State that system has installed specified treatment and specification of water quality parameters under which the system must continue to operate—6 months.

Small systems (serving fewer than 3,300 persons): (1) Specification by State of optimal corrosion control treatment—24 months after exceedance of lead or copper action level; (2) installation of treatment specified by State and conducting of follow-up monitoring—36 months; (3) determination by State that system has installed specified corrosion control treatment and specification of water quality parameters under which system must continue to operate—6 months.

Based on source water and tap water monitoring, the State may determine that source water treatment is necessary to minimize lead and/or copper levels at the tap. In such cases for any size system, the system would have 36 months to install source water treatment and conduct follow-up monitoring.

EPA is considering allowing longer time periods for State determinations for small and medium size systems compared to large systems for two reasons. First, small and medium size systems comprise the vast majority of public water systems, and the potentially large number of determinations, that will have to be made for these systems will place a greater strain on State resources. Second, determining optimal corrosion control treatment for small and medium size systems may require a greater degree of State involvement and technical assistance than would be necessary for more technically sophisticated larger systems.

EPA is also considering including a provision in the final rule which would authorize EPA to review State determinations of what constitutes optimal corrosion control and source water treatment in limited circumstances. Under the option being considered, EPA Regional Administrators would be authorized to rescind State treatment determinations, and issue new or revised determinations with which the system must comply where: (1) A State has failed to specify treatment requirements by deadlines specified in the regulation, (2) where the Regional Administrator determines that a State has seriously abused its discretion in a substantial number of cases or in cases affecting a substantial population, or (3) where EPA concludes that the technical aspects of a State's determination would be indefensible in an expected Federal enforcement action taken against a system. EPA continues to support a strong State role in the implementation of the Safe Drinking Water Act requirements and the Federalism principles outlined in Executive Order Number 12612. The EPA oversight of States being considered in this notice is intended to ensure general compliance with the reqirements without reducing State flexibility or discretion.

In each case, the Regional Administrator would be required to provide an opportunity for the State, the affected system(s), and the public to review and comment upon EPA's proposed decision. EPA would exercise this authority only where a State could not demonstrate that its determination(s) are reasonable, based upon the provisions of the approved State program. Authorizing EPA review of State determinations would therefore help ensure that States were properly implementing the corrosion control requirements of the regulation.

Finally, for the final lead and copper NPDWRs, EPA is considering requirements for public water suppliers that have to install or improve corrosion control to measure several water quality parameters to assist in the determination of corrosion control treatment. Among these are calcium, conductivity, orthophosphate, and silica. Should these water quality parameters be included as part of implementing the final rule, EPA is considering approving the following analytical methods for use in their measurement. In addtion, EPA is also updating some of the methods for lead, copper, pH, and total alkalinity to use the most recent reference documents. Several newly developed methods for lead and copper are also listed along with the updated methods. Only those methods which are now or have been updated since the 1988 proposal are listed in this notice. Methods that have not been updated since the proposal would still be appropriate for compliance monitoring analyses after the rule is promulgated.

(1) Lead—

(A) Method 3113, Atomic Absorption; furnace technique (update).

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(B) Method 200.8, Inductively Coupled Plasma; Mass Spectrometry (new).

"Determination of Trace Elements in Waters and Wastes by Inductively Coupled Plasma—Mass Spectrometry." Method 200.8, August 1990, Revision 4.3, U.S. EPA Environmental Monitoring Systems Laboratory, Cincinnati, OH 45268.

(C) Method 200.9, Atomic Absorption; Platform furnace technique (new).

"Determination of Trace Elements by Stabilized Temperature Graphite Furnace Atomic Absorption Spectrometry," Method 200.9, August 1990, Revision 1.1, U.S. EPA Environmental Monitoring Systems Laboratory, Cinicinnati, OH 45268.

(2) Copper—

(A) Method 3113, Atomic Absorption; furnance technique (update).

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(B) Method D1688–90C, Atomic Absorption; furnance technique (update).

Annual Book of ASTM Standards, Vol. 11.01, American Society of Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(C) Method 3111 B or C, Atomic Absorption; direct aspiration (update).

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(D) Method D1688–90A, Atomic Absorption; direct aspiration (update).

Annual Book of ASTM Standards, Vol. 11.01, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(E) Method 200.7, Inductively Coupled Plasma (update).

"Determination of Metals and Trace Elements in Water and Wastes by Inductively Coupled Plasma—Atomic Emission Spectrometry," Method 200.7, Revision 3.2, August 1990, U.S. EPA. Environmental Monitoring Systems Laboratory, Cincinnati, OH 45268.

(F) Method 3120, Inductively Coupled Plasma.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(G) Method 200.8, Inductively Coupled Plasma; Mass Spectrometry (new).

"Determination of Trace Elements in Waters and Wastes by Inductively Coupled Plasma—Mass Spectrometry," Method 200.8, August 1990, Revision 4.3, U.S. EPA Environmental Monitoring Systems Laboratory, Cincinnati, OH 45268.

(H) Method 200.9, Atomic Absorption; platform furnace technique (new).

"Determination of Trace Elements by Stabilized Temperature Graphite Furnace Atomic Absorption Spectrometry," Method 200.9, August 1990, Revision 1.1, U.S. EPA Environmental Monitoring Systems Laboratory, Cincinnati, OH 45268.

(3) $_pH$—

(A) Method D1293–84B, Electrometric.

Annual Book of ASTM Standards, Vol. 11.01, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(B) Method 4500–H^+, Electrometric (update).

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(4) Total Alkalinity—

(A) Method 310.1, Titrimetric.

"Methods of Chemical Analysis of Water and Wastes," U.S. EPA Environmental Monitoring and Support Laboratory, Cincinnati, OH (EPA–600–14–79–020), Revised March 1983. Available from ORD Publications, CERI, U.S. EPA, Cincinnati, OH 45268.

(B) Method D1067–88B, Titrimetric.

Annual Book of ASTM Standards, Vol. 11.01, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(C) Method 2320, Titrimetric.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(D) Method I–1030–85, Electrometric titration.

"Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd edition, U.S. Department of the Interior, U.S. Geological Survey, 1989.

(5) Calcium—

(A) Method 215.2, EDTA Titrimetric.

"Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, OH (EPA–600/4–79–020), March 1983. Available from ORD Publications, CERI, EPA, Cincinnati, OH 45268.

(B) Method D511–88A, EDTA Titrimetric.

Annual Book of ASTM Standards, Vol. 11.01, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(C) Method 3500–Ca–D, EDTA Titrimetric.

"Standard Methods for the Examination of Water and Wastewaters," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(D) Method 215.1 Atomic Absorption; Direct Aspiration.

"Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio (EPA–600/4–79–020), March 1983. Available from ORD

Publications, CERI, EPA, Cincinnati, OH 45268.

(E) Method D511–88B, Atomic Absorption; Direct Aspiration.

Annual Book of ASTM Standards, Vol. 11.01, American Society of Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(F) Method 3111–B, Atomic Absorption; Direct Aspiration.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(G) Method 200.7, Inductively-Coupled Plasma.

"Determinations of Metals and Trace Elements in Water and Wastes by Inductively-Coupled Plasma Atomic Emission Spectrometry," Method 200.7, Revision 3.2, August 1990, U.S. EPA, Environmental Monitoring Systems Laboratory, Cincinnati, OH 45268.

(H) Method 3120, Inductively-Coupled Plasma.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(6) Conductivity—

(A) Method 120.1, Conductance.

"Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio (EPA–600/4–79–020), March 1983. Available from ORD Publications, CERI, EPA, Cincinnati, OH 45268.

(B) Method D1125–82B, Conductivity.

Annual Book of ASTM Standards, Vol. 11.01, Society for Testing Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(C) Method 2510, Conductivity.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(7) Orthophosphate, Unfiltered, No digestion or hydrolysis—

(A) Method 365.1, Colorimetric, Automated, Ascorbic Acid.

"Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio (EPA–600/4–79–020), March 1983. Available from ORD Publications, CERI, EPA, Cincinnati, OH 45268.

(B) Method 365.2, Colorimetric, Ascorbic Acid, Single Reagent.

"Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio (EPA–600/4–79–020), March 1983. Available from ORD Publications, CERI, EPA, Cincinnati, OH 45268.

(C) Method 365.3, Coloimetric, Ascorbic Acid, Two Reagent.

"Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, Ohio (EPA–600/4–79–020), March 1983. Available from ORD Publications, CERI, EPA, Cincinnati, OH 45268.

(D) Method 300.0, Ion Chromatography.

"Determination of Inorganic Anions in Water by Ion Chromatography," EPA Environmental Monitoring and Support Laboratory, Cincinnati, OH (EPA–600/4–84–017), March 1984.

(E) Method D515–88A, Colorimetric, Ascorbic Acid, Single Reagent.

Annual Book of ASTM Standards, Vol. 11.01, American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(F) Method D4327–88, Ion Chromatography.

Annual Book of ASTM Standards, Vol. 11.01, American Society of Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(G) Method 4500–P–E, Colorimetric, Ascorbic Acid, Single Reagent.

"Stranded Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(H) Method 4500–P–F, Colorimetric, Automated Ascorbic Acid Reduction Method.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(I) Method 4110, Ion Chromatography.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Federation, 1989.

(J) Method I–1601–85, Colorimetric, phsphomolybdate.

"Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd edition, U.S. Department of Interior, U.S. Geological Survey, 1989.

(K) Method I–2601–85, Colorimetric, phosphomolybdate, automated-segmented flow.

"Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd edition, U.S. Department of Interior, U.S. Geological Survey, 1989.

(L) Method I–2598–85, Colorimetric, phosphomolybdate, automated discrete.

"Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd edition, U.S. Department of Interior, U.S. Geological Survey, 1989.

(8) Silica, Filtered—

(A) Method I–1700–85, Colorimetric, molybdate blue.

"Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd edition, U.S. Department of Interior, U.S. Geological Survey, 1989.

(B) Method I–2700–85, Colorimetric, molybdate blue, automated-segmented flow.

"Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments," 3rd edition, U.S. Department of Interior, U.S. Geological Survey, 1989.

(C) Method 370.1, Colorimetric

"Methods of Chemical Analysis of Water and Wastes," EPA Environmental Monitoring and Support Laboratory, Cincinnati, OH (EPA–600/4–79–020), March 1983. Available from ORD Publications, CERI, EPA, Cincinnati, OH 45268.

(D) Method 200.7, Inductively Coupled Plasma.

"Determination of Metals and Trace Elements by Inductively Coupled Plasma—Atomic Emission Spectrometry," Method 200.7, Version 3.2, August 1990, U.S. EPA. Environmental Monitoring Systems Laboratory, Cincinnati, OH 45268.

(E) Method 4500–Si–D, Molybdosilicate.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(F) Method 4500–Si–E, Heteropoly blue.

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(G) Method 3120, Inductively Coupled Plasma

"Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(H) Method 4500–Si–F, Automated method for Molybdate-Reactive Silica. "Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

(I) Method D859–88, Colorimetric Annual Book of ASTM Standards, Vol. 11.01, American Society of Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

(9) Temperature—

(A) Method 2550, Thermometric "Standard Methods for the Examination of Water and Wastewater," 17th edition, American Public Health Association, American Water Works Association, Water Pollution Control Federation, 1989.

The public is invited to comment on these options and revised analytical methods for a period of 30 days.

Dated: October 16, 1990.

Robert H. Wayland, III

Acting Assistant Administrator, Office of Water.

[FR Doc. 90–24909 Filed 10–18–90; 8:45 am]

BILLING CODE 6565–50–M

NATIONAL SCIENCE FOUNDATION

45 CFR Parts 612 and 613

Amendments to Freedom of Information and Privacy Act Regulations

AGENCY: National Science Foundation (NSF).

ACTION: Proposed rule.

SUMMARY: The National Science Foundation (NSF) proposes to amend 45 CFR parts 612 and 613 to make technical changes in NSF's Freedom of Information and Privacy Act regulations to account for records maintained by NSF's Office of Inspector General. The NSF also proposes to add a section to its Freedom of Information Act (FOIA) regulations. This section more fully describes NSF's existing procedures for notifying submitters of confidential commercial information that their records have been requested under the FOIA. Other proposed amendments would increase fees for search and copying of records, and make technical changes to properly cross reference the sections of these regulations.

DATES: Comments must be received on or before November 19, 1990.

ADDRESSES: Interested persons may submit written comments to: D. Matthew Powell, Assistant General Counsel, NSF, Washington, DC 20550 (202–357–9435).

FOR FURTHER INFORMATION CONTACT: D. Matthew Powell, Assistant General Counsel, NSF, Washington, DC 20550 (202–357–9435).

SUPPLEMENTARY INFORMATION: The National Science Foundation's Office of Inspector General (OIG) was created in 1989. On February 14, 1990, notice was given of the creation of a Privacy Act System of Records for OIG. (55 FR 5308) As indicated in the Privacy Act Systems Notice, OIG records are maintained in secure locations and are available only to those persons whose official duties require access to the records. In order to coordinate properly requests for access to these records under the Freedom of Information and Privacy Acts, requests for access to OIG records should be made directly to the OIG. The following regulatory changes are being proposed to insure that OIG is able to coordinate public access to its records under the Freedom of Information Act (FOIA) and the Privacy Act.

a. 45 CFR 612.2(a). Under the current regualtion the NSF Deputy Director may order disclosure of any record exempt from disclosure under FOIA. The proposed amendment would allow only the NSF Inspector General to order disclosure of OIG records exempt from disclosure under FOIA.

b. 45 CFR 612.3(c). Under the proposed amendment, requests for OIG records would be made directly to OIG.

c. 45 CFR 612.7(a). Under the proposed amendment, OIG would control incoming requests, monitor compliance, dispatch denial letters, and maintain administrative records concerning FOIA requests for materials maintained by OIG.

d. 45 CFR 612.7(d). Under the proposed amendment only the Inspector General may deny a written request for records maintained by OIG.

e. 45 CFR 613.4(c). Under the proposed amendment, Privacy Act requests for correction of OIG records shall be brought to the attention of the Inspector General rather than the General Counsel.

The second change concerns notification procedures. NSF's procedures for providing predisclosure notification to submitters of confidential commercial information conform to the requirements of Executive Order 12600. NSF proposes to add a new section, 45 CFR 612.6, which more fully describes its procedures. Section 612.7, which describes the agency's processing of requests, would be amended to refer to these procedures.

The third change would increase fees. NSF's current search and copying fees do not reflect current costs. Fees being charged under the regulations should reflect more accurately the actual costs of search and copying. Therefore, NSF proposes to amend 45 CFR 612.10(a) and (d) to increase search fees from $1.25 to $2.50 per quarter hour for clerical staff and from $3.75 to $7.50 per quarter hour for managerial staff, and its copying fee from $0.10 to $0.25 per page.

The remainder of the changes proposed correct out-of-date or improper cross references and other minor errors.

Under the criteria set forth in Executive Order 12291, this rule has been determined not to be a "major rule" requiring regulatory impact analysis. It has also been determined, pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601–612, these changes will have no significant economic impact on any substantial number of small entities.

List of Subjects

45 CFR Part 612

Availability of records and information.

45 CFR Part 613

Privacy.

NSF proposes to amend 45 CFR chapter IV, parts 612 and 613, by adding § 612.6 and amending other sections as indicated below.

Dated: October 15, 1990.

Charles H. Herz,

General Counsel.

PART 612—AMENDED

1. The authority for part 612 would continue to read:

Authority: 5 U.S.C. 552, as amended.

2. In the table of contents for part 612 the heading for § 612.6 would be added to read:

612.6 Confidential commerical information—notice.

3. 45 CFR part 612 would be amended by adding § 612.6 and by revising § 612.1, 612.2(a), 612.3 (b) and (c), 612.4, 612.7 (a), (c), and (d), 612.8(a)(2)(ii), 612.10 (a) and (d) and 612.11 (a) and (c) as follows.

§ 612.1 Scope.

This part establishes procedures by which the National Science Foundation (NSF) will implement the Freedom of Information Act, 5 U.S.C. 552(a), relating to public availability of NSF records.

§ 612.2 Information policy.

(a) Subject to the policies set forth below, NSF will make the fullest possible disclosure of informaiton to any person who requests information,

without unnecessary expense or delay. The Inspector General concerning records maintained by the Office of Inspector General, or the Deputy Director, NSF concerning all other records, may, except where prohibited by law, order disclosure in the public interest of records exempt from mandatory disclosure under § 612.8 of this part.

* * * * *

§ 612.3 Procedures applicable to the public—requests and appeals.

* * * * *

(b) *Form of request.* A request need not be in any particular format, but it:

(1) Must be in writing,

(2) Must be clearly identified both on the envelope and in the letter as a Freedom of Information Act or FOIA request,

(3) Must describe the records sought with sufficient specificity to permit identification, and

(4) Must state that the requester promptly will pay the fees chargeable under this regulation.

Provided, however, that when the requester places an inadequate limit on the amount he will pay or the requester has failed to make payments for previous requests, the NSF may require advance payment in accordance with § 612.12(d) of this part except in cases when fees have been waived or reduced in accordance with § 612.13 of this part.

(c) *Place of request.* A request for records under FOIA maintained by the Office of Inspector General shall be addressed to the National Science Foundation, Office of Inspector General, 1800 G Street, NW., Washington, DC 20550. Requests for records addressed to the Office of Inspector General under this paragraph shall be deemed to include only records maintained by the Office of Inspector General. Any request for any other record under FOIA shall be addressed to the National Science Foundation, Office of Legislative and Public Affairs, 1800 G Street, NW., Washington, DC 20550. Requets for records addressed to the Office of Legislative and Public Affairs under this paragraph shall be deemed not to include records maintained by the Office of Inspector General. A request which meets the requirements of paragraph (b) of this section and is properly addressed shall be deemed received on the date of arrival in the Office of Legislative and Public Affairs or the Office of Inspector General.

* * * * *

§ 612.4 Copies of records.

If a requested record is to be disclosed, a copy will be furnished the requester as promptly as possible provided payment of fees has been arranged for or has been waived pursuant to § 612.13 of this part. Records will not be released for copying.

* * * * *

§ 612.6 Confidential commercial information—notice.

(a) *In general.* Commercial information provided to the NSF by a submitter shall not be disclosed pursuant to a Freedom of Information Act request except in accordance with this section.

(b) *Definitions.* The following definitions are used in reference to this section:

Commercial information means commercial or financial information provided to the NSF by a submitter that arguably is protected from disclosure under Exemption 4 of the Freedom of Information Act, 5 U.S.C. 552(b)(4) and § 612.8 of this part.

Submitter means any person, organization, or entity who provides commercial information, directly or indirectly, to the NSF. The term includes, but is not limited to, corporations, state governments and foreign governments.

(c) *Designation of commercial information.* Submitters of commercial information shall use good-faith efforts to designate, by appropriating markings, either at the time of submission or at a reasonable time thereafter, those portions of their submissions which they deem to be protected from disclosure under Exemption 4. Such designations shall be deemed to have expired ten years after the date of the submission unless the submitter requests, and provides reasonable justification for, a designation period of greater duration.

(d) *Notice to submitters.* The NSF shall, to the extent permitted by law, provide a submitter with prompt written notice of a Freedom of Information Act request or administrative appeal encompassing its commercial information wherever required under paragraph (e) of this section, except as provided for in paragraph (f) of this section, in order to afford the submitter an opportunity to object to disclosure pursuant to paragraph (g) of this section. Such written notice shall either describe the exact nature of the commercial information requested or provide copies of the records or portions thereof containing the information. The requester also shall be notified that notice and an opportunity to object are being provided to a submitter.

(e) *When notice is required.* Notice shall be given to a submitter whenever:

(1) The information has been designated in good faith by the submitter as information deemed protected from disclosure under Exemption 4, or

(2) The NSF has reason to believe that the information may be protected from disclosure under Exemption 4.

(f) *Exceptions to notice requirements.* The notice requirements of paragraph (d) of this section shall not apply if:

(1) The NSF determines that the information should not be disclosed;

(2) The information lawfully has been published or has been officially made available to the public;

(3) Disclosure of the information is required by law (other than 5 U.S.C. 552); or

(4) The designation made by the submitter in accordance with paragraph (c) of this section appears obviously frivolous, except that, in such case, the NSF shall provide the submitter with written notice of any final administrative decision to disclose commercial information within a reasonable number of days prior to a specified disclosure date.

(g) *Opportunity to object to disclosure.* Through the notice described in paragraph (d) of this section, the NSF shall afford a submitter a reasonable period of time within which to provide the NSF with a detailed written statement of any objection to disclosure. Such statement shall specify all grounds for withholding any of the information under any exemption of the Freedom of Information Act and, in the case of Exemption 4, shall provide a detailed description of why the information is contended to be a trade secret or commercial or financial information that is privileged or confidential. This description shall explain why release of commercial or financial information would cause substantial harm to the competitive position of the submitter. Whenever possible, the submitter's claim of confidentiality should be supported by a statement or certification by an officer or authorized representative of the submitter. Information provided by a submitter pursuant to this paragraph may itself be subject to disclosure under the FOIA. When the submitter fails to object within the specified time or the objection appears obviously frivolous, the NSF shall provide the submitter with written notice pursuant to paragraph (f)(4) of this section.

(h) *Notice of intent to disclose.* The NSF shall consider carefully a submitter's objections and specific grounds for nondisclosure prior to determining whether to disclose

confidential information. Whenever the Foundation decides to disclose confidential information over the objection of a submitter, the NSF shall forward to the submitter a written notice which shall include:

(1) A statement of the reasons for which the submitter's disclosure objections were not sustained;

(2) A description of the confidential information to be disclosed; and

(3) A specified disclosure date.

Such notice of intent to disclose shall be forwarded to the submitter a reasonable number of days prior to the specified disclosure date and the requester shall be notified likewise.

(i) *Notice of FOIA lawsuit.* Whenever a requester brings suit seeking to compel disclosure of confidential information, the NSF, shall promptly notify the submitter.

§ 612.7 Agency actions on receipt of a properly presented request for record.

(a) *Monitoring of requests.* The NSF Office of Legislative and Public Affairs, or such other office as may be designated by the Director, will serve as the central office for internal administration of these regulations. For records maintained by the Office of Inspector General, that Office will control incoming requests, monitor compliance, dispatch denial letters, and maintain administrative records. For all other records maintained by NSF, the Office of Legislative and Public Affairs, or such other office as may be designated by the Director, will control incoming requests, assign them to appropriate action offices, monitor compliance, consult with action offices on disclosure, approve unavoidable extensions, dispatch denial letters, and maintain administrative records.

* * * * *

(c) *Records containing commercial information.* When the requested record contains confidential commercial information such as a successful proposal that was submitted to NSF, the NSF will normally contact, in accordance with § 612.6 of this part, the organization that submitted the record in order to ask whether the submitter wishes portions of the record withheld under any applicable exemptions. (The Foundation protects from disclosure pending proposals or unsuccessful proposals in any case.)

(d) *Denial of request.* No written request for record shall be denied except by the Director of the Office of Legislative and Public Affairs, the Office of Inspector General or such other office as may be designated by the Director. Notice of the denial of a request shall briefly set forth the reasons therefor which shall be based solely upon one or more of the exemptions specified in § 612.8 of this part. Each notice of denial shall set forth the names and title or positions of each person responsible for the denial and shall inform the requester of the right to appeal as provided in § 612.3 of this part.

* * * * *

§ 612.8 Records not available.

(a) * * *

(2) * * *

(ii) Negotiating positions and limitations involved in a negotiation prior to the execution of a contract or the completion of the action to which the negotiating positions or limitations were applicable. They may also be exempt pursuant to other provisions of this section.

* * * * *

§ 612.10 Fees to be charged—general.

* * * * *

(a) *Manual searches for records.* Whenever feasible, NSF shall charge at the salary rate(s) (i.e., basic pay plus 16 percent) of the employee(s) making the search. However, where a homogeneous class of personnel is used exclusively (e.g., all administrative/clerical, or all professional/executive), NSF may establish an average rate for the range of grades typically involved. Thus, for each one-quarter hour after the first quarter hour, for search of a record by clerical personnel, the charge is $2.50. For a nonroutine, nonclerical search by professional personnel, for example, where the task of determining which records fall within a request and search requires professional or managerial time, the charge is $7.50 for each one quarterhour spent in excess of the first quarter hour.

* * * * *

(d) *Duplication of records.* NSF shall establish an average agency-wide, per-page charge for paper copy reproduction of documents. This charge shall represent the reasonable direct costs of making such copies, taking into account the salary of the operators as well as the cost of the reproduction machinery. For copies prepared by computer, such as tapes or printouts, NSF shall charge the actual cost, including operator time, of production of the tape or printout. For other methods of reproduction or duplication, NSF shall charge the actual direct costs of producing the document(s). For photocopies of documents, $0.25 per copy per page will be charged. In practice, if NSF estimates that duplication charges are likely to exceed $25, it shall notify the requester of the estimated amount of fees, unless the requester has indicated in advance his willingness to pay fees as high as those anticipated. Such a notice shall offer a requester the opportunity to confer with agency personnel with the object of reformulating the request to meet his or her needs at a lower cost.

* * * * *

§ 612.11 Fees to be charged—categories of requesters.

* * * * *

(a) *Commercial use requesters.* When a request for documents for commercial use is received, NSF shall assess charges which recover the full direct cost of searching for, reviewing for release, and duplicating the records sought. Requesters must reasonably describe the records sought. Commercial use requesters are not entitled to two hours of free search time nor 100 free pages of reproduction of documents. NSF may recover the cost of searching for and reviewing records even if there is ultimately no disclosure of records (see § 612.12(b) of this part).

* * * * *

(c) Requesters who are representatives of the news media. NSF shall provide documents to requesters in this category for the cost of reproduction alone, excluding charges for the first 100 pages. To be eligible for inclusion in this category a requester must meet the criteria in § 612.9(j) of this part, and his request must not be made for a commercial use. In reference to this class of requester, a request for records supporting the news dissemination function of the requester shall not be considered to be a request that is for commercial use. Requesters must reasonably describe the records sought.

* * * * *

PART 613—[AMENDED]

1. The authority for part 613 would continue to read:

Authority: 5 U.S.C. 552a(f).

2. It is proposed to amend 45 CFR part 613 by revising § 613.4(c) as follows:

§ 613.4 Correction of records.

* * * * *

(c) The Privacy Act Officer upon the receipt of such a request shall promptly confer with the Directorate or office within the NSF responsible for the record. In the event it is felt that correction is not warranted in whole or in part, the matter if it pertains to records maintained by the Office of Inspector General shall be brought to the attention of the Inspector General and if it pertains to other records shall be brought to the attention of the

General Counsel. If, after review by the General Counsel or by the Inspector General and discussion with the requester if deemed helpful, it is determined that correction as requested is not warranted, a letter shall be sent by the Privacy Act Officer to the requester denying his request and/or explaining what correction might be made if agreeable to the requester. This letter shall set forth the reasons for the refusal to honor the request for correction. It shall also inform him of his right to appeal this decision and include a description of the appeals procedure set forth in paragraph (d) of this section. Such letter or notification that the desired correction will be made shall normally be sent within 30 working days of the receipt of a properly addressed request (or within 30 working days of the time the Privacy Act Officer becomes aware that a particular communication not addressed as prescribed above is a request for correction of a record under the Privacy Act).

* * * * *

[FR Doc. 90-24670 Filed 10-18-90; 8:45 am]

BILLING CODE 7555-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

45 CFR Parts 1355, 1356 and 1357

Title IV-B and Title IV-E of the Social Security Act: Data Collection for Adoption and Foster Care

AGENCY: Office of Human Development Services, Department of Health and Human Services.

ACTION: Notice of briefings

SUMMARY: The Department wishes to extend to all interested persons the opportunity to attend a briefing on the proposed rule governing the national data collection system for adoption and foster care. The Notice of Proposed Rulemaking (NPRM) on this subject was published in the **Federal Register** on September 27, 1990 at page 39540. The briefing is not a public hearing and will not substitute for the written comments requested from the public in relation to the NPRM. Rather, it is intended to inform interested parties so that they may comment fully and effectively on the various components of the proposed data collection system.

DATES: Two identical briefings on the NPRM will be held: one in Washington, DC on October 24, and the other in Denver, Colorado, on November 14, 1990. Each briefing will begin at 10 a.m., will be one day in duration, and will review all aspects of the proposed rule.

ADDRESSES: The Washington meeting will be held at the Omni Shoreham Hotel, 2500 Calvert Street, NW., Washington, DC. The Denver meeting will be held at the Sheraton Denver Airport Hotel, 3535 Quebec Street, Denver, Colorado.

FOR FURTHER INFORMATION CONTACT: A. Lee Bruno or Holly Herrera, Cygnus, Inc., 1400 Eye Street, NW., suite 625, Washington, DC 20005, (202) 289-4992.

Dated: October 15, 1990.

Wade F. Horn,

Commissioner, Administration for Children, Youth and Families.

Dated: October 17, 1990.

Mary Sheila Gall,

Assistant Secretary for Human Development Services.

[FR Doc. 90-24899 Filed 10-18-90; 8:45 am]

BILLING CODE 4130-01-M

FEDERAL MARITIME COMMISSION

46 CFR Parts 550, 580 and 581

[Docket No. 90-23]

Automated Tariff Filing and Information System (ATFI); Ocean Freight Tariffs in Foreign and Domestic Offshore Commerce; Notice of Inquiry

AGENCY: Federal Maritime Commission.

ACTION: Advance notice of proposed rulemaking; extension of comment period.

SUMMARY: The Advanced Notice of Proposed Rulemaking, published August 1, 1990 (55 FR 31199), solicited public comment on the proposed Automated Tariff Filing and Information Systems ("ATFI"). ATFI will facilitate the electronic filing, processing and retrieval of tariff data required by statute to be filed with the Federal Maritime Commission and made available to the public. Comments were solicited on some basic features being considered for ATFI and how they may impact current paper tariff practices. Comments are now due on October 15, 1990. The Asia North America Eastbound Rate Agreement and the Transpacific Westbound Rate Agreement have requested a two week extension for filing comments so that members may complete their review and file comments. This notice extends the time for filing comments to the Advanced Notice of Proposed Rulemaking to October 29, 1990.

DATES: Comments due October 29, 1990.

ADDRESSES: Comments (Original and 15 Copies) must be submitted to: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573-0001. (202) 523-5725.

FOR FURTHER INFORMATION CONTACT: John Robert Ewers, Director, Bureau of Administration, Federal Maritime Commission, 1100 L Street, NW., Washington, DC 20573. (202) 523-5866.

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 90-24641 Filed 10-18-90; 8:45 am]

BILLING CODE 6730-01-M

GENERAL SERVICES ADMINISTRATION

48 CFR Part 552

[GSAR Notice No. 5-307]

General Services Administration Acquisition Regulation; Restriction on Advertising Clause

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Proposed rule.

SUMMARY: This notice invites written comments on a proposed change to the General Services Administration Acquisition Regulation (GSAR), Chapter 5 (APD 2800.12A), that would revise the text of the clause in section 552.203-70 to add a reference to the White House and the Executive Office of the President regarding referring to GSA contracts in commercial advertising or similar promotions in a manner that would imply that the product or service provided is endorsed or preferred by any element of the Federal Government.

DATES: Comments are due in writing on or before November 19, 1990.

ADDRESSES: Comments should be addressed to Ms. Marjorie Ashby, Office of GSA Acquisition Policy (VP), 18th & F Streets, NW., Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: John Joyner, Office of GSA Acquisition Policy (202) 501-1224.

SUPPLEMENTARY INFORMATION: The Director, Office of Management and Budget (OMB), by memorandum dated December 14, 1984, exempted certain agency procurement regulations from Executive Order 12291. The exemption applies to this proposed rule. An Initial

Regulatory Flexibility Analysis has not been prepared because the proposed rule does not appear to have a significant impact on a substantial number of small entities because the provision simply adds a reference to the White House and Executive Office of the President in order to clarify that they are considered to be part of the Federal Government. The proposed rule does not contain information collection requirements that require the approval of OMB under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

List of Subjects in 48 CFR Part 552

Government procurement.

PART 552—[AMENDED]

1. The authority citation for 48 CFR part 552 continues to read as follows:

Authority: 40 U.S.C. 486(c).

2. Section 552.203–70 is revised to read as follows:

552.203–70 Restriction on Advertising.

As prescribed in 503.570–2, insert the following clause:

Restriction on Advertising (SEP 1990)

The Contractor shall not refer to this contract in commercial advertising or similar promotions in such a manner as to state or imply that the product or service provided is endorsed or preferred by any element of the Federal Government, the White House or the Executive Office of the President, or is considered by these entities to be superior to other products or services. Any advertisement by the Contractor, including price-off coupons, which refer to a military resale activity shall contain the following statement: "This advertisement is neither paid for nor sponsored in whole or in part, by any element of the United States Government."

(End of clause)

Dated: October 9, 1990.

Richard H. Hope, III,

Associate Administrator for Acquisition Policy.

[FR Doc. 90–24707 Filed 10–18–90; 8:45 am]

BILLING CODE 6820–61–M

Notices

Federal Register
Vol. 55, No. 203
Friday, October 19, 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. 90-203]

Advisory Committee on Foreign Animal and Poultry Diseases: Renewal; Selection of Members

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of reopening and extension of comment period.

SUMMARY: We are reopening and extending the comment period for a notice advising the public that the Secretary of Agriculture is soliciting nominations for membership on the Secretary's Advisory Committee on Foreign Animal and Poultry Diseases, which has been renewed for a 2-year period. Reopening and extending the comment period will give interested persons additional time to submit nominations or other comments.

DATES: Consideration will be given to nominations or comments received on or before November 19, 1990.

ADDRESSES: Nominations or comments should be addressed to the person listed under "**FOR FURTHER INFORMATION CONTACT.**" Please state that your comments refer to Docket Number 90-036.

FOR FURTHER INFORMATION CONTACT: Dr. M.A. Mixson, Chief Staff Veterinarian, VS, APHIS, USDA, room 747, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8073.

SUPPLEMENTARY INFORMATION: In a document published in the **Federal Register** on August 9, 1990 (55 FR 32450, Docket Number 90-036), we gave notice that the Secretary of Agriculture is renewing the Secretary's Advisory Committee on Foreign Animal and Poultry Diseases (Committee) for a 2-year period, and that the Secretary is also soliciting nominations for membership on this Committee. The closing date for submitting nominations or other comments to the Committee was inadvertently omitted from the notice.

We corrected this omission in a notice published in the **Federal Register** on August 29, 1990 (55 FR 35332, Docket Number 90-167). The notice stated that consideration would be given to nominations or comments received on or before September 28, 1990.

Due to the omission in the original notice, we believe that individuals and groups that may be interested in submitting nominations or comments may not have had adequate time to do so. We therefore believe it is in the public interest to reopen and extend the commit period to afford interested individuals and groups sufficient opportunity to prepare and submit nominations or comments to the Committee.

Accordingly, we are reopening and extending the comment period until November 19, 1990.

Done in Washington, DC, this 16 day of October 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90-24805 Filed 10-18-90; 8:45 am]

BILLING CODE 3410-34-M

Forest Service

Timber Management and Road Construction in the Ladder Compartment, Trinity County, CA; Intent

AGENCY: Department Of Agriculture, Forest Service.

ACTION: Notice of intent, timber management and road construction in the Ladder Compartment, Trinity County, California.

SUMMARY: Notice is hereby given that the USDA Forest Service will prepare an Environmental Impact Statement for timber management and road construction in Ladder Compartment located on the Lower Trinity Ranger District, Six Rivers National Forest, Trinity County, California. The Forest Service invites written comments on this proposal. A full environmental analysis will be conducted. The Draft EIS will be published in March, 1991, and the final EIS will be available for review in July, 1991.

DATES: Interested and affected individuals should make their input by December 21,1991.

ADDRESSES: Submit Written comments and suggestions to Lawrence Cabodi, District Ranger, Lower Trinity Ranger District, P.O. Box 68, Willow Creek, California 95573.

FOR FURTHER INFORMATION CONTACT: Jo Ann Hereford, Planning Forester, Lower Trinity Ranger District, P.O. Box 68, Willow Creek, California 95573, phone 916-629-2118 or Julie Ranieri, Environmental Coordinator, Six Rivers National Forest, 500 Fifth St., Eureka, California 95501-1033, phone 707-442-1721.

SUPPLEMENTARY INFORMATION: The Ladder Compartment is located in a portion of the former Orleans Roadless Area considered for inclusion in the National Wilderness Preservation System in the 1970's. The passage of the California Wilderness Act of 1984 returned this portion of the roadless area to management for multiple use. Management direction at this time requires that an environmental impact statement be prepared for projects proposing activities within former roadless areas.

In preparing the environmental impact statement, the Forest Service will identify and consider a range of alternatives. One of these will be "No Action". Other alternatives will consider various management options.

James L. Davis, Jr., Forest Supervisor, Six Rivers National Forest, Eureka, California, is the responsible official.

Public participation will be especially important at several points during the analysis. The first point is during the scoping process (40 CFR 1501.7). The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies and other individuals or organizations who may be interested in or affected by the proposed action. This input will be used in preparation of the draft environmental impact statement (DEIS). The scoping process includes:

1. Identifying potential issues.
2. Identifying issues to be analyzed in depth.
3. Eliminating insignificant issues or those which have been covered by a relevant previous environmental analysis.

4. Exploring additional alternatives.
5. Identifying potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects and connected actions).

The District Ranger will hold a public scoping meeting in the conference room located at the Lower Trinity Ranger District office on Highway 96, Willow Creek, California, at 7 p.m., Wednesday, November 28, 1990.

The Draft Environmental Impact Statement (DEIS) is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by March, 1991. At that time EPA will publish a notice of availability of the DEIS in the **Federal Register.**

The comment period on the Draft Environmental Impact Statement will be 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 the management of the Ladder Compartment participate at that time. To be the most helpful, comments on the DEIS 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 EIS's 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), and that 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. *Wisconsin Heritages, Inc.* v. *Harris,* 490F. 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.

After the comment period for the draft EIS ends, the comments received will be analyzed and considered by the Forest Service in the preparation of the Final Environmental Impact Statement (FEIS). The final EIS is scheduled to be completed by July, 1991. In the final EIS the Forest Service is required to respond to the comments received (40 CFR 1503.4). The responsible official will consider the comments, responses, environmental consequences discussed in the EIS, and applicable laws, regulations, and policies in making a decision regarding this proposal. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to appeal under 36 CFR part 217.

Dated: October 9, 1990.

James L. Davis, Jr.

Forest Supervisor.

[FR Doc. 90–24706 Filed 10–18–90; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

[Docket No. 900662–0267]

Foreign Availability Determination: Gallium Arsenide

AGENCY: Office of Foreign Availability, Bureau of Export Administration, Commerce.

ACTION: Notice of positive determination.

SUMMARY: On September 13, 1990, under the authority of the Export Administration Act of 1979, as amended (EEA), the Deputy Assistant Secretary for Export Administration determined that foreign availability exists for certain gallium arsenide to controlled destinations such that current controls are ineffective in achieving their purposes. Gallium arsenide is controlled under ECCN 1757A(b) of the Commodity Control List (CCL) (15 CFR 799.1, Supp. 1) of the Export Administration Regulations (EAR) (15 CFR 730 *et seq.*). The Commerce Department will publish the appropriate changes to the EAR in a future issue of the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Anatoli Welihozkiy, Acting Deputy Director, Office of Foreign Availability, Room SB–097, Department of Commerce, Washington, DC 20230; Telephone: (202) 377–8074.

SUPPLEMENTARY INFORMATION:

Background

Although the Export Administration Act (EAA) expired on September 30, 1990, the President, invoking the International Emergency Economic Powers Act, continued in effect the powers of the EAA and the Export Administration Regulations (EAR), to the extent permitted by law, in Executive Order 12730 of September 30, 1990.

Part 791 of the EAR establishes the procedures and criteria for determining foreign availability of items controlled for national security reasons. The Secretary of Commerce or his designee is authorized to determine whether foreign availability exists.

With limited exceptions, the Department of Commerce may not maintain national security controls on exports of an item to countries when it has been determined that items of comparable quality are available in fact to such countries from foreign sources in quantities sufficient to render the controls ineffective in achieving their purpose.

On May 15, 1990, OFA initiated a foreign availability assessment on gallium arsenide (GaAs) in response to a claim filed with OFA, pursuant to section 5(f) of the EAA. Gallium arsenide is controlled for national security reasons under ECCN 1757A(b) of the CCL. The Department published a notice of initiation of the assessment in the **Federal Register** on July 6, 1990 (55 FR 27858).

Having considered the assessment and other relevant information, the Deputy Assistant Secretary for Export Administration determined that, within the meaning of Section 5 of the EAA, foreign availability exists to controlled countries for doped semi-insulating (SI) GaAs, conducting GaAs, and undoped semi-insulating GaAs, except undoped SI GaAs having all of the characteristics for use in MMIC applications, as follows: (1) Registivity greater than or equal to $1x10^7$ ohm-cm; (2) Etch Pit Density less than 100,000 per cm^2; (3) Mobility greater than or equal to 6000 cm^2/Volt.sec; (4) Diameter greater than or equal to 3 inches (76.2 mm); and (5) Wafers with a (1–0–0) orientation. All interested government agencies, including the Departments of State and Defense, were given the opportunity to provide comments on the assessment and the determination.

The Department of Commerce will soon publish regulations in the **Federal Register** amending the national security export controls on gallium arsenide. Initially, the Department intends to remove validated licensing requirements to all non-controlled destinations.

Following mulilateral review by the Coordinating Committee, the Department of Commerce will make appropriate changes to the licensing requirements for exports to controlled countries and publish them in the **Federal Register.**

If the Office of Foreign Availability receives new evidence affecting this foreign availability determination, OFA may reevaluate its assessment. Inquiries concerning this assessment should be sent to Anatoli Welihozkiy, Acting

Deputy Director of OFA, at the above address.

Dated: October 15, 1990.

James M. LeMunyon,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 90-24662 Filed 10-18-90; 8:45 am]

BILLING CODE 3510-DT-M

Foreign-Trade Zones Board

Title 15

[Order No. 488]

Resolution and Order Approving With Restriction the Application of St. Joseph County Airport Authority for a Special-Purpose Subzone at the Allied Products Corporation Plant; South Bend, IN

Proceedings of the Foreign-Trade Zones Board, Washington, DC.

Resolution and Order

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) has adopted the following Resolution and Order:

The Board, having considered the matter, hereby orders:

After consideration of the application of the St. Joseph County Airport Authority, grantee of FTZ 125, filed with the Foreign-Trade Zones Board (the Board) on December 18, 1987, requesting special-purpose subzone status for the steel automobile body parts manufacturing plant of Allied Products Corporation, in South Bend, Indiana, the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations would be satisfied, and that the proposal would be in the public interest provided that full zone benefits are limited to exports and that approval is subject to the restriction that Allied elect privileged foreign status on all foreign steel mill products admitted to the zone, approves the application subject to the foregoing restriction.

The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized to issue a grant of authority and appropriate Board Order.

Grant of Authority To Establish a Foreign-Trade Subzone in South Bend, IN

Whereas, by an act of Congress approved June 18, 1934, an Act "To provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a–81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized and empowered to grant to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under the jurisdiction of the United States;

Whereas, the Board's regulations (15 CFR 400.304) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and where a significant public benefit will result;

Whereas, the St. Joseph County Airport Authority, grantee of Foreign-Trade Zone 125, has made application (filed December 18, 1987, FTZ Docket 46–87, 53 FR 45, 1/4/88), in due and proper form to the Board for authority to establish a special-purpose subzone at the steel automobile body parts manufacturing plant of Allied Products Corporation (APC), located in South Bend, Indiana, adjacent to the Chicago Customs port of entry;

Whereas, notice of said application has been given and published, and full opportunity has been afforded all interested parties to be heard; and,

Whereas, the Board has found that the requirements of the Act and the Board's regulations would be satisfied and that the purpose would be in the public interest if approval were given subject to the restriction in the resolution accompanying this action;

Now, therefore, in accordance with the application filed December 18, 1987, the Board hereby authorizes the establishment of a special-purpose subzone at the APC plant in South Bend, Indiana, designated on the records of the Board as Foreign-Trade Subzone No. 125A at the location mentioned above and more particularly described on the maps and drawings accompanying the application, said grant of authority being subject to the provisions and restrictions of the Act and regulations issued thereunder, to the restriction in the resolution accompanying this action, and also to the following express conditions and limitations:

Activation of the subzone shall be commenced within a reasonable time from the date of issuance of the grant, and prior thereto any necessary permits shall be obtained from federal, state, and municipal authorities.

Officers and employees of the United States shall have free and unrestricted access to and throughout the foreign-trade subzone facility in the performance of their official duties.

The grant shall not be construed to relieve responsible parties from liability for injury or damage to the person or property of others occasioned by the construction, operation, or maintenance of said subzone, and in no event shall the United States be liable therefor.

The grant is further subject to settlement locally by the District Director of Customs and the Army District Engineer with the Grantee regarding compliance with their respective requirements for the protection of the revenue of the United States and the installation of suitable facilities.

In witness whereof, the Foreign-Trade Zones Board has caused its name to be signed and its seal to be affixed hereto by its Chairman and Executive Officer at Washington, DC, this 5th day of October, 1990, pursuant to Order of the Board.

Foreign-Trade Zones Board.

Marjorie A. Chorlins,

Acting Assistant Secretary of Commerce for Import Administration, Chairman, Committee of Alternates, Foreign-Trade Zones Board.

[FR Doc. 90-24650 Filed 10-18-90; 8:45 am]

BILLING CODE 3510-DS-M

International Trade Administration

[A-570-803]

Preliminary Determinations of Sales at Less Than Fair Value: Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We preliminarily determine that imports of heavy forged hand tools (HFHTs) from the People's Republic of China (PRC) are being, or are likely to be, sold in the United States at less than fair value. Furthermore, we preliminarily determine that critical circumstances exist on imports of the following three classes or kinds of HFHTs: (1) Hammers and sledges with heads over 1.5 kg. (3.25 pounds); (2) bars over 18 inches in length, track tools and wedges; and (3) picks and mattocks. We have notified the U.S. International Trade Commission (ITC) of our determinations. We have directed the U.S. Customs Service to suspend liquidation of all entries of HFHTs from the PRC, as described in the Suspension of Liquidation section of this notice. The statutory deadline for the final determinations is December 26, 1990. However, we may expedite these determinations.

EFFECTIVE DATE: October 19, 1990.

FOR FURTHER INFORMATION CONTACT: James Maeder or Brad Hess, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 377–4929 or (202) 377–3773 respectively.

SUPPLEMENTARY INFORMATION:

Preliminary Determinations

We preliminarily determine that imports of HFHTs from the PRC are being, or are likely to be, sold in the United States at less than fair value, as provided in section 733 of the Tariff Act of 1930, as amended (19 U.S.C. 1673b) (the Act). The estimated weighted-average margins are shown in the "Suspension of Liquidation" section of this notice. We also preliminarily determine that critical circumstances exist for three of the four classes or kinds of merchandise from the PRC. The statutory deadline for the final determinations is December 24, 1990. However, we may expedite these determinations.

Case History

Since publication of the notice of initiation on May 2, 1990, (55 FR 18364), the following events have occurred. On May 21, 1990, the ITC informed the Department that there is a reasonable indication that imports of HFHTs from the PRC are materially injuring, or are threatening to materially injure, a U.S. industry (USITC Pub. No 2284, May 1990).

On June 14, 1990, petitioner alleged that critical circumstances exist with respect to imports of HFHTs from the PRC. We presented a questionnaire to counsel for China National Machinery Import and Export Corporation (CMC) on June 21, 1990, and required that information be reported for Shandong Machinery Import & Export Corporation (Shandong), Tianjin Machinery Import & Export Corporation (Tianj in), and Henan Machinery Import & Export Corporation (Henan), the three branches of CMC which counsel indicated had exported the subject merchandise to the United States during the period of investigation.

On July 12, 1990, a response to section A of our questionnaire was submitted on behalf of Shandong. On July 27, 1990, a response to Section A of our questionnaire was submitted on behalf of Tianjin. No information was submitted with respect to the sales activity of Henan. Separate responses to section C of the questionnaire were submitted on behalf of Shandong and Tianjin on August 3, 1990.

On August 15, 1990, petitioner requested that the Department postpone the preliminary determinations by 50 days, *i. e.*, until not later than 210 days after the date of receipt of the petition in accordance with section 733(c) (1) (A) of the Act. Accordingly, we postponed the date of the preliminary determinations until not later than October 31, 1990 (55 FR 37341).

We issued a deficiency letter on September 5, 1990. On September 19, 1990, we received responses to the deficiency letter on behalf of Shandong and Tianjin.

Scope of Investigations

Imports covered by these investigations are HFHTs comprising the following classes or kinds of merchandise: (1) Hammers and sledges with heads over 1.5 kg (3.25 pounds)(hammers/sledges"); (2) bars over 18 inches in length, track tools and wedges ("bars/wedges"); (3) picks and mattocks ("picks/mattocks"); and (4) axes, adzes and similar hewing tools ("axes/adzes"). HFHTs are currently provided for under the following Harmonized Tariff System (HTS) subheadings: 8205.20.60, 8205.59.30, 8201.30.00, and 8201.40.60. These investigations do not include hammers and sledges with heads 1.5 kg (3.25 pounds) in weight and under, hoes and rakes, or bars 18 inches in length and under.

Period of Investigation

The period of investigation (POI) is November 1, 1989, through April 30, 1990.

Best Information Available

We have determined, in accordance with section 776(c) of the Act, that the use of best information available is appropriate for sales of the subject merchandise in these investigations. In deciding what to use as best information available, 19 CFR 353.37(b) provides that the Department may take into account whether a party refused to provide requested information. Thus, the Department determines on a case-by-case basis what is best information available.

For two of its trading branches, Shandong and Tianjin, CMC has failed to provide much of the information requested. CMC failed to provide shipment dates, payment dates, explanation of containerization expenses, and explanation of loading expenses for either Shandong or Tianjin. For Tianjin, production quantity by factory and type of steel used for each product were not reported. CMC failed to provide explanation of Shandong's production process for splitting mauls for one factory and most of the information requested for packing for two factories.

Moreover, much of the information that was provided on behalf of Shandong and Tianjin was not in the form required. For both Shandong and Tianjin, many of the data fields submitted on computer diskette were formatted in a manner that did not permit manipulation of the data contained therein. CMC did not report Shandong's material input data for steel on a product-specific basis, nor did CMC specify whether Shandong's material inputs included allowances for "odd pieces." CMC also failed to report Shandong's energy costs per product or to clarify the size of its splitting mauls in its production data. CMC did not report the transport distance for Tianjins steel on a per-factory basis.

Additionally, for both branches, the quantity and value figures reported in response to section A of our questionnaire differed drastically from the amounts reported in response to section C. Despite our request for clarification in our deficiency letter, CMC failed to reconcile these differences.

Furthermore, although specifically instructed to do so, CMC failed to include sales by Henan in any of its responses.

Also, throughout the course of these investigations, CMC has contended that its three trading branches are actually independent corporate entities. The Department has repeatedly requested substantive proof that the branches are independent. CMC failed to provide adequate proof, however, and the Department instructed CMC to submit a consolidated response for all three branches. CMC ignored our instructions and continued to file separate responses for each of the trading branches. Because the technical deficiencies found in the responses are enough to support our use of best information available, there is no need to further address this issue, nor consider its effect on our decision to use best information available.

We determined that the best information available was information submitted by the petitioner. We used an average of the margins contained in the petition, for each class or kind of merchandise, as the basis for best information available.

We note that for the margins contained in the petition, no adjustment had been made for credit expenses and that the average margin for axes/adzes had been calculated incorrectly.

Therefore, based on credit information included in the petition, we recalculated average margins for each class or kind of merchandise, adjusting for differences in credit costs. We also corrected the error in the calculation of the average margin for axes/adzes.

Critical Circumstances

Petitioner alleged that "critical circumstances" exist with respect to imports of HFHTs from the PRC. Section 733(e)(1) of the Act provides that critical circumstances exist when we determine that there is a reasonable basis to believe or suspect that:

(A)(i) there is a history of dumping in the United States or elsewhere of the class or kind of the merchandise which is the subject of the investigation, or

(ii) The person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the merchandise which is the subject of the investigation at less than its fair value, and

(B) There have been massive imports of the merchandise which is the subject of the investigation over a relatively short period.

We generally consider the following factors in determining whether imports have been massive over a relatively short period of time: (1) The volume and value of the imports; (2) seasonal trends (if applicable); and (3) the share of the domestic consumption accounted for by imports.

In determining knowledge of dumping we normally consider margins of 25 percent or more sufficient to impute knowledge of dumping under section 735(a) (3) (A). *See, e.g., Final Determination of Sales at Less Than Fair Value; Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, from Italy* (52 FR 24198, June 29, 1987). Because we are relying on the petition for purposes of our determinations regarding sales at less than fair value (*see* Best Information Available section of this notice), we have also relied on the petition as best information available in determining knowledge of dumping.

Average margins contained in the petition for hammers/sledges, bars/wedges, and picks/mattocks exceed 25 percent. Therefore, in accordance with section 735(a) (3) (A) (ii), we determine that knowledge of dumping existed for these three classes or kinds.

Because of serious inconsistencies in CMCs quantity and value data (*see* Best Information Available section of this notice), we have relied upon best information available for determining whether there have been massive imports. As best information, we compared the Commerce Department import statistics for the four-month period beginning with the month the petition was filed with the four-month period prior to the month the petition was filed. The first period, running from April through July, represents the months from the beginning of the investigations until the most recent month for which Commerce Department import statistics are available. We have chosen this time period because it is the period in which respondent could take advantage of its knowledge of the dumping investigations to increase exports to the United States without being subject to antidumping duties. (*See, e.g., Final Determinations of Sales at Less Than Fair Value; Certain Internal-Combustion, Industrial Forklift Trucks from Japan*, 53 FR 12552, April 15, 1988).

For two classes or kinds, hammers/sledges and bars/wedges, we compared Commerce Department import statistics for the periods described above. Based on our analysis of this data, we have found that imports of hammers/sledges and bars/wedges have been massive over a relatively short period of time. The Commerce Department import data for picks/mattocks are based on a basket HTS category for which no quantity information is available. Therefore, we have relied upon the Commerce Department import data for hammers/sledges and bars/wedges as best information available and have assumed that imports of picks/mattocks have also been massive over a relatively short period of time.

We also examined Commerce Department import statistics for hammers/sledges and bars/wedges to ensure that the increase in imports did not simply reflect seasonal trends. The seasonal data did not indicate any seasonal increases in shipments. In fact, data for 1988 and 1989 indicated that April–July imports actually dropped in comparison to December–March imports.

Because the dumping margins for CMC for hammers/sledges, bars/wedges, and picks/mattocks are sufficient to impute knowledge of dumping, and because imports of these three classes or kinds have been massive, in accordance with sections 735(a)(3)(A)(ii) and 735(a)(3)(B), we preliminarily find that critical circumstances exist with respect to hammers/sledges, bars/wedges, and picks/mattocks exported by CMC. We have based our critical circumstances determinations on country-wide import data.

Verification

Because we have rejected CMC's questionnaire response and are using best information available for our determinations, we do not intend to verify CMC's questionnaire response.

Suspension of Liquidation

In accordance with sections 733(d)(1) and 733(e)(2) of the Act, we are directing the U.S. Customs Service to suspend liquidation of all entries of HFHTs from the PRC, as defined in the "Scope of Investigations" section of this notice, that are entered, or withdrawn from warehouse, for consumption on or after the date which is 90 days prior to the date of publication of this notice in the Federal Register. The U.S. Customs service shall require a cash deposit or a bond equal to the estimated preliminary dumping margin, as shown below. The suspension of liquidation will remain in effect until further notice.

All exports of HFHTs from the PRC	Weighted-average margin percentage	Critical circumstances
Hammers/sledges	48.54	Yes.
Bars/wedges	32.80	Yes.
Picks/mattocks	52.65	Yes.
Axes/adzes	18.18	No.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determinations and findings. In addition, we are making available to the ITC all nonprivileged and nonproprietary information relating to these investigations. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms in writing that it will not disclose such information, either publicly or under administrative protective order, without the written consent of the Deputy Assistant Secretary for Investigations, Import Administration. If our final determinations are affirmative, the ITC will determine whether these imports are materially injuring, or threaten material injury to, the U.S. industry before the later of 120 days after the date of these preliminary determinations or 45 days after our final determinations.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary no later than October 22, 1990, and rebuttal briefs no later than October 29, 1990. In accordance with 19 CFR 353.38(b), we

will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. The hearing will be held at 1 p.m. on October 31, 1990, at the U.S. Department of Commerce, room 3708, 14th Street and Constitution Avenue NW., Washington, DC 20230. Interested parties who wish to participate in the hearing must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, room B–099 within 10 days of the publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; (3) the reasons for attending; and (4) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b), oral presentations will be limited to arguments raised in the briefs.

These determinations are published pursuant to section 733(f) of the Act (19 U.S.C. 1673(f)).

Dated: October 11, 1990.

Francis J. Sailer,

Acting Assistant Secretary for Import Administration.

[FR Doc. 90–24651 Filed 10–18–90; 8:45 am]

BILLING CODE 3510–DS–M

[A–588–087]

Portable Electric Typewriters From Japan; Court of Appeals for the Federal Circuit Decision Concerning the Scope of the Antidumping Duty Order

AGENCY: International Trade Administration/Import Administration Department of Commerce.

ACTION: Notice of Court of Appeals for the Federal Circuit Decision concerning the scope of the antidumping duty order.

SUMMARY: On March 18 and November 23, 1988, in accordance with orders of the Court of International Trade ("CIT"), the Department of Commerce ("the Department") submitted to the CIT final results of a revised determination with respect to the scope of the antidumping duty order. In the revised determination we determined that automatic portable typewriters and portable electric typewriters incorporating a calculating mechanism are within the scope of the antidumping duty order. The CIT affirmed this determination on February 3, 1989. The CIT's order was appealed to the Court of Appeals for the Federal Circuit ("CAFC").

On April 5, 1990, in accordance with the CAFC's decision in *The Timken Company* v. *United States,* the Department issued a notice of the CIT's decision. *See* 55 FR 12701. We also instructed Customs to suspend liquidation of all unliquidated entries of automatic portable electric typewriters and portable electric typewriters incorporating a calculating mechanism, entered, or withdrawn from warehouse, for consumption on or after February 3, 1989.

On September 26, 1990, the CAFC affirmed the decision of the CIT that automatic portable electric typewriters are within the scope of the antidumping duty order.

EFFECTIVE DATE: October 19, 1990.

FOR FURTHER INFORMATION CONTACT: Tom Prosser or Maureen Flannery, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 377–2923.

SUPPLEMENTARY INFORMATION:

Background

On December 31, 1987, the Court of International Trade ("CIT") in *Smith Corona Corporation* v. *United States* (Slip Op. 87–145) remanded to the Department of Commerce ("the Department") for redetermination the scope of the *Antidumping Duty Order on Portable Electric Typewriters from Japan,* 45 FR 30618 (May 9, 1980). The CIT ordered the Department to reconsider its scope determination made in *Portable Electric Typewriters from Japan; Final Results of Antidumping Administrative Review,* 52 FR 1504 (January 14, 1987), and publish a revised determination as to whether automatic portable electric typewriters, that is, those incorporating text memory, or portable electric typewriters incorporating a calculating mechanism, are within the scope of the May 9, 1980 antidumping duty order.

On March 18, 1988, the Department filed a revised scope determination with the Court, in which it determined that non-automatic portable electric typewriters incorporating a calculating mechanism are within the scope of the May 9, 1980 antidumping duty order and that automatic portable electric typewriters are not within the scope of that order.

After reviewing the Department's revised scope determination, the CIT, on September 20, 1988, in *Smith Corona Corporation* v. *United States* (Slip Op. 88–127), affirmed the Department's decision that non-automatic portable electric typewriters incorporating a calculating mechanism are included within the scope of the antidumping duty order, but reversed the Department's determination that automatic portable electric typewriters are not within the scope of the order. On November 23, 1988, based on the Court's instruction to the Department on September 20, 1988 to issue a redetermination on the issue of automatic portable electric typewriters, the Department determined that automatic portable electric typewriters are within the scope of the antidumping duty order.

On February 3, 1989 (Slip Op. 89–14), the CIT affirmed the Department's November 23, 1988 determination with respect to automatic portable electric typewriters, and the Department's March 18, 1988 determination with respect to non-automatic portable electric typewriters incorporating a calculating mechanism.

On April 3, 1989, respondents appealed the CIT's decision in the Court of Appeals for the Federal Circuit ("CAFC"). On April 5, 1990, pursuant to a CAFC decision in *The Timken Company* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990), reh'g denied, (March 12, 1990), the Department issued a notice of the CIT's decision. We thereupon instructed the Customs Service to suspend liquidation of all unliquidated entries of automatic portable electric typewriters and portable electric typewriters incorporating a calculating mechanism entered, or withdrawn from warehouse, for consumption on or after February 3, 1989.

On September 26, 1990 the CAFC affirmed the decision of the CIT that automatic portable electric typewriters are within the scope of the May 9, 1980 antidumping duty order on portable electric typewriters from Japan.

Suspension of Liquidation

In accordance with the conclusive decision from the CAFC on the scope of the antidumping duty order, we are instructing the Customs Service to continue to suspend liquidation of all unliquidated entries of automatic portable electric typewriters and portable electric typewriters incorporating a calculating mechanism which were entered, or withdrawn from warehouse, for consumption on or after February 3, 1989. Additionally, we are instructing Customs to collect cash deposits of estimated antidumping duties for all such merchandise entered, or withdrawn from warehouse, for consumption on or after September 26, 1990. Cash deposits will be based on the margins currently in effect for each manufacturer/exporter. (*See Portable Electric Typewriters from Japan; Final Results of Antidumping Duty Administrative Review,* October 19, 1988.)

Dated: October 9, 1990.

Eric I. Garfinkel,

Assistant Secretary for Import Administration

[FR Doc. 90-24653 Filed 10-18-90; 8:45 am]

BILLING CODE 3510-DS-M

[A-428-807 and A-412-805]

Preliminary Determinations of Sales at Less Than Fair Value: Sodium Thiosulfate from the Federal Republic of Germany and the United Kingdom

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We preliminarily determine that imports of sodium thiosulfate from the Federal Republic of Germany and the United Kingdom are being, or are likely to be, sold in the United States at less than fair value. We have notified the U.S. International Trade Commission (ITC) of our determinations and have directed the U.S. Customs Service to suspend liquidation of all entries of sodium thiosulfate from the Federal Republic of Germany and the United Kingdom, as described in the "Suspension of Liquidation" section of this notice. The statutory deadline for the final determinations is December 26, 1990. However, we may expedite these determinations.

EFFECTIVE DATE: October 19, 1990.

FOR FURTHER INFORMATION CONTACT: Kate Johnson or Steve Alley, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 377-4103 or (202) 377-1766, respectively.

SUPPLEMENTARY INFORMATION:

We preliminarily determine that imports of sodium thiosulfate from the Federal Republic of Germany and the United Kingdom are being, or are likely to be, sold in the United States at less than fair value, as provided in section 733 of the Tariff Act of 1930, as amended (19 U.S.C. 1673b) (the Act). The estimated margins are shown in the "Suspension of Liquidation" section of this notice. The statutory deadline for the final determinations is December 26, 1990. However, we may expedite these determinations.

Case History

We initiated these investigations under the name "Certain Sulfur Chemicals from the Federal Republic of Germany, the United Kingdom, Turkey, and the People's Republic of China" (55 FR 32119 August 7, 1990). The scope of investigation, defined in the notices of initiation, included both sodium thiosulfate and sodium metabisulfite.

On August 29, 1990, the ITC published its determination that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from the Federal Republic of Germany, the United Kingdom and the People's Republic of China of sodium thiosulfate (55 FR 34373). The ITC also determined that there is no reasonable indication that an industry in the United States is threatened with material injury by reason of imports from Turkey of sodium thiosulfate. In addition, the ITC determined that there is no reasonable indication that an industry in the United States is threatened with material injury by reason of imports from the Federal Republic of Germany, the United Kingdom, Turkey, and the People's Republic of China of sodium metabisulfite.

As a result, the investigations of sodium metabisulfite from the Federal Republic of Germany, the United Kingdom, Turkey, and the People's Republic of China, and the investigation of sodium thiosulfate from Turkey terminated, and the remaining investigations are renamed "Sodium Thiosulfate from the Federal Republic of Germany, the United Kingdom, and the People's Republic of China."

On September 4, 1990, the Department's questionnaire was presented to William Blythe & Co., Ltd. (Blythe). This manufacturer accounted for almost all exports of the subject merchandise from the United Kingdom during the period of investigation (POI).

On September 10, 1990, the Department's questionnaire was received by Th. Goldschmidt AG (Goldschmidt). This manufacturer accounted for more than 60 percent of the imports of the subject merchandise to the United States from the Federal Republic of Germany during the POI. There were no imports into the United States during the POI from the former German Democratic Republic.

On September 19, 1990, Blythe submitted a letter notifying the Department that it would not respond to the Department's questionnaire. Likewise, on October 5, 1990, Goldschmidt submitted a letter notifying the Department that it would not respond to the Department's questionnaire.

Because representatives of the People's Republic of China have indicated that exporters of sodium thiosulfate may still respond to our questionnaire, we will make our preliminary determination on sodium thiosulfate from the People's Republic of China at a later date.

On September 28, 1990, Blythe requested that the Department investigate whether petitioner has standing. Blythe cites *Suramerica de Aleaciones Laminadas, C.A.* v. *U.S.*, Slip. Op. 90-79 at 32 (CIT Aug. 22, 1990), in which the Court of International Trade held that the Department cannot presume industry support for a petition. This issue is addressed in the Standing section, below.

On October 3, 1990, Blythe requested that the Department not find critical circumstances with respect to Blythe. Blythe submitted company-specific shipment data and United Kingdom export statistics that, according to Blythe, indicate that critical circumstances are not present. This issue is addressed in the Critical Circumstances section, below.

Scope of Investigation

The products covered by these investigations are all grades of sodium thiosulfate, in dry or liquid form, used primarily to dechlorinate industrial waste water. The chemical composition of sodium thiosulfate is $Na_2S_2O_3$. Sodium thiosulfate is currently classifiable under Harmonized Tariff Schedule (HTS) subheading 2832.30.1000. The HTS subheadings are provided for convenience and U.S. Customs Service purposes. The written description remains dispositive.

Period of Investigation

The period of investigation is February 1, 1990, through July 31, 1990.

Standing

There is nothing in the statute, its legislative history, or our regulations which requires that petitioners establish affirmatively that they have the support of a majority of their industries. In many cases, such a requirement would be so onerous as to preclude access to import relief under the countervailing and antidumping duty laws. Therefore, consistent with our past practice (*see*, for example, Final Affirmative Countervailing Duty Determination: Certain Stainless Steel Hollow Products from Sweden (52 FR 5794, February 26, 1987); Final Affirmative Countervailing Duty Determination: Certain Fresh Atlantic Groundfish from Canada (51 FR 10041, March 24, 1986); and Frozen Concentrated Orange Juice from Brazil: Final Determination of Sales at Less than Fair Value (52 FR 8324, March 17, 1987)), we have preliminarily

determined that the petitioner does not lack standing.

Fair Value Comparisons

To determine whether sales of sodium thiosulfate from the Federal Republic of Germany and the United Kingdom to the United States were made at less than fair value, we used best information available as required by section 776(c) of the Act because Blythe and Goldschmidt declined to respond to the Department's request for information. We determined that the best information available was information submitted by the petitioner.

For the United Kingdom, we used a simple average of both margins listed in the petition for sodium thiosulfate for the period of investigation. We adjusted the U.S. price and foreign market value for one sale of sodium thiosulfate pentahydrate in the United Kingdom for clerical errors found in the petition.

For the Federal Republic of Germany, we used the only margin listed in the petition for sodium thiosulfate for the period of investigation.

Critical Circumstances

Petitioner alleges that "critical circumstances" exist with respect to imports of the subject merchandise from the Federal Republic of Germany and the United Kingdom. Section 733(e)(1) of the Act provides that critical circumstances exist if we determine that there is a reasonable basis to believe or suspect that:

(A)(i) There is a history of dumping in the United States or elsewhere of the class or kind of merchandise which is the subject of the investigation, or

(ii) The person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the merchandise which is the subject of the investigation at less than its fair value, and

(B) There have been massive imports of the class or kind of merchandise which is the subject of the investigation over a relatively short period.

Pursuant to section 733(e)(1)(B), we generally consider the following factors in determining whether imports have been massive over a short period of time: (1) The volume and value of the imports; (2) seasonal trends (if applicable); and (3) the share of domestic consumption accounted for by imports.

Since Blythe and Goldschmidt failed to participate in these investigations, we have preliminarily determined that critical circumstances exist based on best information available. As best information available, we are assuming that imports of sodium thiosulfate have been massive over a relatively short period of time. The available import statistics compiled by the U.S. Department of Commerce do not allow us to measure the level of imports since the filing of the petition. Assuming that additional data becomes available, we will reconsider these findings in our final determinations.

Given that Blythe notified the Department that it would not participate in the investigation, we did not rely on the company-specific shipment information it submitted because such information will not be verified. We did not rely on the United Kingdom export statistics submitted by Blythe because they covered a period only through August 1990. These statistics were insufficient to measure import levels subsequent to the filing of the petition. Assuming that Blythe submits additional official U.K. export data, we will reconsider this data in our final determination.

In determining knowledge of dumping the Department normally considers margins of 25 percent or more sufficient to impute knowledge of dumping under section 735(a)(3)(A). *See, e.g., Final Determination of Sales at Less Than Fair Value; Tapered Roller Bearings and Parts Therefor, Finished or Unfinished, from Italy* (52 FR 24198 June 29, 1987). Because the dumping margins alleged in the petition for both Blythe and Goldschmidt exceed 25 percent, this condition is satisfied.

Therefore, in accordance with sections 735(a)(3)(A)(ii) and 735(a)(3)(B), we preliminarily determine that critical circumstances exist with respect to both Blythe and Goldschmidt.

With respect to firms covered by the "All Other" rate, we have determined that imports of sodium thiosulfate have not been massive over a relatively short period of time. As such, we preliminarily determine that critical circumstances do not exist for those firms.

Suspension of Liquidation

In accordance with section 733(d)(1) of the Act, we are directing the U.S. Customs Service to suspend liquidation of all entries of sodium thiosulfate from Goldschmidt and Blythe, as defined in the "Scope of Investigation" section of this notice, that are entered, or withdrawn from warehouse, for consumption on or after the date which is 90 days prior to the date of publication of this notice in the Federal Register. Also in accordance with section 733(d)(1) of the Act, we are directing the U.S. Customs Service to suspend liquidation of all other entries of sodium thiosulfate from the Federal Republic of Germany and the United Kingdom, as defined in the "Scope of Investigation" section of this notice, that are entered or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the Federal Register. The U.S. Customs Service shall require a cash deposit or posting of a bond equal to the estimated preliminary dumping margin, as shown below. The suspension of liquidation will remain in effect until further notice.

Manufacturer/producer/exporter	Margin percentage
United Kingdom:	
William Blythe & Co., Ltd	39.62
All Others	39.62
Federal Republic of Germany:	
Th. Goldschmidt AG	100.40
All others	100.40

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determinations. In addition, we are making available to the ITC all nonprivileged and nonproprietary information relating to these investigations. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms in writing that it will not disclose such information, either publicly or under administrative protective order, without the written consent of the Deputy Assistant Secretary for Investigations, Import Administration.

If our final determinations are affirmative, the ITC will determine whether these imports are materially injuring, or threaten material injury to, the U.S. industry before the later of 120 days after the date of these preliminary determinations or 45 days after our final determinations.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than November 5, 1990, and rebuttal briefs no later than November 9, 1990. In accordance with 19 CFR 353.38(b), we will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. The hearing will be held at 10 a.m. on November 15, 1990, at the U.S. Department of Commerce, room 3708, 14th Street and Constitution Avenue, NW., Washington, DC 20230. Interested parties who wish to participate in the hearing must submit a written request to the Assistant Secretary for Import

Administration, U.S. Department of Commerce, room B–099 within 10 days of the publication of this notice. Requests should contain:

(1) The party's name, address, and telephone number; (2) the number of participants; (3) the reasons for attending; and (4) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b), oral presentations will be limited to arguments raised in the briefs.

These determinations are published pursuant to section 733(f) of the Act (19 U.S.C. 1673b(f)).

Dated: October 11, 1990.

Francis J. Sailer,

Acting Assistant Secretary for Import Administration.

[FR Doc. 90–24652 Filed 10–18–90; 8:45 am]

BILLING CODE 3510–DS–M

COMMISSION ON MINORITY BUSINESS DEVELOPMENT

[90–N–7]

Hearings

AGENCY: Commission on Minority Business Development.

ACTION: Notice of public hearing.

SUMMARY: Notice is hereby given in accordance with the Federal Advisory Committee Act that a public hearing of the Commission on Minority Business Development will be held on Friday, October 26, 1990 in Cincinnati, Ohio. The hearing is open to the public.

The October 26th hearing will convene at 9 a.m. at the City Council Chambers, City Hall, 8th and Plum Streets, Cincinnati, Ohio.

The public hearing is for the purpose of receiving testimony from public and private sector decision-makers and entrepreneurs, professional experts, corporate leaders and representatives of key interest groups and organizations concerned about minority business development and participation in Federal programs and contracting opportunities.

The Commission was established by Public Law 100–656, for purposes of reviewing and assessing Federal programs intended to promote minority business and making recommendations to the President and the Congress for such changes in laws or regulations as may be necessary to further the growth and development of minority businesses.

FOR FURTHER INFORMATION CONTACT: Arlene Pinkney or Connie K. McCracken at 202–523–0030 at the Commission on Minority Business Development, 730 Jackson Place, NW., Washington, DC 20006.

SUPPLEMENTARY INFORMATION: Transcripts of hearings will be available for public inspection during regular working hours at 730 Jackson Place, NW., Washington, DC 20006 approximately 30 days following the hearing.

André M. Carrington,

Executive Director.

[FR Doc. 90–24644 Filed 10–18–90; 8:45 am]

BILLING CODE 6820–PB–M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Announcement of a Request for Bilateral Textile Consultations With the Government of Nepal

October 9, 1990.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Notice.

FOR FURTHER INFORMATION CONTACT: Anne Novak, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377–4212. For information on categories on which consultations have been requested, call (202) 377–3740.

SUPPLEMENTARY INFORMATION:

Authority. Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

On September 25, 1990, under section 204 of the Agricultural Act of 1956, as amended, the Government of the United States requested consultations with the Government of Nepal regarding imports of men's and boys' woven shirts in Category 640, produced or manufactured in Nepal.

The purpose of this notice is to advise the public that, if no solution is agreed upon in consultations with the Government of Nepal, the Committee for the Implementation of Textile Agreements may later establish a limit for the entry and withdrawal from warehouse for consumption of shirts in Category 640, produced or manufactured in Nepal and exported during the twelve-month period which began on September 25, 1990 and extends through September 24, 1991, of not less than 73,525 dozen.

A summary market statement concerning Category 640 follows this notice.

Anyone wishing to comment or provide data or information regarding the treatment of Category 640, or to comment on domestic production or availability of products included in Category 640, is invited to submit 10 copies of such comments or information to Auggie D. Tantillo, Chairman, Committee for the Implementation of Textile Agreements, U.S. Department of Commerce, Washington, DC 20230, ATTN: Public Comments.

Because the exact timing of the consultations is not yet certain, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, Room H3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Further comments may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the agreement or the implementation thereof is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) relating to matters which constitute "a foreign affairs function of the United States."

The United States remains committed to finding a solution concerning Category 640. Should such a solution be reached in consultations with the Government of Nepal, further notice will be published in the **Federal Register.**

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 54 FR 50797, published on December 11, 1989).

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Market Statement—Men's and Boys' Man-Made Fiber Woven Shirts

Category 640

Nepal, September 1990.

Import Situation and Conclusion

U.S. imports of men's and boys' man-made fiber woven shirts (Category 640) from Nepal reached 73,525 dozen during the year ending June 1990, 61 percent above the 45,669 dozen imported during the same period of 1989. During the first six months of 1990, imports of Category 640 from Nepal reached 61,282 dozen, nearly five times the 12,726 dozen imported during the corresponding

period in 1989 and two and one-half times greater than the 24,969 dozen imported during calendar year 1989. Nepal is the largest uncontrolled supplier of men's and boys' man-made fiber woven shirts to the U.S.

The sharp and substantial increase in Category 640 imports from Nepal is causing disruption in the U.S. market for men's and boys' man-made fiber woven shirts.

U.S. Production and Market Share

U.S. production of men's and boys' man-made fiber woven shirts (Category 640) fell from 9,750 thousand dozen in 1987 to 7,052 thousand dozen in 1989, a decline of 28 percent. The share of this market held by domestic manufacturers fell from 43 percent in 1987 to 38 percent in 1989, a decline of 5 percentage points.

U.S. Imports and Import Penetration

U.S. imports of men's and boys' man-made fiber woven shirts (Category 640) increased from 10,999 thousand dozen during the year ending June 1989 to 11,187 thousand dozen during the year ending June 1990, a 2 percent increase. The ratio of imports to domestic production increased to 161 percent in 1989, 27 percentage points above the 134 percent in 1987.

Duty-Paid Value and U.S. Producer's Price

Approximately 95 percent of Category 640 imports from Nepal during the first six months of 1990 entered under HTSUSA Number 6205.30.2070—men's man-made fiber woven shirts, other than dress type shirts and other than of yarn-dyed fabric. These shirts entered the U.S. at landed duty-paid values below U.S. producers' prices for comparable garments.

[FR Doc. 90-24654 Filed 10-18-90; 8:45 am]

BILLING CODE 3510-DR-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Proposed Additions to Procurement List 1990; Extension of Comment Period

The period for submitting comments on the proposed additions to the Procurement List appearing on page 41741 of FR Doc. 90-24148 in the issue of Monday, October 15, 1990, is extended until November 14, 1990.

Beverly L. Milkman,

Executive Director.

[FR Doc. 90-24775 Filed 10-18-90; 8:45 am]

BILLING CODE 6820-33-M

Additions to Procurement List 1990; Extension of Effective Date

The effective date of the additions to the Procurement List appearing on page 41740 of FR Doc. 90-24147 in the issue of Monday, October 15, 1990, is extended until November 14, 1990.

Beverly L. Milkman,

Executive Director.

[FR Doc. 90-24776 Filed 10-18-90; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1990; Additions to and Deletions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Additions to and deletions from procurement list.

SUMMARY: This action adds to and deletes from Procurement List 1990 commodities to be produced and services to be provided by workshops for the blind or other severely handicapped.

EFFECTIVE DATE: November 19, 1990.

ADDRESSES: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, Suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202-3509.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 557-1145.

SUPPLEMENTARY INFORMATION: On May 4, July 20, 27 and August 31, 1990, the Committee for Purchase from the Blind and Other Severely Handicapped published notices (55 FR 18743, 29647, 30745 and 35708) of proposed additions to and deletions from Procurement List 1990, which was published on November 3, 1989 (54 FR 46450).

Additions

A comment was received from one of the current contractors for the glass cleaner. The contractor alleged that the proposed addition, when combined with two earlier additions to the Procurement List, would have a significant impact upon the firm's sales. However, the Committee determined that the actual impact of the proposed addition upon this company would not constitute serious adverse impact.

During the development stage, a current contractor indicated in a letter to the Committee that the addition of the wet weather poncho to the Procurement List would have a severe impact on the health of his business. After reviewing all data available to it on this point, the Committee has determined that the current contractor will not sustain serious adverse impact as a result of the addition of this commodity to the Procurement List. After consideration of the material presented to it concerning capability of qualified workshops to produce the commodities and provide the services at a fair market price and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.6.

I certify that the following actions will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

a. The actions will not result in any additional reporting, recordkeeping or other compliance requirements.
b. The actions will not have a serious economic impact on any contractors for the commodities and services listed.
c. The actions will result in authorizing small entities to produce the commodities and provide the services procured by the Government.

Accordingly, the following commodities and services are hereby added to Procurement List 1990:

Commodities

Cover, Protective
1430-00-992-9254
1430-00-994-3086
1440-01-132-7799
(Remaining Government Requirement)

Harness, Safety Shoulder
2540-00-432-1343

Clamp, Loop
5340-01-156-5481

Cover, Fire Extinguisher
5340-00-410-2296
(Remaining Government Requirement)

Strap, Webbing
5340-00-001-1266
5340-00-928-6097
5340-00-956-4489
(Remaining Government Requirement)

Cleaner, Glass
7930-00-901-2088

Poncho, Wet Weather
8405-00-290-0550

Services

Janitorial/Custodial—Marine Corps Combat Development Command, Buildings 2008, 2010, 3040 and 3097, Quantico, Virginia

Tub and Burlap Washing—Rogue River National Forest, J. Herbert Stone Nursery, Central Point, Oregon

This action does not affect contracts awarded prior to the effective date of this addition or options exercised under the contracts.

Deletions

After consideration of the relevant matter presented, the Committee has determined that the commodities listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.6.

Accordingly, the following commodities are hereby deleted from Procurement List 1990:

Paper Set, Manifold and Carbon
7530–00–401–6910
7530–01–072–2536
7530–01–072–2537
7530–01–072–2538
7530–01–072–2539
(Requirements for GSA Regions W, 4 and 6)

Beverly L. Milkman,

Executive Director.

[FR Doc. 90–24777 Filed 10–18–90; 8:45 am]

BILLING CODE 6820–33–M

Procurement List 1990; Proposed Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed additions to procurement list.

SUMMARY: The Committee has received proposals to add to Procurement List 1990 commodities to be produced by workshops for the blind or other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: November 19, 1990.

ADDRESSES: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, Suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202–3509.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 557–1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2.6. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government will be required to procure the commodities listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodities to Procurement List 1990, which was published on November 3, 1989 (54 FR 46540):

Cover, Mattress Pad
7210–00–118–0010

Liner, Night Camouflage Parka
8415–01–102–4481
8415–01–102–4482
8415–01–102–4483
8415–01–102–4484
8415–01–102–4485

Overalls, Bib
8415–01–228–1323
8415–01–228–1324
8415–01–228–1325
8415–01–228–1326
8415–01–228–1327
8415–01–228–1328
8415–01–228–1329
8415–01–228–1330
8415–01–228–1331
8415–01–228–1332
(43 percent of the Government's requirement)

Beverly L. Milkman,

Executive Director.

[FR Doc. 90–24778 Filed 10–18–90; 8:45 am]

BILLING CODE 6820–33–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Science Board Task Force on Acquisition Streamlining; Meeting

ACTION: Notice of Advisory Committee Meeting.

SUMMARY: The Defense Science Board Task Force on Acquisition Streamlining will meet in closed session on 5, 6 and 7 November, 1990, at Science Applications International Corporation (SAIC), McLean, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition on scientific and technical matters as they affect the perceived needs of the Department of Defense. This meeting will address Phases 1 and 2 of the study. Data containing classified information from over 100 weapon system development programs will be reviewed during the meeting.

In accordance with section 10(d) of the Federal Advisory Committee Act, Public Law No. 92–463, as amended (5 U.S.C. App. II, (1982)), it has been determined that this DSB Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly this meeting will be closed to the public.

Dated: October 15, 1990.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90–24657 Filed 10–18–90; 8:45 am]

BILLING CODE 3810–01–M

Defense Science Board Task Force on Advanced Naval Warfare Concepts; Meeting

ACTION: Notice of Advisory Committee meeting.

SUMMARY: The Defense Science Board Task Force on Advance Naval Warfare Concepts will meet in closed session on 14 November, 1990, at the Center for Naval Analyses, Alexandria, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition on scientific and technical matters as they affect the perceived needs of the Department of Defense. At this meeting, the Task Force will examine advanced naval warfare concepts and assess relevant technology, equipment, and modernization plans.

In accordance with section 10(d) of the Federal Advisory Committee Act, Public Law No. 92–463, as amended (5 U.S.C. App. II, (1982)), it has been determined that this DSB Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly this meeting will be closed to the public.

Dated: October 15, 1990.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90–24658 Filed 10–18–90; 8:45 am]

BILLING CODE 3810–01–M

Defense Science Board Task Force on Anti-Submarine Warfare; Meeting

ACTION: Notice of Advisory Committee meeting.

SUMMARY: The Defense Science Board Task Force on Anti-Submarine Warfare will meet in closed session on 20 November, 1990, at the Center for Naval Analyses, Alexandria, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition on scientific and technical matters as they affect the perceived needs of the Department of Defense. At this meeting, the Task Force will receive briefings on future anti-submarine warfare programs and current plans and deliberate on preliminary findings.

In accordance with section 10(d) of the Federal Advisory Committee Act, Public Law No. 92–463, as amended (5 U.S.C. App. II, (1982)), it has been determined that this DSB Task Force meeting concerns matters listed in 5

U.S.C. 552b(c)(1) (1982), and that accordingly this meeting will be closed to the public.

Dated: October 15, 1990.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90–24659 Filed 10–18–90; 8:45 am]

BILLING CODE 3810–01–M

Defense Science Board Task Force on Chemical Weapons Policy; Meeting

ACTION: Notice of Advisory Committee meeting.

SUMMARY: The Defense Science Board Task Force on Chemical Weapons Policy will meet in closed session on 16 November, 1990, at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition on scientific and technical matters as they affect the perceived needs of the Department of Defense. At this meeting, the Task Force will deliberate on briefings received to date and begin formulation of findings and recommendations.

In accordance with section 10(d) of the Federal Advisory Committee Act, Public Law No. 92–463, as amended (5 U.S.C. App. II, (1982)), it has been determined that this DSB Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly this meeting will be closed to the public.

Dated: October 15, 1990.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90–24660 Filed 10–18–90; 8:45 am]

BILLING CODE 3810–01–M

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of proposed information collection requests.

SUMMARY: The Director, Office of Information Resources Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

DATES: Interested persons are invited to submit comments on or before November 19, 1990.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs Attention: Dan Chenok, Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to James O'Donnell, Department of Education, 400 Maryland Avenue, SW., room 5624, Regional Office Building 3, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: James O'Donnell, (202) 708–5174.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations.

The Acting Director, Office of Information Resources Management, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden; and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from James O'Donnell at the address specified above.

Dated: October 15, 1990.

James O'Donnell,

Acting Director, for Office of Information Resources Management.

Office of Planning, Budget and Evaluation

Type of Review: New.
Title: Case Study of the Chelsea School Project's Implementation—Teacher Survey.
Frequency: One-time.
Affected Public: Individuals or households.
Reporting Burden:
Responses: 290.
Burden Hours: 73.
Recordkeeping Burden:
Recordkeepers: 0.
Burden Hours: 0.
Abstract: The purpose of this survey is to identify teacher perceptions regarding the needs of the Chelsea School System and the impact of the project. The Department uses the data to assess the accomplishments and program goals.

Office of Postsecondary Education

Type of Review: Revision.
Title: Guaranteed Student Loan Tape Dump.
Frequency: Annually.
Affected Public: State or local governments; Non-profit institutions.
Reporting Burden:
Responses: 38.
Burden Hours: 55366.
Recordkeeping Burden:
Recordkeepers: 0.
Burden Hours: 0.
Abstract: This information is collected to describe the characteristics of borrowers under the Guaranteed Student Loan (GSL) Program and to monitor borrower fraud and abuse in the programs. The Department uses this information to report to Congress.

Office of Special Education and Rehabilitative Services

Type of Review: Extension.
Title: Application or Written Request for Assistant for Client Assistance Program.
Frequency: Triennial.
Affected Public: State or local governments.
Reporting Burden:
Responses: 5.
Burden Hours: 1.
Recordkeeping Burden:
Recordkeepers: 0.
Burden Hours: 0.
Abstract: This form is used by State Educational agencies to request funding under the Client Assistance Program (CAP). The Department uses the information to make grant awards.

[FR Doc. 90–24672 Filed 10–18–90; 8:45 am]

BILLING CODE 4000–01–M

Projects With Industry

AGENCY: Department of Education.

ACTION: Correction notice.

SUMMARY: On October 3, 1990, a notice of final funding priorities for fiscal year 1991 for the Projects With Industry program was published in the **Federal Register.**

On page 40639, in the first column, a line affecting the last two sentences of "Priority 7: The Older Disabled Worker" was inadvertently omitted. The

sentences should read: "Accordingly, priority will be given to projects that provide specialized service programs that meet the competitive employment needs of individuals in this age group who have severe or other disabilities. Project services must include training, supportive services, job development, and placement services."

Dated: October 15, 1990.

Robert R. Davila,

Assistant Secretary, Office of Special Education and Rehabilitative Services.

[FR Doc. 90-24674 Filed 10-18-90; 8:45 am]

BILLING CODE 4000-01-M

Office of Postsecondary Education

[CFDA Nos: 84.044 and 84.066A]

Grants and Cooperative Agreements; Availability, etc.: Talent Search and Educational Opportunity Centers Programs; Application Preparation Workshop

AGENCY: Department of Education.

ACTION: Notice of application preparation workshop.

SUMMARY: The Department of Education will conduct an Application Preparation Workshop to assist prospective applicants in developing applications for the Talent Search and Educational Opportunity Centers programs for fiscal year 1991. The workshop will be held on November 9, 1990 at the GSA Auditorium located at 7th and D Streets SW., Washington, DC, from 8:30 a.m.–3 p.m.

FOR FURTHER INFORMATION CONTACT: Goldia D. Hodgdon, Chief, Education Outreach Branch, Division of Student Services, U.S. Department of Education, 400 Maryland Avenue, SW., (Room 3060, Regional Office Building 3), Washington, DC 20202–5249. Telephone: (202) 708–4804.

Program Authority: 20 U.S.C. 1070, 1070d–1a and 20 U.S.C. 1070d, 1070d–1c.

Dated: October 12, 1990.

Leonard L. Hayes III,

Assistant Secretary for Postsecondary Education.

[FR Doc. 90-24673 Filed 10-18-90; 8:45 am]

BILLING CODE 4000-01-M

Fund for the Improvement and Reform of Schools and Teaching Board; Meeting

AGENCY: Fund for the Improvement and Reform of Schools and Teaching Board, Education.

ACTION: Notice of an open meeting.

SUMMARY: This notice sets forth the schedule and agenda of a forthcoming meeting of the Fund for the Improvement and Reform of Schools and Teaching Board. This notice also describes the functions of the Board. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATE AND TIMES: November 8, 1990, 9 a.m.–5 p.m., November 9, 1990, 9 a.m.–11:30 a.m.; November 9, 1990, 11:45 a.m.–12:30 p.m.

ADDRESSES: U.S. Department of Education, OERI, 555 New Jersey Avenue NW., room 326, Washington, DC 20208–5524.

FOR FURTHER INFORMATION CONTACT: Richard T. La Pointe, Director, Fund for the Improvement and Reform of Schools and Teaching, U.S. Department of Education, 555 New Jersey Avenue NW., room 522, Washington, DC 20208–5524, (202) 357–6496 before October 26, 1990 and (202) 219–1496 after October 26, 1990.

SUPPLEMENTARY INFORMATION: The Fund for the Improvement and Reform of Schools and Teaching (FIRST) Board was established under section 3231 of the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. 100–297). The Board was established to advise the Secretary concerning developments in education that merit his attention; identify promising initiatives to be supported under the authorizing legislation; and advise the Secretary and the Director of the Fund on the selection of projects under consideration for support, and on planning documents, guidelines and procedures for grant competitions carried out by the Fund.

On November 8, 1990, the Board will introduce and swear in new Board members, approve the minutes from the January meeting, discuss progress of selected 1989 projects, review the 1990 grants and grant competition process, discuss FIRST information outreach strategies, review the Technical Assistance/Dissemination Contract, and evaluate outcomes from the Fund for the Improvement of Postsecondary Education (FIPSE) and FIRST Conference held in September.

On November 9, 1990, the agenda includes: Strategies for improving procedures for grant competitions, priorities for the improvement of education, discussion and selection of a nominating committee and election for new officers, and briefing/orientation for new members. The meeting will conclude with a discussion of upcoming agenda for and date of the next Board meeting.

Records are kept of all Board proceedings, and are available for public inspection at the office of the Fund for the Improvement and Reform of Schools and Teaching, U.S. Department of Education, 555 New Jersey Avenue NW., room 522, Washington, DC 20208–5524, (202) 357–6496 before October 26, 1990 and (202) 219–1496 after October 26, 1990 from the hours of 8:30 am–5 pm.

Dated: October 16, 1990.

Christopher T. Cross,

Assistant Secretary, Office of Educational Research and Improvement.

[FR Doc. 90-24803 Filed 10-18-90; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Chicago Operations Office; Award Based on Acceptance of Unsolicited Application; Virginia Polytechnic Institute

AGENCY: Department of Energy.

ACTION: Notice of noncompetitive financial assistance award.

SUMMARY: The Department of Energy (DOE), Chicago Operations Office, announces it intends to award a grant to Virginia Polytechnic Institute and State University (VPI). VPI's unsolicited application was found to be meritorious by DOE based on the evaluation criteria set forth in 10 CFR 600.14(d) (1), (2), (3), and (e)(1) (i) and (ii) and is being accepted as it represents a unique, innovative idea, method and approach which would not otherwise be eligible for financial assistance under any recent, current, or planned solicitation. The objective of the work to be supported by this grant is to develop a new management strategy for Government Program Office (GPO) managers which takes a holistic approach to management rather than a post-classical compartmentalized approach. VPI will develop a Grand Strategy System through the research and development (R&D) of new tools and methods designed to meet the needs of a new management approach and will demonstrate the success of the system by using the DOE Office of New Production Reactors (NP) as a real-world laboratory test case.

FOR FURTHER INFORMATION CONTACT: Marlene E. Ferrari, U.S. Department of Energy, Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439, (708) 972–2080.

SUPPLEMENTARY INFORMATION: The mission of NP's is to provide new production reactor capacity on an urgent schedule for an assured supply of nuclear materials, primarily tritium, to maintain the nation's nuclear deterrent capability. The Department's strategy is to design, build, and operate a heavy water reactor at the Savannah River site in South Carolina and a modular high-temperature gas-cooled reactor plant at the Idaho National Engineering Laboratory in Idaho. NP was uniquely established as a project-oriented organization with singular missions and objectives which dictate that it be managed, justified, and funded as a production program and not as a research or demonstration program. This unique status required a different management philosophy. The success of the program will depend on how well the program participants are organized and managed in the performance of their jobs. Managing a major government program such as NP in the new and current environment is not a well established or documented process. The benefits of the proposed R&D will help GPOs, or equivalent organizations, effectively apply resources, proactively avert crises, and move efficiently toward their strategic and operational objectives. The project period for the grant is for a five-year period, expected to begin in October 1990. DOE plans to provide funding in the amount of $9,869,227.00 for this project period.

Issued in Chicago, Illinois, on October 9, 1990.

Edwin H. Hendricks,

Deputy Assistant Manager for Administration.

[FR Doc. 90–24761 Filed 10–18–90; 8:45 am]

BILLING CODE 6450–01–M

Energy Information Administration

Agency Information Collections Under Review by the Office of Management and Budget

AGENCY: Energy Information Administration, DOE.

ACTION: Notice of requests submitted for review by the Office of Management and Budget.

SUMMARY: The Energy Information Administration (EIA) has submitted the energy information collection(s) listed at the end of this notice to the Office of Management and Budget (OMB) for review under provisions of the Paperwork Reduction Act (Pub. L. 96–511, 44 U.S.C. 3501 *et seq.*). The listing does not include collections of information contained in new or revised regulations which are to be submitted under section 3504(h) of the Paperwork Reduction Act, nor management and procurement assistance requirements collected by the Department of Energy (DOE).

Each entry contains the following information: (1) The sponsor of the collection (the DOE component or Federal Energy Regulatory Commission (FERC)); (2) Collection number(s); (3) Current OMB docket number (if applicable); (4) Collection title; (5) Type of request, e.g., new, revision, extension, or reinstatement; (6) Frequency of collection; (7) Response obligation, i.e., mandatory, voluntary, or required to obtain or retain benefit; (8) Affected public; (9) An estimate of the number of respondents per report period; (10) An estimate of the number of responses per respondent annually; (11) An estimate of the average hours per response; (12) The estimated total annual respondent burden; and (13) A brief abstract describing the proposed collection and the respondents.

DATES: Comments must be filed on or before November 19, 1990. If you anticipate that you will be submitting comments but find it difficult to do so within the time allowed by this notice, you should advise the OMB DOE Desk Officer listed below of your intention to do so as soon as possible. The Desk Officer may be telephoned at (202) 395–3084. (Also, please notify the EIA contact listed below.)

ADDRESSES: Address comments to the Department of Energy Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson Place NW., Washington, DC 20503. (Comments should also be addressed to the Office of Statistical Standards at the address below.)

FOR FURTHER INFORMATION AND COPIES OF RELEVANT MATERIALS CONTACT: Jay Casselberry, Office of Statistical Standards (EI–73) Forrestal Building, U.S. Department of Energy, Washington, DC 20585. Mr. Casselberry may be telephoned at (202) 586–2171.

SUPPLEMENTARY INFORMATION: The first energy information collection submitted to OMB for review was:

1. Energy Information Administration
2. EIA–254, EIA–851, and EIA–858
3. 1905–0160
4. Nuclear and Uranium Data Program Package
5. Revision—Only Form EIA–858 is being proposed for revision at this time. Various modifications are proposed for the data collected on schedules A and B of the EIA–858. No changes are proposed for schedule C. The remaining information applies only to Form EIA–858.
6. Annually
7. Mandatory
8. Businesses or other for profit, and Small businesses or organizations
9. 150 respondents
10. 150 responses
11. 32 hours per response
12. 4,800 hours
13. Forms EIA–858 collects data on uranium exploration activities, reserves, production, processing, marketing, inventories, shipments, and projections of future requirements. EIA–858 also collects information on the financial status of major uranium industry companies. Data are used to determine the viability of the domestic uranium industry. Respondents are firms in the uranium business.

The second energy information collection submitted to OMB for review was:

1. FERC; DOE/Office of Policy Planning and Analysis; DOE/Fossil Energy (The form is also sponsored by the Environmental Protection Agency (EPA) and the Department of Commerce's Bureau of Economic Analysis (BEA). Those agencies will submit their requests for OMB approval separately to OMB.
2. EIA–767
3. 1902–0034; 1901–0267; 1901–0298
4. Steam-Electric Plant Operation and Design Report
5. Revision
6. Annually
7. Mandatory
8. State or local governments, Businesses or other for profit, Federal agencies or employees
9. 877 respondents
10. 877 responses
11. 68.098 hours per response (average for all sponsors)
12. 59,722 hours (total for all sponsors)
13. Forms EIA–867 collects data on steam-electric generating plants and related environmental data. Data are used by the Department of Energy, FERC, EPA, and BEA in models and to evaluate compliance with the Clean Air Act. Respondents are steam-electric generating plants of 10 megawatts or greater.

Authority: Section 5(a), 5(b), 13(b), and 52, Pub. L. 93–275, Federal Energy Administration Act of 1974, 15 U.S.C. 764(a), 764(b), 772(b), and 790(a).

Issued in Washington, DC, October 15, 1990.

Yvonne M. Bishop,

Director, Statistical Standards, Energy Information Administration.

[FR Doc. 90–24762 Filed 10–18–90; 8:45 am]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket Nos. ER91-14-000, et al.]

Alabama Power Co., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

October 12, 1990.

Take notice that the following filings have been made with the Commission:

1. Alabama Power Co.

[Docket No. ER91-14-000]

Take notice that on October 9, 1990, Alabama Power Company ("APCo") tendered for filing Amendment No. 1 to the Agreement for Partial Requirements Service and Complementary Services ("PR Agreement") between APCo and the Alabama Municipal Electric Authority ("AMEA"), together with a Second Revised Exhibit E to the PR Agreement. Amendment No. 1 revises the rate design in the PR Agreement to eliminate the demand ratchet, with a corresponding change in the billing demand portion of the rate to neutralize the revenue effect thereof. The parties request that Amendment No. 1 and the Second Revised Exhibit E to the PR Agreement be allowed to become effective for service beginning October 1, 1990.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

2. Niagara Mohawk Power Corp.

[Docket No. ER91-16-000]

Take notice that on October 9, 1990, Niagara Mohawk Power Corporation ("Niagara Mohawk") tendered for filing a proposed change to Niagara Mohawk Rate Schedule No. 140, an agreement between Niagara Mohawk and the Orange and Rockland Utilities, Inc. ("O&R").

Rate Schedule No. 140 provides for the wheeling of certain loads by Niagara Mohawk to O&R. The proposed change revises the rates for the wheeling of power and energy by Niagara Mohawk. Niagara Mohawk proposes an effective date of September 1, 1990 and requests waiver of the Commission's notice requirements. In support thereof, Niagara Mohawk states that O&R has consented to this proposed effective date.

Copies of this filing were served upon the Public Service Commission State of New York and Orange and Rockland Utilities, Inc.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

3. Northern States Power Co.

[Docket No. ER88-72-003]

Take notice that on October 5, 1990, Northern States Power Company Wisconsin (NSPW) tendered for filing copies of its revised refund and interest calculations in the above referenced docket.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

4. Indianapolis Power & Light Co.

[Docket No. ER91-22-000]

Take notice that on October 11, 1990, Indianapolis Power & Light Company (IPL) tendered for filing Amendment No. 3 to the Agreement dated as of October 9, 1986 which sets forth the rates, charges, terms and conditions for wholesale electric service to Boone County Rural Electric Membership Corporation (Boone REMC) which is the only REMC IPS serves. Amendment No. 3 extends the existing Agreement for a successive term of three years which otherwise would terminate December 10, 1990.

The only customer affected by this filing is Boone REMC, which has executed said Amendment No. 3 and has concurred in this filing.

IPL states that copies of this filing were sent to Boone REMC and to the Indiana Utility Regulatory Commission.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

5. Florida Power & Light Co.

[Docket No. ER91-15-000]

Take notice that on October 9, 1990, Florida Power & Light Company (FP&L) tendered for filing a Notice of Cancellation to Rate Schedule FERC No. 105 with a requested effective date of September 30, 1990.

FP&L states that copies of this filing have been served upon the Utility Board of the City of Key West, Florida.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

6. Connecticut Light and Power Company

[Docket No. ER85-720-013]

Take notice that on October 4, 1990, Connecticut Light and Power Company tendered for filing revised copies of its compliance filing made on August 10, 1990.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

7. Wisconsin Public Service Corp.

[Docket No. ER91-19-000]

Take notice that Wisconsin Public Service Corporation on October 9, 1990 tendered for filing a supplement to the following service agreement:

FERC Electric Tariff Original Volume No. 3, the October 29, 1987 Partial Requirements Load Pattern Service Agreement with the Consolidated Water Power Company.

This supplement will revise the contract demand quantities in accordance with Exhibit 1 of the service agreement, Paragraph 6, Requirements.

Copies of this filing were served upon the Consolidated Water Power Company and the Public Service Commission of Wisconsin.

This supplement is to be effective on and after January 1, 1991.

Comment date: October 26, 1990, in accordance with Standard Paragraph E end of this notice.

8. Catalyst Old River Hydroelectric Partnership

[Docket Nos. EL90-34-001 and EC90-14-001]

Take notice that on September 24, 1990, Catalyst Old River Hydroelectric Partnership tendered for filing copies of its compliance filing in the above referended dockets pursuant to the Commission's order issued on August 20, 1990.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

9. Northern States Power Co. (Minnesota), Northern States Power Co. (Wisconsin)

[Docket No. ER91-21-000]

Take notice that on October 10, 1990, Northern States Power Company-Minnesota and Northern States Power-Wisconsin (NSP) filed a transmission services tariff making available reserved and interruptible transmission service on the combined NSP-Minnesota and NSP-Wisconsin transmission system.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

10. Public Service Co. of New Mexico

[Docket No. ER91-17-000]

Take notice that on October 9, 1990, Public Service Company of New Mexico (PNM) tendered for filing a Notice of Termination of Service Schedule D to the Interconnection Agreement Between PNM and Southwestern Public Service Company (SPS) (Supplement 5 to PNM Rate Schedule FERC No. 53).

PNM requests that the applicable notice requirements be waived to permit

Service Schedule D to be terminated effective as of December 31, 1989.

Copies of the filing have been served upon SPS and the New Mexico Public Service Commission.

Comment date: October 26, 1990, in accordance with Standard Paragraph E at the end of this notice.

11. Public Service Co. of New Mexico

[Docket No. ER91-18-000]

Take notice that on October 9, 1990, Public Service Company of New Mexico (PNM) tendered for filing a Notice of Termination of the Agreement for Transmission Service Between Raton Public Service Company and PNM (PNM Rate Schedule FERC No. 50, as supplemented by Supplements 1 through 6) and a Notice of Termination of the Sales and Transmission Letter Agreement among PNM, the Arkansas River Power Authority (PNM Rate Schedule FERC No. 79) and Raton Public Service Company (Supplement 6 to PNM Rate Schedule FERC No. 50).

PNM requests that the applicable notice requirements be waived to permit the Agreement for Transmission Service and the Sales and Transmission Letter Agreement to be terminated effective as of February 1, 1990.

Comment date: October 26, 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. 90-24664 Filed 10-18-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ST90-4148-000 through ST90-4569-000]

Delhi Gas Pipeline Corp.; Self-Implementing Transactions

October 12, 1990.

Take notice that the following transactions have been reported to the Commission as being implemented pursuant to part 284 of the Commission's regulations, section 311 and 312 of the Natural Gas Policy Act of 1978 (NGPA) and section 5 of the Outer Continental Shelf Lands Act.[1]

The "Recipient" column in the following table indicates the entity receiving or purchasing the natural gas in each transaction.

The "part 284 subpart" column in the following table indicates the type of transaction.

A "B" indicates transportation by an interstate pipeline on behalf of an intrastate pipeline or a local distribution company pursuant to § 284.102 of the Commission's regulations and section 311(a)(1) of the NGPA.

A "C" indicates transportation by an intrastate pipeline on behalf of an interstate pipeline or a local distribution company served by an interstate pipeline pursuant to § 284.122 of the Commission's regulations and section 311(a)(2) of the NGPA.

A "D" indicates a sale by an intrastate pipeline to an interstate pipeline or a local distribution company served by an interstate pipeline pursuant to § 284.142 of the Commission's Regulations and section 311(b) of the NGPA. Any interested person may file a complaint concerning such sales pursuant to § 284.147(d) of the Commission's Regulations.

An "E" indicates an assignment by an intrastate pipeline to any interstate pipeline or local distribution company pursuant to § 284.163 of the Commission's regulations and section 312 of the NGPA.

A "G" indicates transportation by an interstate pipeline on behalf of another interstate pipeline pursuant to § 284.222 and a blanket certificate issued under § 284.221 of the Commission's regulations.

A "G-S" indicates transportation by interstate pipelines on behalf of shippers other than interstate pipelines pursuant to § 284.223 and a blanket certificate issued under § 284.221 of the Commission's regulations.

A "G-LT" or "G-LS" indicates transportation, sales or assignments by a local distribution company on behalf of or to an interstate pipeline or local distribution company pursuant to a blanket certificate issued under § 284.224 of the Commission's regulations.

A "G-HT" or "G-HS" indicates transportation, sales or assignments by a Hinshaw Pipeline pursuant to a blanket certificate issued under § 284.224 of the Commission's regulations.

A "K" indicates transportation of natural gas on the Outer Continental Shelf by an interstate pipeline on behalf of another interstate pipeline pursuant to § 284.303 of the Commission's regulations.

A "K-S" indicates transportation of natural gas on the Outer Continental Shelf by an intrastate pipeline on behalf of shippers other than interstate pipelines pursuant to § 284.303 of the Commission's regulations.

Lois D. Cashell,

Secretary.

Docket No.[1] and transporter/seller		Recipient	Date filed	Part 284, subpart	Est. max. daily quantity [2]
ST90-4148	Delhi Gas Pipeline Corp	United Gas Pipe Line Co	08-01-90	C	50,000
ST90-4149	Natural Gas Pipeline Co. of America	Gas Energy Development	08-01-90	G-S	50,000
ST90-4150	Midwestern Gas Transmission Co	Unicorp Energy, Inc	08-01-90	G-S	100,000
ST90-4151	Lone Star Gas Co	Natural Gas Pipeline Co. of America	08-01-90	C	50,000
ST90-4152	Tennessee Gas Pipeline Co	North Penn Gas Co	08-01-90	B	4,500
ST90-4153	Tennessee Gas Pipeline Co	North Penn Gas Co	08-01-90	B	500
ST90-4154	Transcontinental Gas Pipe Line Corp	Mississippi Valley Gas Co., et al	08-01-90	B	200,000
ST90-4155	Transcontinental Gas Pipe Line Corp	TXG Gas Marketing Co	08-01-90	G-S	500,000
ST90-4156	Panhandle Eastern Pipe Line Co	OXY U.S.A., Inc	08-01-90	G-S	60,000
ST90-4157	Panhandle Eastern Pipe Line Co	Bethlehem Steel Corp	08-01-90	G-S	2,209
ST90-4158	Columbia Gas Transmission Corp	Columbia Gas of Pennsylvania, Inc	08-01-90	B	2,680

[1] Notice of a transaction does not constitute a determination that the terms and conditions of the proposed service will be approved or that the noticed filing is in compliance with the Commission's regulations.

Docket No.[1] and transporter/seller	Recipient	Date filed	Part 284, subpart	Est. max. daily quantity [2]
ST90-4159 Colorado Interstate Gas Co	Coastal States Gas Transmission Co	08-02-90	B	20,000
ST90-4160 ARKLA Energy Resources	PSI, Inc	08-02-90	G-S	10,000
ST90-4161 High Island Offshore System	NML Development Corp	08-02-90	K-S	115,000
ST90-4162 Columbia Gulf Transmission Co	Access Energy Corp	08-02-90	G-S	20,000
ST90-4163 Columbia Gulf Transmission Co	Ultramar Production Co	08-02-90	G-S	6,000
ST90-4164 Columbia Gulf Transmission Co	Entrade Corp	08-02-90	G-S	75,000
ST90-4165 Transcontinental Gas Pipe Line Corp	Public Service Co. of N. Carolina	08-02-90	B	190,000
ST90-4166 Transcontinental Gas Pipe Line Corp	South Carolina Pipeline Corp	08-02-90	B	700,000
ST90-4167 Transcontinental Gas Pipe Line Corp	City of Danville	08-02-90	B	154,000
ST90-4168 ANR Pipeline Co	Bridgeline Gas Distribution Co	08-02-90	B	30,000
ST90-4169 ANR Pipeline Co	NGC Transportation, Inc	08-02-90	G-S	250,000
ST90-4170 ANR Pipeline Co	Gulf States Pipeline Corp	08-02-90	B	20,000
ST90-4171 ANR Pipeline Co	Ward Gas Marketing, Inc	08-02-90	G-S	50,000
ST90-4172 ANR Pipeline Co	Coastal Gas Marketing, Co	08-02-90	G-S	100,000
ST90-4173 Gas Co. of NM (Div. Public Serv. Co. NM)	El Paso Natural Gas Co	08-02-90	G-HT	3,000
ST90-4174 Williams Natural Gas Co	Kansas Power and Light Co	08-02-90	B	7,000
ST90-4175 Williams Natural Gas Co	Amarillo Natural Gas Co., Inc	08-02-90	B	225
ST90-4176 Williams Natural Gas Co	Midwest Grain Pipeline, Inc	08-02-90	B	7,000
ST90-4177 United Gas Pipe Line Co	Cobra Oil & Gas Corp	08-02-90	G-S	206,000
ST90-4178 United Gas Pipe Line Co	Northern Illinois Gas Co	08-02-90	B	103,000
ST90-4179 United Gas Pipe Line Co	Tejas Power Corp	08-02-90	G-S	51,500
ST90-4180 Texas Gas Transmission Corp	Enserch Gas Co	08-02-90	G-S	100,000
ST90-4181 Texas Gas Transmission Corp	Direct Gas Supply Corp	08-02-90	G-S	25,000
ST90-4182 Mississippi River Transmission Corp	Mega Natural Gas Co	08-03-90	G-S	19,000
ST90-4183 Colorado Interstate Gas Co	San Diego Gas & Electric Co	08-03-90	G-S	90,000
ST90-4184 ANR Pipeline Co	Amax Oil & Gas Inc	08-03-90	G-S	6,000
ST90-4185 Tennessee Gas Pipeline Co	Tennessee River Intrastate Gas Co	08-03-90	B	22,000
ST90-4186 Natural Gas Pipeline Co. of America	Philadelphia Gas Works	08-03-90	B	25,000
ST90-4187 Blue Dolphin Pipe Line Co	Dow Pipeline Co	08-03-90	B	20,000
ST90-4188 Enogex Inc	Williams Natural Gas Co	08-03-90	C	10,000
ST90-4189 United Gas Pipe Line Co	Entrade Corp	08-03-90	G-S	103,000
ST90-4190 United Gas Pipe Line Co	Shell Gas Trading Co	08-03-90	G-S	206,000
ST90-4191 Texas Gas Transmission Corp	Columbia Gas Transmission Corp	08-03-90	G	200,000
ST90-4192 Texas Gas Transmission Corp	Columbia Gas Transmission Corp	08-03-90	G	200,000
ST90-4193 Texas Gas Transmission Corp	Columbia Gas Transmission Corp	08-03-90	G	56,000
ST90-4194 Texas Gas Transmission Corp	Columbia Gas Transmission Corp	08-03-90	G	200,000
ST90-4195 Transcontinental Gas Pipe Line Corp	Consolidated Edison Co. of NY, Inc	08-03-90	B	6,480,000
ST90-4196 Transcontinental Gas Pipe Line Corp	Louisiana Gas Marketing Co	08-03-90	B	50,000
ST90-4197 Transcontinental Gas Pipe Line Corp	South Jersey Gas Co	08-03-90	B	1,810,000
ST90-4198 Transcontinental Gas Pipe Line Corp	Sabine Gas Transmission Co	08-03-90	B	150,000
ST90-4199 Transcontinental Gas Pipe Line Corp	North Carolina Natural Gas Corp	08-03-90	B	700,000
ST90-4200 United Gas Pipe Line Co	Prior Intrastate Corp	08-06-90	B	515,000
ST90-4201 Superior Offshore Pipeline Co	Union Partners, Ltd	08-06-90	G-S	47,970
ST90-4202 Sabine Pipe Line Co	Winnie Pipeline Co	08-06-90	B	100,000
ST90-4203 Columbia Gas Transmission Corp	Phoenix Diversified Ventures, Inc	08-06-90	G-S	42,000
ST90-4204 Valero Transmission, L.P	Texas Eastern Gas Pipeline Co	08-07-90	C	7,400
ST90-4205 Valero Transmission, L.P	Trunkline Gas Co	08-07-90	C	2,500
ST90-4206 Transcontinental Gas Pipe Line Corp	Public Service Electric and Gas Co	08-07-90	B	4,800,000
ST90-4207 Transcontinental Gas Pipe Line Corp	City of Lexington	08-07-90	B	58,400
ST90-4208 Columbia Gulf Transmission Co	Superior Natural Gas Corp	08-07-90	G-S	30,000
ST90-4209 Delhi Gas Pipeline Corp	Transwestern Pipeline Co	08-08-90	C	3,500
ST90-4210 Black Marlin Pipeline Co	Enron Industrial Natural Gas Co	08-08-90	B	145,000
ST90-4211 Trunkline Gas Co	Panhandle Trading Co	08-08-90	G-S	75,000
ST90-4212 Panhandle Eastern Pipe Line Co	Amarillo Natural Gas Co., Inc	08-08-90	B	4,000
ST90-4213 Panhandle Eastern Pipe Line Co	Consolidated Fuel Corp	08-08-90	G-S	15,000
ST90-4214 Panhandle Eastern Pipe Line Co	Missouri Pipeline	08-08-90	B	50,000
ST90-4215 Valero Transmission, L.P	El Paso Natural Gas Co	08-09-90	C	8,000
ST90-4216 Pacific Gas Transmission Co	Pacific Gas and Electric Co	08-09-90	B	240,000
ST90-4217 Tennessee Gas Pipeline Co	Golden Gas Energies, Inc	08-08-90	G-S	20,000
ST90-4218 Texas Eastern Transmission Corp	Enermark Gas Gathering Corp	08-09-90	G-S	10,000
ST90-4219 Texas Eastern Transmission Corp	Citrus Industrial Gas Sales Co	08-09-90	G-S	75,000
ST90-4220 Transcontinental Gas Pipe Line Corp	Baltimore Gas and Electric Co., et al	08-10-90	B	600,000
ST90-4221 Transcontinental Gas Pipe Line Corp	City of Laurens	08-10-90	B	70,000
ST90-4222 Transcontinental Gas Pipe Line Corp	City of Kings Mountain	08-10-90	B	31,500
ST90-4223 Transcontinental Gas Pipe Line Corp	Columbia Gas Transmission	08-10-90	G	4,000
ST90-4224 Transcontinental Gas Pipe Line Corp	Neches Gas Distribution Co	08-10-90	B	5,865,000
ST90-4225 Transcontinental Gas Pipe Line Corp	Long Island Lighting Co	08-10-90	B	2,100,000
ST90-4226 Transcontinental Gas Pipe Line Corp	North Penn Gas Co	08-10-90	B	50,000
ST90-4227 Transcontinental Gas Pipe Line Corp	Sabine Gas Transmission Co	08-10-90	B	2,810,000
ST90-4228 Transcontinental Gas Pipe Line Corp	National Fuel Distribution Corp	08-10-90	B	1,050,000
ST90-4229 ANR Pipeline Co	Chevron U.S.A., Inc	08-10-90	G-S	15,000
ST90-4230 ANR Pipeline Co	Fina Oil and Chemical Co	08-10-90	G-S	25,000
ST90-4231 ANR Pipeline Co	Kerr-McGee Corp	08-10-90	G-S	60,000
ST90-4232 ANR Pipeline Co	Consolidated Fuel Corp	08-10-90	G-S	10,000
ST90-4233 ANR Pipeline Co	Mobil Natural Gas, Inc	08-10-90	G-S	100,000
ST90-4234 Texas Gas Transmission Corp	Louisiana Municipal Nat. Gas Pur. & Dis.	08-10-90	G-S	45,000
ST90-4235 Texas Gas Transmission Corp	Tejas Power Corp	08-10-90	G-S	100,000
ST90-4236 Texas Gas Transmission Corp	Southern Gas Co., Inc	08-10-90	G-S	40,000
ST90-4237 United Gas Pipe Line Co	Enermark Gas Gathering Corp	08-10-90	G-S	103,000

Docket No.[1] and transporter/seller	Recipient	Date filed	Part 284, subpart	Est. max. daily quantity [2]
ST90-4238 United Gas Pipe Line Co	Nerco Oil & Gas, Inc	08-10-90	G-S	77,250
ST90-4239 United Gas Pipe Line Co	Laser Marketing Co	08-10-90	G-S	5,150
ST90-4240 United Gas Pipe Line Co	Nerco Oil and Gas, Inc	08-10-90	G-S	77,250
ST90-4241 United Gas Pipe Line Co	Exxon Corp	08-10-90	G-S	103,000
ST90-4242 Moraine Pipeline Co	Natural Gas Pipeline Co. of America	08-10-90	G	150,000
ST90-4243 Northern Natural Gas Co	Enron Gas Marketing, Inc	08-10-90	G-S	20,000
ST90-4244 Equitrans, Inc	Virginia Electric & Power Co	08-10-90	G-S	19,882
ST90-4245 El Paso Natural Gas Co	Desert Palace Inc	08-10-90	G-S	1,030
ST90-4246 Valero Transmission, L.P.	El Paso Natural Gas Co	08-13-90	C	25,000
ST90-4248 Stingray Pipeline Co	Mobil Natural Gas Inc	08-13-90	K-S	100,000
ST90-4249 Panhandle Eastern Pipe Line Co	National Steel Corp	08-13-90	G-S	500
ST90-4250 Trunkline Gas Co	Entrade Corp	08-13-90	G-S	100,000
ST90-4251 Southern Natural Gas Co	Mississippi Power	08-13-90	B	50,000
ST90-4252 Southern Natural Gas Co	Tenngasco Corp	08-13-90	G-S	100,000
ST90-4253 Southern Natural Gas Co	Citrus Industrial Gas Sales Co	08-13-90	G-S	75,000
ST90-4254 Southern Natural Gas Co	Howell Gas Management Co	08-13-90	G-S	50,000
ST90-4255 Southern Natural Gas Co	Tenngasco Corp	08-13-90	G-S	100,000
ST90-4256 Southern Natural Gas Co	Citrus Industrial Gas Sales Co	08-13-90	G-S	75,000
ST90-4257 Columbia Gas Transmission Corp	PSI, Inc	08-13-90	G-S	150,000
ST90-4258 Columbia Gulf Transmission Co	Citizens Gas Supply Corp	08-13-90	G-S	50,000
ST90-4259 Columbia Gulf Transmission Co	Coastal Gas Marketing Co	08-13-90	G-S	30,000
ST90-4260 Columbia Gulf Transmission Co	UGI Corp	08-13-90	B	100,000
ST90-4261 Northern Natural Gas Co	Fremont Dept. of Utilities	08-13-90	B	8,103
ST90-4262 Northern Natural Gas Co	Manning Municipal Gas Dept	08-13-90	B	172
ST90-4263 ARKLA Energy Resources	Minnegasco, Inc	08-13-90	B	100,000
ST90-4265 Gas Co. of NM (Div. Public Serv. Co. NM)	El Pasto Natural Gas Co	08-14-90	G-HT	10,000
ST90-4266 Texas Eastern Transmission Corp	Allied Gas Co	08-14-90	G-S	2,076
ST90-4267 Texas Gas Transmission Corp	Orbit Gas Co	08-14-90	B	1,000
ST90-4268 Texas Gas Transmission Corp	Western Kentucky Gas Co	08-14-90	B	205
ST90-4270 Northern Natural Gas Co	St. Croix Valley Natural Gas Co	08-15-90	B	5,000
ST90-4271 Northern Natural Gas Co	Lyle Energy Sources	08-15-90	G-S	41,000
ST90-4272 Northern Natural Gas Co	Arco Natural Gas Marketing, Inc	08-15-90	G-S	200,000
ST90-4273 Northern Natural Gas Co	Midcon Marketing Corp	08-15-90	G-S	300,000
ST90-4274 Williston Basin Interstate P/L Co	Montana-Dakota Utilities Co	08-15-90	B	197,942
ST90-4278 Acadian Gas Pipeline System	ANR Pipeline Co	08-15-90	C	50,000
ST90-4279 High Island Offshore System	CNG Producing Co	08-15-90	K-S	103,000
ST90-4280 High Island Offshore System	Phillips Pipeline Co	08-15-90	K-S	68,000
ST90-4281 High Island Offshore System	Wisconsin Southern Gas Co	08-15-90	K-S	75,000
ST90-4282 High Island Offshore System	Chevron U.S.A., Inc	08-15-90	K-S	65,000
ST90-4283 High Island Offshore System	Union Pacific Resources Co	08-15-90	K-S	100,000
ST90-4284 High Island Offshore System	NGC Intrastate Pipeline Co	08-15-90	K-S	2,800,000
ST90-4285 High Island Offshore System	Panhandle Trading Co	08-15-90	K-S	50,000
ST90-4286 Tennessee Gas Pipeline Co	Elf Aquitaine Operating, Inc	08-16-90	G-S	100,000
ST90-4287 Northern Natural Gas Co	Tennessee Gas Pipeline Co	08-16-90	G	10,000
ST90-4288 U T Offshore System	American Central Gas Marketing Co	08-16-90	K-S	100,000
ST90-4289 Transok, Inc	Black Marlin Pipeline Co	08-16-90	C	50,000
ST90-4290 Transok, Inc	Black Marlin Pipeline Co	08-16-90	C	50,000
ST90-4291 Colorado Interstate Gas Co	Western Natural Gas and Trans. Corp	08-16-90	G-S	5,000
ST90-4292 Colorado Interstate Gas Co	PSI Gas Marketing, Inc	08-16-90	G-S	10,000
ST90-4293 Colorado Interstate Gas Co	Public Service Co. of Colorado	08-16-90	B	5,000
ST90-4294 Colorado Interstate Gas Co	Amoco Energy Trading Corp	08-16-90	G-S	50,000
ST90-4295 Mississippi River Transmission Corp	Arkansas Louisiana Gas Co	08-16-90	B	100,000
ST90-4296 Columbia Gas Transmission Corp	Meridian Marketing & Transmission Corp.	08-16-90	G-S	780
ST90-4297 Transcontinental Gas Pipe Line Corp	Chevron Corp	08-16-90	G-S	8,625,000
ST90-4298 Sonat Intrastate-Alabama Inc	Southern Natural Gas Co	08-16-90	C	1,000
ST90-4299 Natural Gas Pipeline Co. of America	United Texas Transmission Co	08-17-90	B	10,000
ST90-4300 Questar Pipeline Co	Colorado Interstate Gas Co	08-17-90	G	25,000
ST90-4301 Transcontinental Gas Pipe Line Corp	Elizabethtown Gas Co	08-17-90	B	1,125,000
ST90-4302 Trunkline Gas Co	Bethlehem Steel Corp	08-17-90	G-S	2,199
ST90-4303 Trunkline Gas Co	Chevron U.S.A., Inc	08-17-90	G-S	30,000
ST90-4304 Trunkline Gas Co	Shell Gas Trading Co	08-17-90	G-S	75,000
ST90-4305 Trunkline Gas Co	Florida Gas Transmission Co	08-17-90	G	50,000
ST90-4306 Columbia Gulf Transmission Co	Ledco, Inc	08-17-90	G-S	80,000
ST90-4307 Columbia Gulf Transmission Co	Koch Hydrocarbons Co	08-17-90	G-S	90,000
ST90-4308 Columbia Gulf Transmission Co	Panhandle Trading Co	08-17-90	G-S	150,000
ST90-4309 U T Offshore System	Northwestern Mutual Life Insurance Co.	08-17-90	K-S	115,000
ST90-4310 U T Offshore System	Tejas Power Corp	08-17-90	K-S	350,000
ST90-4311 Northern Natural Gas Co	Iowa Electric Light & Power Co	08-20-90	B	18,750
ST90-4312 Northern Natural Gas Co	Midwest Gas Co	08-20-90	B	18,886
ST90-4313 Northern Natural Gas Co	Northern States Power Co. of Wisconsin.	08-20-90	B	8,400
ST90-4314 Northern Natural Gas Co	Wisconsin Power and Light Co	08-20-90	B	1,389
ST90-4315 Northern Natural Gas Co	Western Gas Utilities	08-20-90	B	320
ST90-4316 Northern Natural Gas Co	Northern States Power Co	08-20-90	B	40,000
ST90-4317 Northern Natural Gas Co	Great Plains Natural Gas Co	08-20-90	B	120,000
ST90-4318 Northern Natural Gas Co	City of Duluth, Dept. of Water & Gas	08-20-90	B	2,622
ST90-4319 Northern Natural Gas Co	Superior Water, Light and Power Co	08-20-90	B	1,000
ST90-4320 Northern Natural Gas Co	Iowa Southern Utilities Co	08-20-90	B	571

Docket No.[1] and transporter/seller		Recipient	Date filed	Part 284, subpart	Est. max. daily quantity [2]
ST90-4321	Northern Natural Gas Co	Cedar Falls Utilities	08-20-90	B	2,716
ST90-4322	Northern Natural Gas Co	Osage Municipal Utilities	08-20-90	B	365
ST90-4323	Northern Natural Gas Co	Minnegasco, Inc	08-20-90	B	66,018
ST90-4324	Northern Natural Gas Co	Peoples Natural Gas Co	08-20-90	B	75,747
ST90-4325	Northern Natural Gas Co	St. Croix Valley Natural Gas Co	08-20-90	B	754
ST90-4326	Northern Natural Gas Co	City of Hibbing	08-20-90	B	340
ST90-4327	Northern Natural Gas Co	Northern Minnesota Utilities	08-20-90	B	3,200
ST90-4328	Northern Natural Gas Co	City of New ULM	08-20-90	B	2,000
ST90-4329	Northern Natural Gas Co	Fremont Dept. of Utilities	08-20-90	B	566
ST90-4330	Northern Natural Gas Co	Owatonna Public Utilities	08-20-90	B	1,843
ST90-4331	Northern Natural Gas Co	Manning Municipal Gas Dept	08-20-90	B	200
ST90-4332	Northern Natural Gas Co	Austin Utility Dept	08-20-90	B	1,796
ST90-4333	United Gas Pipe Line Co	Seagull Marketing Services, Inc	08-20-90	G-S	515,000
ST90-4334	United Gas Pipe Line Co	Centran Corp	08-20-90	G-S	80,312
ST90-4335	United Gas Pipe Line Co	Exxon Corp	08-20-90	G-S	10,300
ST90-4336	United Gas Pipe Line Co	Capital Gas Co	08-20-90	G-S	4,120
ST90-4337	United Gas Pipe Line Co	Phoneix Gas Pipeline Co	08-20-90	G-S	1,848
ST90-4338	United Gas Pipe Line Co	Texaco, Inc	08-20-90	G-S	51,500
ST90-4339	Tennessee Gas Pipeline Co	Laser Marketing Co	08-20-90	G-S	6,000
ST90-4340	River Gas Co	Texas Eastern Transmission Corp	08-20-90	G-HT	4,000
ST90-4341	El Paso Natural Gas Co	Gasmark Inc	08-20-90	G-S	8,034
ST90-4342	Louisiana Resources Co	Sabine Pipe Line Co	08-20-90	C	20,000
ST90-4343	Northwest Pipeline Corp	Petro-Canada Hydrocarbons Inc	08-20-90	G-S	1,000
ST90-4344	Sabine Pipe Line Co	Louisiana Resources Co	08-21-90	B	50,000
ST90-4345	El Paso Natural Gas Co	Enron Gas Marketing	08-21-90	G-S	198,842
ST90-4346	Colorado Interstate Gas Co	Oxy U.S.A., Inc	08-21-90	G-S	60,000
ST90-4347	Colorado Interstate Gas Co	Mesa Operating Ltd. Partnership	08-21-90	G-S	10,000
ST90-4348	Colorado Interstate Gas Co	Coastal Gas Marketing Co	08-21-90	G-S	2,500
ST90-4349	Texas Gas Transmission Corp	North Alantic Utilities, Inc	08-21-90	G-S	40,000
ST90-4350	Delhi Gas Pipeline Corp	Transwestern Pipeline Co	08-22-90	C	1,000
ST90-4351	Delhi Gas Pipeline Corp	Mississippi River Transmission Corp	08-22-90	C	3,000
ST90-4352	Delhi Gas Pipeline Corp	Natural Gas Pipeline Co. of America	08-22-90	C	6,000
ST90-4353	Westar Transmission Co	Transwestern Pipeline Co	08-22-90	C	5,200
ST90-4354	Texas Gas Transmission Corp	Texas Eastern Transmission Corp	08-22-90	G	175,000
ST90-4355	Green Canyon Pipe Line Co	Enron Gas Marketing	08-22-90	G-S	100,000
ST90-4356	High Island Offshore System	Access Energy Corp	08-22-90	K-S	290,000
ST90-4357	High Island Offshore System	LL & E Gas Marketing, Inc	08-22-90	K-S	35,000
ST90-4358	High Island Offshore System	Houston Gas Exchange Corp	08-22-90	K-S	580,000
ST90-4359	High Island Offshore System	Meth Corp	08-22-90	K-S	137,500
ST90-4360	High Island Offshore System	Midcon Marketing Corp	08-22-90	K-S	250,000
ST90-4361	High Island Offshore System	Unicorp Energy, Inc	08-22-90	K-S	145,000
ST90-4362	High Island Offshore System	Centran Corp	08-22-90	K-S	10,500
ST90-4363	High Island Offshore System	Energy Marketing Exchange, Inc	08-22-90	K-S	200,000
ST90-4364	High Island Offshore System	Koch Hydrocarbons Co	08-22-90	K-S	620,000
ST90-4365	High Island Offshore System	Arco Natural Gas Marketing, Inc	08-22-90	K-S	1,670,000
ST90-4366	High Island Offshore System	Marathon Oil Co	08-22-90	K-S	26,000
ST90-4367	Sabine Pipe Line Co	Access Energy Pipeline Corp	08-23-90	B	4,500
ST90-4368	Sabine Pipe Line Co	Reliance Pipeline Co	08-23-90	B	50,000
ST90-4369	Sabine Pipe Line Co	Enron Industrial Natural Gas Co	08-23-90	B	5,000
ST90-4370	Sabine Pipe Line Co	Peoples Gas Systems, Inc	08-23-90	B	2,000
ST90-4371	Natural Gas Pipeline Co. of America	Pontchartrain Natural Gas System	08-23-90	B	50,000
ST90-4372	Northern Natural Gas Co	Great Plains Natural Gas Co	08-23-90	B	2,263
ST90-4373	LLano, Inc	Northern States Power Co	08-23-90	C	12,500
ST90-4374	Tennessee Gas Pipeline Co	Cimarron Gas Transmission Inc	08-23-90	G-S	20,400
ST90-4375	Magolia Pipeline Corp	Transcontinental Gas Pipe Line Corp	08-23-90	C	250,000
ST90-4376	K N Energy, Inc	Phibro Energy, Inc	08-23-90	G-S	50,000
ST90-4377	Trunkline Gas Co	Alsey Refractories Co	08-23-90	G-S	385
ST90-4378	Trunkline Gas Co	Williams Gas Marketing Co	08-23-90	G-S	100,000
ST90-4379	Trunkline Gas Co	BP Gas Transmission Co	08-23-90	B	50,000
ST90-4380	Trunkline Gas Co	South Centeral Intrastrate Pipe Line Co.	08-23-90	B	75,000
ST90-4381	Trunkline Gas Co	Memphis Light, Gas and Water Division.	08-23-90	B	1,600
ST90-4382	Trunkline Gas Co	Hadson Gas System, Inc	08-23-90	G-S	50,000
ST90-4383	Trunkline Gas Co	Panhandle Trading Co	08-23-90	G-S	75,000
ST90-4384	Trunkline Gas Co	Panhandle Trading Co	08-23-90	G-S	125,000
ST90-4385	Superior Offshore Pipeline Co	Amerada Hess Corp	08-23-90	G-S	6,000
ST90-4386	Alabma-Tennessee Natural Gas Co	PSI, Inc	08-24-90	G-S	20,000
ST90-4387	Columbia Gulf Transmission Co	ELF Aquitaine, Inc	08-23-90	G-S	30,000
ST90-4388	United Gas Pipe Line Co	Texaco, Inc	08-23-90	G-S	51,500
ST90-4389	United Gas Pipe Line Co	Kerr-McGee Corp	08-23-90	G-S	154,500
ST90-4390	United Gas Pipe Line Co	International Paper Co	08-23-90	G-S	8,240
ST90-4391	Natural Gas Pipeline Co. of America	Ohio Intrastate Gas Transmission Co	08-24-90	B	25,000
ST90-4392	Natural Gas Pipeline Co. of America	Ohio Intrastate Gas Transmission Co	08-24-90	B	10,000
ST90-4393	Channel Industries Gas Co	Southern Natural Gas Co	08-24-90	C	25,000
ST90-4394	ANR Pipeline Co	Bay State Gas Co	08-24-90	B	100,000
ST90-4395	ANR Pipeline Co	Northern Illinois Gas Co	08-24-90	B	100,000
ST90-4396	ANR Pipeline Co	Kohler Co	08-24-90	G-S	2,500
ST90-4397	ANR Pipeline Co	Centran Corp Corp	08-24-90	G-S	50,000
ST90-4398	ANR Pipeline Co	Stellar Pipeline Co	08-24-90	B	50,000

Docket No.[1] and transporter/seller	Recipient	Date filed	Part 284, subpart	Est. max. daily quantity [2]
ST90-4399 ANR Pipeline Co	Beatreme Foods, Inc	08-24-90	G-S	230
ST90-4400 ANR Pipeline Co	Beatreme Foods, Inc	08-24-90	G-S	490
ST90-4401 ANR Pipeline Co	Michigan Gas Utilities Co	08-24-90	B	1,000
ST90-4402 Colorado Interstate Gas Co	Chevron U.S.A. Inc	08-24-90	G-S	60,000
ST90-4403 Transcontinental Gas Pipe Line Corp	Peoples Natural Gas Co	08-24-90	B	22,120,000
ST90-4404 Transcontinental Gas Pipe Line Corp	Stellar Gas Co	08-24-90	B	1,900,000
ST90-4405 Transcontinental Gas Pipe Line Corp	Louisiana Gas Marketing Co	08-24-90	B	70,000
ST90-4406 Northern Natural Gas Co	Michigan Gas Co	08-24-90	B	2,263
ST90-4407 K N Enery, Inc	City of Central City	08-27-90	G	250
ST90-4408 Tennessee Gas Pipeline Co	National Fuel Gas Supply Corp	08-27-90	G	20,000
ST90-4409 Tennessee Gas Pipeline Co	Pennsylvania Gas and Water Co	08-27-90	B	103,000
ST90-4410 Tennessee Gas Pipeline Co	New York State Electric and Gas Co	08-24-90	B	10,000
ST90-4411 United Gas Pipe Line Co	Polaris Pipeline Corp	08-24-90	G-S	51,500
ST90-4412 United Gas Pipe Line Co	Polaris Pipeline Corp	08-24-90	G-S	25,750
ST90-4413 Stingray Pipeline Co.	Howell Gas Management Co	08-27-90	K-S	5,000
ST90-4414 Stingray Pipeline Co.	Access Energy Corp	08-27-90	K-S	100,000
ST90-4415 Natural Gas Pipeline Co. of America	Enron Gas Marketing, Inc	08-27-90	G-S	100,000
ST90-4416 Natural Gas Pipeline Co. of America	Gasmark Inc	08-27-90	G-S	50,000
ST90-4417 Natural Gas Pipeline Co. of America	Transworld Oil USA, Inc	08-27-90	G-S	100,000
ST90-4418 Natural Gas Pipeline Co. of America	Sun Operating Limited Partnership	08-27-90	G-S	200,000
ST90-4419 Texas Eastern Transmission Corp	Rangeline Gas Corp	08-27-90	G-S	50,000
ST90-4420 Texas Eastern Transmission Corp	Long Island Lighting Co	08-27-90	B	20,000
ST90-4421 Texas Eastern Transmission Corp	LL & E Gas Marketing, Inc	08-27-90	G-S	600,000
ST90-4422 Texas Eastern Transmission Corp	Orange and Rockland Utilities, Inc	08-27-90	B	40,000
ST90-4423 Columbia Gas Transmission Corp	North Carolina Natural Gas Corp	08-27-90	B	50,000
ST90-4424 Columbia Gas Transmission Corp	North Carolina Natural Gas Corp	08-27-90	B	40,000
ST90-4425 Columbia Gas Transmission Corp	Commonwealth Gas Services, Inc	08-27-90	B	1,000
ST90-4426 United Gas Pipe Line Co	Olympic Pipeline Co	08-27-90	B	4,120
ST90-4427 United Gas Pipe Line Co	International Paper Co	08-27-90	G-S	4,635
ST90-4428 El Paso Natural Gas Co	Arco Natural Gas Marketing, Inc	08-28-90	G-S	30,900
ST90-4429 Taft Pipeline Co.	Northern Natural Gas Co	08-28-90	C	100,000
ST90-4430 Northern Natural Gas Co	Kansas Power and Light Co	08-28-90	B	25,000
ST90-4431 Florida Gas Transmission Co	Amoco Production Co	08-28-90	G-S	250,000
ST90-4432 Florida Gas Transmission Co	Acacia Gas Corp	08-28-90	G-S	50,000
ST90-4433 Florida Gas Transmission Co	Valero Transmission, L.P	08-28-90	B	200,000
ST90-4434 Florida Gas Transmission Co	Transworld Oil USA, Inc	08-28-90	G-S	100,000
ST90-4435 Florida Gas Transmission Co	Phoenix Pipeline Co	08-28-90	G-S	4,000
ST90-4436 Florida Gas Transmission Co	Pennzoil Gas Marketing Co	08-28-90	G-S	25,000
ST90-4437 Florida Gas Transmission Co	Kerr-McGee Corp	08-28-90	G-S	50,000
ST90-4438 Florida Gas Transmission Co	Excel Gas Marketing, Inc	08-28-90	G-S	200,000
ST90-4439 Florida Gas Transmission Co	Brooklyn Interstate Natural Gas Corp	08-28-90	G-S	50,000
ST90-4440 Florida Gas Transmission Co	Citrus Trading Corp	08-28-90	G-S	400,000
ST90-4441 Florida Gas Transmission Co	DOW Intrastate Gas Co	08-28-90	B	11,000
ST90-4442 Florida Gas Transmission Co	Enron Gas Marketing, Inc	08-28-90	G-S	565,260
ST90-4443 Florida Gas Transmission Co	Enron Gas Marketing, Inc	08-28-90	G-S	565,260
ST90-4444 Florida Gas Transmission Co	Enron Gas Processing Co	08-28-90	G-S	150,000
ST90-4445 Florida Gas Transmission Co	Enron Gas Marketing, Inc	08-28-90	G-S	20,000
ST90-4446 Florida Gas Transmission Co	NGC Transportation, Inc	08-28-90	G-S	500,000
ST90-4447 Florida Gas Transmission Co	Shell Gas Trading Co	08-28-90	G-S	75,000
ST90-4448 Florida Gas Transmission Co	Southern Natural Gas Co	08-28-90	G	600
ST90-4449 Florida Gas Transmission Co	Tejas Hydorcarbons Co	08-28-90	G-S	32,876
ST90-4450 Florida Gas Transmission Co	Tejas Hydorcarbons Co	08-28-90	G-S	32,876
ST90-4451 Florida Gas Transmission Co	Transworld Oil USA, Inc	08-28-90	G-S	100,000
ST90-4452 Williams Natural Gas Co	Ladd Gas Mkting./Powersmith Cogen., L.P.	08-28-90	G-S	27,400
ST90-4453 Mississippi River Transmission Corp	Bishop Pipeline Corp	08-28-90	G-S	29,000
ST90-4454 Mississippi River Transmission Corp	Amgas, Inc	08-28-90	G-S	340
ST90-4455 Arkla Energy Resources	Oxford Natural Gas Co	08-28-90	B	140,000
ST90-4456 Arkla Energy Resources	National Gas and Oil Corp	08-28-90	B	140,000
ST90-4457 Mississippi River Transmission Corp	Louisiana Intrastate Gas Corp	08-28-90	B	55,000
ST90-4458 Natural Gas Pipeline Co of America	Southern California Gas Co	08-28-90	B	2,500
ST90-4459 Natural Gas Pipeline Co of America	Continental Natural Gas, Inc	08-29-90	G-S	100,000
ST90-4460 Delhi Gas Pipeline Corp	Mississippi River Transmission Corp	08-29-90	C	3,000
ST90-4461 Sabine Pipe Line Co	Delhi Gas Piepline Corp	08-29-90	B	50,000
ST90-4462 United Gas Pipe Line Co	Ashton Energy Co	08-29-90	G-S	20,600
ST90-4463 United Gas Pipe Line Co	Ashton Energy Co	08-29-90	G-S	20,600
ST90-4464 ANR Pipeline Co	Southeastern Michigan Gas Co	08-29-90	B	658
ST90-4465 ANR Pipeline Co	Consumers Power Co	08-29-90	B	5,000
ST90-4466 Transwestern Pipeline Co	Arco Natural Gas Marketing, Inc	08-29-90	G-S	50,000
ST90-4467 Transwestern Pipeline Co	Access Energy Pipeline Corp	08-29-90	B	180,000
ST90-4468 Transwestern Pipeline Co	Mar Oil and Gas Corp	08-29-90	G-S	20,000
ST90-4469 Transwestern Pipeline Co	Westar Transmission Co	08-29-90	B	10,000
ST90-4470 Tennessee Gas Pipeline Co	Victoria Gas Corp	08-29-90	G-S	110,000
ST90-4471 Tennessee Gas Pipeline Co	Yankee Gas Services Co	08-29-90	B	2,600
ST90-4472 Tennessee Gas Pipeline Co	Stellar Gas Co	08-29-90	G-S	1,000,000
ST90-4473 Tennessee Gas Pipeline Co	Stellar Gas Co	08-29-90	G-S	60,000
ST90-4474 Tennessee Gas Pipeline Co	Stellar Gas Co	08-29-90	G-S	10,000
ST90-4475 Tennessee Gas Pipeline Co	Stellar Gas Co	08-29-90	G-S	1,000,000
ST90-4476 Columbia Gulf Transmission Co	Shell Gas Trading Co	08-29-90	G-S	57,000
ST90-4477 Columbia Gulf Transmission Co	Shell Gas Trading Co	08-29-90	G-S	55,000

Docket No.[1] and transporter/seller	Recipient	Date filed	Part 284, subpart	Est. max. daily quantity [2]
ST90-4478 Columbia Gulf Transmission Co	Kerr-McGee Corp	08-29-90	G-S	10,000
ST90-4479 Columbia Gulf Transmission Co	NGC Transportation, Inc	08-29-90	G-S	10,000
ST90-4480 Columbia Gulf Transmission Co	Kerr McGee Corp	08-29-90	G-S	100,000
ST90-4481 Columbia Gulf Transmission Co	American Central Gas Marketing Co	08-29-90	G-S	100,000
ST90-4482 Columbia Gulf Transmission Co	Transatlantic Energy Corp	08-29-90	G-S	4,000
ST90-4483 Columbia Gulf Transmission Co	R.E. Fox & Associates	08-29-90	G-S	11,000
ST90-4484 Columbia Gulf Transmission Co	Panhandle Trading Co	08-29-90	G-S	100,000
ST90-4485 Columbia Gulf Transmission Co	NGC Transportation, Inc	08-29-90	G-S	200,000
ST90-4486 U T Offshore System	Seagull Marketing Services, Inc	08-29-90	K-S	60,000
ST90-4487 U T Offshore System	CNG Producing Co	08-29-90	K-S	103,000
ST90-4488 U T Offshore System	Wisconsin Southern Gas Co	08-29-90	K-S	85,000
ST90-4489 U T Offshore System	Union Pacific Resources Co	08-29-90	K-S	100,000
ST90-4490 U T Offshore System	Union Exploration Partners, Ltd	08-29-90	K-S	20,000
ST90-4491 Gas Co. of NM (Div. Public Serv. Co. NM)	El Paso Natural Gas Co	08-29-90	G-HT	15,000
ST90-4492 Florida Gas Transmission Co	Basic, Inc	08-30-90	G-S	1,068
ST90-4493 Florida Gas Transmission Co	Metropolitan Dade County	08-30-90	G-S	5,415
ST90-4494 Florida Gas Transmission Co	Jacksonville Electric Authority	08-30-90	G-S	3,574
ST90-4495 Florida Gas Transmission Co	CF Chemicals, Inc	08-30-90	G-S	593
ST90-4496 Florida Gas Transmission Co	Gold Bond, Div. of Nat. Gypsum Co	08-30-90	G-S	767
ST90-4497 Florida Gas Transmission Co	Gardinier, Inc	08-30-90	G-S	450
ST90-4498 Florida Gas Transmission Co	Gainsville Regional Utilities	08-30-90	G-S	2,220
ST90-4499 Florida Gas Transmission Co	Florida Power and Light Co	08-30-90	G-S	312,386
ST90-4500 Florida Gas Transmission Co	Chesapeake Utilities Corp	08-30-90	G-S	6,716
ST90-4501 Florida Gas Transmission Co	Orlando Utilities Commission	08-30-90	G-S	15,303
ST90-4502 Florida Gas Transmission Co	Peoples Gas Systems, Inc	08-30-90	B	60,604
ST90-4503 Florida Gas Transmission Co	St. Joe Natural Gas Co	08-30-90	B	1,590
ST90-4504 Natural Gas Pipeline Co. of America	Northern Illinois Gas Co	08-30-90	B	30,000
ST90-4505 Natural Gas Pipeline Co. of America	Texas Industrial Energy Co	08-30-90	B	250,000
ST90-4506 United Gas Pipe Line Co	South Coast Gas Co., Inc	08-30-90	B	515
ST90-4507 ARKLA Energy Resources	Marathon Oil Co	08-30-90	G-S	40,000
ST90-4508 Texas Gas Transmission Corp	Southern Indiana Gas & Electric Co	08-30-90	B	12,600
ST90-4509 Texas Gas Transmission Corp	Southern Indiana Gas & Electric Co	08-30-90	B	5,700
ST90-4510 Panhandle Eastern Pipe Line Co	Associated Intrastate Pipeline Co	08-30-90	B	80,000
ST90-4511 Panhandle Eastern Pipe Line Co	Hadson Gas Systems, Inc	08-30-90	G-S	30,000
ST90-4512 Panhandle Eastern Pipe Line Co	Northern Illinois Gas Co	08-30-90	B	20,000
ST90-4513 Panhandle Eastern Pipe Line Co	Central Illinois Light Co	08-30-90	B	50,000
ST90-4514 Panhandle Eastern Pipe Line Co	Bishop Pipeline Corp	08-30-90	B	1,000
ST90-4515 Panhandle Eastern Pipe Line Co	Associated Intrastate Pipeline Co.	08-30-90	B	35,000
ST90-4516 Panhandle Eastern Pipe Line Co	Enron Gas Marketing	08-30-90	G-S	200,000
ST90-4517 Texas Eastern Transmission Corp	Phibro Energy, Inc.	08-30-90	G-S	400,000
ST90-4518 Transcontinental Gas Pipe Line Corp	Elizabethtown Gas Co	08-31-90	B	30,000
ST90-4519 Transcontinental Gas Pipe Line Corp	Natural Gas Clearinghouse, Inc	08-31-90	G-S	600,000
ST90-4520 Colorado Interstate Gas Co	LL & E Gas Marketing, Inc	08-31-90	G-S	75,000
ST90-4521 ANR Pipeline Co	Public Service Electric & Gas, et al	08-31-90	B	100,000
ST90-4522 ANR Pipeline Co	Coastal States Gas Transmission Co	08-31-90	B	4,000
ST90-4523 ANR Pipeline Co	Niagara Mohawk Power Corp., et al	08-31-90	B	100,000
ST90-4524 ANR Pipeline Co	Brooklyn Union Gas Co., et al	08-31-90	B	250,000
ST90-4525 ANR Pipeline Co	Philadelphia Electric Co	08-31-90	B	30,000
ST90-4526 ANR Pipeline Co	Baltimore Gas & Electric Co., et al	08-31-90	B	200,000
ST90-4527 High Island Offshore System	Calcasieu Gas Gathering System	08-31-90	K-S	140,000
ST90-4528 High Island Offshore System	Associated Natural Gas Co., Inc	08-31-90	K-S	290,000
ST90-4529 High Island Offshore System	Spindletop Gas Distribution System	08-31-90	K-S	140,000
ST90-4530 High Island Offshore System	Pontchartrain Natural Gas System	08-31-90	K-S	140,000
ST90-4531 High Island Offshore System	Illinois Power Co	08-31-90	K-S	835,000
ST90-4532 High Island Offshore System	Graham Energy Marketing Corp	08-31-90	K-S	75,000
ST90-4533 High Island Offshore System	EP Operating Co., LP	08-31-90	K-S	10,000
ST90-4534 High Island Offshore System	Coast Energy Group, Inc	08-31-90	K-S	233,000
ST90-4535 High Island Offshore System	Delmarva Power and Light Co	08-31-90	K-S	100,000
ST90-4536 High Island Offshore System	Power Authority of the State of NY	08-31-90	K-S	110,000
ST90-4537 High Island Offshore System	Neches Pipeline System	08-31-90	K-S	140,000
ST90-4538 High Island Offshore System	Public Service Electric and Gas Co	08-31-90	K-S	300,000
ST90-4539 High Island Offshore System	Brooklyn Interstate Natural Gas Corp	08-31-90	K-S	225,616
ST90-4540 Transcontinental Gas Pipe Line Corp	South Carolina Pipeline Corp	08-31-90	B	700,000
ST90-4541 Florida Gas Transmission Co	Panhandle Trading Co	08-31-90	G-S	125,000
ST90-4542 Florida Gas Transmission Co	Proctor & Gamble Cellulose Co	08-31-90	G-S	700
ST90-4543 Florida Gas Transmission Co	Proctor & Gamble Cellulose Co	08-31-90	G-S	2,928
ST90-4544 Florida Gas Transmission Co	Reedy Creek Utilities Co	08-31-90	B	8,401
ST90-4545 Florida Gas Transmission Co	Southern Gas Co	08-31-90	B	2,790
ST90-4546 Florida Gas Transmission Co	Florida Gas Utility	08-31-90	G-S	13,657
ST90-4547 Florida Gas Transmission Co	City of Homestead	08-31-90	G-S	694
ST90-4548 Florida Gas Transmission Co	West Florida Natural Gas Co	08-31-90	B	1,784
ST90-4549 Florida Gas Transmission Co	City of Tallahassee	08-31-90	G-S	28,358
ST90-4550 Florida Gas Transmission Co	Citrus Industrial Sales Co., Inc	08-31-90	G-S	400,000
ST90-4551 Florida Gas Transmission Co	Nortech Energy Corp	08-31-90	G-S	25,000
ST90-4552 Florida Gas Transmission Co	City of Lakeland	08-31-90	G-S	11,808
ST90-4553 Florida Gas Transmission Co	Orlando Utilities Commission	08-31-90	G-S	7,382
ST90-4554 Florida Gas Transmission Co	City of Tallahassee	08-31-90	G-S	3,902
ST90-4555 Panhandle Eastern Pipe Line Co	Alsey Refractories Co	08-31-90	G-S	385
ST90-4556 Trunkline Gas Co	Northern Indiana Public Service Co	08-31-90	B	80,000
ST90-4557 Panhandle Eastern Pipe Line Co,	East Ohio Gas Co	08-31-90	B	100,000

Docket No.[1] and transporter/seller	Recipient	Date filed	Part 284, subpart	Est. max. daily quantity [2]
ST90-4558 Panhandle Eastern Pipe Line Co	Entrade Corp	08-31-90	G-S	300,000
ST90-4559 Trunkline Gas Co	Krupp and Assoc	08-31-90	G-S	50,000
ST90-4560 Trunkline Gas Co	Coast Energy Group, Inc	08-31-90	G-S	30,000
ST90-4561 Texas Eastern Transmission Corp	Delta Pipeline Co	08-31-90	G-S	2,511
ST90-4562 Texas Eastern Transmission Corp	Amerada Hess Corp	08-31-90	G-S	100,000
ST90-4563 United Gas Pipe Line Co	LL & E Gas Marketing, Inc	08-31-90	G-S	20,600
ST90-4564 United Gas Pipe Line Co	Louisiana State Gas Corp	08-31-90	G-S	309,000
ST90-4565 Tennessee Gas Pipeline Co	United Gas Pipe Line Co	08-31-90	G	1,000,000
ST90-4566 Midwestern Gas Transmission Co	Nortech Energy Corp	08-31-90	G-S	20,000
ST90-4567 Natural Gas Pipeline Co. of America	Entrade Corp	08-31-90	G-S	100.000
ST90-4568 Natural Gas Pipeline Co. of America	Midcon Marketing Corp	08-31-90	G-S	250,000
ST90-4569 Transok, Inc	Black Marlin Pipeline Co	08-31-90	C	20,000
The following docket numbers are noticed out of sequence. They were omitted from the previous list pending further commission review.				
ST90-3730 Transcontinental Gas Pipe Line Corp	Wisconsin Gas Co., et al	07-09-90	B	100,000
ST90-3807 Transcontinental Gas Pipe Line Corp	Lawrenceburg Gas Co., et al	07-12-90	B	150,000
ST90-3851 Transcontinental Gas Pipe Line Corp	Bay State Gas Co., et al	07-17-90	B	250,000

[1] Notice of transactions does not constitute a determination that filings comply with Commission regulations in accordance with Order No. 436 (final rule and notice requesting supplemental comments, 50 FR 42,372, 10/10/85).

[2] Estimated maximum daily volumes includes volumes reported by the filing company in MMBTU, MCF and DT.

[FR Doc. 90-24666 Filed 10-18-90; 8:45am]
BILLING CODE 6717-01-M

[Docket Nos. CP91-21-000, et al.]

Texas Eastern Transmission Corp., et al.; Natural Gas Certification Filings

October 11, 1990.

Take notice that the following filings have been made with the Commission:

1. Texas Eastern Transmission Corp.

[Docket No. CP91-21-000]

Take notice that on October 2, 1990, Texas Eastern Transmission Corporation (Texas Eastern), Post Office Box 2521, Houston, Texas 77252-2521, filed in Docket No. CP91-21-000 a request pursuant to § 157.205 and 284.223 of Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to transport gas on an interruptible basis for Rangeline Gas Corporation (Rangeline) under its blanket certificate issued in Docket No. CP88-136-000, as amended in Docket No. CP88-136-007, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Texas Eastern states that pursuant to a Transportation Agreement dated June 26, 1990, under its Rate Schedule IT-1, it proposes to transport up to 50,000 MMBtu per day on an interruptible basis on behalf of Rangeline. The Transportation Agreement provides for Texas Eastern to receive gas from existing receipt points on its system offshore and onshore Louisiana and multiple states. Texas Eastern will then transport and redeliver subject gas, less applicable shrinkage, to existing delivery points on its system offshore and onshore Louisiana and multiple states.

Texas Eastern also states that the estimated daily and estimated annual quantities would be 50,000 MMBtu and 18,250,000 MMBtu, respectively.

Texas Eastern further states that it commenced their service on August 3, 1990, as reported in Docket No. ST90-4419-000.

Comment date: November 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

2. Texas Eastern Transmission Corp.

[Docket No. CP91-23-000]

Take notice that on October 2, 1990, U-T Offshore System (U-TOS), Post Office Box 1396, Houston, Texas 77251 filed in Docket No. CP91-23-000 a request pursuant to § 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to transport gas on an interruptible basis for Texaco Gas Marketing, Inc. (Texaco) under the blanket certificate issued in Docket No. RM88-14-0001 and RM88-15-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

U-TOS states that proposes to transport for Texaco 300,000 Mcf on a peak day, pursuant to a Transportation Agreement dated July 1, 1990, between U-TOS and Texas (Transportation Agreement) proposed to transport natural gas for Texaco from points of receipts located in offshore Louisiana. The points of delivery and ultimate points of delivery are located in Cameron, Louisiana.

U-TOS further states that it commenced this service on August 14, 1990, are reported in Docket No. ST90-4741-000.

Comment date: November 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

3. CNG Transmission Corp.

[Docket No. CP91-82-000]

Take notice that on October 9, 1990, CNG Transmission Corporation (CNG Transmission), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP91-82-000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon, by sale to Hope Gas, Inc. (Hope), certain pipeline and regulation facilities located in Logan and Upshur Counties, West Virginia, all as more fully set forth in the application on file with the Commission and open to public inspection.

CNG Transmission requests permission and approval to abandon Lines D-2119, H-17666, a portion of H-17668 and regulating station XS-1942 all located in Logan County, West Virginia, and Line DM-1525 and measuring and regulating station XS-2076 located in Upshur County, West Virginia. It is stated that all of these facilities were transferred to Consolidated Gas Transmission Corporation (now CNG Transmission Corporation) from its predecessor, Consolidated Gas Supply Corporation (now Hope Gas, Inc.) effective January 1, 1984. It is further stated that the facilities are currently used to deliver gas to Hope Gas, Inc., a local distribution company customer and affiliate of CNG Transmission, as part of the certificated sales and transportation service rendered to Hope.

CNG Transmission requests that these facilities be abandoned so that they may be sold to Hope at book value. It is

stated that no interruption of consumers' service currently provided to Hope will occur. CNG Transmission states that Hope has requested that the lines be transferred to it as distribution lines. CNG Transmission submits that sales and transportation services to Hope will be continued by delivery to measurement and regulation stations rather than at the pipeline taps at consumer locations. It is stated that the delivery points and meters will be added by the notice and comment procedures under § 157.212 of the Commission's Regulations.

Comment date: November 1, 1990, in accordance with Standard Paragraph F at the end of this notice.

4. Stingray Pipeline Co., et al.

[Docket Nos. CP91–94–000 [1] CP91–95–000, CP91–96–000. CP91–97–000]

Take notice that the above referenced companies (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 its blanket certificate 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 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 Applicants and is included in the attached appendix.

Applicants also states that each would provide the service for each shipper under an executed transportation agreement, and that Applicants would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: November 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

[1] These prior notice requests are not consolidated.

Docket No.	Applicant	Shipper name	Peak day [1] avg. annual	Points of—		Start up date, Rate schedule, Service type	Related Dockets [2]
				Receipt	Delivery		
CP91–94–000	Stingray Pipeline Co., 701 East 22nd St., Lombard, Illinois 60148.	Arco Natural Gas Marketing.	150,000 75,000 27,375,000	Various	Various	8–4–90 ITS Interruptible	Order No. 590 ST90–4591–000
CP91–95–000	Stingray Pipeline Co.	Equitable Resources Marketing Co.	50,000 30,000 10,950,000	Various	LA	8–4–90 ITS Interruptible	Order No. 590 ST90–4592–000
CP91–96–000	Southern Natural Gas Co., P.O. Box 2563, Bimingham, Al 35202; Illinois 60148.	Howell Gas Management	50,000 5,479 2,000,000	Various	Various	8–12–90 IT Interruptible	CP88–316–000 ST90–4586–000
CP91–97–000	Trunkline Gas Co	Krupp & Associates	50,000 50,000 18,250,000	Various	IN, IL	8–1–90 PT Interruptible	CP86–586–000 ST90–4559–000

[1] Quantities are shown in MMBtu unless otherwise indicated.
[2] The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

5. U–T Offshore System

[Docket Nos. CP91–70–000, CP91–71–000, CP91–72–000, CP91–73–000]

Take notice that U–T Offshore System (U–TOS), P.O. Box 1396, Houston, Texas 77251 (U–TOS), 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 U–TOS' blanket authorization pursuant to the Commission's Order No. 509 and 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.[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 ST docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by U–TOS and is summarized in the attached appendix. U–TOS states that it would abide by the conditions and rates set forth in Docket Nos. RM88–14–001 and RM88–15–000.

Comment date: November 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

[2] These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name (type)	Peak day, average day, annual Mcf	Receipt points [1]	Delivery points	Contract date, rate schedule, service type	Related docket, start up date
CP91–70 (10–5–90)	Houston Gas Exchange Corp. (Marketer)	100,000 100,000 36,500,000	OLA	LA	7–1–90 IT Interruptible	ST90–4697 8–10–90
CP91–71 (10–5–90)	Energy Marketing Exchange, Inc. (Marketer)	300,000 300,000 109,500,000	OLA	LA	7–1–90 IT Interruptible	ST90–4698 8–11–90
CP91–72 (10–5–90)	LL & E Gas Marketing, Inc. (Marketer)	35,000 35,000 12,775,000	OLA	LA	7–1–90 IT Interruptible	ST90–4702 8–9–90

Docket No. (date filed)	Shipper name (type)	Peak day, average day, annual Mcf	Receipt points [1]	Delivery points	Contract date, rate schedule, service type	Related docket, start up date
CP91-73 (10-5-90)	Stellar Gas Company (Marketer)	1,400,000 1,400,000 511,000,000	OLA	LA	7-1-90 IT Interruptible	ST90-4700 8-9-90

[1] Offshore Louisiana and offshore Texas are shown as OLA and OTX.

6. Florida Gas Transmission Corp.

[Docket Nos. CP91-42-000, CP91-43-000]

Take notice that on October 4, 1990, Florida Gas Transmission Company (Applicant), 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 its blanket certificate issued in Docket No. CP89-555-000, 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.[3]

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.

Applicant states that each of the proposed services would be provided under an executed transportation agreement, and that the Applicant would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: November 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

[3] These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name	Peak day [1] avg, annual	Points of—		Start up date, rate schedule	Related dockets [1]
			Receipt	Delivery		
P91-42-000 10-4-90	CF Industries	200,000 150,000 73,000,000	On LA, Off LA, On TX, Off TX, MS, AL, FL	LA, FL	8-15-90 ITS-1	ST90-4629-000
P91-43-000 10-4-90	Arco Natural Gas Marketing, Inc	200,000 150,000 73,000,000	On LA, Off LA, On TX, Off TX, MS, AL, FLF.	FL	8-15-90 ITS-1	ST90-4628-000

[1] The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

7. Texas Eastern Transmission Corp.

[Docket No. CP91-22-000]

Take notice that on October 2, 1990, Texas Eastern Transmission Corporation (Texas Eastern), Post Office Box 2521, Houston, Texas 77252-2521, filed in Docket No. CP91-22-000 a request pursuant to §§ 157.205 and 284.223 of Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to transport gas on an interruptible basis for LL&E Gas Marketing Company (LL&E) under its blanket certificate issued in Docket No. CP88-136-000, as amended in Docket No. CP88-136-007, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Texas Eastern states that pursuant to a Transportation Agreement dated July 16, 1990, under its Rate Schedule IT-1, it proposes to transport up to 600,000 MMBtu per day on an interruptible basis on behalf of LL&E. The Transportation Agreement provides for Texas Eastern to receive gas from existing receipt points on its system offshore and onshore Louisiana and multiple states. Texas Eastern will then transport and redeliver subject gas, less applicable shrinkage, to existing delivery points on its system offshore and onshore Louisiana and multiple states.

Texas Eastern also states that the estimated daily and estimated annual quantities would be 600,000 MMBtu and 219,000 MMBtu respectively.

Texas Eastern further states that it commenced this service on August 10, 1990, as reported in Docket No. ST90-4421-000.

Comment date: November 26, 1990, in accordance with the Standard Paragraph G at the end of this notice.

8. Transcontinental Gas Pipe Line Corp. et al.

[Docket Nos. CP91-79-000,[4] CP91-80-000, CP91-81-000]

Take notice that on October 9, 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 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.

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: November 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

[4] These prior notice requests are not consolidated.

[1] Sumas is the owner of Sumas Pipeline USA.

Docket No. (date filed)	Applicant	Shipper name	Peak day [1] avg, annual	Points of [2]		Start up date, rate schedule	Related [3] dockets
				Receipt	Delivery		
CP91-79-000 (10-9-90)	Transcontinental Gas Pipe Line Corp., P.O. Box 1396, Houston, TX 77251.	Nassau District Energy Corp. (Dt).	22,000 12,500 8,030,000	LA, MS, PA, TX, OLA, OTX	NY	8-30-90 IT	CP88-328-000 ST90-5292-000
CP91-80-000 (10-9-90)	Northern Natural Gas Co., Division of Enron Corp., P.O. Box 1188, Houston, TX 77251-1188.	Mobil Natural Gas, Inc.	300,000 225,000 109,500,000	IA, KS, MN, NE, NM, OK, SD, TX, WI	IA, KS	9-1-90 IT-1	CP86-435-000 ST90-4721-000
CP91-81-000 (10-9-90)	Northern Natural Gas Co., Division of Enron Corp., P.O. Box 1188, Houston, TX 77251-1188.	Shell Gas Trading Co..	30,000 22,500 10,950,000	TX, OTX	TX	9-11-90 IT-1	CP86-435-000 ST90-4953-000

[1] Quantities are shown in MMBtu unless otherwise indicated.
[2] Offshore Louisiana and Offshore Texas are shown as OLA and OTX.
[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.

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 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 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. 90-24665 Filed 10-18-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP90-153-000]

El Paso Natural Gas Co.; Notice of Rescheduling of Technical Conference

October 10, 1990.

The technical conference which was scheduled to be held in this docket on Tuesday, October 9, 1990, has been rescheduled for Wednesday, November 7, 1990, at 10 a.m. in a room to be designated at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426.

All interested persons and Staff are permitted to attend.

Lois D. Cashell,

Secretary.

[FR Doc. 90-24675 Filed 10-18-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. PR91-1-000]

Exxon Gas System, Inc.; Petition for Rate Approval

October 12, 1990.

Take notice that an October 9, 1990, Exxon Gas System, Inc. (EGSI) filed pursuant to § 284.123(b)(2) of the Commission's regulations, a petition for rate approval requesting that the Commission approve as fair and equitable a maximum rate of 12.8 cents per MMBtu plus 1% retainage for fuel and unaccounted for gas for transportation of natural gas under section 311(a)(2) of the National Gas Policy Act of 1978.

EGSI's petition states that it is an intrastate pipeline in Texas within the meaning of section 2(16) of the NGPA. EGSI's system contains approximately 1,668 miles of pipeline and it receives and delivers gas at various locations in the South Texas, Houston, Beaumont-Port Arthur, and Northeast Texas areas.

Pursuant to § 284.123(b)(2)(ii), if the Commission does not act within 150 days of the filing date, the rate will be deemed to be fair and equitable and not in excess of an amount which interstate pipelines would be permitted to charge for similar transportation service. The Commission may, prior to the expiration of the 150 day period, extend the time for action or institute a proceeding to afford parties an opportunity for written comments and for the oral presentation of views, data and arguments. Any person desiring to participate in this rate proceeding must file a motion to intervene in accordance with § 385.211 and 385.214 of the Commission's Rules of Practice and Procedures. All motions must be filed with the Secretary of the Commission on or before November 1, 1990. The petition for rate approval is on

file with the Commission and is available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-24667 Filed 10-18-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. SA91-1-000]

San Jacinto Gas Transmission Company; Notice of Petition for Adjustment

October 12, 1990.

Take notice that on October 1, 1990, San Jacinto Gas Transmission Company (San Jacinto) filed pursuant to section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), a petition for adjustment from § 284.123(b)(1)(ii) of the Commission's regulations to permit San Jacinto to use its tariff on file with the Railroad Commission of Texas (Railroad Commission) for services performed pursuant to section 311 of the NGPA. San Jacinto asserts that since it does render city-gate service the Commission should issue this adjustment under section 502(c) of the NGPA to prevent special hardship and inequity that would otherwise result if San Jacinto were required to submit a § 284.123(b)(2) filing.

In support of its petition San Jacinto states that it is an intrastate pipeline which operates in the State of Texas, subject to the jurisdiction of the Railroad Commission. San Jacinto provides intrastate transportation service within the State of Texas. San Jacinto's transportation rates are subject to regulation by the Railroad Commission and have been filed with the Railroad Commission in the form of tariffs. San Jacinto states that it intends to perform interruptible transportation services on its main line gas transportation pursuant to section 311(a)(2) of the NGPA on behalf of eligible interstate pipeline companies and/or local distribution companies by interstate pipeline companies, for a transportation fee not to exceed $0.10 per MMBtu.

The regulations applicable to this proceeding are found in subpart K of the Commission's Rules of Practice and Procedure. Any person desiring to participate in this proceeding must file a motion to intervene in accordance with the provisions of subpart K. Motions to intervene must be filed within 15 days after publication of this notice in the **Federal Register**. The petition for adjustment is on file with the Commission and is available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-24668 Filed 10-18-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP91-50-000]

Sumas Energy, Inc.; Notice of Application for a Presidential Permit for the Construction, Operation, Maintenance, and Connection at the United States/Canada International Boundary of Facilities for Importation of Natural Gas

October 12, 1990.

Take notice that on October 4, 1990, Sumas Energy, Inc. (Sumas), 17411 NE. Union Hill Road, suite 290, Redmond, WA, 98052-3373, filed an application pursuant to section 3 of the Natural Gas Act, Executive Order No. 10485, as amended by Executive Order No. 12038; and Delegation order No. 0204-112 of the Secretary of Energy. Sumas[1] seeks authority for a Presidential Permit for the point of entry for the importation of natural gas and authority to construct, operate, maintain and connect a natural gas pipeline extending from Canadian pipeline facilities at the Canadian border to a cogeneration facility near Sumas, Washington, 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 the Sumas Pipeline USA will consist of a 6 to 6 5/8 pipe extending from an interconnection with Westcoast Energy, Inc. (Westcoast) at the Canadian border near Sumas, Washington to the Sumas cogeneration project near Sumas, Washington. Westcoast will construct and operate tap, pipe and meter facilities in Canada. The design capacity of the natural gas pipeline will be approximately 25 MMcf/d with an estimated cost of $700,000. The proposed pipeline will transport gas only to facilities owned or operated by Sumas Energy, Inc., it will not offer or provide any service to the public it is stated.

It is further stated that this application incorporates all of the terms and conditions imposed by the Commission for granting authorization for a Presidential Permit for a point of entry for importation of natural gas, and for construction and connection of a natural gas pipeline. The Applicant requests that FERC grant this application on an expedited basis.

[1] Sumas is the owner of Sumas Pipeline USA.

Any person desiring to be heard or to protest this petition should file a motion to intervene or protest in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. All motions to intervene or protests should be submitted to the Federal Energy Regulatory Commission, 825 North Capitol Street, NE. Washington, DC 20426, not later than 15 days after publication of this notice in the **Federal Register**. All protests filed will be considered but, will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene in accordance with rule 214. Copies of the petition filed in this proceeding are on file with the Commission and available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-24669 Filed 10-18-90; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-3853-3]

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. This ICR describes the nature of the information collection and its expected costs and burdens; where appropriate, it includes the actual data collection instrument(s).

DATES: Comments must be submitted on or before November 19, 1990.

FOR FURTHER INFORMATION CONTACT: Sandy Farmer at EPA, (202) 382-2740.

SUPPLEMENTARY INFORMATION:

Office of Pesticides and Toxic Substances

Title: Notification of Stored Pesticides with Cancelled or Suspended Registration Under section 6(g) of the Federal Insecticide, Rodenticide and Fungicide Act. (OMB #2070-109; EPA #1519.02).

Abstract: Section 6(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires anyone who holds

a cancelled or suspended pesticide to provide EPA, state and local officials with the following information: (1) The identity of the submitter, (2) the type and amount of the (cancelled or suspended) pesticides in possession, and (3) the place of storage. Respondents include commercial applicators, distributors, exporters and registrants. EPA uses this information to monitor compliance with federal laws assuring safe storage and distribution of pesticides.

Burden Statement: The public reporting burden for this collection of information is estimated to average sixty minutes per response. This estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Respondents: Holders of Cancelled or Suspended Pesticides.

Estimated Number of Respondents: 381,000.

Responses Per Respondent: 1.

Estimated Total Annual Burden on Respondents: 381,000.

Frequency of Collection: On occasion.

Send comments regarding the burden estimate, or any other aspect of this information collection, including suggestions for reducing the burden, to:

Sandy Farmer, U.S. Environmental Protection Agency, Information Policy Branch, 401 M Street, SW., Washington DC 20460,
and
Tim Hunt, Office of Management and Budget, Office of Information and Regulatory Affairs, 725 17th Street, NW., Washington, DC 20530.

Dated: October 12, 1990.

Paul Lapsley,

Director, Regulatory Management Division.

[FR Doc. 90-24730 Filed 10-18-90; 8:45 am]

BILLING CODE 6560-50-M

[FRL-3853-4]

National Drinking Water Advisory Council; Request for Nomination of Members

The Environmental Protection Agency (EPA) invites all interested persons to nominate qualified individuals to serve as members of the National Drinking Water Advisory Council. This Advisory Council was established to provide practical and independent advice, consultation and recommendations to the Agency on the activities, functions and policies related to the implementation of the Safe Drinking Water Act as amended. The Council consists of fifteen members, including a Chairperson. Five members represent the general public; five members represent appropriate state and local agencies concerned with water hygiene and public water supply; and five members represent private organizations or groups demonstrating an active interest in the field of water hygiene and public water supply. Each member holds office for a term of three years and is eligible for reappointment. On December 15 of each year, five members complete their appointment. This notice solicits names to fill these five vacancies.

Any interested person or organization may nominate qualified individuals for membership. Nominees should be identified by name, occupation, position, address and telephone number. Nominations must include a current résumé providing the nominee's background, experience, and qualifications.

Persons selected for membership will receive compensation for travel and a nominal daily compensation while attending meetings.

Nominations should be submitted to Charlene E. Shaw, Designated Federal Official, National Drinking Water Advisory Council, U.S. Environmental Protection Agency, Office of Drinking Water (WH-550A), 401 M Street SW., Washington, DC 20460, no later than November 9, 1990. The Agency will not formally acknowledge or respond to nominations.

Dated: October 12, 1990.

Michael B. Cook,

Director, Office of Drinking Water.

[FR Doc. 90-24732 Filed 10-18-90; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-3853-1]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared October 1, 1990 through October 5, 1990 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 382-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 13, 1990 (55 FR 13949).

Draft EISs

ERP No. D-APH-A99185-00 Rating EO2, Nationwide Cooperative Animal Damage Control Program, Integrated Pest Management Approach, Implementation.

Summary

EPA has environmental objections to the proposed project based on the lack of sufficient information to assess the environmental impacts of the pesticide used and the programs' impacts to some local environments. The draft EIS also uses inadequate definition of integrated pest management and lacks evidence that the program is effective.

ERP No. D-GSA-C81014-NY Rating EC2, Foley Square Federal Courthouse and Federal/Municipal Office Building Development, Construction, New York County, NY.

Summary

EPA expressed environmental concerns about potential impacts to air quality and potential wastewater treatment problems. EPA requested that additional information be provided in the final EIS to address these issues.

ERP No. DS-FMW-L40171-OR Rating EC2, I-84 Widening, NE. 181st Avenue to Sandy River, New Interchange at NE. 207th Ave and Sandy Boulevard to Halsey Street Construction Additional Information, Funding and 404 Permit, Multnomah County, OR.

Summary

EPA has environmental concerns with the proposed design changes to the NE. 207th Avenue interchange based on its contribution to the rate and kind of development in the surrounding area and 0.7 acres of wetland fill that were not previously discussed in the draft EIS.

Final EISs

ERP No. F-HUD-G85179-TX Harris Branch Development Project, Mortgage Insurance, Section 404 Permit, City of Austin, Travis County, TX.

Summary

EPA has no objection to the proposed action as described.

Dated: October 16, 1990.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc.90-24741 Filed 10-18-90; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-3853-2]

Environmental Impact Statements; Availability

Responsible agency: Office of Federal Activities, General Information (202) 382–5073 or (202) 382–5075. Availability of Environmental Impact Statements Filed October 08, 1990 Through October 12, 1990 Pursuant to 40 CFR 1506.9.

EIS No. 900381, Draft EIS, FHW, CA, Hollister Bypass Construction, CA–156/ Hollister from Union/Mitchell Road to San Felipe Road, Funding, Possible COE Permit, San Benito County, CA, Due: December 10, 1990, Contact: John R. Schultz (916) 551–1310.

EIS No. 900382, Draft EIS, BLM, CA, Bishop Resource Area, Resource Management Plan, Implementation, Bakersfield District, Mono and Inyo Counties, CA, Due: January 17, 1991, Contact: Holden Brink (619) 872–4881.

EIS No. 900383, Final Supplement, FHW, ID, Banks-Lowman Highway/ID Forest Highway–24 Improvement, Sweet Creek to Little Gallagher Creek, Funding, Boise County, ID, Due: November 19, 1990, Contact: Allan J. Stockman (206) 696–7751.

EIS No. 900384, Draft EIS, FHW, GA, Georgia Transportation Connectors Construction, I–75 in Bartow County to GA–371 Forsyth County and I–20 in Newton County to GA–316 Gwinnett County, Funding, Possible COE section 404 Permit, Bartow, Cherokee, Forsyth, Newton, Rockdale and Walton Counties, GA, Due: December 04, 1990, Contact: Charles J. Nemmer (404) 347–4751.

EIS No. 900385, Draft EIS, AFS, ID, Swamp Ridge Timber Sales and Road Construction, Portions of Swamp, Shell, Sugar, Pollock, and Lake Creek Drainages, Implementation, Clearwater National Forest, North Fork Ranger District, Clearwater County, ID, Due: December 03, 1990, Contact: Arthur S. Bourassa (208) 476–3775.

EIS No. 900386, Draft EIS, FHW, TN, TN–56 (Austin Peay) Bridge and Approaches Replacement, Cumberland River, Funding, U.S. CGD Bridge Permit and Possible COE Section 404 Permit, Jackson County, TN, Due: December 03, 1990, Contact: Dennis C. Cook (615) 736–5394.

Amended Notices

EIS No. 900307, Draft EIS, EPA, CA, City of San Diego Clean Water Program, Siting for Secondary Treatment System and Associated Sludge Management Facilities, Funding, San Diego County, CA, Due: November 23, 1990, Contact: John Ong (415) 556–6478.

Published FR 8–24–90—Review period extended.

EIS No. 900330, Draft EIS, FAA, NY, Stewart International Airport Properties Improvement, Orange County, NY, Due: December 14, 1990, Contact: Frank Squeglia (718) 917–0902. Published FR 09–07–90—Review period extended.

Dated: October 16, 1990.

William D. Dickerson,

Deputy Director, Office of Federal Activities.

[FR Doc. 90–24742 Filed 10–18–90; 8:45 am]

BILLING CODE 6560–50–M

[OPP–66142; FRL 3775–6]

Receipt of Request to Cancel Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of requests by registrants to voluntarily cancel certain pesticide registrations.

DATE: Unless a request is withdrawn, all cancellations will be effective December 18, 1990.

FOR FURTHER INFORMATION CONTACT: By mail: James A. Hollins, Office of Pesticide Programs (H7502C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location for commercial courier delivery and telephone number: Rm.210, CM # 2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 557-4461.

SUPPLEMENTARY INFORMATION:

I. Introduction

Section 6(f)(1) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, provides that a pesticide registrant may, at any time, request that any of its pesticide registrations be cancelled. The Act further provides that EPA must publish a notice of receipt of any such request in the **Federal Register** before acting on the request.

II. Intent to Cancel

This notice announces receipt by the Agency of requests to cancel some 1,100 pesticide registrations under section 3 or 24(c) of FIFRA. These registrations are listed in sequence by registration number (or company number and 24(c) number) in the following Table 1.

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

Registration no.	Product name
000239 CO–81–0018	NA[1]
050534 NC–81–0008	Dacthal W–75 Herbicide
000016–00129	Dragon Fruit Tree Spray
000016–00135	Dragon Captan Wettable Fungicide
000056 MT–88–0002	Eaton's Answer for Pocket Gophers
000056 NE–88–0007	Eaton's Answer for Pocket Gophers
000056 NV–88–0010	Eaton's Answer for Pocket Gophers
000056 OR–88–0007	Eaton's Answer for Pocket Gophers
000056 WA–86–0032	Eaton's Answer for Pocket Gophers
000059–00128	Cooper Del-Tox Delnav Emulsifiable Liquid
000059–00131	Cooper Super Dairy & Stock Spray
000059–00133	Cio-Rid Ciodrin Emulsifiable Liquid
000059–00189	Dermaton Dust
000059–00191	Gammex
000059–00197	Dermaton Dog Collar
000059–00203	Dermaton III
000061–00149	Colortox Hard Vinyl Antifouling Paint B–43
000061–00150	Colortox Hard Vinyl Antifouling Paint B–42
000061–00151	Colortox Hard Vinyl Antifouling Paint B–41
000100 CA–81–0060	Spectracide Lawn & Garden Insect Ctl
000100 CA–81–0066	Geigy Diazinon 14G Insecticide
000100 CA–82–0004	Supracide 2E Insecticide-Miticide
000100 FL–77–0035	Geigy Diazinon AG 500
000100 FL–79–0003	Geigy Diazinon AG 500

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
000100 FL–82–0003	Evik 80W
000100 HI–77–0009	Geigy Diazinon AG 500
000100 HI–77–0010	D-Z-N Diazinon 50W
000100 ID–83–0007	Aatrex 80W Herbicide
000100 ID–83–0008	Aatrex 4L Herbicide
000100 IL–79–0003	Aatrex 80W Herbicide
000100 MS–84–0002	Cotoran 80W Herbicide
000100 MS–86–0005	Galecron 4 EC Insecticide-Ovicide
000100 NY–82–0001	Evik 80W
000100 OK–82–0016	Igran 80W
000100 OR–77–0069	D-Z-N Diazinon 50W
000100 OR–77–0071	D-Z-N Diazinon 50W
000100 OR–79–0056	Geigy Diazinon 14G Insecticide
000100 OR–79–0076	Aatrex 4L Brand Atrazine/Season-Long
000100 OR–79–0078	Aatrex 80W Herbicide
000100 OR–80–0062	Giegy Diazinon AG 500
000100 OR–80–0097	Aatrex 80W Herbicide
000100 OR–81–0079	Princep 80W
000100 OR–88–0001	Igrsn 80W
000100 SC–86–0004	Galecron 4 EC Insecticide-Ovicide
000100 TN–81–0016	Ridomil 2E
000100 WA–79–0076	Aatrex 80W Herbicide
000100 WA–79–0077	Aatrex 4L Brand Atrazine Season-Long
000100–00474	Sarolex Insecticide
000100–00536	On Track 800
000100–00540	Terbutryn Technical For Formulating Use
000100–00577	Stabilized Diazino Concentrate No.1
000100–00612	Biotrol Plus
000100–00660	Aatrex 8G Herbicide
000134–00006	Farm and Home Disinfectant
000149–00002	Terro Ant Killer
000150–00037	Anderson's Dairy Spray
000168–00494	Tame Detergent and Sanitizer
000168–00504	Santial II
000192–00092	Dexol Improved Pecan & Fruit Tree Spray
000192–00100	Dexol Spider Spray
000192–00101	Dexol Crawling Insect Killer
000192–00108	Dexol Diazinon 12 1/2 E
000192–00109	DexoL Vegetable Spray II
000192–00113	Dexol Tomato Life
000192–00146	Dexol Zineb Garden Fungicide
000226–00231	Tasco Brand Diazinon 4S
000226–00234	Tasco Brand Get Rid' Insect Spray
000226–00246	Tobacco States Six-x Shooter Tobacco Spray
000228–00081	Riverdale Ciodrin
000228–00083	Riverdale Ciodrin with Vapona
000228–00090	Riverdale Lindane & Captan Seed Treatment
000228–00104	Riverdale Diazinon Seed Treater
000228–00187	Riverdale Fruit And Berry Spray
000239 AL–78–0014	Ortho Diquat Water Weed Killer
000239 AR–81–0015	Orthocide 80 Wettable
000239 AR–83–0012	Monitor 4 Spray
000239 AR–84–0013	Orthene Tree And Ornamental Spray
000239 AR–84–0014	Orthene Tree And Ornamental Spray
000239 CA–79–0095	Isotoz Lindane Wettable 25
000239 CO–79–0009	Orthene 75 S Soluble Powder
000239 DE–80–0002	Orthene 75 S Soluble Powder
000239 FL–77–0007	Ortho Dibrom 14 Concentrate
000239 FL–78–0016	Ortho Diquat Water Weed Killer
000239 FL–78–0054	Ortho Diquat Water Weed Killer
000239 FL–80–0009	Monitor 4 Spray
000239 FL–80–0016	Monitor 4 Spray
000239 FL–80–0048	Ortho Dibrom 8 Emulsive
000239 FL–80–0053	Orthene 75 S Soluble Powder
000239 FL–81–0007	Ortho Monitor 4 Spray
000239 FL–81–0008	Monitor 4 Spray
000239 FL–81–0043	Monitor 4 Spray
000239 FL–81–0048	Monitor 4 Spray
000239 FL–82–0013	Monitor 4 Spray
000239 FL–83–0008	Ortho Bolero 8EC
000239 FL–83–0029	Orthene 75 S Soluble Powder
000239 FL–86–0007	Orthene 75 S Soluble Powder
000239 FL–87–0021	Orthene 75 S Soluble Powder
000239 FL–88–0006	Orthene 75 S Soluble Powder
000239 GA–81–0013	Orthene 75 S Soluble Powder
000239 ID–76–0010	Isotox Seed Treater (75)
000239 MD–80–0015	Orthene 75 S Soluble Powder
000239 MS–82–0042	Orthene 75 S Soluble Powder
000239 MS–83–0003	Orthene Tree And Ornamental Spray
000239 ND–81–0020	Orthene 75 S Soluble Powder

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
000239 NE-84-0001	Orthene 75 S Soluble Powder
000239 OR--77-0020	Orthene Insect Spray
000239 PR--82-0001	Monitor 4 Spray
000239 WY--81-0003	Orthene 75 S Soluble Powder
000239-01344	Ortho Dibrom-Sulfur 4-20 Dust
000239-01984	Ortho Dibrom Sulfur 4-40 Dust
000239-02358	Ortho Crabgrass & Dandelion Killer
000239-02420	Ortho Mole Cricket Bait
000239-02511	Weed-B-Gon Jet Weeder Formula II
000239-02576	Ortho Rose & Floral Dust Formula II
000241-00279	Aastar Soil And Systemic Insecticide
000241-00300	Prozine 32/48
000241-00301	Prozine 40/40
000264-00029	Rootone Rooting Hormone with Fungicide
000264-00138	Amiben Chloramben Herbicide
000264-00167	Amiben Granular Chloramben Herbicide
000264-00202	Fruitone CPA
000264-00276	Technical Ethrel
000264-00290	Florel Tomato Ripener
000264-00291	Ethrel Plant Growth Regulator
000264-00305	Amiben DS Chloramben Herbicide
000264-00306	Amiben Preemergency Herbicide
000264-00344	Amiben Chloramben 10G Preemergence
000264-00439	Zolone EC Insecticide
000264-00440	Zolone WP Insecticide
000264-00441	Phosalone (Technical Grade)
000264-00460	Bifenox Technical Grade
000264-00463	Modown Herbicide 4 Flowable Herbicide
000270-00057	Farnam Super Sugar-Base Die-Fly Fly-Killer
000270-00096	Grand Champion Wipe-On Fly Repellant
000270-00126	Farnam Shoo-Fly Wipe On Insect Repellent
000270-00162	Go-Fly Dust II
000270-00178	Farnam Dip Quik IV
000278--00062	Miamicide Liquid Chlorinating Disinfectant
000279 AZ-80-0006	Niagara Sevin 5 Dust
000279 CA-80-0163	Kolodust
000279 CT-81-0004	Furadan 4 Flowable
000279 IA-85-0002	Pounce 3.2 EC Insecticide
000279 IA-87-0003	Pounce 3.2 EC Insecticide
000279 MA-80-0005	Furadan 4 Flowable
000279 MN-87-0001	Furadan 10 G Insecticide/Nematicide
000279 NJ-82-0020	Furadan 15 G Insecticide-Nematicide
000279 NJ-82-0021	Furadan 15 G Insecticide-Nematicide
000279 NJ-83-0003	Furadan 15 G Insecticide-Nematicide
000279 NJ-84-0020	Furadan 4 Flowable
000279 NV-82-0008	Niagara Diazinon 3 Dust Code R-624
000279 OH-80-0003	Polyram 80 W Fungicide Code 2309
000279 OR-77-0030	Niagara Methoxychlor 2 EC Code 2002
000279 OR-78-0031	Niagara Methoxychlor 2 EC Code 2002
000279 OR-80-0035	Dimethoate 267
000279 OR-80-0043	Niagara Methoxychlor 2 EC Code 2002
000279 OR-82-0042	Polyram 80 WP Fungicide Code 2309
000279 SC-80-0012	Polyram 80 WP Fungicide Code 2309
000279 SD-89-0004	Furadan 4 Flowable
000279-01333	Ethion 8 Granular
000279-01598	Niagara Diazinon 3 Dust Code R-624
000279-02032	Polyram 80 WP Fungicide
000279-02685	Niagara Methoxychlor 2 EC Code 2002
000279-03054	Command 6 EC
000334-00044	Roach Powder E227
000334-00098	Gly The Glycol Air Sanitizer And Disinfectant
000334-00100	Air-Gly
000334-00149	Great Insect Killer
000334-00215	Vigate Air Sanitizer Deodorizer
000334-00237	Super Hy-Fog Outdoor Fogicide
000334-00278	A. R. Outdoor Fogicide
000334-00296	Resist Disinfectant Deodorant
000334-00298	Super Hy Kil Liquid Insecticide
000334-00299	Hy-Fog Outdoor Fogicide
000334-00365	2555 Insect Killer
000334-00366	Trankil Insect Killer
000334-00367	G-1707 Insecticidal Aerosol
000334-00368	Py-Trans Insect Spray
000334-00374	Mintone Disinfectant
000334-00375	Air Gly-2
000334-00394	Mas 3000 Metered Air Sanitizer
000334-00395	Mothrid Moth-Proofer
000334-00398	Vigate #2 Air Sanitizer, Deodorizer
000334-00399	Vigate's #5 Pine Scented
000334-00400	Vigate #7 Lemon Scented

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
000334-00401	Vigate #6 Apple Blossom Scented
000334-00402	Vigate #8 Citrus Scented
000334-00403	Vigate #9 Cherry Scented
000334-00404	Vigate #1 Unscented
000334-00405	Vigate 4 Spice Scented
000334-00406	Vigate 3 Mint Scented
000352 DE-80-0004	Du Pont Lannate L Methomyl Insecticide
000352 NH-78-0003	Du Pont Lannate L Methomyl Insecticide
000352 TX-80-0037	Vydate L Oxamyl Insecticide/Nematicide
000352-00388	Velpar Dry Flowable Weed Killer
000352-00389	Lannate P
000352-00419	25% Hexazinone Liquid
000352-00420	Dupont 5% Hexazinone Liquid Concentrate
000352-00434	Benlate PNW Fungicide
000352-00437	Dupont Velpar RP Herbicide
000352-00450	Dupont Velpar ULW Herbicide
000352-00458	Azodrin 5 Insecticide
000352-00459	Shell Technical Azodrin Insecticide
000352-00465	Shell Azodrin Insecticide 3.2
000352-00467	Azodrin 32 Insecticide Water Miscible
000352-00469	Shell Bladex 10G Granular Herbicide
000352-00476	Shell Nudrin *90 Methomyl Insecticide
000352-00477	Bladex 15G Granules Herbicide
000352-00481	Bladex 80 Wettable Powder Herbicide
000352-00482	Bladex 80 WP Herbicide-Fallow Cropland
000352-00483	Bladex Herbicide Aqueous Slurry
000352-00484	Bladex 80W Herbicide For Cotton
000352-00510	Pay-Off Insecticide
000352-00511	Pay-Off Technical Insecticide
000352-00517	Nudrin 1.8 Insecticide Solution
000365-00077	Grotan HD2
000365-00078	Grotan DF-35 Preservative
000400 AR-79-0012	Vitavax-25DB Fungicide
000400 CA-76-0167	Omite 30W AN Agricultural Miticide
000400 CA-80-0035	Alar-85 A Plant Growth Regulant
000400 KS-81-0031	Comite Agricultural Miticide
000400 NV-77-0010	Alar 85 A Plant Growth Regulant
000400 OR-79-0054	Vitavax-200 Flowable Fungicide
000400-00099	Alar, A Plant Growth Regulant
000400-00103	Kylar-85 A Plant Growth Regulant
000400-00150	Kempon
000400-00157	Uniroyal Captan 50W
000400-00171	Casiron AQ Dichlogenil Aquatic Weed Killer
000400-00172	Technical Casoron
000400-00177	Casoron 4H
000400-00199	T-H Cythion Premium Grade Malathion E-5
000400-00201	De-Pester Malathion W-25
000400-00209	T-H Ded-Weed LV-20 Granular
000400-00216	De Pester Delnav EC--15
000400-00217	De-Pester Malathion E-8
000400-00220	MSMA-12
000400-00222	De-Pester 93% Dusting Sulfur
000400-00223	De Pester 93% Wettable Sulfur
000400-00224	Merge 725
000400-00228	Merge 823
000400-00231	De-Pester Cythion LV Conc
000400-00243	De-Pester Maneb Copper Sulfur 4-5-15
000400-00259	De-Pester Diazinin-Maneb 2-6
000400-00271	De-Pester Botran, Copper, Sulfur 6-6-25
000400-00273	De-Pester Pyrotox WE-100
000400-00276	De-Pester Copper-Sulfur 15-50
000400-00277	De-Pester Botran Sulfur 6-50
000400-00287	De-Pester Methoxychlor E-2
000400-00303	De-Pester Farm Bin Spray
000400-00304	Super Merge 3
000400-00307	T-H Copper Sulfur Dust For Peanuts
000400-00326	Uniroyal 1% Lindane Dust
000400-00329	T-H Copper-Sulfur Dust With Borax
000400-00331	T-H Pyrenone Emulsifiable Concentrate
000400-00335	T-H Polyram 5 Dust Fungicide
000400-00337	T-H Maneb Fungicide Dust (6.4% Maneb)
000400-00339	T-H Polyram 5 Boron Dust (with Borax)
000400-00349	Sevin 80-W
000400-00351	MSMA 14.5
000400-00352	Diazinon AG-4 Insecticide
000400-00361	Metho-D Insecticide
000400-00365	Oil Diazinon
000400-00367	Atrazine 4L Herbicide
000400-00368	Diazinon W-40
000400-00369	T-H Methoxychlor 2 lb. Emulsifiable

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
000400-00370	Methoxychlor 2 lb. Emulsifiable
000400-00378	Lindane E-1 Insecticide
000400-00430	Alar-85 For Grapes
000407-00314	Imperial Potato Dust
000410-00082	Franklin CPF 44 Insecticide
000464 CT-77-0006	Tordon 10K Pellets Brush Killer
000464 ID-79-0025	Tordon Beads Herbicide
000464 ID-83-0020	Tordon Beads Herbicide
000464 IN-78-0013	Tordon 10K Pellets Brush Killer
000464 MD-76-0001	Tordon 10K Pellets Bruch Killer
000464 MO-84-0004	Dow Lorsban 4E Insecticide
000464 MT-80-0011	Tordon Beads Herbicide
000464 MT-81-0017	Lorsban 4E
000464 NC-84-0004	Dow Lorsban 4E Insecticide
000464 NJ-88-0001	Lorsban 4E Insecticide
000464 NV-79-0008	Tordon Beads Herbicide
000464 NY-79-0004	Tordon 10K Pellets Brush Killer
000464 OH-77-0001	Tordon 10K Pellets Bruch Killer
000464 OR-79-0057	Tordon Beads Herbicide
000464 OR-83-0034	Tordon Beads Herbicide
000464 PA-76-0003	Tordon 10K Pellets Brush Killer
000464 PR-80-0003	Dowpon M Grass Killer
000464 PR-87-0007	Tordon 101 Mixture Weed/Brush Killer
000464 TX-76-0002	Tordon 10K Pellets Brush Killer
000464 WA-81-0094	Tordon Beads Herbicide
000464 WA-83-0027	Tordon Beads Herbicide
000464 WY-80-0009	Tordon Beads Herbicide
000464-00408	Nellite R 90 Nematicide
000464-00429	Dog Flea Collar
000464-00430	Cat Flea Collar
000464-00466	Nellite WS Nematicide
000464-00486	Fospirate-Plastic Strips
000464-00487	Fospirate 98P
000464-00488	Nellite TG
000464-00506	Plondrel 50W
000464-00542	Dursban 44 Insecticide
000464-00634	Zectran 25W
000464-00635	Zectran 2E Mexacarbate Insecticide
000464-00636	Zectran FS 15 Insecticide
000464-00637	Zectran FS 5 Insecticide
000464-00638	Zectran 50 Insecticidal Concentrate
000464-00639	Zectran (R) Snail and Slug Killer Meal
000464-00640	Dow Zectran FS-015 Insecticide
000464-00641	Zectran CF-24 Insecticide
000464-00642	Zectran F
000475-00165	Shine & Shield
000475-00172	Black Flag Roach Trap With Baygon
000475-00173	Antrol Ant Trap With Baygon
000475-00181	Black Flag Ant & Roach Killer Formula "D"
000486-00006	Perolin Algae Preventive #909 Tablets
000524-00119	Avadex Selective Herbicide
000524-00151	Granular Avadex
000524-00306	Avadex Technical
000528-00051	Penta Seal Concentrate 1-5
000554-00072	Agsco Dufutret A Potato Seed Treatment
000559-00015	Buckeye Sani Care Quat-64
000559-00021	Buckeye Sanicare Quat—256
000602-00119	Purina Check-Fly and Wormer Block
000602-00120	Purina Check-Fly and Worm Control
000602-00198	Purina Diazinon Spray
000602-00245	Purina Diazinon Spray 12-1/2%
000602-00286	Purina Check-Fly Block II
000602-00300	Purina Wound Protector D
000602-00304	Purina Defender
000622-00028	Fleavol Shampoo
000655-00104	Pyrethrum-Sodium Fluoride Powder
000655-00175	Prentox Fleacide Concentrate #2
000655-00344	Prentox Mosquito Fog Concentrate
000655-00348	Prentox Ready To Use Mosquito Fog
000655-00355	Prentox Methoxychlor #2
000655-00356	Prentox Methoxychlor #3
000655-00371	Prentox R. P. Mosquito Concentrate #1
000655-00372	Prentox R. P. Mosquito Concentrate #2
000655-00376	Prentox Methoxychlor #2
000655-00485	Prentox Blue Powder
000655-00625	Prentox Pomato Tomato Potato
000655-00663	Prentox Allethrin Oil Concentrate #525
000655-00681	Prentox Aerosol Concentrate #510
000655-00720	Prentox Pet Insecticide Powder
000655-00747	Prentox Lindane Borer Concentrate No. 125

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
000655-00781	Nicotine Sulfate Solution
000690-00018	Perkerson's Blam Kill All Roaches
000690-00027	Perkerson's Roach Waterbug Tablets
000690-00028	Perkerson's Blam Sure Death
000690-00047	Perkerson's Brush Killer
000706-00067	Roach & Ant Killer Contains Baygon
000706-00075	Quatricide Surface Disinfect/Air Sanitizer
000706-00081	Claire Microcide Disinfectant Spray
000707 NC-88-0006	Larvin Brand 3.2 Thiodicarb
000707 WA-86-0034	Kerb 50-W Herbicide
000707 WI-88-0003	Goal 1.6E Herbicide
000707-00048	Dithane M-22
000707-00083	Dithane M-22 Special
000707-00101	Dithane M-22 Special With Zinc Concentrate
000707-00103	Dithane M-22 Concentrate
000707-00108	Stam Technical
000707-00170	Dithane FZ Flowable AG Fungicide with Zl
000773-00036	Sprecto
000802-00152	Miller's Garder Captan
000802-00154	Miller's Captan 50W
000802-00202	Miller's 2,4-D Butyl Ester 6E
000802-00473	Miller's Control All Purpose Spray
000802-00534	Lilly/Miller Knock-Out Weed & Grass Killer
000802-00535	Lilly/Miller Ready-Use KO Weed/Grass Kill
000802-00550	Lilly/Miller Ready-Use KO Weed/Grass Kill
000829-00067	SA Brand 50 Maneb Dust
000829-00140	SA-50 Brand Maneb Spray Concentrate
000829-00198	SA-50 Brand Household Insect Spray
000829-00208	SA-50 Brand Mosquito Fogging Solution
000829-00231	SA-50 Home & Garden Vegetable
000861-00083	Vaporizer No. 2 1/2 Insect Spray
000876-00201	Velsicol Technical Endosulfan Insecticide
000891-00168	Hercules 80L Pine Oil Disinfectant
000891-00169	Hercules 70L Pine Oil Disinfectant
000891-00171	Hercules Fortified Pine Odor Disinfectant
000901-00036	Insect Repellent Stock No. 6840-559-0918
000904-00212	Pratt Diazinon 4-OS Insect Spray
000909-00039	Cooke Quick Action Gopher Tabs
000961-00323	Agrico Turf Food/Weed Control w/Iron 30-2
001007 NE-84-0008	Counter Systemic Insecticide-Nemic
001016 TX-78-0031	Union Carbide Sevin 4 Oil Insecticide
001021 CA-78-0191	Pyrocide Mosquito Adulticiding
001021-00042	MGK Insect Loosener
001021-00055	Pyrocide Aerosol Mix 6046
001021-00256	Pyrocide Aerosol Mix No. 5046
001021-00289	Pyrocide Booster Concentrate O
001021-00303	Pyrocide Pyrethrum Extract 11.8%
001021-00316	Pyrocide Booster Concentrate 5140
001021-00350	Pyrocide Aerosol Mix No. 5218
001021-00382	Pyrocide Aerosol Mix No. 5143
001021-00404	Pyrocide Aerosol Mix No. 5304
001021-00432	Pyrocide Intermediate No. 5329
001021-00469	Pyrocide Aerosol Mix No. 5353
001021-00479	Pyrocide Intermediate No. 5480
001021-00511	Repellent Spray Mix for Personal Use
001021-00549	Pyrocide Aerosol Mix No. 5712
001021-00582	Pyrocide Aerosol Mix No. 5848
001021-00609	Pyrocide Intermediate No. 5969
001021-00619	Pyrocide Intermediate No. 6024
001021-00630	Pyrocide Aerosol Mix No. 6046
001021-00654	Pyrocide Aerosol Mix No. 6107
001021-00655	Pyrocide Aerosol Mix No. 6114
001021-00656	Pyrocide Intermediate No. 6028
001021-00664	Pyrocide Intermediate No. 6158
001021-00665	Pyrocide Aerosol Mix No. 6157
001021-00674	Pyrocide Intermediate No. 6184
001021-00686	Pyrocide Pressurized Spray Mix No. 6199
001021-00687	Pyrocide Intermediate No. 6147
001021-00688	Pyrocide Aerosol Mix No. 6212
001021-00702	Pyrocide Intermediate No. 6268
001021-00703	Pyrocide Intermediate No. 6269
001021-00706	Pyrocide Intermediate No. 6279
001021-00707	Pyrocide Intermediate No. 6280
001021-00712	Pyrocide Intermediate No. 6290
001021-00713	Pyrocide Intermediate No. 6294
001021-00718	MGK Pyrocide Intermediate No. 6308
001021-00719	MGK Pyrocide Intermediate No. 6307
001021-00722	Pyrocide Intermediate No. 6286
001021-00723	Pyrocide Intermediate No. 6316
001021-00726	Pyrocide Intermediate No. 6327

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
001021-00728	Pyrocide Intermediate No. 6342
001021-00730	Pyrocide Intermediate No. 6335
001021-00731	Pyrocide Intermediate No. 6341
001021-00732	Pyrocide Intermediate No. 6348
001021-00746	Pyrocide Intermediate No. 6411
001021-00778	Pyrocide Aerosol Mix No. 6475
001021-00782	Pyrocide Intermediate No. 6488
001021-00790	Pyrocide Aerosol Mix No. 6504
001021-00796	Pyrocide Intermediate No. 6556
001021-00809	Pyrocide Intermediate No. 6511
001021-00813	Pyrocide Intermediate No. 6486
001021-00816	Pyrocide Intermediate No. 6615
001021-00819	Pyrocide Intermediate No. 6616
001021-00826	Pyrocide Intermediate No. 6566
001021-00827	Pyrocide Intermediate No. 6619
001021-00829	Pyrocide Aerosol Mix No. 6622
001021-00839	Pyrocide Intermediate No. 6564
001021-00844	Pyrocide Intermediate No. 6640
001021-00845	Pyrocide Intermediate No. 6656
001021-00856	Pyrocide Intermediate No. 6626
001021-00857	Pyrocide Intermediate No. 6671
001021-00858	Pyrocide Intermediate No. 6688
001021-00863	Pyrocide Intermediate No. 6709
001021-00866	Formula No. 6712
001021-00886	Pyrocide Intermediate No. 6735
001021-00887	Pyrocide Intermediate No. 6738
001021-00888	Pyrocide Intermediate No. 6739
001021-00896	Pyrocide Intermediate No. 6753
001021-00909	Pyrocide Aerosol Mix No. 6776
001021-00929	Pyrocide Intermediate No. 6805
001021-00935	Pyrocide Pressurized Pet Spray No. 6807
001021-00940	Pyrocide Intermediate No. 6810
001021-00944	Pyrocide Intermediate No. 6311
001021-00954	Pyrocide Intermediate No. 6840
001021-00957	Pyrocide Intermediate No. 6823
001021-00962	Pyrocide Booster Concentrate No. 6848
001021-00973	Pyrocide Intermediate No. 6836
001021-00975	Pyrocide Intermediate No. 6834
001021-00976	Pyrocide Intermediate No. 6832
001021-00977	Pyrocide Intermediate No. 6865
001021-00979	Everban Conc No. 6858E
001021-00980	Pyrocide Intermediate No. 6817
001021-00991	Pyrocide Intermediate No. 6877
001021-01001	Pyrocide Intermediate No. 6897
001021-01004	Pyrocide Intermediate No. 6900
001021-01006	Pyrocide Intermediate No. 6902
001021-01008	Pyrocide Intermediate No. 6903
001021-01009	Pyrocide Intermediate No. 6904
001021-01029	Pyrocide Intermediate No. 6927
001021-01031	Pyrocide Intermediate No. 6928
001021-01038	Pyrocide Intermediate No. 6939
001021-01047	Pyrocide Intermediate No. 6944
001021-01050	Pyrocide Intermediate No. 6947
001021-01055	Pyrocide Intermediate No. 6962
001021-01059	Pyrocide Intermediate No. 6972
001021-01064	Pyrocide Intermediate No. 6975
001021-01069	Pyrocide Intermediate No. 6498
001021-01083	Pyrocide Intermediate No. 6993
001021-01089	Pyrocide Intermediate No. 7003
001021-01093	Pyrocide 80-8 Manufacturing Concentrate
001021-01098	Pyrocide Intermediate No. 7012
001021-01103	Pyrocide Intermediate No. 7011
001021-01131	D-Trans Intermediate No. 1861
001021-01137	Pyrocide Intermediate No. 7043
001021-01139	Pyrocide Intermediate No. 6952
001021-01189	Pyrocide Intermediate No. 7084
001021-01193	Pyrocide Intermediate No. 7079
001021-01197	Pyrocide Intermediate No. 7099
001021-01200	Pyrocide Intermediate No. 7108
001021-01201	Pyrocide Intermediate No. 7107
001021-01207	Pyrocide Booster Concentrate No. 7109
001021-01209	Pyrocide Aerosol Mix No. 7120
001021-01210	Pyrocide Intermediate No. 7121
001021-01224	Pyrocide Intermediate No. 7134
001021-01230	Pyrocide Intermediate No. 7139
001021-01232	Pyrocide Intermediate No. 7138
001021-01234	Pyrocide Pressurized Pet Spray No. 7142
001021-01252	Pyrocide Intermediate No. 7149
001021-01268	Pyrocide Intermediate No. 7178
001021-01270	Pyrocide Intermediate No. 7179

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
001021-01281	Pyrocide Intermediate No. 7182
001021-01320	Pyrocide Plant & Pet Spray No. 6650
001021-01321	Pyrocide Intermediate No. 7226
001021-01346	Pyrocide Intermediate No. 7220
001021-01358	Pyrocide Formula No. 7251
001021-01359	Pyrocide Aerosol Mix No. 7250
001021-01366	Pyrocide Formula No. 7185
001021-01461	Pyrocide Intermediate No. 5919
001021-01483	Evercide Fenvalerate Concentrate 2275
001021-01501	Pyrocide Intermediate No. 7348
001022-00368	Timpreg B Pol-Nu Type Wood Preser. Grease
001022-00379	Timpreg B Special
001022-00393	Timpreg B Pak
001022-00539	Woodgard 2 TS
001057-00006	E.W.T. Selective Weed-Killer 2,4-D Amine
001057-00057	E.W.T. Plus Controls Broad-Leaved Weeds
001100-00013	Nuodex 100 WD
001124-00013	Super Strength Dutch Fast Acting Cleanser
001239-00055	WTM-65
001258-00972	Sodium Omadine 5% Aqueous Solution
001258-01102	Hth Plus Granular Calcium Hypochlorite - 1
001258-01103	Hth Plus Granular Calcium Hypochlorite - 2
001421-00036	Black Disinfectant Coef. 5
001421-00043	Mosquito-Larvaecide
001421-00126	Hoch Residual Conc. 5% Malathion
001421-00132	Mill Spray
001421-00162	Special Insecticide
001452-00009	Hilo Cat Flea Powder
001459-00034	Septin PF
001459-00037	Hi Sept Conc. Deterg, Sanitizer, Fungicide
001459-00040	Pro-Sept Heavy Duty Cleaner
001475-00020	Naphthalene 100%
001529 HI-81-0005	Cepha
001529 HI-81-0006	Cepha
001603-00015	Pressurized SLA Cedar Scented Spray
001603-00020	Reefer-Caller's Sachet Scented crystals
001624-00002	20 Mule Team Poly./Chlor. Weed/Grass Kill
001624-00079	20 Mule Team Hibor Gran. Weed/Grass Killer
001624-00115	MC 2-113 Weed and Grass Killer
001677-00085	Soilax Professional Insecticide
001677-00104	Sani-Q Cleaner-Disinfectant-Deodorant
001677-00108	Super Soft Stat
001677-00113	Fragrant Contax Toilet Bowl Cleaner
001706-00111	Nalcon 7621
001730-00052	Reko Scientific Flush-All
001730-00054	Bowl Gard Automatic Bowl Cleaner
001757-00017	Biosperse 230
001757-00085	Biosperse 205 Microbiocide
001769-00192	National Chemsearch Bromo-Sect W. E.
001769-00193	National Chemsearch Bromo-Sect O.S.
001769-00318	Promonite
001770-00066	Leppco Brand Florascent
001791-00030	North Coast Megasol 128
001812-00252	Super 16 Flowable Sulfur - Tin Fungicide
001903-00017	St. Aubrey Flea/Tick Spray For Dogs/Cats
001926-00045	Kilzum Ant and Roach Killer With Diazinon
001965-00031	Vancide PA
001965-00084	Vancide PA Dispersion
001990-00376	Co-op Atrazine Tech
001990-00433	Vapona Insecticide Dairy and Stock Spray
002217 WA-86-0030	Acme Hi-Dep (TM) Herbicide
002217-00003	2,4-D 40% Butyl Ester Weed Killer
002217-00076	Butyl Ester 400 2,4-D Weed Killer
002217-00085	Butyl Ester 600 2,4-D Weed Killer
002217-00260	Roach-Rid Professional Type Insecticide
002217-00360	Ciodrin 150 Emulsifiable
002217-00376	Gordons Dairy Spray
002217-00412	Ciodrin 382 Insecticide Emulsible Conc.
002217-00417	Diazinon Spray
002217-00436	2% Ciodrin Insecticide
002217-00483	Trimec Dandelion and Broadleaf Weedkiller
002217-00486	Gordon's Trimec Spot-Weeder Pressurized
002217-00487	Trimec 19 Weed-'n-Feed
002217-00490	Trimec 872 Herbicide
002217-00491	Trimec 2 D E A Turf Herbicide
002217-00492	Trimec 26 Weed-'n-Feed
002217-00499	Gordon's Livestock Spray Concentrate
002217-00505	Gordon's Trimec Estate Broadleaf Herbicide
002217-00506	Gordon's Trimec Chickweed Killer
002217-00519	Dizinon Seed Treater with Seed Lube Plus

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
002217-00524	Trimec 859 Herbicide
002217-00545	Gordon's Indoor Plant Spray
002217-00592	Gordon's Dairy & Livestock Spray
002217-00645	Gordon's Professional Turf Products
002217-00671	Gordon's Phenomec 2+1
002217-00693	Trimec 900 Broadleaf Herbicide
002217-00713	Alkanolamine 55 2,4-D Weed Killer
002217-00723	Trimec M 10,000
002342-00590	Fasco Poultry Dust C-R
002393-00326	80% Bomyl Technical Concentrate
002393-00327	Bomyl Technical
002444-00002	Chigarid
002675-00010	Aseptic-Clean II Disinfectant
002724-00185	Thuron T.45
002724-00218	Starbar GX-130 Trichlorfon Cattle Insecticide
002749 IN-88-0011	Dimethogon 25% WP Systemic Insecticide
002749-00012	Thiram 65
002749-00019	Metaldehyde
002749-00028	Ziram Fungicide
002749-00035	Malathion 95% Premium Deodorized Grade
002749-00068	Zineb 90
002749-00069	Aceto Piperonyl Butoxide Technical
002749-00088	Amazin Phase 2
002749-00109	PDQ 4-(MCPB)Sodium Salt Weed Killer
002749-00165	80W Herbicide
002749-00174	Dicamba 4 EC Herbicide
002749-00181	Trichlorfon 100
002749-00193	Bromacil 80W Weed Killer
002749-00204	Carbaryl Sprayable Insecticide
002749-00233	Disulfoton 15G Systemic Insecticide
002749-00235	Azinphosmethyl LC Concentrated Insecticide
002749-00263	Azinphosmethyl 50W Crop Insecticide
002749-00278	Prometryne Technical Herbicide
002749-00290	Disulfoton Liquid Concentrate Insecticide
002749-00291	Azinphosmethyl Technical Insecticide
002749-00292	Simazine Technical Herbicide
002749-00293	Ethion Technical Insecticide
002749-00496	Propazine 4L Herbicide
002792-20001	Agclor
002829-00010	Cunilate #2440-Light
002829-00016	Cunilate #2174-Sup
002829-00017	Cunilate #2174-Na
002829-00053	Cunilate 4520
002829-00088	Durotex #7487-A
002829-00091	Durotex #7604
002935 AZ-80-0023	De-Fend E--267 Dimethoate Systemic Insecticide
002935 AZ-81-0004	Red-Top EPN 4 Spray
002935 AZ-84-0003	Red-Top Methyl Parathion 4 Spray
002935 CA-76-0133	Red-Top Cryolite 30 Sulfur 30 Dust
002935 CA-77-0054	Red-Top Golden Dew
002935 CA-77-0077	Red-Top Cryolite 30 Sulfur 30 Dust
002935 CA-77-0381	Red-Top Golden-Dew
002935 CA-79-0123	Nu-Flow ND
002935 CA-79-0159	Dimethogon 25% WP Systemic Insecticide
002935 CO-78-0018	Red-Top Golden-Dew (Fungicide/Insecticide)
002935 CO-78-0020	Furadan 4 Flowable
002935 ID-79-0023	Red-top Toxaphene 8 Spray
002935 ID-81-0024	De-Fend E-267 Dimethoate Systemic Insecticide
002935 ID-85-0009	Dimethoate 2.67 EC
002935 ID-86-0011	Ortho Difolatan 4 Flow. Seed Protect.
002935 ID-88-0002	Busan 1020
002935 MT-79-0013	Red-Top Malathion 8 Spray
002935 ND-80-0001	Red-Top Toxaphene 8 Spray
002935 NM-83-0014	Methomyl 2 BT 320 Dust
002935 NV-80-0001	Red-Top Toxaphene 8 Spray
002935 OR-78-0043	Ziram F-4
002935 OR-78-0060	Wilbur-Ellis Smut-Guard
002935 OR-80-0004	Red-Top Toxaphene 8 Spray
002935 OR-80-0086	Dimethoate 2.67 EC
002935 OR-80-0087	De-Fend E-267 Dimethoate Systemic Insecticide
002935 OR-80-0090	D-Z-N Diazinon 50W Insecticide
002935 OR-81-0037	Red-Top Zineb 15 Dust
002935 OR-81-0081	Vapam Soil Fumigant
002935 OR-82-0006	Dimethoate 2.67 EC
002935 OR-82-0044	Red-Top Dimethoate 2.67 E.C.
002935 OR-82-0067	Molluscicide Mesurol 2% Bait
002935 OR-84-0040	Dimethoate 2.67 EC
002935 OR-85-0030	Dimethoate 2.67 EC
002935 OR-85-0035	M.A.D. Special Mosquiticide w/Baytex
002935 WA-76-0005	Red-Top Ethion .25 Oil N.W.

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
002935 WA-79-0055	Red-Top Toxaphene 8 Spray
002935 WA-79-0061	Red-Top Parathion 8 Flowable
002935 WA-80-0087	De-Fend E-267 Dimethoate Systemic Insecticide
002935 WA-81-0069	Vapam Soil Fumigant
002935 WA-82-0047	Wilbur-Ellis Phosphamidon 8 Spray
002935 WA-82-0060	Wilbur-Ellis Zineb 10 Dust
002935 WA-84-0060	Dimethoate 2.67 EC
002935 WA-85-0022	Red-Top Spray Sulfur
002935 WA-85-0027	Dimethoate 2.67 EC
002935 WA-88-0003	Dupont Karmex DF Herbicide
002935 WI-88-0013	Molluscicide Mesurol 2% Bait
002935 WY-78-0008	Red-Top Golden-Dew (Fung./Insect.)
002935-00038	Red-Top Parathion 25 Spray Powder
002935-00167	Weco Phosdrin® 4 Spray
002935-00386	Red-Top Diazinon - Superior Spray Oil
002935-00387	Red-Top Diazinon Methoxychlor Spray
002935-00441	Rose & Flower Spray
002935-00447	Fresh Start Grass & Weed Killer
002935-00449	Spot Weeder
002935-00452	Home & Garden Insect Spray
002935-00454	Tomato and Vegetable Insect Spray
003008-00028	Osmose 24-12 Wood Preservative Solution
003073-00009	Woolsey Heavy Duty Vinyl Anti-Foul. 905 Red
003073-00011	Lumalast Anti-Fouling Finish 678 White
003125 CA-89-0005	Sencor 4 Flowable Herbicide
003125 CT-86-0002	Mesurol 75% Wettable Powder
003125 ID-77-0017	Meta-Systox-R Spray Concentrate
003125 OR-80-0070	Meta-Systox-R Spray Concentrate
003125 TN-85-0004	Dylox Liquid Solution Insecticide
003125 WA-77-0018	Meta-Systox-R Spray Concentrate
003125 WA-84-0012	Chemagro Di-Syston 8
003125-00071	Def Defoliant Spray Concentrate
003125-00143	Dylox Liquid Solution Insecticide
003125-00155	Systemin Spray Insecticide
003125-00181	Gophacide 0.2% Bait (Rodenticide)
003125-00182	Gophacide 0.1% Bait (Rodenticide)
003125-00192	Gophacide Technical
003125-00281	R Baygon OSC Insecticide
003125-00308	Def 7 Emulsifiable Defoliant
003125-00309	Mesurol 50% Hopper-Box Treater
003125-00322	Amaze 6 Emulsifiable Insecticide
003125-00323	Amaze 15% Granular Insecticide
003125-00324	Amaze 20% Granular Insecticide
003125-00343	Dylox/MSR 1.50.5
003282-00022	D-Con Flying Insect Killer
003282-00024	D-Con Jet Stream Wasp & Hornet Killer
003282-00030	D-Con Roach Prufe
003282-00031	D-Con Ant Prufe
003282-00056	Sportsmate II Prem. Insect Repel. Liq.
003282-00057	Sportsmate II Prem. Insect Repel. Spray
003282-00064	D-Con Warpath Roach Killer Formula II
003282-00069	D-Con Bug Killer
003376-00002	Merphene Germicidal Concentrate
003432-00055	Scorch
003442-00752	Captan Garden Spray
003487-00025	Eagles7 Lawn and Garden Insect Control
003772-00023	Earl May Home Orchard Spray
003772-00033	Earl May Zineb 75W Fungicide
004000-00038	Sulfamate Weed and Brush Killer Chemical
004000-00060	Lemon Scented Hospital Disinfectant
004091-00003	Deep-Treat Penta Wood Preservative Conc.
004091-00004	Seal Treat Wood Preservative
004091-00005	Deep Treat Penta Wood Preserv. Ready/Use
004313-00072	Carrosol Flying Insect Killer
004524-00045	Quik-San
004652-00004	Wonder Bug Killer
004652-00006	Crown Kill
004713-00003	Kenya Dairy Cattle Spray
004816 AZ-86-0026	Niagara Pyrenone Crop Spray Insect.
004816 DE-84-0007	Rotenone 5% Emulsifiable
004816 ME-85-0001	Rotenone 5% Emulsifiable
004816 NJ-84-0001	Rotenone 5% Emulsifiable
004816 NY-78-0024	Pyrenone Indust. Spray Emuls. Conc.
004816 NY-83-0008	Rotenone 5% Emulsifiable
004816 PA-85-0004	Rotenone 5% Emulsifiable
004816 RI-84-0002	Rotenone 5% Emulsifiable
004816 TN-82-0005	Permanone Tick Repellent
004816 WA-80-0085	NIA 17370 Aqueous Pres Spray Insec.
004816 WA-82-0059	Niagara Pyrenone Crop Spray Insec.
004887-00094	Stephenson Drop-Tox Aero Bomb

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
005680–00003	Pure Pine Pine Oil Disinfectant Coef 5
005736–00089	X-Cell 405
005736–00099	WCO–132
005736–00100	WCO–132–LM
005741–00010	Spartan F–1 Indust. Strength Insectic.
005785–00029	Ethylene Dibromide
005887–00053	Black Leaf House Plant Spray Bomb
005887–00083	Black Leaf Diazinon Spray
005887–00109	Black Leaf Bagworm Spray
005887–00134	Black Leaf Ant Trap
005905 KS–81–0033	Aatram 20G Herbicide
005905 LA–82–0023	Helena Permet 5–2
005905 NE–82–0024	Aatram 20G Herbicide
005905–00469	Atrazine 80 W
005905–00470	Atrazine 4L
005967–00151	Coxysul Wettable Powder Fungicide
006186–00048	Daco 256
006378–00006	Labsol Water Soluble Solvent Cleaner
006378–00007	Lab One Bacteridical Cleaning Complex
006378–00013	Lab One Plus Bactericidal Cleaning Complex
006378–00016	Lab Conquer Deodorant Disinfectant Deterg.
006378–00019	Lab Escort Germicidal Foam Cleaner
006378–00021	Lab One Formula 128:1
006414–00002	Checker Brand Residual Spray
006414–00008	Checker Brand Residual Aqueous Spray
006482–00002	Lone Star 28% Equiv. Super Hi-Pro-Fly
006482–00003	Lone Star 14% Protein Bar-Fly Hi-Pro-Min
006621–00048	Enviro-Clean
006836–00045	Uniquat CB–50
007001–00047	Best Malathion Grain Spray
007001–00331	Metaldehyde
007138–00011	Pasture Balancer Cattle Block
007138–00013	Livestock Fly & Worm Mineral Medicated
007173–00164	Rozol Rat & Mouse Killer
007173–00166	Rozol Rat & Mouse Killer
007364–00039	GLB Algimycin "600"
007364–00058	Tabex Spa-Care Chlorination Tablets
007364–00072	Tab-Chem Chlorination Tablets
007364–00073	Tab-Chem 30
007364–00074	Tab-Chem 40
007364–00075	Tab-Chem 32
007368–00083	Super-Chlor
007368–00084	Industrial Bleach
007401–00147	Ferti-Lome Tomato & Vegetable Garden Dust
007401–00159	Ferti-Lome Tomato & Vegetable Dust
007401–00322	Hi-Yield (Zineb) Lawn & Garden Fungicide
007401–00341	Americal Brand All Purpose Garden Dust
007501–00039	Gustafson Vitavax-Maneb Flowable Fungicide
007501–00053	Gustafson Terra-Coat 2–LF Seed Treatment
007501–00056	Terra-Coat L–21N
007501–00060	Terra-Flo 21 Flowable Seed Treatment Fung.
007501–00083	Gustafson Captan Dry Flowable with Dye
007546–00002	San-i-King Liquid Sodium Hypochlorite
007547–00033	Microbicide BC
007627–00010	Stockade Kil-a-Pest No. 12 Fly Control
007631–00013	Walnut Grove "4X4" Beef Shake 31 (F)
007782–00001	Slugit Liquid Slug & Snail Killer
008122–00005	KA–22
008143–00005	Larvi-Rid "B" 2X1 Mineral
008177–00041	Vinyl Anti-Fouling Paint Brown 59–D–20
008177–00047	Vinyl Anti-Fouling Paint Mil-P-16189
008177–00060	Farboil 6501S Red Vinyl Antifouling Paint
008177–00061	Farboil Hydro-Clean O.M.P. Antifouling
008177–00063	Hydro-Clean O.M.P. Antifouling Paint Red
008177–00064	Farboil 6157S Mil-P-15931D Antifouling
008177–00067	Farboil 6022S Mil-P-5931D Antifouling
008489–00004	Cosan S
008576–00003	Chlorine for your Pool
008576–00004	Sodium Hypochlorite
008590 MA–80–0001	Methoxychlor 2–E
008590 NJ–83–0013	Agway Greenlawn Plus Fertilizer
008590 NJ–83–0014	Agway Prof. Fairway & Athletic Turf
008590 PA–80–0036	Malathion 25W
008590 PA–80–0037	Agway Diazinone AG500
008590–00039	Agway Weed Killer "66"
008590–00052	Agway Captan 7.5D
008590–00266	Agway 50% Sevin Wettable Powder
008590–00304	Agway Orchard Mouse Bait - Coated
008590–00314	Agway Crop Spray Insecticide M
008590–00333	Agway Methoxychlor 5G with HAN

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
008590-00351	Agway Ammate Weed & Brush Killer
008590-00439	Agway Dual Garden Orchard Spray
008590-00491	Agway Potato Seed Treatment 8D-I
008590-00492	Agway Zineb Garden Fungicide
008590-00500	Agway Maneb Garden Fungicide
008590-00552	Agway Captan 50WP
008590-00553	Captan 80WP
008590-00563	Agway Liquid Fruit Tree Spray
008590-00588	Agway Captan 4 Flowable
008590-00613	Agway Maneb 80W
008590-00623	Agway Flowable Maneb 2F
008590-00632	Agway Lawn & Garden Malathion 50
008590-00657	Takeout Systemic Weed & Grass Killer
008612-00061	B & G Diazinon 4S
008612-00068	Tasp 20-S Insecticide Oil Concentrate
008612-00069	B & G Tapp-5 Powdered Pyrethrum Dust
008612-00070	Tapp B Synergized Powdered Pyrethrum
008637-00017	Mitco CC-51L
008637-00018	Mitco CC-52L
008845-00004	Rid-a-Bug Brand Pre-Mixed
008845-00010	Rid-a-Bug Brand D7 Insecticide Concentrate
008845-00012	Super Rid-a-Bug Brand MD
008845-00015	Rid-a-Bug Brand Pre-Mix RO2
008845-00036	Kenco Rid-a-Bug Pre-Mixed AZ6
008845-00061	Hot Shot Outdoor Fogger
009078-00001	Co-op Pasture Balancer Medicated
009215-00004	Clear-All 100A Pool Chlorine
009215-00005	All Clear Pool Start
009241-00002	Poco-Sol Germicidal Bowl Cleanse II
009282-00008	Sanitizer Q
009313-00015	Void
009367-00009	Kill-o-Cide Concentrate Fly & Insect Spray
009374-00001	Ranch-O Bar-Fly Protein Supplement Block
009374-00002	Ranch-O Bar-Fly #2 Hi-Boot Mineral Suppl.
009418-00001	Mark III Advanced Gas Sterilizer
009444-00042	Personal Purge Insect Repellent Lotion
009584-00007	Beaulieu Pynol 6 A Pine-Type Disinfectant
009639-00003	Willard Pool Chlorinating Concentrate
009639-00010	CL-90 Pool Chlorinating Tablets
009640-00019	Microbiocide NM
009640-00020	Microbiocide 1392M
009640-00021	Microbiocide 1393M
009640-00023	Biolyte 1384
009640-00024	Biolyte F
009640-00029	3824 Microbiocide
009640-00030	Clow 3870
009640-00031	3820 Microbiocide
009640-00032	3830 Microbiocide
009640-00045	UOP 2-CH Algaecide
009688-00002	Insecticide for Crawling Insects
009688-00004	No-Bite Insect Repellant
009688-00022	Bug Spray with 25% Penick 1382
009688-00060	Chemsico Ant & Roach Killer VI
009688-00061	Chemsico Ant & Roach Killer V
009743-00009	Skasol Microbiocide No. 7
009779-00209	Riverside Weedgard G
009779-00261	Riverside 2,4-D Butyl Ester 6
009779-00274	Maneb Plus Lindane
009779-00276	Maneb 8%
009779-00277	Superbark Potato Seed-Piece Fungicide Dust
009800-00009	CWT-BB 17
009852-00029	Rite-Off Vaporizor Concentrate
009852-00030	Rite-Off Compactor & Kitchen Insecticide
009859-00171	Fasco Poultry Dust C-R
009880-00001	Parker Rat Bait
010051-20203	Pro-Tech Boric Acid 99%
010107-00047	Diazinon 4S Insecticide
010148-00004	Quat
010148-00009	Super Vegetation Killer
010148-00015	Industrial Spray #4000
010148-00016	Compactor & Kitchen Aqueous Spray #4005
010163-00131	P-A Mevinphos Technical
010250-00020	Hempel's Classic Antifouling 7655-6111
010250-00023	Hempel's Antifouling Nautic HI7695-5030
010250-00024	Hempel's Antifouling Nautic HI-7695-5111
010287-00003	1:750 Aqueous Benz.Chlor.Germ.Sol
010370-00173	Systemic Ornamental Spray
010445-00095	Hercules Microbiostatic Compound MB 112
010693-00017	Flo-Kem Ant & Roach Spray Residual
010710-00005	Trophy No-Bac Plus

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
010806-00005	P-30
010856-00009	Evans Clear Wood Preservative
010942-00002	Bandini 5 Weed-out 12-4-4
010942-00004	Bandini 4 Pre-Plant Weedilizer 21-6-6
010989 CA-77-0177	Methyl Bromide Rodent Fumigant
010989 CA-79-0229	Tordon Beads Herbicide
011556-00101	Bar X Emulsifiable Fly Spray & Repellant
011556-00102	Shield Wipe On Fly Protectant
011561-00023	Warner Enterprises Flea Killer
011603-00009	Atrazine Technical for Manufacturing Only
011603-00010	Atrazine 80% W.P.
011603-00014	Triflurex Emulsifiable Concentrate
011678-00021	Diazol Diazinon 4 Lb/Gal Agricultural Oil
011678-00033	Diazol Diazinon 40% WP
011715-00121	Speer Dandelion & Broadleaf Jet Weeder
011715-00122	Speer Poison Ivy Jet-Stream Killer
011724-00005	Intex 830 Disinfectant Germicide
011724-00010	Intex 845 Pine Oil Disinfectant
011746-00005	Davis Kill-a-Bug
012020-00005	Monuron Technical
012020-00006	Monuron80 Wettable Powder
012369-00001	Chloropool
012465-00002	Aqua Maid Algaecide Concentrate
012465-00004	Aqua Maid Chlorinating Liquid
012465-00006	Pryley Winter Grade Algaecide
012465-00010	Aqua Maid Permanent Algaecide
012465-00013	Aqua Maid "Cyan" Granular Silized
012465-00014	Aqua Maid Pool Start
012465-00015	Aqua Maid Slow-
012465-00017	Aqua Maid Shock Treatment Granular
012465-00034	Aqua Maid "Jumbo" Slow-Tab
012465-00043	Aqua Maid Cyan II
012465-00044	Aqua Maid Shock
012465-00049	Aqua Maid Slow Sticks
012465-00050	Algae Attack
012465-00053	Winterizing Chlorinating Concentrate
012741-00001	Sweet Pine
012741-00002	Lemon 22
012741-00003	Mint-15
012741-00004	Algicide
012886-00001	Vicco Sodium Hypochlorite Solution
013648-00005	Glidco Pine Oil-230
013799-00005	The Protector
013799-00009	Four Paws Bird & Cage Spray
013808-00003	Prairie Dog, Ground Squirrel, Field Mice
013808-00005	Pocket Gopher Bait/R
014797-00003	Diazinon
019713-00090	Drexel D-264 4S Diazinon Insecticide
019713-00122	Drexel D-264-5D
019713-00135	Piperonyl Butoxide Technical Synergist
019713-00146	Drexel D-264-40 WP
021137-00003	Lindane
021137-00007	Chlorflurenol Ester (IT3456)
021327 OR-78-0007	Larvacide 100 Chloropicrin
021327-00001	Chloropicrin 100 Soweco Brand
027581-00032	Midland 685
028293-00053	Unicorn Lindane Screw Worm Spray
028293-00135	Unicorn Insecticidal Ear Tag #1
029909-00018	Cardinal Vegetable & Flower Spray
033285-00005	Super Green Pre-Emergence CrabGrass Killer
033356-00005	Chloro Guard Chlorinating Solution
033576-00006	Olin Water Treatment Products S 770 P
033576-00020	Olin Powdered Bactericide
033955-00456	Acme Tomato Vegetable Dust
033955-00469	Acme Zineb 75W Fungicide
033955-00502	Acme Indoor Plant Spray
033955-00535	Acme Diazinon Spray
033955-00551	Acme One-Shot House Fogger
034688-00008	Intercide TMP
034688-00024	Intercide 60
034688-00061	N-948 DMF
034704-00232	Mixed Technical MCP Esters
034704-00400	Kolodust 25 Diazinon 3 Dust
034704-00406	Kolodust 50 Diazinon 3 Dust
034704-00507	Puregro 2,4-D Butyl 6
034704-00511	Gabrial Methoxychlor Technical
034704-00512	Gabrial Diuron Technical for Manufacturing
034704-00538	Gustafson E-Phenyl Technical Insecticide
034704-00557	Pueblo 6-3 Parathion
034704-00625	Ziram 100

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
034797-00040	Dionne Detergent/Disinfectant
034797-00041	Dionne Detergent/Disinfectant Concentrate
035961-00007	CMB 40
037586 HI-82-0003	Pyrocide Fogging Concentrate 7257
038832-00001	West C-101
039335 LA-83-0023	Dacamine 360D
039335 NC-78-0025	NA[1]
039335 SC-78-0015	NA[1]
039398-00003	Sumithion 8E
039398-00011	Sumithion Concentrate
040831-00016	Best 4 Servis Brand 25% Malathion WP
040831-00056	Falls Butyl Ester 600 2,4-D Weed Killer
040831-00061	Best 4 Servis Brand Parathion 15% WP
040831-00077	2,4-D Butyl Ester 6 Weed Killer
040831-00079	Butyl Ester 334 E Selective Weed Killer
040831-00085	Best 4 Servis Brand Polyram Potato Seed
040831-00090	Best 4 Servis Brand Indoor-Outdoor Spray
040831-00091	Best 4 Servis Brand Fly & Mosquito Spray
040831-00102	Best 4 Servis Brand Navunex-5 Dust
040831-00124	Falls 2,4-D Amine 410 Alkanolamine
040849-00015	Enforcer Rat Bait
040849-00026	Enforcer Flea, Ant & Roach Killer III
040849-00039	Lethelin's Magikil Jelly Contains Baygon
041052-00001	Wood's Algaecide
041260-00005	Pool-Care Algicide Formula D
041260-00010	Swimming Pool Algicide Formula B
041260-00013	Swimming & Wading Pool Algicide Formula C
041260-00014	Pool Shock Treatment
041260-00047	Lemon Cleaner Disinfectant & Deodorizer
041260-00048	Sunshine Ready-to-Use Spray Disinfectant
041260-00049	Pine Cleaner Disinfectant & Deodorizer
041404-00001	Industrial Sodium Hypochlorite Solution
041715 FL-85-0005	Riverside Malathion 5
041715 TX-76-0010	Riverside Parathion 4
042013-00001	Sodium Hypochlorite Solution
042057-00050	Morgro Plus Fungicide
042964-00013	Airkem Destroy Odor-Controlled Insecticide
042964-00021	Entacide-P Insecticide Vaporizer Spray
043789-00002	Captan/Methoxychlor 300-20 Flowable Seed
043789-00004	Captan/Methoxychlor 60-10 WP Seed Protect
043789-00005	Captan/Methoxychlor 65-10 WP Seed Protect
043789-00007	Captan/Methoxychlor 70-3 WP Seed Protect
043789-00014	Lindane 25 EC Seed Treater
043789-00017	Captan/Methoxychlor 300-20 DD Flowable
043789-00038	Lindane 25 WP Dyed Seed Treater
043789-00040	Lindane 75 WP Dyed Seed Treater
043789-00044	Methoxychlor 25 EC Dyed Seed Treater
043789-00072	Captan 32-D Flowable Seed Protectant
043789-00073	Lindane 25 EC/LF Seed Treater
043789-00077	Chlorovax 200 Liquid Planter Box Seed
043789-00080	Chlorovax 300 Dyed Flowable Seed Protect
043789-00082	Chlorovax 60 WP
043789-00096	Pro-Tec 24
044215-00074	Vito Spot Fungicide
044283-00002	Superman Maneb Flowable
044283-00003	Stay-On Liquid Sulfur
045115-00089	Ready-to-Use Weed Away
045639-00067	Ficam ULV
046187-00001	The Boat House Chlorinating Solution
047000-00038	Ridz Rat & Mouse Killer Bait Packets
047000-00056	Livestock/Dairy Spray & Fog
047000-00080	CPI "3000" Metered Spray Brand Air Sanit.
047612-00003	Insectaway Flying & Crawling Insect Killer
048702-00009	Royal Crown Residual Spray I
048957-00017	Sulfox
049840-00002	Preservo Tablets
049840-00003	Preservo Powder
049918-00001	Slimicide Mt
050600-00006	Shepard Brothers Skloron 750
050640-00009	Formula 1007
051036-00023	Micro-Flo Sulphur-Zineb Fungi-Sperse
051036-00025	Zineb 75 Wettable
051036-00029	Fasco Deflocculated Lead Arsenate #550
051036-00040	Fasco Thiodan Liquid-2
051036-00044	Fasco Thiodan 50-WP
051036-00052	Fasco Phosdrin 4 EC
051036-00056	Fasco Thiodan Phosdrin 2-1 EC
051036-00062	Fasco Zineb 75 WP
051036-00063	Fasco Thiodan Zineb Dust 3-6
051036-00067	Thiodan 50 Wettable Powder Insecticide

TABLE 1—REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION—Continued

Registration no.	Product name
051036–00144	C-Z-M 755 Prod #947
051036–00145	Fasco C-Z75 Prod #948
051036–00148	Fasco Vegetable Dust 5–6
051036–00149	Thiodan 2–E Emulsifiable Conc.
051036–00150	Fasco C-Z-M-B #3
051036–00163	Thiodan Miscible
052350–00002	Mildupruf
052423–00001	West/Treat 882
052423–00002	West/Treat 881
052423–00003	West/Treat 833
053127–00002	Disodium Methanearsonate Crabgrass Killer
053127–00011	Crabgrass Lawn Weed & Dandelion Killer
053127–00020	Lawn Weed & Dandelion Killer with Banvel D
053127–00023	Total Weed & Grass Killer
053127–00029	New Improved Malathion 50%
053127–00030	Aim & Spray Insecticide
053127–00031	Diazinon Insect Spray
053127–00054	Garden Care Brand Home Pest Insect Control
053127–00055	Broad Range Insecticide
053127–00057	Crawling Insecticide
053127–00058	Aqueous Gen. Purpose Residual Insecticide
053127–00059	Garden Care By Farmingdale
053640–00001	Proctor Semi-Transp. Stain & Wood Pres.
053640–00002	Proctor Paint & Varnish Clear Wood Pres.
054452–00001	Magnetic Roach Powder
054452–00003	Blast-A-Roach
054452–20204	Blast-A-Roach
055363–00001	Classic Yacht Antifoulant Coating
055363–00002	Classic Yacht Clear Aerosol Antifouling Coating
056100–00004	Chem-Kill Automatic Indoor Fogger
056228–00004	Porcupine Blocks, Containing Strychnine
056493–00032	Horse Fly Free Gel
056644–00045	Security Brand Vega-Grow Plant Food
056644–00052	Security Brand Diazinon Spray
057733 TX–87–0001	NA[1]
058284–00001	Camicide House & Plant Insect Killer
058284–00015	Camcide Liquid Bug Killer
060230 NJ–85–0003	Carboxide Sterilant-Fumigant Gas
061272–00002	2,4-D Isobutyl Ester Technical
062190–00001	Wolman Salts CA
062190–00003	Wolman Salts CCA-Type B
062190–00004	Wolman Salts CCA-Type C
062190–00006	Koppers CCA Type B Wood Preservative

[1]No product name available.

Unless a request is withdrawn by the registrant within 60 days of publication of this notice, orders will be issued cancelling all of these registrations. Users of these pesticides or anyone else desiring the retention of a registration should contact the applicable registrant directly during this 60–day period. The following Table 2 includes the names and addresses or record for all registrants of the products in Table 1, in sequence by EPA Company Number.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION

EPA Company no.	Company name and Address
000016	Dragon Corp., Box 7311, Roanoke, VA 24019.
000056	J. T. Eaton Co., Inc., 1393 E. Highland Road, Twinsburg, OH 44087.
000059	Coopers Animal Health, Inc., Box 419167, Kansas City, MO 64141.
000061	Koppers Co., Inc., Occupational Health Product Safety, 1201 Koppers Building, Pittsburgh, PA 15219.
000100	Ciba-Geigy Corp., Box 18300, Greensboro, NC 27419.
000134	Hess Clark, Inc., 7th and Orange, Ashland, OH 44805.
000149	Senoret Chemical Co., Inc., 566 Leffingwell Ave Kirkwood, MO 63122
000150	Anderson Chemical Co., Box 1041, Litchfield, MN 55355.
000168	Great Western Chemical Co., 808 S.W. 15th Ave., Portland, OR 97205.
000192	Dexol Industries, 1450 W. 28th St., Torrance, CA 90501.
000226	Tobacco States Chemical Co., 815 Contract St., Lexington, KY 40505.
000228	Riverdale Chemical Co., 425 W. 194th St., Glenwood, IL 60425.
000239	Chevron Chemical Co., Registration Regulatory Affairs Dept., 940 Hensley St., Richmond, CA 94804.
000241	American Cyanamid Co., Agricultural Research Division, Box 400, Princeton, NJ 08540.
000264	Rhone-Poulenc Ag Co., Box 12014, Research Triangle Park, NC 27709.
000270	Farnam Companies, Inc., 301 W. Osborn Road, Phoenix, AZ 85067.
000278	Miami Products Chemical Co., Box 486, Dayton, OH 45401.
000279	FMC Corp., Product Registration ACG, 21000 Market St., Philadelphia, PA 19103.
000334	Hysan Corp. (Lara Ofc), 4309 S. Morgan St., Chicago, IL 60609.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company no.	Company name and Address
000352	E. I. Du Pont de Nemours and Co., Inc., Agricultural Products Dept., Box 80038, Wilmington, DE 19880.
000365	US Professional Labs Lehn Fink Ind Prod., 225 Summit Ave., Montvale, NJ 07645.
000400	Uniroyal Chemical Co., Inc., 74 Amity Road, Bethany, CT 06525.
000407	Imperial, Inc., Box 98, Shenandoah, IA 51601.
000410	Franklin Laboratories, Inc., Box 717, Fort Dodge, IA 50501.
000464	Dow Chemical U.S.A., Agricultural Products Dept., Box 1706, Midland, MI 48641.
000475	Boyle-Midway Household Products, Inc., S Ave, Hale St., Cranford, NJ 07016.
000486	Burmah Technical Services, Inc., Water Management Division, 408 Auburn Ave., Pontiac, MI 48058.
000524	Monsanto Co., 700 14th St., N.W. Suite 1100, Washington, DC 20005.
000528	Amsco Division Union Oil Company of California, 825 S.E. Thornton, Minneapolis, MN 55414.
000554	Agsco, Inc., Box 458, Grandforks, ND 58201.
000559	Buckeye International, Inc., 2700 Wagner Place, Maryland Heights, MO 63043.
000602	Purina Mills, Inc., Box 66812, St. Louis, MO 63166.
000622	Nordan Laboratories, Inc., Box 80809, Lincoln, NE 68501.
000655	Prentiss Drug Chemical Company, Inc., 21 Vernon St.—C.B. 2000, Floral Park, NY 11001.
000690	Perk Products Chemical Co., Inc., Box 100585, Nashville, TN 37210.
000706	Claire Manufacturing Co., c/o Regwest Co., Box 2220, Greeley, CO 80632.
000707	Rohm Haas Co., Agri. Chemicals Registration Regulator, Independence Mall West, Philadelphia, PA 19105.
000773	Pitman-Moore, Inc., Box 207, Terre Haute, IN 47808.
000802	Chas H. Lilly Co., 7737 N.E. Killingsworth, Portland, OR 97218.
000829	Southern Agricultural Insecticides, Inc., Box 218, Palmetto, FL 34220.
000861	Uncle Sam Chemical Co., Inc., 575 W. 131st St., New York, NY 10027.
000876	Velsicol Chemical Corp., 5600 N. River Road, Rosemont, IL 60018.
000891	Hercules, Inc., Medical Department, Hercules Plaza Wilmington, DE 19894.
000901	Airsol Co., Inc., 525 N. 11th St., Neodesha, KS 66757.
000904	Miller Chemical Fertilizer Corp., Pratt-Gabriel Division, Box 333, Hanover, PA 17331.
000909	Cooke Laboratory Products, Subsidiary of the Chas. H. Lilly Co., 7737 N.E. Killingsworth, Portland, OR 97218.
000961	Lebanon Chemical Corp., Box 180, Lebanon, PA 17042.
001007	Pfizer, Inc., Specialty Chemicals, 235 E. 42nd St., New York, NY 10017.
001016	Union Carbide Corp., Box 12014, T.W. Alexander Dr., Research Triangle Park, NC 27709.
001021	Mc Laughlin Gormley King Co., 8810 10th Ave North, Minneapolis, MN 55427.
001022	Chapman Chemical Co., c/o Science Regulatory Services International, 1625 K St., NW, Suite 975, Washington, DC 20006.
001057	C.B. Dolge Co., c/o Unytex Research Corp., Box 818, Rochester, NY 14603.
001100	Huls America, Inc., Box 365, Piscataway, NJ 08855.
001124	Purex Industrial, Turco Purex Industrial Corp., 7300 Bolsa Ave., Westminster, CA 92684.
001239	ICL, 1015 N. 14th St., Omaha, NE 68102.
001258	Olin Corp., Box 586, Cheshire, CT 06410.
001421	Dettelbach Chemical Corp., 4309 S. Morgan St., Chicago, IL 60609.
001452	Roccorp, Inc., Box 2945, North Canton, OH 44720.
001459	The Bullen Companies, Box 37, Folcroft, PA 19032.
001475	Willert Home Products, 4044 Park Ave., St. Louis, MO 63110.
001529	GAF Corp., 1361 Alps Rd., Wayne, NJ 07470.
001603	Agan Chemical Manufacturers, c/o Makhteshim-Agan (America) Inc., 245 Fifth Ave., Suite 1901, New York, NY 10016.
001624	U.S. Borax Research Corp., 412 Crescent Way, Anaheim, CA 92801.
001677	Ecolab, Inc., 370 Wabasha St., Ecolab Center, St. Paul, MN 55102.
001706	Nalco Chemical Co., One Nalco Center, Naperville, IL 60563.
001730	American Cyanamid Co., 697 Route 46, Clifton, NJ 07015.
001757	Drew Industrial Division, Ashland Chemical, Inc., Box 2219, Columbus, OH 43216.
001769	NCH Corp., 2727 Chemsearch Blvd., Irving, TX 75062.
001770	Griffin Bros, Inc., 1806 S.E. Holgate Blvd., Portland, OR 97202.
001791	North Coast Chemical Co., Inc., 6300 17th Ave., S., Seattle, WA 98108.
001812	Griffin Corp., Box 1847, Valdosta, GA 31603.
001903	8 In 1 Pet Products, Inc., 2100 Pacific St., Hauppauge, NY 11788.
001926	Navy Brand Mfg Co., 5111 S.W. Ave., St. Louis, Mo 63110
001965	Vanderbilt R T CO., Inc., 33 Winfield St., East Norwalk, CT 06855.
001990	Universal Cooperatives, Inc., c/o Diana Williams, Box 460, Minneapolis, MN 55440.
002217	PBI/Gordon Corp., 1217 W. 12th St., Box 4090, Kansas City, MO 64101.
002342	Kerr-McGee Chemical Corp., Box 25861, Oklahoma City, OK 73125.
002393	Haco, Inc., D/B/A/ Hopkins Agricultural Chemical Co., Box 7190, Madison, WI 53707.
002444	CDC Laboratories, 149 Yorktown, Dallas, TX 75208.
002675	National Purity Inc., 110 5th Ave., S.E., Minneapolis, MN 55414.
002724	Zoecon Corp., A Sandoz Co., 12200 Denton Drive, Dallas, TX 75234.
002749	Aceto Chemical Co., Inc., c/o John M. Wise, Box 301, Liberty, MO 64068.
002792	Pennwalt Corp., Decco Division, Box 120, Monrovia, CA 91016.
002829	Morton International, Inc., Specialty Chemicals Group, 333 W. Wacker Drive, Chicago, IL 60606.
002935	Wilbur Ellis Co., 191 W. Shaw Ave., Suite #107, Fresno, CA 93704.
003008	Osmose Wood Preserving, Inc., 980 Ellicott St., Buffalo, NY 14209.
003073	Woolsey Marine, Division of Kop-Coat, Inc., 436 Seventh Ave., Suite 1850, Pittsburgh, PA 15219.
003125	Mobay Corp., Agricultural Chemicals Division, Box 4913, Kansas City, MO 64120.
003282	D-Con Company, Inc., 225 Summit Ave., Montvale, NJ 07645.
003376	Barry International, 2100 Park Central Blvd., North Suite 500, Pompano Beach, FL 33064.
003432	N. JohanCo., Inc., 4520 Adams Circle Box 425, Bensalem, PA 19020.
003442	Laroche Industries Inc., Perimeter 400 - Center Two, 1100 Johnson Ferry Rd., N.E., Atlanta, GA 30342.
003487	Bacon Products Company, Inc., Box 22187, Chattanooga, TN 37422.
003772	Earl May Seed Nursery L.P., 208 N. Elm St., Box 500, Shenandoah, IA 51603.
004000	Southern Chemical Products Co., Subsidiary of Carroll Co., 2900 W. Kingsley Road, Garland, TX 75041
004091	W.M. Barr Co., 2105 Channel Ave., Memphis, TN 38113.
004313	Carroll Co., 2900 W. Kingsley Rd., Garland, TX 75041.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company no.	Company name and Address
004524	H.B. Fuller Co., 3900 Jackson St., N.E., Minneapolis, MN 55421.
004652	Crown Chemical Co., Inc., 5553 Ravenswood Road #105–108, Ft. Lauderdale, FL 33312.
004713	Pyrethrum Board of Kenya, c/o Keane Associates, 2100 Lincoln Park West, Suite 10DN, Chicago, IL 60614.
004816	Fairfield American Corp., 809 Harrison St., French Town, NJ 08825.
004887	Stephenson Chemical Co., Inc., Box 87188, College Park, GA 30337.
005680	Snee Chemical Co., 1383 Tchoupitoulas St., New Orleans, LA 70130.
005736	Dubois Chemicals, Inc., c/o Joe D. Slone, 3630 E. Kempter Road, Sharonville, OH 45241.
005741	Spartan Chemical Co., 110 N. Westwood Ave., Toledo, OH 43607.
005785	Great Lakes Chem Corp., Box 2200, West Lafayette, IN 47906.
005887	Wilbur-Ellis Co., Box 9518, Fresno, CA 93792.
005905	Helena Chemical Co., 5100 Popular Ave.,- Suite 3200, Memphis, TN 38137.
005967	Moyer Products, Inc., Box 5434, Fresno, CA 93755.
006186	Damon Chemical Co., Inc., Box 480, Alliance, OH 44601.
006378	Lab Automated Chemicals, Division of Systems General, Inc., Box 152170, Irving, TX 75015.
006414	Bain Pest Control Service, 1320 Middlesex St., Lowell, MA 01851.
006482	Texas Farm Products Co., Box 9, Nacogdoches, TX 75961.
006621	National Inter Chem Corp., 2819 W. Lake St., Chicago, IL 60612.
006836	Lonza, Inc., 17-17 Rte 208, Fair Lawn, NJ 07410.
007001	J.R. Simplot Co., Box 198, Lathrope, CA 95330.
007138	Southern States Cooperative, Inc., 6606 W. Broad St., Richmond, VA 23230.
007173	Liphatech, Inc., 3600 W. Elm St., Milwaukee, WI 53209.
007364	Great Lakes Biochemical Co., Inc., 6120 W. Douglas Ave., Milwaukee, WI 53218.
007368	Grow Group, Inc., 760 S. Vail Ave., Montebello, CA 90640.
007401	Voluntary Purchasing Group, Inc., Box 460, Bonham, TX 75418.
007501	Gustafson, Inc. Box 660065, Dallas, TX 75266.
007546	USC, A Division of Hydrite Chemical Co., 2655 N. Mayfair Road, Milwaukee, WI 53226.
007547	Western Water Management, Inc., 1345 Taney Box 7469, No. Kansas City, MO 64116.
007627	Harvest Brands, Inc., Country Club Road 69 Bypass Box 46, Pittsburg, KS 66762.
007631	Walnut Grove Products, 201 Linn St., Atlantic, IA 50022.
007782	Murphy Chemical Company Ltd, c/o McHutchison Co., Inc., 695 Grand Ave., Ridgefield, NJ 07657.
008122	Farbest Corp., Box 01825, Los Angeles, CA 90001.
008143	Protein Blenders, Inc., Box 631, Iowa City, IA 52240.
008177	Valspar Corp., 1101 Third St., South, Minneapolis, MN 55415.
008489	Cosan Chemical Corp., 40 Ave. A, Bayonne, NJ 07002.
008576	Mayo Chem Co., Inc., 5544 Oakdale Rd., Smyrna, GA 30082.
008590	Agway, Inc., Crop Services, Box 4933, Syracuse, NY 13221.
008612	BG Co., 10539 Maybank Dr., Box 540428, Dallas, TX 75354.
008637	Mitco, Inc., 1601 Steele Ave., SW, Grand Rapids, MI 49507.
008845	The Spectrum Group Division Of, United Industries Corp., Box 15842, St. Louis, MO 63114.
009078	Tennessee Farmers Co-Op, Box 3003, Lavergne, TN 37086.
009215	Aqua Tri, 17872 Mitchell, Box 17148, Irvine, CA 92713.
009241	Powell Co., Inc., Box 1317, Lima, OH 45802.
009282	Davies-Young Co., Inc., 2700 Wagner Pl., Maryland Heights, MO 63043.
009313	Rose Products Services, Inc., 545 Stimmel Rd., Columbus, OH 43223.
009367	Theochem Laboratories, Inc., 7373 Rowlett Park Dr., Tampa, FL 33610.
009374	Ragland Mills, Inc., Rte., 8, Box 168, Neosho, MO 64850.
009418	Advanced Instruments, Inc., 1000 Highland Ave., Needham Hights, MA 02194.
009444	Cline-Buckner, Inc., Subsisidiary of Waterbury Companies, Inc., Box 640, 100 Calhoun St., Independence, LA 70443.
009584	Beaulieu Chemical Co., c/o Masury-Columbia, 1140 E.103rd St., Chicago, IL 60628.
009639	Lux Chemical Corp., Willard Products Div., Box 249, Redwood City, CA 94064.
009640	Burmah Technical Services, Inc., 408 Auburn Ave., Pontiac, MI 48058.
009688	Chemsico, Box 15842, St. Louis, MO 63114.
009743	Skasol, Inc., 40 Cleveland St., San Francisco, CA 94103.
009779	Riverside/Terra Corp., Box 171376, Memphis, TN 38187.
009800	Stewart-Hall Chem Corp., 222 Wash St., Mt. Vernon, NY 10553.
009852	Rite-off, Inc., (A Delaware Corp.), 1545 Fifth Industrial Ct., Bayshore, NY 11706.
009859	Landia Chemical Co., Box 6884, Lakeland, FL 33807.
009880	Parker Pest Control, Inc., Rt. 2, Box 37, Ponca City, OK 74601.
010051	Veatch Chemical Co., 4357 California St., St. Louis, MO 63111.
010107	Corn Belt Chemical Co., Box 410, McCook, NE 69001.
010148	Nationwide Chemical Co., Inc., 395 Johnson Ave., Brooklyn, NY 11206.
010163	Gowan Co., Box 5569, Yuma, AZ 85366.
010250	Hempel Coatings (USA), Inc., Foot of Curie Ave., Box 3279, Wallington, NJ 07057.
010287	Baxter Healthcare Corp., 1450 Waukegan Rd., McGaw Park, IL 60085.
010370	Ford's Chemical Service, Inc., 2739 Pasadena Blvd., Pasadena, TX 77502.
010445	Calgon Corp., Calgon Center, Box 1346, Pittsburgh, PA 15230.
010693	Flo-Kem, Inc., 19402 Susana Rd., Rancho Dominguez, CA 90221.
010710	Purdy Products, Inc., 1526 N. 31st St., Milwaukee, WI 53208.
010806	Contact Industries, Inc., 641 Dowd Ave., Elizabeth, NJ 07201.
010856	Evans Products Co., Box 4098, Roanoke, VA 24015.
010942	Bandina Fertilizer Co., 4139 Bandini Blvd., Los Angeles, CA 90023.
010989	Contra Costa County Dept. of Agriculture, 161 John Glen Dr., Concord, CA 94520.
011556	Mobay Corp., Animal Health Div., Box 390, Shawnee Mission, KS 66201.
011561	Warner Packaging Inc., c/o Miller Chemical Fertilizer Corp., Box 333, Hanover, PA 17331.
011603	Agan Chem. Mfg., Ltd., c/o Makhteshim-Agan (Amer.), 2 Park Ave., New York, NY 10016.
011678	Makhteshim Chemical Works, c/o Makhteshim-Agan (America) Inc., 2 Park Ave., New York, NY 10016.
011715	Speer Products, Inc., Box 18993, Memphis, TN 38118.
011724	Intex Products, Inc., Box 6648, Greenville, SC 29606.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION—Continued

EPA Company no.	Company name and Address
011746	Lousiana Chemical USA, Inc., c/o Regwest Co., Box 2220, Greeley, CO 80632.
012020	Staveley Chemicals Ltd., c/o Griffin Corp., Box 1847, Valdosta, GA 31603.
012369	Chemical Sales Corp., 1132 Okeechobee Rd., West Palm Beach, FL 33401.
012465	Advanced Laboratories., Box 1368, Westfield, MA 01088.
012741	Long's Preferred Products, Inc., 3016 Broadway Ave., Alexandria, LA 71302.
012886	Vicco Supply Co., 703 W. Hill Ave., Valdosta, GA 31603.
013648	SCM Glidco Organics, c/o Regwest Co., Box 2220, Greeley, CO 80632.
013799	Four Paws Products, Ltd., 50 Wireless Blvd., Hauppauge, NY 11788.
013808	State Dept. Of Agriculture Wildlife Services Fund, State Office Bldg. c1, Pierre, SD 57501.
014797	Delray Chemical Co., Inc., 1065 S.W. 15th Ave., Suite 5, Delray Beach, FL 33444.
019713	Drexel Chemical Co., Box 9306, Memphis, TN 38109.
021137	EM Industries Inc.-Plant Protection Div., 5 Skyline Dr., Hawthorne, NY 10532.
021327	Soweco, Inc, 700 W. 6th, Amarillo, TX 79101.
027581	Midland Research Lab., Inc., 10850 Mid America Ave., Lenexa, KS 66219.
028293	Unicorn Laboratories, 1000 118th Ave., North, St. Petersburg, FL 33716.
029909	Cardinal Laboratories, Inc., 710 S. Ayon Ave., Azusa, CA 91702.
033285	Horn's Crop Service Center, Inc., Box 326, Bellevue, OH 44811.
033356	Quality Chemical Co., 1835 N.E. 144th St., N. Miami, FL 33181.
033576	Olin Water Services, 120 Long Ridge Rd., Stamford, CT 06904.
033955	PBI Gordon Corp., Box 4090, Kansas City, MO 64101.
034688	Akzo Chemicals, Inc., 300 S. Riverside Plaza, Chicago, IL 60606.
034704	Platte Chemical Co., 419 18th St., Box 667, Greeley, CO 80632.
034797	Qualis, Inc., 4600 Park Ave., Des Moines, IA 50321.
035961	Viking Chemicals, 8 Bruch St., Pontiac, MI 48053.
037586	Hawaii State Health Dept., 2611 Kilihau St., Honolulu, HI 96819.
038832	Water Energy Systems Technology, Inc., 2516 Woodland Dr., Anaheim, CA 92801.
039335	Maxus Agri Chem'l, 717 N. Harwood St., c3300, Dallas, TX 75201.
039398	Sumitomo Chemical America, Inc., 345 Park Ave., New York, NY 10154.
040831	Falls Chemicals, Inc., Box 2345, Great Falls, MT 59403.
040849	Enforcer Products, Inc., c/o Regwest Co., Box 2220, Greeley, CO 80632.
041052	Chute Chemical Co., 233 Bomarc Rd., Bangor, ME 04401.
041260	Sunshine Quality Products, Inc., c/o Regwest Co., Box 2220, Greeley, CO 80632.
041404	Industrial Equipment Supplies, 2055 N.W. 7th Ave., Miami, FL 33127.
041715	Riverside Chemical Co., Box 17199, 871 Ridge Lake Blvd., Memphis, TN 38117.
042013	Louden Bonded Pools, 4306 S. Highway c1, Fort Pierce, FL 33450.
042057	Morgro Chemical Co., Box 651048, Salt Lake City, UT 84165.
042964	Airkem Professional Products, Division of Ecolab, Inc., Ecolab Center, St. Paul, MN 55102.
043789	Agricultural Products Co., Box W, Greeley, CO 80632.
044215	Kaw Valley, Inc., c/o John W. Kennedy Consultants, Inc., 9101 Cherry Lane, Suite 113, Laurel, MD 20708.
044283	Pesticide Service Consultants, 349 Apollo Beach Blvd., Apollo Beach, FL 33572.
045115	Ida, Inc., 2215 West Street, 2nd Floor, Germantown, TN 38138.
045639	Nor-Am Chemical Co., 3509 Silverside Rd., Wilmington, DE 19803.
046187	Save A Buck of Florida, Inc., 1709 S. Babcock St., Melbourne, FL 32901.
047000	Chem-Tech, Ltd., 4515 Fleur Dr., c303, Des Moines, IA 50321.
047612	Technical Packaging, Inc., 2226-B North Blvd., Raleigh, NC 27604.
048702	Shore Chemical Co., 2917 Spruce Way, Pittsburgh, PA 15201.
048957	Cumberland International corp., 1523 N. Post Oak Rd., Houston, TX 77055.
049840	DDF Control Systems, Inc., 1750 Folsom St., San Francisco, CA 94103.
049918	Klenzoid, Inc., Industrial Water Specialists, 912 Spring Mill Ave., Conshohocken, PA 19428.
050534	Fermenta ASC Corp., 5966 Heisley Rd., Box 8000, Mentor, OH 44061.
050600	Shephard Brothers, 509 W. Lambert Rd., Brea, CA 92621.
050640	Moon Chemical Products, Inc., 8112 S.W. 8th, Oklahoma City, OK 73128.
051036	Micro-Flo Co., Box 5948, Lakeland, FL 33807.
052350	Fabrilife Chemicals, Inc., 4555 Lake Forest Dr., Suite 300, Cincinnati, OH 45242.
052423	Western Wellchems, Inc., 600 17th Suite 505-S, Denver, CO 80202.
053127	Garden Care By Farmingdale, Ltd., c/o Regwest Co., Box 2220, Greeley, CO 80632.
053640	Proctor Paint Varnish Co., Inc., 38 Wells Ave., Yonkers, NY 10701.
054452	Blue Diamond Exterminating Mfg, Inc., Rt. 2, Box 1322, Rogersville, TN 37857.
055363	ITW Philadelphia Resins Corp., Philadelphia Resins Corp., 130 Commerce Dr., Montgomeryville, PA 18936.
056100	Peterson/Puritan Inc., A Hi-Port Industries Co., 1 W. Hegeler Lane, Danville, IL 61832.
056228	USDA/APHIS/ADC, Box 25266, Denver, CO 80225.
056493	Fermenta Animal Health Co., 10150 N. Executive Hills Blvd., Box 901350, Kansas City, MO 64090.
056644	Security Products Co. of Delaware, Inc., D.B.A. Security Products Co., 485 Oak Place, Suite 370, Atlanta, GA 30349.
057733	Agroservice, Inc., Highway 30, Chestnut St., Silver Creek, NE 68663.
058284	Campbell Chemicals, Inc., 1664 Headland Dr., Fenton, MO 63026.
060230	New Jersey Department of Agriculture, Box 1888, Trenton, NJ 08625.
061272	Nufarm USA, Inc., c/o Registrations Plus, 425 W. 194th St., Glenwood, IL 60425.
062190	Hickson Corp., c/o Richards O'Neil, 885 Third Ave., New York, NY 10002.

III. Procedures for Withdrawal of Request

Registrants who chose to withdraw a request for cancellation must submit such withdrawal in writing to James A. Hollins, at the address given above, postmarked before December 18, 1990. This written withdrawal of the request for cancellation must include a commitment to pay any reregistration or registration maintenance fees due, and to fulfill any applicable unsatisfied data requirements.

IV. Loss of Active Ingredients

Unless these requests for cancellation are withdrawn, 28 pesticide active ingredients will no longer appear in any registered products. Those who are concerned about the potential loss of these active ingredients for pesticidal use are encouraged to work directly with the registrants to explore the possibility of their withdrawing the request for cancellation. These ingredients are listed in the following Table 3 with the EPA Company Numbers of their registrants.

TABLE 3—ACTIVE INGREDIENTS WHICH WOULD DISAPPEAR AS A RESULT OF REGISTRANTS' REQUESTS TO CANCEL

Chemical name/CAS No.	EPA Company No.
I. Agricultural Crops & Ornamental Uses:	
Bifenox (methyl 5-(2,4-dichlorophenoxy)-2-nitrobenzoate (42576-02-3)	000264
2-tert-butylamino-4-ethylamino-6-methylthio-*S*-triazine (886-50-0)	000100
2-Chloro-4-,6-bis(isopropylamino)-*S*-triazine (139-40-2)	002749
N-(4-Chloro-*o*-tolyl)-*N,N*-dimethylformamidine (6164-98-3)	000100
2-(*m*-Chlorophenoxy)propionamide (5825-87-6)	000264
2-(*m*-Chlorophenoxy)propionic acid) (101-10-0)	000264
Diamidafos (Phenyl *N,N*-dimethylphosphorodiamidate) (1754-58-1)	000464
Diethanolamine dicamba (3,6-dichloro-2-anisic acid) (25059-78-3)	002217 011715 002935
O,O-Diethyl (1,3-dihydro-1, 3-dioxo-2*H*-isoindol-2-yl) phosphonothioate (5131-24-8)	000464
Lead arsenate, basic (53404-12-9)	051036
Nickel sulfate hexahydrate (10101-97-0)	000707
II. Domestic & Human Use:	
Alkyl* dipropoxyamine *(47% C12, 18% C14, 10% C18, 9% C10, 8% C16, 8% C8) (68516-06-3)	052350
N-Alkyl*-*N*-ethyl morpholium ethyl sulfate *(66% C18, 25% C16, 8% C18, 1% C14) (01791-34-2)	004000
Dialkyl* dimethyl ammonium chloride *(47% C12, 18%C14, 10% C18, 9% C10, 8% C16, 8% C8) (73398-64-8)	052350
Diethyl diphenyl dichloroethane & related compounds (72-56-0)	000334
Sodium bicarbonate (144-55-8)	001459
2-Thiocyanatoethyl dodecanoate (301-11-1)	000334
III. Domestic Animal and Pet Treatments:	
Chlorfenvinphos (470-90-6)	000059
Fospirate (dimethyl 3,5,6-trichloro-2-pyridyl phosphate) (5598-52-7)	000464
IV. Uncultivated Land/Wide Area/Public Health Uses:	
O,O-Bis(*p*-chlorophenyl) actimidoylphosphoroamidothioate (4104-14-7)	003125
V. Aquatic Uses:	
Copper sulfate (anhydrous) (7758-98-7)	012465
VI. Wood Preservatives:	
Sodium pyroarsenate (13464-42-1)	062190
VII. Commercial/Institutional Uses:	
2-Chloro-*N*-(hydroxymethyl)acetamide (2832-19-1)	000365
VIII. Manufacturing & Miscellaneous Uses:	
Butyl 2-methyl-4-chlorophenoxyacetate (1713-12-8)	034704
S-(2,3-Dichloroallyl) diisopropylthiocarbamate (2303-16-4)	000524
Isobutyl 2-methyl-4-chlorophenoxyacetate (1713-11-7)	034704
Isopropyl 2-methyl-4-chlorophenoxyacetate (2698-40-0)	034704
Nicotine sulfate (65-30-5)	000655

V. Provisions for Disposition of Existing Stocks

The orders effecting these requested cancellations will generally permit registrants to continue to sell and distribute existing stocks of the cancelled products for one year after the date of this notice. The orders will also generally provide for use of stocks already in the hands of dealers or users until they are exhausted. Exceptions to these general rules will be made in specific cases when more stringent restrictions on sale, distribution, or use of the products or their ingredients have already been imposed, as in Special Review actions, or where the Agency has identified significant potential risk concerns associated with a particular chemical.

Dated: October 9, 1990.

Douglas D. Campt,

Director, Office of Pesticide Programs.

[FR Doc. 90-24736 Filed 10-18-90; 8:45 am]

BILLING CODE 6560-50-F

[OPTS-51752; FRL 3803-4]

Toxic and Hazardous Substances; Certain Chemicals Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in the final rule published in the **Federal Register** of May 13, 1983 (48 FR 21722). This notice announces receipt of 202 such PMNs and provides a summary of each.

DATES: Close of Review Periods:

P 90–1546, September 17, 1990.

P 90–1547, 90–1548, 90–1549, 90–1550, September 18, 1990.

P 90–1551, September 19, 1990.

P 90–1552, 90–1553, 90–1554, 90–1555, 90–1556, September 22, 1990.

P 90–1557, 90–1558, 90–1559, 90–1560, 90–1561, 90–1562, 90–1563, 90–1564, 90–1565, September 23, 1990.

P 90–1566, 90–1569, September 24, 1990.

P 90–1570, 90–1571, 90–1572, 90–1573, 90–1574, 90–1575, 90–1576, September 25, 1990.

P 90–1577, 90–1578, 90–1579, 90–1580, 90–1581, 90–1582, 90–1583, 90–1584, 90–1585, 90–1586, 90–1587, 90–1588, 90–1589, 90–1590, 90–1591, 90–1592, 90–1593, September 26, 1990.

P 90–1594, October 6, 1990.

P 90–1595, September 30, 1990.

P 90–1596, 90–1597, 90–1598, 90–1599, 90–1600, 90–1601, 90–1602, 90–1603, 90–1604, 90–1605, 90–1606, 90–1607, September 29, 1990.

P 90–1608, September 17, 1990.

P 90–1610, 90–1611, 90–1612, 90–1613, 90–1614, 90–1615, 90–1616, 90–1618, 90–1619, 90–1620, September 30, 1990.

P 90–1621, October 2, 1990.

P 90–1622, September 30, 1990.

P 90–1623, October 2, 1990.

P 90–1624, 90–1625, 90–1626, 90–1627, 90–1628, 90–1629, 90–1630, 90–1631, 90–1632, October 3, 1990.

P 90–1633, 90–1634, 90–1635, 90–1636, 90–1637, 90–1638, 90–1639, 90–1640, October 6, 1990.

P 90–1641, 90–1642, 90–1643, 90–1644, 90–1645, 90–1646, 90–1647, 90–1648, 90–1649, 90–1650, 90–1651, 90–1652, 90–1653, 90–1654, October 7, 1990.

P 90–1655, 90–1656, 90–1657, October 8, 1990.

P 90–1659, 90–1660, October 9, 1990.

P 90–1661, 90–1662, 90–1663, 90–1664, October 10, 1990.

P 90–1665, 90–1666, 90–1667, 90–1668, 90–1669, 90–1670, 90–1671, 90–1672, 90–1673, 90–1674, 90–1675, October 13, 1990.

P 90–1676, October 14, 1990.

P 90–1677, 90–1678, 90–1679, 90–1680, 90–1681, October 15, 1990.

P 90–1682, 90–1683, 90–1684, 90–1685, 90–1686, October 16, 1990.

P 90–1687, 90–1688, 90–1689, 90–1690, October 17, 1990.

P 90–1691, 90–1692, 90–1693, 90–1694, October 20, 1990.

P 90–1695, August 28, 1990.

P 90–1696, 90–1697, 90–1698, 90–1699, 90–1700, 90–1701, 90–1702, October 21, 1990.

P 90–1703, July 24, 1990.

P 90–1704, 90–1705, 90–1706, 90–1707, October 21, 1990.

P 90–1708, July 24, 1990.

P 90–1709, 90–1710, 90–1711, 90–1712, 90–1713, 90–1714, 90–1715, 90–1716, 90–1717, 90–1718, October 21, 1990.

P 90–1719, 90–1720, 90–1721, 90–1722, 90–1723, 90–1724, 90–1725, 90–1726, 90–1727, 90–1728, 90–1729, 90–1730, 90–1731, 90–1732, October 22, 1990.

P 90–1734, October 23, 1990.

P 90–1735, 90–1736, October 22, 1990.

P 90–1737, 90–1738, 90–1739, 90–1740, 90–1741, 90–1742, 90–1743, 90–1744, 90–1745, October 24, 1990.

P 90–1746, 90–1747, 90–1748, October 27, 1990.

P 90–1749, 90–1750, 90–1751, October 28, 1990.

P 90–1752, 90–1753, October 29, 1990.

Written comments by:

P 90–1546, August 18, 1990.

P 90–1547, 90–1548, 90–1549, 90–1550, August 19, 1990.

P 90–1551, August 20, 1990.

P 90–1552, 90–1553, 90–1554, 90–1555, 90–1556, August 23, 1990.

P 90–1557, 90–1558, 90–1559, 90–1560, 90–1561, 90–1562, 90–1563, 90–1564, 90–1565, August 24, 1990.

P 90–1566, 90–1569, August 25, 1990.

P 90–1570, 90–1571, 90–1572, 90–1573, 90–1574, 90–1575, 90–1576, August 26, 1990.

P 90–1577, 90–1578, 90–1579, 90–1580, 90–1581, 90–1582, 90–1583, 90–1584, 90–1585, 90–1586, 90–1587, 90–1588, 90–1589, 90–1590, 90–1591, 90–1592, 90–1593, August 27, 1990.

P 90–1594, September 6, 1990.

P 90–1595, August 31, 1990.

P 90–1596, 90–1597, 90–1598, 90–1599, 90–1600, 90–1601, 90–1602, 90–1603, 90–1604, 90–1605, 90–1606, 90–1607, August 30, 1990.

P 90–1608, August 18, 1990.

P 90–1610, 90–1611, 90–1612, 90–1613, 90–1614, 90–1615, 90–1616, 90–1618, 90–1619, 90–1620, August 31, 1990.

P 90–1621, September 2, 1990.

P 90–1622, August 31, 1990.

P 90–1623, September 2, 1990.

P 90–1624, 90–1625, 90–1626, 90–1627, 90–1628, 90–1629, 90–1630, 90–1631, 90–1632, September 3, 1990.

P 90–1633, 90–1634, 90–1635, 90–1636, 90–1637, 90–1638, 90–1639, 90–1640, September 6, 1990.

P 90–1641, 90–1642, 90–1643, 90–1644, 90–1645, 90–1646, 90–1647, 90–1648, 90–1649, 90–1650, 90–1651, 90–1652, 90–1653, 90–1654, September 7, 1990.

P 90–1655, 90–1656, 90–1657, September 8, 1990.

P 90–1659, 90–1660, September 9, 1990.

P 90–1661, 90–1662, 90–1663, 90–1664, September 10, 1990.

P 90–1665, 90–1666, 90–1667, 90–1668, 90–1669, 90–1670, 90–1671, 90–1672, 90–1673, 90–1674, 90–1675, September 13, 1990.

P 90–1676, September 14, 1990.

P 90–1677, 90–1678, 90–1679, 90–1680, 90–1681, September 15, 1990.

P 90–1682, 90–1683, 90–1684, 90–1685, 90–1686, September 16, 1990.

P 90–1687, 90–1688, 90–1689, 90–1690, September 17, 1990.

P 90–1691, 90–1692, 90–1693, 90–1694, September 20, 1990.

P 90–1695, July 29, 1990.

P 90–1696, 90–1697, 90–1698, 90–1699, 90–1700, 90–1701, 90–1702, September 21, 1990.

P 90–1703, June 24, 1990.

P 90–1704, 90–1705, 90–1706, 90–1707, September 21, 1990.

P 90–1708, June 24, 1990.

P 90–1709, 90–1710, 90–1711, 90–1712, 90–1713, 90–1714, 90–1715, 90–1716, 90–1717, 90–1718, September 21, 1990.

P 90–1719, 90–1720, 90–1721, 90–1722, 90–1723, 90–1724, 90–1725, 90–1726, 90–1727, 90–1728, 90–1729, 90–1730, 90–1731, 90–1732, September 22, 1990.

P 90–1734, September 23, 1990.

P 90–1735, 90–1736, September 22, 1990.

P 90–1737, 90–1738, 90–1739, 90–1740, 90–1741, 90–1742, 90–1743, 90–1744, 90–1745, September 24, 1990.

P 90–1746, 90–1747, 90–1748, September 27, 1990.

P 90–1749, 90–1750, 90–1751, September 28, 1990.

P 90–1752, 90–1753, September 29, 1990.

ADDRESSES: Written comments, identified by the document control number "(OPTS–51753)" and the specific PMN number should be sent to: Document Processing Center (TS–790), Office of Toxic Substances, Environmental Protection Agency, 401 M Street, SW., Room L–100, Washington, DC, 20460, (202) 382–3532.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS–799), Office of Toxic Substances, Environmental Protection Agency, Room EB–44, 401 M Street, SW., Washington, DC, 20460, (202) 554–1404, TDD (202) 554–0551.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the nonconfidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete nonconfidential document is available in the TSCA Public Docket Office, NE–G004 at the above address between 8 a.m. and noon, and 1 p.m. and 4 p.m., Monday through Friday, excluding legal holidays.

P 90-1546

Manufacturer. Wilmington Leather Coatings.

Chemical. (G) Solvent borne aromatic/aliphatic urethane polymer.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1547

Manufacturer. Confidential.

Chemical. (G) Polyamide resin.

Use/Production. (G) Intermediate; will be used to prepare an electrical insulation coating. Prod. range: Confidential.

P 90-1548

Importer. Confidential.

Chemical. (G) Polyurethane.

Use/Import. (S) Textile coating Import range: Confidential.

P 90-1549

Manufacturer. Confidential.

Chemical. (G) Salt of an acylated polyamine.

Use/Production. (G) Metallic corrosion inhibitor. Prod. range: Confidential.

P 90-1550

Manufacturer. Confidential.

Chemical. (G) Salt of an acylated polyamine.

Use/Production. (G) Metallic corrosion inhibitor. Prod. range: Confidential.

P 90-1551

Manufacturer. Confidential.

Chemical. (S) Soyabean oil, linseed oil, glycerine, chlorendic anhydride alkyd resin modified with styrene, vinyl-toluene, and methyl methacrylate.

Use/Production. (S) Major-vehicle component of paint. Prod. range: 50,000–250,000 kg/yr.

P 90-1552

Manufacturer. Minnesota Mining & Manufacturing Co.

Chemical. (G) Benzothiophenone salt.

Use/Production. (G) Dye intermediate. Prod. range: Confidential.

P 90-1553

Importer. Minnesota Mining & Manufacturing Co.

Chemical. (G) Benzothiophenone derivative.

Use/Import. (G) Dye intermediate. Import range: Confidential.

P 90-1554

Manufacturer. Ciba-Geigy Corporation Dyestuff.

Chemical. (G) Substituted benzenesulfonamide.

Use/Production. (S) Dye intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Eye irritation: none species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1555

Manufacturer. Dearborn Division, W.R. Grace & Co.

Chemical. (G) Mixture of *N*-substituted ({(2-hydroxyethyl)imino}bis(methylene))-bis-phosphonic acid, tetrasodium salt, and *N*-substituted ((tetrahydro-2-hydroxy-4*H*-1,4,2-oxazaphosphorin-4-yl)-methylphosphonic acid, *P*-oxide, trisodium salt

Use/Production. (S) Water treatment compound. Prod. range: 3,630–5,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Static acute toxicity: time LC50 96 H10,587 ml/l species (Fathead Minnow). Mutagenicity: negative.

P 90-1556

Manufacturer. Dearborn Division, W.R. Grace & Co.

Chemical. (G) Mixture of *N*-substituted ({(2-hydroxyethyl)imino}bis(methylene))-bis-phosphonic acid, tetrapotassium salt, and *N*-substituted ((tetrahydro-2-hydroxy-4*H*-1,4,2-oxazaphosphorin-4-yl)-methylphosphonic acid, *P*-oxide, tripotassium salt

Use/Production. (S) Water treatment compound. Prod. range: 3,630–5,000 mg/kg.

Toxicity Data. Acute oral toxicity: LD50 5,000 mg/kg species (Rat). Static acute toxicity: time LC50 96 h10,587 mg/l species (Fathead Minnow). Mutagenicity: negative.

P 90-1557

Manufacturer. Eastman Kodak Company.

Chemical. (G) Substituted alkyl sulfonic acid derivative.

Use/Production. (G) Chemical intermediate. Prod. range: 1,200–3,800 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 884 mg/kg species (Rat).

P 90-1558

Manufacturer. Eastman Kodak Company.

Chemical. (G) Haloacetyl substituted alkyl sulfonic acid derivative.

Use/Production. (G) Chemical intermediate. Prod. range: 1,000–3,400 kg/yr.

P 90-1559

Manufacturer. Eastman Kodak Company.

Chemical. (G) Substituted aromatic substituted alkyl ester.

Use/Production. (G) Chemical intermediate. Prod. range: 1,000–3,200 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Skin irritation: slight species (Rabbit).

P 90-1560

Manufacturer. Eastman Kodak Company.

Chemical. (G) Substituted phenyl alkyl sulfonic acid derivative.

Use/Production. (G) Chemical intermediate. Prod. range: 900–2,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1561

Manufacturer. Eastman Kodak Company.

Chemical. (G) Heterocyclic substituted phenyl alkyl sulfonic acid derivative.

Use/Production. (G) Contained use in an article. Prod. range: 700–2,300 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: slight species (Rabbit). Skin irritation: slight species (Rabbit). Mutagenicity: negative.

P 90-1562

Manufacturer. E.I. Du Pont De Nemours & Co., Inc.

Chemical. (G) Styrenated hydroxy functional acrylic.

Use/Production. (G) Highly dispersive use. Prod. range: Confidential.

P 90-1563

Importer. Ciba-Geigy Corporation.

Chemical. (S) 2-Naphthalene sulfonamide, 6-amino-*N*-methyl-.

Use/Import. (S) Raw material used in the manufacture of a dye intermediate. Import range: Confidential.

P 90-1564

Importer. Confidential.

Chemical. (G) Dicarboxylic acid ester.

Use/Import. (G) Chemical intermediate. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 5.5 mg/kg species (Rat). Acute dermal toxicity: LD50 6.7 ml/kg species (Rabbit). Eye irritation: slight species (Rabbit). Mutagenicity: negative. Skin irritation: slight species (Rabbit).

P 90-1565

Manufacturer. Continental Chemical Co.

Chemical. (S) Glycols, polyethylene, 3 sulfo-2 hydroxypropyl *P*-(1,1,3,3,-tetramethylbutyl) phenyl ether monosodium salt.

Use/Production. (S) Hand soap. Prod. range: Confidential.

P 90-1566

Importer. Sumitomo Corporation of America.

Chemical. (G) Vinyl chloride copolymer.

Use/Import. (G) Binder resin. Import range: Confidential.

P 90-1569

Manufacturer. H.B. Fuller Company.

Chemical. (G) Methylene bisphenyl isocyanate prepolymer.

Use/Production. (S) Coreactant for urethane potting and perimeter bonding compound used in filters. Prod. range: Confidential.

P 90-1570

Manufacturer. E.I. Du Pont De Nemours & Co. Inc.

Chemical. (G) Epoxy-amine adduct.

Use/Production. (G) Intermediate in the production of resins for automotive E-coat primers - contained use. Prod. range: Confidential.

P 90-1571

Manufacturer. Confidential.

Chemical. (G) Adipate salt.

Use/Production. (G) Polymer intermediate. Prod. range: Confidential.

Toxicity Data. Eye irritation: none species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1572

Manufacturer. Confidential.

Chemical. (G) Copolyamide.

Use/Production. (G) Copolyamide. Prod. range: Confidential.

P 90-1573

Manufacturer. E.I. Du Pont De Nemours & Co., Inc.

Chemical. (G) Salt of epoxy-amine adduct.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

P 90-1574

Manufacturer. E.I Du Pont De Nemours & Co., Inc.

Chemical. (G) Salt of epoxy amine adduct.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

P 90-1575

Manufacturer. E.I. Du Pont De Nemours & Co., Inc.

Chemical. (G) Epoxy-amine adduct.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

P 90-1576

Manufacturer. E.I Du Pont De Nemours & Co., Inc.

Chemical. (S) Epoxy-amine adduct.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

P 90-1577

Manufacturer. Milliken & Company.

Chemical. (G) Alkoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1578

Manufacturer. Milliken Company.

Chemical. (G) Alkoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1579

Manufacturer. Milliken Company.

Chemical. (G) Alkoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1580

Manufacturer. Milliken Company.

Chemical. (G) Alkoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1581

Manufacturer. Milliken Company.

Chemical. (G) Alkoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1582

Manufacturer. Milliken Company.

Chemical. (G) Polyoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1583

Manufacturer. Milliken Company.

Chemical. (G) Polyoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1584

Manufacturer. Milliken Company.

Chemical. (G) Polyoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1585

Manufacturer. Milliken Company.

Chemical. (G) Polyoxylated aromatic amine.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1586

Manufacturer. Milliken Company.

Chemical. (G) Polyoxylated aromatic amine.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1587

Manufacturer. Milliken Company.

Chemical. (G) Polyoxylated aromatic amine.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1588

Manufacturer. Milliken Company.

Chemical. (G) Aromatic nitrile.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

P 90-1589

Manufacturer. Milliken Company.

Chemical. (G) Polyoxyalkyl aromatic amine.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1590

Manufacturer. Milliken Company.

Chemical. (G) Substituted polyoxyalkylene aniline.

Use/Production. (G) Colorant. Prod. range: Confidential.

P 90-1591

Manufacturer. Milliken Company.

Chemical. (G) Substituted polyoxyalklene aniline.

Use/Production. (G) Colorant. Prod. range: Confidential.

P 90-1592

Manufacturer. Confidential.

Chemical. (G) Styrenated polyacrylate polymethacrylate.

Use/Production. (G) Coating with dispersive use. Prod. range: 200,000–300,000 kg/yr.

P 90-1593

Manufacturer. Confidential.

Chemical. (G) Hydroxylated functional styrene, acrylate and methacrylate polymer.

Use/Production. (G) Ingredient in a dispersive applied coating. Prod. range: 1,000,000–3,000,000 kg/yr.

P 90-1594

Manufacturer. C.I. Specialty Chemicals Inc.

Chemical. (G) Sulfonated polystyrene-formaldehyde polymer.

Use/Production. (S) Polishing water in BWR water treatment systems. Prod. range: 5,000–30,000 kg/yr.

P 90–1595

Manufacturer. Confidential.

Chemical. (G) Polymer latex.

Use/Production. (G) Product will be used as a coating, sealant, binder, adhesive, flame retardant, or compatibilizer. Prod. range: Confidential.

P 90–1596

Manufacturer. Eastman Kodak Company.

Chemical. (G) Aryloxy substituted alkanoic acid, alkoxyphenyl hydrazide.

Use/Production. (G) Contained use in an article. Prod. range: 500–5,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: none species (Rabbit). Mutagenicity: negative. Skin irritation: negligible species (Rabbit).

P 90–1597

Manufacturer. Eastman Kodak Company.

Chemical. (G) Aryloxy substituted alkanoyl chloride.

Use/Production. (G) Chemical intermediate. Prod. range: 600–6,500 kg/yr.

P 90–1598

Manufacturer. Eastman Kodak Company.

Chemical. (G) (Arylsulfonyl)aryloxy substituted alkanoic acid, alkoxyphenylhydrazide.

Use/Production. (G) Chemical intermediate. Prod. range: 750–7,600 kg/yr.

P 90–1599

Manufacturer. Monsanto Company.

Chemical. (G) Alkyl diphenyl phosphate.

Use/Production. (G) Plasticizer for pvc. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Static acute toxicity: time EC50 48H0.50 species (daphnia magna). Skin irritation: slight species (Rabbit). Mutagenicity: negative.

P 90–1600

Manufacturer. Confidential.

Chemical. (G) Substituted cyclopentadienide compound.

Use/Production. (G) Intermediate chemical. Prod. range: Confidential.

P 90–1601

Manufacturer. Confidential.

Chemical. (G) Tetra-alkyl silane.

Use/Production. (G) Intermediate chemical. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 2.0 g/kg species (Rat). Acute dermal toxicity: LD50 900 mg/kg species (Rabbit).

P 90–1602

Manufacturer. Confidential.

Chemical. (G) Organometallic salt compound.

Use/Production. (G) Intermediate chemical. Prod. range: Confidential.

P 90–1603

Manufacturer. Confidential.

Chemical. (G) Substituted zirconium salt.

Use/Production. (G) Intermediate chemical. Prod. range: Confidential.

P 90–1604

Manufacturer. Confidential.

Chemical. (G) Substituted organometallic compound.

Use/Production. (G) Intermediate. Prod. range: Confidential.

P 90–1605

Importer. Confidential.

Chemical. (G) Amino cyclohexyloxycarbonyl substituted aminoanthraquinone.

Use/Import. (G) Cyan component. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Skin irritation: slight species (Rabbit). Mutagenicity: negative.

P 90–1606

Importer. Confidential.

Chemical. (G) Alkylphenoxy amino hydroxyl anthraquinone.

Use/Import. (G) Magenta component. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: slight species (Rabbit). Skin irritation: slight species (Rabbit). Mutagenicity: negative.

P 90–1607

Importer. Confidential.

Chemical. (G) Alkycyanomethyloxy heterocyclicazo, benzoic acid ethoxycarbonylmethylester.

Use/Import. (G) Yellow component. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: slight species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90–1608

Manufacturer. Confidential.

Chemical. (G) Saturated copolymer resin.

Use/Production. (S) Binder resin for toner manufacture. Prod. range: Confidential.

P 90–1610

Manufacturer. Ashland Chemical, Inc.

Chemical. (G) Saturated polyester.

Use/Production. (G) Cured reinforced plastic composite. Prod. range: Confidential.

P 90–1611

Manufacturer. Ashland Chemical, Inc.

Chemical. (G) Saturated polyester.

Use/Production. (G) Cured reinforced plastic composite. Prod. range: Confidential.

P 90–1612

Manufacturer. Amoco Chemical Company.

Chemical. (G) Aromatic polyimide.

Use/Production. (G) Protective coating. Prod. range: Confidential.

P 90–1613

Importer. Hoechst Celanese Corporation.

Chemical. (G) Tetra substituted naphthalene disulfonic acid, salt.

Use/Import. (S) Pigment for ink jet printing. Import range: 500–2,500 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 kg/yr species (Rat). Eye irritation: none species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90–1614

Manufacturer. Hoechst Celanese Corporation.

Chemical. (G) Substituted naphthalene sulfonic acid.

Use/Production. (S) Dyestuff for textile dying. Prod. range: 5,000–7,500 kg/yr.

Toxicity Data. Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90–1615

Importer. Hoechst Celanes Corporation.

Chemical. (G) Acrylic ester modified polyurethane adduct.

Use/Import. (S) Binder for paints. Import range: 470–490 kg/yr.

P 90–1616

Importer. Hoechst Celanes Corporation.

Chemical. (G) Acrylic ester modified polyurethane adduct.

Use/Import. (S) Binder for paints. Import range: 2,400 kg/yr.

P 90–1618

Importer. Base Corporation.

Chemical. (G) Metal complex of sulfonated disubstituted naphthalene-azo-trisubstitutedphyl-azo-disubstitutedphenyl-azo-monosubstituedphenylfonate.

Use/Import. (S) Leather dye. Import range: Confidential.

Toxicity Data. Static acute toxicity: time LC50 496 mg/l species (zebra fish). Eye irritation: none species (Rabbit). Skin irritation: negligible species (Rabbit). Mutagenicity: positive. Skin sensitization: negative. Phototoxicity: positive species (Guinea Pig).

P 90-1619

Importer. Hoechst Celanese Corporation.

Chemical. (G) Amine modified unsaturated phenol/oxirane/polymer esterified.

Use/Import. (S) Binder for prints (cathodic electro deposition material). Import range: 5,600–5,700 kg/yr.

P 90-1620

Importer. Hoechst Celanese Corporation.

Chemical. (G) Amine modified unsaturated phenol/oxirane/polymer esterified.

Use/Import. (S) Binder for paints. Import range: 6,320–6,555 kg/yr.

P 90-1621

Importer. Confidential.

Chemical. (G) Fatty acidester.

Use/Import. (G) Lubricants. Import range: Confidential.

P 90-1622

Manufacturer. Amoco Chemical Company.

Chemical. (G) Polyimide-siloxane.

Use/Production. (G) Protection coating. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 7000 mg/kg species (Rat). Acute dermal toxicity: LD50 8,000 mg/kg species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1623

Importer. Hoechst Celanese Corporation.

Chemical. (G) Amine modified unsaturated phenol/oxirane/polymer esterified.

Use/Import. (S) Binder for paints. Import range: 324–273 kg/yr.

P 90-1624

Manufacturer. Confidential.

Chemical. (G) Heterocycle aldehyde imine.

Use/Production. (G) Fuel scavenger. Prod. range: Confidential.

P 90-1625

Manufacturer. Confidential.

Chemical. (G) Carboxylic acid derivatives of polyoxyalkylenes.

Use/Production. (G) Crude oil demulsifier. Prod. range: Confidential.

P 90-1626

Manufacturer. Confidential.

Chemical. (G) Unrefined maleated polyprpene.

Use/Production. (G) Special surfactant/dispersing agent and lube oil additive. Prod. range: Confidential.

P 90-1627

Importer. Xerox Corporation.

Chemical. (G) Polycarbonate.

Use/Import. (G) Open, nondispersive use as a binder material on coated substance. Import range: Confidential.

P 90-1628

Importer. Confidential.

Chemical. (G) Triphenylmethane dye.

Use/Import. (G) Open, nondispersive use. Import range: Confidential.

P 90-1629

Importer. Huls America, Inc.

Chemical. (S) 3-Dodecyl-1-(2,2,6,6-tetramethyl-4-piperidinyl)- pyrrolidine-2, 5-dione, octadecanoate (salt).

Use/Import. (S) Light stabilizer for lacquers and plastics. Import range: 1,000–20,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 3,000 mg/kg species (Rat). Eye irritation: strong species (Rabbit). Skin irritation: strong species (Rabbit).

P 90-1630

Importer. Ciba-Geigy Corporation.

Chemical. (G) Substituted hydroxybenzenepropenoic acid, (substituted-dioxa-thiaspiro-alky).

Use/Import. (S) Yellow-dye stabilizer for photo print paper. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: none species (Rabbit). Mutagenicity: positive. Skin irritation: negligible species (Rabbit).

P 90-1631

Manufacturer. Confidential.

Chemical. (G) Alkylated phenol.

Use/Production. (G) Additive for fuel. Prod. range: Confidential.

P 90-1632

Manufacturer. E.I. Du Pont De Nemours & Co. Inc.

Chemical. (G) Polyesterurethane copolymer.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

P 90-1633

Manufacturer. Union Camp Corporation.

Chemical. (S) Poly (alloocimene) maleic anhydride adduct.

Use/Production. (S) Substance functions as a chemical intermaterial in the malfacture poly(allococimene)maleic anhydride. Prod. range: Confidential.

P 90-1634

Manufacturer. E.I.Du Pont De Nemours & Co.

Chemical. (G) Polyesterurethane copolymer.

Use/Production. (S) Substance functions as a minor component of the resin in binder industrial surface coating. Prod. range: Confidential.

P 90-1635

Manufacturer. Ciba-Geigy Corporation.

Chemical. (S) Benzene propanoic acid, 3-(2*H*-benzotriazol-2-yl)-5- (1,1-dimethylethyl)-4-hydroxy-, C7-9-alkyl, branched and linear, esters.

Use/Production. (S) UV absorber for industrial coatings. Prod. range: Confidential.

P 90-1636

Importer. SNPE Inc.

Chemical. (G) Hexanedioic acid, polymer with 1,2-ethanediol reaction products with 1,6-diisocyanato- 2,2,4(or 2,2,4(or 2,4,4)-trimethylhexane and 2-hydroxyethyl acrylate.

Use/Import. (S) Radiation curing of varnishes. Import range: 5,000–10,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Skin irritation: negligible species (Rabbit).

P 90-1637

Importer. Ciba-Geigy Corporation.

Chemical. (S) Titanium, bis(.eta. 5-2,4-cyclopentadien-1-yl)bis [2,6-difloro-3-(1*H*-pyrrol-1-yl) phenyl]-.

Use/Import. (S) Laser sensitive photoinitator. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/k species (Rat). Mutagenicity: negative.

P 90-1638

Manufacturer. Confidential.

Chemical. (G) Methacrylated chain extended maleated polybutadiene.

Use/Production. (S) Graphic arts printing plate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2 g/kg species (Rabbit). Eye irritation: none species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1639

Manufacturer. Confidential.

Chemical. (G) 1,4-btanediol, polymer with 2,2-dimethyl-1,3-prop a edioic acid, 3-hydroxy-2-(hydroxymethyl)-2-methylproanoic acid, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, hydrazine, and 1,1'-methylenebis(4-substituted cyclohexane.

Use/Production. (S) Coatings. Prod. range: 50,000–100,000 kg/yr.

P 90-1640

Manufacturer. Confidential.

Chemical. (G) Ethylenediamine adduction products with substituted and saturated fatty acids.

Use/Production. (G) Surface coating system additive. Prod. range: 10,000–68,000 kg/yr.

P 90-1641

Manufacturer. Confidential.

Chemical. (G) Polyaniline.

Use/Production. (G) Conductive polymer blends. Prod. range: Confidential.

Toxicity Data. Inhalation toxicity: LC50 > 2,903 mg/kg species (Rat). Eye irritation: moderate species (Rabbit). Skin irritation: strong species (Rabbit).

P 90-1642

Manufacturer. Confidential.

Chemical. (G) Dialkyl phosphoridithiaote phosphate compound.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2.0 g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1643

Manufacturer. Confidential.

Chemical. (G) Dialkyl phosphorodithioate phosphate compound.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2.0 g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1644

Manufacturer. Confidential.

Chemical. (G) Dialkyl.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2.0 g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: moderate species (Rabbit).

P 90-1645

Manufacturer. Confidential.

Chemical. (G) Dialkyl.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2.0 g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1646

Manufacturer. Confidential.

Chemical. (G) Dialkyl.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2.0 g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1647

Manufacturer. Confidential.

Chemical. (G) Dialkyl.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2.0 g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1648

Manufacturer. Confidential.

Chemical. (G) Dialkyl.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2.0 g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1649

Manufacturer. Confidential.

Chemical. (G) Dialkyl.

Use/Production. (G) Petroleum product component. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 < 2.g/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1650

Importer. Confidential.

Chemical. (S) Di(*p*-methylbenzyl) oxalate.

Use/Import. (S) Efficiency improver(sensizater) for heat-sensitive sheete. Import range: Confidential.

P 90-1651

Importer. Stnthopol Chemical.

Chemical. (S) Oil modified alkyd resin.

Use/Import. (S) A binder for high solid paints, having a cow content of solvents. Import range: Confidential.

P 90-1652

Importer. Confidential.

Chemical. (G) Polyurethane.

Use/Import. (S) Textile coating. Import range: Confidential.

P 90-1653

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Linseed oil-tall oil fatty acids alkyd resin.

Use/Production. (S) Intermediate in production of coating resins. Prod. range: Confidential.

P 90-1654

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Amine salt of polymer of alophatic isocyanate with polyester polyol.

Use/Production. (S) Flooring topcoat. Prod. range: Confidential.

P 90-1655

Manufacturer. Confidential.

Chemical. (G) Aluminum organometallic compound.

Use/Production. (G) Polymers production catalyst. Prod. range: Confidential.

P 90-1656

Manufacturer. Confidential.

Chemical. (G) Modified maleated resin.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Eye irritation: slight species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1657

Manufacturer. Confidential.

Chemical. (G) Modified maleated resin salts.

Use/Production. (S) Binder in printing inks. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Skin irritation: negligible species (Rabbit).

P 90-1659

Manufacturer. Confidential.

Chemical. (G) A polymer of acrylic acid esters, methacrylic acid and another vinyl momomer.

Use/Production. (G) Intermediate for textile resin size. Prod. range: Confidential.

P 90-1660

Manufacturer. Confidential.

Chemical. (G) A polymer of acrylic acid esters, methyl acrylic acid esters, acrylic acid another vinyl momomer, sodium salt.

Use/Production. (G) Textile resin size. Prod. range: Confidential.

P 90-1661

Importer. Nachem Inc.

Chemical. (G) Thioxanthone derivative.

Use/Import. (S) Sensitizer for photosensitive coatings. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: none species (Rabbit). Mutagenicity: negative. Static acute toxicity: time LC50 96H> 30 mg/l species (Zebra Fish). Skin irritation: negligible species (Rabbit). Skin sensitization: negative species (Guinea Pig).

P 90-1662

Importer. Confidential.

Chemical. (G) Polyurethane.

Use/Import. (S) Textile/leather coating. Import range: 65,000–100,000 kg/yr.

P 90-1663

Importer. Confidential.

Chemical. (G) Polyurethane.

Use/Import. (S) Textile/leather coating. Import range: 65,000–100,000 kg/yr.

P 90-1664

Manufacturer. Confidential.

Chemical. (G) Polyamines reaction product with alkyl acid and alkenyl glacid.

Use/Production. (G) Petroleum product additive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 3.2 g/kg species (Rabbit). Static acute toxicity: time LC50 96H68 mg/l species (Acartia Tonsa). Eye irritation: slight species (Rabbit).

P 90-1665

Importer. Confidential.

Chemical. (G) Metal chloride/methacrylate complex.

Use/Import. (G) Intermediate chemical. Import range: Confidential.

P 90-1666

Manufacturer. Confidential.

Chemical. (G) Metal chloride/methacrylate/organic aluminium complex.

Use/Production. (G) Intermediate chemcial. Prod. range: Confidential.

P 90-1667

Manufacturer. Confidential.

Chemical. (G) Polyalkene.

Use/Production. (G) Intermediate chemical. Prod. range: Confidential.

P 90-1668

Manufacturer. Confidential.

Chemical. (G) Magnesium-titanium-aluminum-chloride compound.

Use/Production. (G) Polyolefin catalyst. Prod. range: Confidential.

P 90-1669

Importer. Confidential.

Chemical. (G) *N*-(*N,N*-dialkylamino methylphenyl)substituted, benzoquinone monoimine.

Use/Import. (G) Cyan component. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rat). Eye irritation: none species (Rabbit). Mutagenicity: negative. Skin irritation: slight species (Rabbit). Skin sensitization: negative species (Guinea Pig).

P 90-1670

Importer. Confidential.

Chemical. (G) Poly urea thickner.

Use/Import. (G) Lubricating grease for automotive application. Import range: Confidential.

P 90-1671

Manufacturer. Harcros Chemicals, Inc.

Chemical. (G) Alkyl aryl sulfonate amine salt.

Use/Production. (S) Pesticide emulsifier. Prod. range: 18,000–24,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 3.16 g/kg species (Rabbit). Skin irritation: slight species (Rabbit).

P 90-1672

Importer. Hoechst Celanese Corporation.

Chemical. (G) Substituted dioxazene.

Use/Import. (S) Additive for pigments. Import range: 500–12,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit).

P 90-1673

Importer. Takeda U.S.A., Inc.

Chemical. (G) Hybrid polymer of unsaturated polyester and vinyl ester.

Use/Import. (S) Matrix of Sheet Molding Compound (SMC). Import range: Confidential.

P 90-1674

Manufacturer. Confidential.

Chemical. (G) Acrylic polymer.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 5 g/kg species (Rabbit). Eye irritation: slight species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1675

Manufacturer. Confidential.

Chemical. (G) Modified acrylic polymer.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Skin irritation: negligible species (Rabbit). Skin sensitization: negative species (Guinea Pig). Phototoxicity: positive.

P 90-1676

Manufacturer. Estron Chemical, Inc.

Chemical. (G) Polyether.

Use/Production. (S) Adhesive promoter. Prod. range: Confidential.

P 90-1677

Importer. Confidential.

Chemical. (S) Hydroxylapatite lead.

Use/Import. (G) Intermediate chemical. Import range: Confidential.

P 90-1678

Manufacturer. Confidential.

Chemical. (G) Modified methylaluminoxane.

Use/Production. (S) Homogeneous cocatalyst component in the production of polyolefins. Prod. range: Confidential.

P 90-1679

Manufacturer. Confidential.

Chemical. (G) Dialkenyl substituted dialkenyl ether of a alkoxylated bis phenol A.

Use/Production. (G) A formulation component for open, nondispersive use. Prod. range: Confidential.

P 90-1680

Manufacturer. Confidential.

Chemical. (G) Substituted aliphatic-terminated poly(dimethylsiloxane).

Use/Production. (G) A formulation component for open, nondispersive use. Prod. range: Confidential.

P 90-1681

Importer. Zeon Chemicals USA, Inc.
Chemical. (G) Polyacrylate elastomer.
Use/Import. (G) Base elastomer for making rubber molding compounds. Import range: Confidential.

P 90-1682

Manufacturer. Confidential.
Chemical. (G) Styrenated polyacrylate polymethacrylate.
Use/Production. (G) Dispersively applied coating. Prod. range: 50,000–100,000 kg/yr.

P 90-1683

Manufacturer. Confidential.
Chemical. (G) Modified melamine formaldehyde resin.
Use/Production. (G) Ingredient in a dispersively applied coating. Prod. range: 250,000 kg/yr.

P 90-1684

Manufacturer. Confidential.
Chemical. (S) 1-Methylpyrrolidine-2-thione.
Use/Production. (G) Chemical intermediate. Prod. range: Confidential.
Toxicity Data. Eye irritation: strong species (Rabbit). Skin irritation: slight species (Rabbit). Skin sensitization: negative species (guinea pig).

P 90-1685

Importer. Confidential.
Chemical. (G) Nonionic surfactant.
Use/Import. (G) Emulsifier. Import range: Confidential.

P 90-1686

Manufacturer. Amoco Petroleum Additives Co.
Chemical. (G) Alkyl aromatic sulfonated mettallo salt.
Use/Production. (G) Lubricanting oil detergent. Prod. range: Confidential.

P 90-1687

Manufacturer. Minnesota Mining & Manufacturing (3M).
Chemical. (G) Formaldehyde adducts.
Use/Production. (G) Adhesive. Prod. range: Confidential.

P 90-1688

Manufacturer. Confidential.
Chemical. (G) Substituted benzofurane.
Use/Production. (G) Destructive use. Prod. range: confidential.

P 90-1689

Manufacturer. Milliken & Company.
Chemical. (G) Substituted polyoxyalkyl aromatic amine.
Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1690

Manufacturer. Milliken & Company.
Chemical. (G) Substituted polyoxyalkyl aromatic amine.
Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1691

Importer. Confidential.
Chemical. (G) Styrene-acrylic polymer.
Use/Import. (G) Component of coating formulations. Import range: Confidential.

P 90-1692

Manufacturer. The Dow Chemical.
Chemical. (G) Modified polyolefin.
Use/Production. (G) Impact modifier. Prod. range: Confidential.

P 90-1693

Manufacturer. The Dow Chemical.
Chemical. (G) Modified polyolefin.
Use/Production. (G) Impact modifier. Prod. range: Confidential.

P 90-1694

Manufacturer. The Dow Chemical.
Chemical. (G) Modified polyolefin.
Use/Production. (G) Impact modifier. Prod. range: Confidential.

P 90-1695

Manufacturer. Confidential.
Chemical. (S) Aqueous polyurethane dispersion.
Use/Production. (S) Bonding or finishing treatment for textiles. Prod. range: 19,000–115,000 kg/yr.

P 90-1696

Manufacturer. Ciba-Geigy Corporation.
Chemical. (G) Substituted azo naphthalenesulfonic acid.
Use/Production. (S) Dye intermediate. Prod. range: Confidential.
Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Eye irritation: none species (Rabbit). Skin irritation: negligible species (Rabbit). Mutagenicity: positive.

P 90-1697

Manufacturer. Confidential.
Chemical. (G) Metal carboxyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1698

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Calalyst. Prod. range: Confidential.

P 90-1699

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) catalyst. Prod. range: Confidential.

P 90-1700

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1701

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1702

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1703

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1704

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1705

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1706

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1707

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catlayst. Prod. range: Confidential.

P 90-1708

Manufacturer. Confidential.
Chemical. (G) Metal carbonyl carboxylate.
Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1709

Manufacturer. Confidential.

Chemical. (G) Metal carbonyl carboxylate.

Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1710

Manufacturer. Confidential.

Chemical. (G) Metal carbonyl carboxylate.

Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1711

Manufacturer. Confidential.

Chemical. (G) Metal carbonyl carboxylate.

Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1712

Manufacturer. Confidential.

Chemical. (G) Metal carbonyl carboxylate.

Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1713

Manufacturer. Confidential.

Chemical. (G) Metal carbonyl carboxylate.

Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1714

Manufacturer. Confidential.

Chemical. (G) Metal carbonyl carboxylate.

Use/Production. (G) Catalyst. Prod. range: Confidential.

P 90-1715

Manufacturer. Confidential.

Chemical. (G) Tannin, sodium salt, polymer with acrylic monomers.

Use/Production. (G) Fluid loss additive for oil and gas production. Prod. range: Confidential.

P 90-1716

Manufacturer. Air Product and Chemicals, Inc.

Chemical. (S) Amino-, aminoalkyl- and aminoalkyl substituted cyclohexanes.

Use/Production. (G) Epoxy curative/chemical additive/corrosion inhibitor. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 .83 g/kg species (Rat). Acute dermal toxicity: LD50 > 1.0 g/kg species (Rabbit).

P 90-1717

Manufacturer. Confidential.

Chemical. (G) Polyvinyl acetate polysaccharide graft copolymer.

Use/Production. (S) Nonwoven textile binder. Prod. range: Confidential.

P 90-1718

Manufacturer. Confidential.

Chemical. (G) Hydroxy ketone.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 3.51 ml/kg species (Rat). Acute dermal toxicity: LD50 8.5 ml/kg species (Rabbit). Eye irritation: moderate species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1719

Manufacturer. Ashland Chemical, Inc.

Chemical. (G) Modified ethoxylated phenol-formaldehyde polymer.

Use/Production. (S) Intermediate for vinyl ester resin. Prod. range: Confidential.

P 90-1720

Manufacturer. Ashland Chemical, Inc.

Chemical. (G) Vinyl ester resin.

Use/Production. (S) Matrix resin for composite. Prod. range: Confidential.

P 90-1721

Manufacturer. Ashland Chemical, Inc.

Chemical. (G) Vinyl ester resin.

Use/Production. (S) Matrix resin for composite. Prod. range: Confidential.

P 90-1722

Manufacturer. Ashland Chemical Inc.

Chemical. (G) Vinyl ester resin.

Use/Production. (S) Matrix resin for composite. Prod. range: Confidential.

P 90-1723

Manufacturer. Ashland Chemical, Inc.

Chemical. (G) Vinyl ester resin.

Use/Production. (S) Matrix resin for composite. Prod. range: Confidential.

P 90-1724

Manufacturer. Sika Corporation.

Chemical. (G) Organic acid/amine salt.

Use/Production. (S) Corrosion inhibitor. Prod. range: 500–900 kg/yr.

P 90-1725

Manufacturer. DowElanco.

Chemical. (G) Acetanilide.

Use/Production. (G) Chemical intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 500–2,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: slight species (rabbi). Skin irritation: negligible species (Rabbit).

P 90-1726

Manufacturer. DowElanco.

Chemical. (G) Substituted triazole.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (Rat). Eye irritation: slight species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1727

Manufacturer. DowElanco.

Chemical. (G) Substituted triazole.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

P 90-1728

Manufacturer. DowElanco.

Chemical. (G) Substituted triazole.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/yr species (Rat). Eye irritation: moderate species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1729

Manufacturer. DowElanco.

Chemical. (G) Sulfonamide.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (Rat). Eye irritation: moderate species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1730

Manufacturer. DowElanco.

Chemical. (G) Sulfonamide.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

P 90-1731

Manufacturer. DowElanco.

Chemical. (G) Substituted triazole.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (Rat). Eye irritation: moderate species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1732

Manufacturer. DowElanco.

Chemical. (G) Sulfonamide.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

P 90-1734

Importer. Confidential.

Chemical. (G) Pentaerithritol diphosphite.

Use/Import. (G) Stabilizing plastics. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Eye irritation: slight species (Rabbit). Skin irritation: negligible species (Rabbit).

P 90-1735

Importer. DSM Chemicals New Jersey, Inc.

Chemical. (G) Salt of an oxygenated carboxylic acid.

Use/Import. (G) Surface active agent. Import range: Confidential.

P 90–1736

Importer. DSM Chemicals New Jersey, Inc.

Chemical. (G) Oxygenated alkyl carboxylate.

Use/Import. (G) Surfactant. Import range: Confidential.

P 90–1737

Manufacturer. Ashland Chemical, Inc.

Chemical. (G) Modified phenol/formaldehyde polymer.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

P 90–1738

Importer. Ciba-Geigy Corporation.

Chemical. (G) Organic phosphorus company.

Use/Import. (S) Antiwear additive for lubricants. Import range: Confidential.

Toxicity Data. Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Static acute toxicity: time EC50 24 H5.5 mg/l species (daphnia magna). Eye irritation: none species (Rabbit).Skin irritation: negligible species (Rabbit). Mutagenicity: negative. Skin sensitization: negative species (Guines pig).

P 90–1739

Manufacturer. Confidential.

Chemical. (G) Cycloaliphatic polyester.

Use/Production. (G) Ingredient in a dispersively applied coating. Prod. range: 167,000–500,000 kg/yr.

P 90–1740

Manufacturer. Confidential.

Chemical. (G) Ketoxime blocked alicycle isocyanate isocyanurate.

Use/Production. (G) Ingredient in a dispersively used coating. Prod. range: 600–4,000 kg/yr.

P 90–1741

Importer. Confidential.

Chemical. (G) Polyester from aromatic dicarboxylic acid, aliphatic diol.

Use/Import. (G) Dispersing agent. Import range: Confidential.

P 90–1742

Manufacturer. Minnesota Mining & Manufacturing (3M).

Chemical. (G) Aliphatic diisocyanate prepolymer.

Use/Production. (G) Repolymer used in protective coatings. Prod. range: Confidential.

P 90–1743

Importer. Confidential.

Chemical. (S) Tar, coal.

Use/Import. (S) Binder for carbon fiber components. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 mg/kg species (Rat). Eye irritation: none species (Rabbit). Skin irritation: slight species (Rabbit). Mutagenicity: negative. Skin sensitization: negative species (guinea pig).

P 90–1744

Importer. Huls America Inc.

Chemical. (S) Butene, tetramer (hydrogenated).

Use/Import. (G) Ingredient in a dispersively applied coating. Import range: 167,000–500,000 kg/yr.

P 90–1745

Manufacturer. Confidential.

Chemical. (G) Neutralized alkylaryl ether phosphate ester.

Use/Production. (G) An addition used in the paint industry. Prod. range: Confidential.

P 90–1746

Manufacturer. Confidential.

Chemical. (G) (Aryl)(arylheterocyclicalkylidienyl) pyrazolinone.

Use/Production. (G) Contained use in an article. Prod. range: 1,000–1,200 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rat). Eye irritation: moderate species (Rabbit). Skin irritation: slight species (Rabbit).

P 90–1747

Manufacturer. Dianal America, Inc.

Chemical. (S)

Use/Production. (S) Binder for printing inks and vehicle for paints. Prod. range: 175,000–525,000 kg/yr.

P 90–1748

Manufacturer. Stamford Chemicals, Corp.

Chemical. (G) Acrylic copolymer.

Use/Production. (S) Dispersing agent. Prod. range: Confidential.

P 90–1749

Importer. Confidential.

Chemical. (G) Substituted cyclohexane.

Use/Import. (S) Monomer for thermoplastic polymer production. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (Rabbit). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: none species (Rabbit).Skin irritation: negligible species (Rabbit). Mutagenicity: negative.

P 90–1750

Importer. Huls America Inc.

Chemical. (S) Fatty acids, fish oil, esters with polyethylene glycol mono (nonylphenyl) ether.

Use/Import. (S) Component of defoamer additive for acqueous or water-based paints or coating. Import range: 9,500–20,000 kg/yr.

P 90–1751

Importer. Mitsubishi America, Inc.

Chemical. (G) Styrene polymer with alkane reaction product with organic anhydride.

Use/Import. (G) Coating agent. Import range: 10,000–30,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 kg/yr species (Rat).

P 90–1752

Manufacturer. Dow Corning Corporation.

Chemical. (S) Trisiloxane, 1,1,5,5-tetramethyl-3, 3-diphenyl.

Use/Production. (S) Silicone crosslinker. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (Rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (Rabbit). Eye irritation: none species (Rabbit). Mutagenicity: negative.Skin irritation: negligible species (Rabbit).

P 90–1753

Manufacturer. Confidential.

Chemical. (G) Halogenated nitroalkane.

Use/Production. (G) Intermediate in pesticide production. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 102 mg/kg species (Rat). Acute dermal toxicity: LD50 2100 mg/kg species (Rabbit). Eye irritation: strong species (Rabbit). Skin irritation: strong species (Rabbit).

Dated: October 15, 1990.

Steven Newburg-Rinn,

Acting Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 90–24733, Filed 10–18–90; 8:45 am]

BILLING CODE 6560–50–F

[OPTS–59288; FRL–3804–8]

Toxic and Hazardous Substances; Certain Chemicals; Approval of a Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of an application for test marketing exemption (TME) under

section 5(h)(1) of the Toxic Substances Control Act (TSCA) and 40 CFR 720.38. EPA has designated this application as TME–90–19. The test marketing conditions are described below.

DATES: This approval is effective October 3, 1990. Written comments will be received until November 5, 1990.

ADDRESSES: Written comments, identified by the document control number "OPTS–59288" and the specific TME number "TME–90–19" should be sent to: Document Control Officer (TS–790), Confidential Data Branch, Information Management Division, Office of Toxic Substances, Environmental Protection Agency, Rm. E–201, 401 M St., SW., Washington, DC 20460, (202) 382–3532.

FOR FURTHER INFORMATION CONTACT: Mark Howard, New Chemical Branch, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–611, 401 M St., SW., Washington, DC 20460, (202) 245–4143.

SUPPLEMENTARY INFORMATION: Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use and disposal of the substances for test marketing purposes will not present an unreasonable risk of injury to health or the environment. EPA may impose restrictions on test marketing activities and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present an unreasonable risk of injury.

EPA hereby approves TME–90–19. EPA has determined that test marketing of the new chemical substance described below, under the conditions set out in the TME application, and for the time period and restrictions specified below, will not present an unreasonable risk of injury to health or the environment. The test marketing period, production volume, use, and number of customers must not exceed that specified in the application. All other conditions and restrictions described in the application and in this notice must be met. –

Inadvertently, notice of receipt of the application was not published. Therefore, an opportunity to submit comments is being offered at this time. The complete nonconfidential document is available in the TSCA Public Docket Office, NE G004 at the above address between 8 a.m. and noon, and 1 p.m. and 4 p.m., Monday through Friday, excluding legal holidays. EPA may modify or revoke the test marketing exemption if comments are received which cast significant doubt on its finding that the test marketing activities will not present an unreasonable risk of injury.

The following additional restrictions apply to TME–90–19. A bill of lading accompanying each shipment must state that the use of the substance is restricted to that approved in the TME. In addition, the applicant shall maintain the following records until 5 years after the date they are created, and shall make them available for inspection or copying in accordance with section 11 of TSCA:

1. Records of the quantity of the TME substance produced and the date of manufacture.
2. Records of dates of the shipments to each customer and the quantities supplied in each shipment.
3. Copies of the bill of lading that accompanies each shipment of the substance.

T–90–19

Date of Receipt: August 29, 1990.

Close of Review Period: October 12, 1990. The extended comment period will close (insert date 15 days after date of publication in the **Federal Register**).

Applicant: Westvaco Corporation.

Chemical: (G) Rosin modified, hydrocarbon resin.

Use: (G) Printing ink resin Litho, LP, and Gravure publication and packaging.

Production Volume: Confidential.

Number of Customers: Confidential.

Test Marketing Period: Confidential. Period commences on first day of commercial manufacture.

Risk Assessment: EPA identified no significant health or environmental concerns for the test market substance. Therefore, the test market activities will not present any unreasonable risk of injury to health or the environment.

The Agency reserves the right to rescind approval or modify the conditions and restrictions of an exemption should any new information come to its attention which casts significant doubt on its finding that the test marketing activities will not present an unreasonable risk of injury to health or the environment.

Dated: October 3, 1990.

John W. Melone,

Director, Chemical Control Division, Office of Toxic Substances.

[FR Doc 90–2734 Filed 10–18–90; 8:45 am]

BILLING CODE 6560–50–F

(OPTS–51753; FRL 3837–9)

Toxic and Hazardous Substances; Certain Chemicals Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in the final rule published in the **Federal Register** of May 13, 1983 (48 FR 21722). This notice announces receipt of 44 such PMNs and provides a summary of each.

DATES: Close of Review Periods:

P 90–1733, October 17, 1990.

P 90–1758, October 31, 1990.

P 90–1759, 90–1760, 90–1761, 90–1762, 90–1763, November 3, 1990.

P 90–1764, November 2, 1990.

P 90–1765, 90–1766, 90–1767, 90–1768, 90–1769, 90–1770, 90–1771, 90–1772, 90–1773, 90–1774, 90–1775, 90–1776, 90–1777, 90–1778, 90–1779, 90–1780, 90–1781, 90–1782, 90–1783, 90–1784, 90–1785, 90–1786, November 3, 1990.

P 90–1787, 90–1788, 90–1789, 90–1790, 90–1791, November 4, 1990.

P 90–1792, 90–1793, November 7, 1990.

P 90–1794, November 10, 1990.

P 90–1795, 90–1796, 90–1797, 90–1798, 90–1799, 90–1800, November 11, 1990.

Written comments by:

P 90–1733, September 17, 1990.

P 90–1758, October 1, 1990.

P 90–1759, 90–1760, 90–1761, 90–1762, 90–1763, October 4, 1990.

P 90–1764, October 3, 1990.

P 90–1765, 90–1766, 90–1767, 90–1768, 90–1769, 90–1770, 90–1771, 90–1772, 90–1773, 90–1774, 90–1775, 90–1776, 90–1777, 90–1778, 90–1779, 90–1780, 90–1781, 90–1782, 90–1783, 90–1784, 90–1785, 90–1786, October 4, 1990.

P 90–1787, 90–1788, 90–1789, 90–1790, 90–1791, October 5, 1990.

P 90–1792, 90–1793, October 8, 1990.

P 90–1794, October 11, 1990.

P 90–1795, 90–1796, 90–1797, 90–1798, 90–1799, 90–1800, October 12, 1990.

ADDRESS: Written comments, identified by the document control number "(OPTS–51754)" and the specific PMN number should be sent to: Document Processing Center (TS–790), Office of Toxic Substances, Environmental Protection Agency, 401 M Street, SW.,

Room L–100, Washington, DC, 20460, (202) 382–3532.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS–799), Office of Toxic Substances, Environmental Protection Agency, Room EB–44, 401 M Street, SW., Washington, DC, 20460, (202) 554–1404, TDD (202) 554–0551.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the nonconfidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete nonconfidential document is available in the Public Reading Room NE–G004 at the above address between 8 a.m. and noon, and 1 p.m. and 4 p.m., Monday through Friday, excluding legal holidays.

P 90–1733

Manufacturer. Chem Rex, Inc.
Chemical. (G) Modified naphaline.
Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

P 90–1758

Manufacturer. Allied-Signal, Inc.
Chemical. (S) Ethylene; 2-propenoic acid; methylacrylate.
Use/Production. (G) Plastics processing aid. Prod. range: Confidential.

P 90–1759

Manufacturer. Confidential.
Chemical. (G) Hydroxy functional acrylic polymer.
Use/Production. (S) Coatings. Prod. range: Confidential.

P 90–1760

Manufacturer. Confidential.
Chemical. (G) Hydroxy functional acrylic polymer.
Use/Production. (S) Coatings. Prod. range: Confidential.

P 90–1761

Manufacturer. Confidential.
Chemical. (G) Hydroxy functional acrylic polymer.
Use/Production. (S) Coatings. Prod. range: Confidential.

P 90–1762

Manufacturer. Confidential.
Chemical. (G) Hydroxy functional acrylic polymer.
Use/Production. (S) Coatings. Prod. range: Confidential.

P 90–1763

Manufacturer. Confidential.
Chemical. (G) Hydroxy functional acrylic polymer.
Use/Production. (S) Coatings. Prod. range: Confidential.

P 90–1764

Importer. Specialty Chem Products Corporation.
Chemical. (S) 3-Diazo-3,4-dihydro-4-oxo-1-naphthalenesulfonic acid, sodium salt.
Use/Import. (S) Synthetic organic chemical intermediate. Import range: 500–5,000 kg/yr.

P 90–1765

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1766

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1767

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1768

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1769

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1770

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1771

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1772

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1773

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1774

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1775

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1776

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidentisl.

P 90–1777

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Additive for lubricant. Import range: Confidential.

P 90–1778

Importer. Confidential.
Chemical. (G) Diurea compound.
Use/Import. (G) Clear coat resin for industrial coating. Import range: Confidential.

P 90–1779

Manufacturer. Bedoukian Research, Inc.
Chemical. (S) 4-Tridecen-1-ol, acetate, (z)-.
Use/Production. (S) Agricultural pheromone component. Prod. range: Confidential.

P 90–1780

Importer. Confidential.
Chemical. (G) Vinylidene halide/trihalo ethylene copolymer.
Use/Import. (G) Specialty electrical application. Import range: Confidential.

P 90–1781

Manufacturer. Henkel Corporation-Emery Group.
Chemical. (G) Fatty acid ester.
Use/Production. (S) Lubricant basestock for automotive oils. Prod. range: Confidential.

P 90–1782

Manufacturer. Henkel Corporation Emery Group.
Chemical. (S) Isodecyl caprylate and isodecyl capriate mixture.
Use/Production. (S) Lubricant basestock for automotive oils. Prod. range: 5,000–80,000 kg/yr.

P 90–1783

Manufacturer. Hercules Incorporation.
Chemical. (G) Amine faty acid salt.
Use/Production. (G) Product for the building and construction industrial. Prod. range: Confidential.

P 90–1784

Manufacturer. Confidential.

Chemical. (G) Polyether diol and polyether triol and polyether diamine with dicyclohexylmethane-4,4'-diisoyyanate.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1785

Manufacturer. Confidential.

Chemical. (G) Anionic copolymer.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1786

Manufacturer. Confidential.

Chemical. (G) Polyethyl triols with meta-tetra methylene diisocyanate.

Use/Production. (G) Open, nondispersive. Prod. range: Confidential.

P 90-1787

Importer. H.B. Fuller Company.

Chemical. (G) Copolymer of polyester and methylene diphenyl diisocyanate.

Use/Import. (S) Adhesive. Import range: Confidential.

P 90-1788

Manufacturer. E.I. Du Pont De Nemours & Co., Inc.

Chemical. (G) Reaction product of isocyanate and various alcohols.

Use/Production. (G) Coating. Prod. range: Confidential.

P 90-1789

Importer. Confidential.

Chemical. (G) Substituted triphenylmethane.

Use/Import. (G) A component of the material for IC fabrication. Import range: Confidential.

P 90-1790

Importer. Confidential.

Chemical. (G) Substituted triphenylmethane.

Use/Import. (G) A component of the material for IC fabrication. Import range: Confidential.

P 90-1791

Importer. Confidential.

Chemical. (G) Substituted phenyl acetate.

Use/Import. (G) A component of the material for IC fabrication. Import range: Confidential.

P 90-1792

Manufacturer. Amoco Petroleum Additive Company.

Chemical. (G) Polyalkylaromatic, sulfonated, metalic salt.

Use/Production. (G) Lub oil additive. Prod. range: Confidential.

P 90-1793

Manufacturer. Confidential.

Chemical. (G) Alkenylsuccinic acid, ester.

Use/Production. (G) Lub oil additive. Prod. range: Confidential.

P 90-1794

Importer. Anderson & Vreenland, Ltd.

Chemical. (G) Polymer with carboxylated polyurethane, modified and acrylated urethane.

Use/Import. (S) Hydrophilic constituent for photosensitive printing materials. Import range: 5,000–25,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (Rat). Eye irritation moderate species (Rabbit). Skin irritation negligible species (Rabbit. Mutagenicity negative.

P 90-1795

Importer. Confidential.

Chemical. (G) Substituted naphthalene disulfonic acid, alkali salt.

Use/Import. (S) Reative dye for textiles. Import range: Confidential.

P 90-1796

Importer. Confidential.

Chemical. (G) Copper complex substituted naphthalene disulfonic acid, alkali salt.

Use/Import. (S) Reactive dye for textiles. Import range: Confidential.

P 90-1797

Importer. Huls America, Inc.

Chemical. (S) Reaction product of polyester 6000 and adduct of 1600.

Use/Import. (S) Radiation curable adhesive resins. Import range: 1,000–10,000 kg/yr.

P 90-1798

Manufacturer. The Dow Chemical.

Chemical. (G) Modified ABS polymer.

Use/Production. (S) Extrusion and injection molding plastic articles. Prod. range: Confidential.

P 90-1799

Importer. Quest International Fragrances USA, Inc.

Chemical. (S) 2-(2,4-dimethyl-3-cyclohexene-1-yl)-5-methyl propyl)-1,3-dioxene.

Use/Import. (S) Extrusion and injection molding plastic articles. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5.0 g/kg species (Rat). Eye irritation none species (Rabbit). Skin irritation moderate species (Rabbit. Mutagenicity negative. Skin sensitization negative.

P 90-1800

Manufacturer. Confidential.

Chemical. (G) Fatty alkyl bromide.

Use/Production. (S) Extrusion and injection molding plastic articles. Prod. range: Confidential.

Dated: October 11, 1990.

Steve Newburg-Rinn

Acting Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 90-24735, Filed 10-18-90; 8:45 am]

BILLING CODE 6560-50-F

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 at the Washington, DC. office of the Federal Maritime Commission, 1100 L Street, NW., Room 10220. 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.: 224–200426.

Title: Port Everglades Authority/Sea-Land Service, Inc. Terminal Agreement.

Parties:

Port Everglades Authority

Sea-Land Service, Inc.

Synopsis: The Agreement provides for the lease of property, terminal yard, maintenance facility, office and storage space at Port Everglades. The Agreement's term will end September 28, 1998.

Agreement No.: 224–200428.

Title: Port Everglades Authority/Crowley Caribbean Transport, Inc. Terminal Agreement

Parties:

Port Everglades Authority (Port)

Crowley Caribbean Transport, Inc. (Lessee)

Synopsis: The Agreement provides Lessee with a one year lease of certain Port property located at Southport, Port Everglades, Florida. Lessee shall use said property as a container/RoRo terminal and related uses including the storage of containers, equipment and cargo; and for partial use as a Container Freight Station. The Port shall receive monthly rent based on a rate of $800.00 per acre, plus applicable Florida sales tax.

Agreement No.: 224–200427.

Title: Maryland Port Administration-Mediterranean Shipping Company, Inc.
Parties:
Maryland Port Administration (MPA)
Mediterranean Shipping Company, Inc. (MSC)
Synopsis: The Agreement provides for MPA to grant MSC an incentive of $3.00 per loaded container and $0.40 per ton for Ro/Ro cargo restricted to containers and Ro/Ro cargo coming into and going out of MPA's marine terminals by direct vessel calls.

By order of the Federal Maritime Commission.

Dated: October 15, 1990.

Joseph C. Polking,

Secretary.

[FR Doc. 90-24640 Filed 10-18-90; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

ComSouth Bankshares, Inc., et al.; Notice of Applications To Engage De Novo in Permissible Nonbanking Activities

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) 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 commence or to engage *de novo*, either directly or through a subsidiary, 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.

Each 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.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than November 8, 1990.

A. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr., Senior Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *ComSouth Bankshares, Inc.*, Columbia, South Carolina; to engage in making and selling first mortgage loans pursuant to § 225.25(b)(1)(iii) of the Board's Regulation Y. These activities will be conducted in the State of South Carolina.

B. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Lowndes Bancshares, Inc.*, Hahira, Georgia; to engage *de novo.* through its subsidiary, Goldleaf Technologies, Inc., Hahira, Georgia, in providing data processing and data transmission services pursuant to section 225.25(b)(7) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, October 5, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-24710 Filed 10-18-90; 8:45 am]

BILLING CODE 6210-01-M

NCNB Corp., Charlotte, NC; Application To Engage in Asset Management, Asset Valuation, Servicing, and Collection Activities

NCNB Corporation, Charlotte, North Carolina ("Applicant"), has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) ("BHC Act") and § 225.23(a)(3) of the Board's Regulation Y (12 CFR 225.23(a)(3)), for prior approval to engage *de novo* through a subsidiary in providing asset management, asset valuation, servicing, and collection activities. The Board has approved a similar proposal to provide certain management and consulting services to failed savings and loan associations under the Federal Home Loan Bank Board's management consignment program. *First Florida Banks, Inc.*, 74 Federal Reserve Bulletin 771 (1988). These activities will be conducted on a nationwide basis.

Section 4(c)(8) of the BHC Act provides that a bank holding company may engage in any activity that the Board has determined to be "so closely related to banking or managing or controlling banks as to be a proper incident thereto." A particular activity may be found to meet the "closely related to banking" test if it is demonstrated that banks have generally provided the proposed activity; that banks generally provide services that are operationally or functionally similar to the proposed activity so as to equip them particularly well to provide the proposed activity; or that banks generally provide services that are so integrally related to the proposed activity as to require their provision in a specialized forum. *National Courier Ass'n* v. *Board of Governors*, 516 F.2d 1229, 1237 (D.C. Cir. 1975). In addition, the Board may consider any other basis that may demonstrate that the activity has a reasonable or close relationship to banking or managing or controlling banks. Board Statement Regarding Regulation Y, 49 FR 806 (1984).

In determining whether an activity meets the second, or proper incident to banking, test of section 4(c)(8), the Board must consider whether the performance of the activity by an affiliate of a holding company "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."

As proposed by Applicant, the combination of activities for which approval is requested has not previously been approved by the Board. Under the categories of asset management and asset valuation, Applicant proposes to engage in the management and liquidation or other disposition of loans and their underlying collateral, including other real estate owned ("OREO") and other assets acquired through foreclosure or in satisfaction of debts previously contracted ("DPC property").

Applicant defines "management and liquidation of loans," to include: Classifying and valuing loan portfolios; filing reviews of loan documentation; developing collection strategies; negotiating renewals, extensions, and restructure agreements; and initiating foreclosure, bankruptcy, and other legal proceedings, where appropriate. Applicant defines "disposition of loans" to include developing and implementing market strategies for the sale or refinancing of individual loans and for the packaging and sale of whole or securitized loan portfolios. Applicant defines "management of OREO and DPC property" to include: Review of

appraisals, conduct (either directly or through independent contractors) of appraisals, environmental inspections, performance of cash flow and asset review analyses, contracting with and supervising independent property managers, and leasing of OREO and other DPC property (directly or through independent contractors). Applicant defines "disposition of assets" to include developing and implementing marketing strategies for the sale of OREO or other DPC property either individually or packaged for investors or developers.

Applicant maintains that the asset management and asset valuation activities described above have all previously been determined to be permissible for bank holding companies, and are included within the activities of servicing loans or other extensions of credit (12 CFR 225.25(b)(1)); providing investment or financial advice (12 CFR 225.25(b)(4)); providing management consulting advice to nonaffiliated depository institutions (12 CFR 225.25(b)(11)); providing real estate and personal property appraisals (12 CFR 225.25(b)(13)); and operating a collection agency (12 CFR 225.25(b)(23)). The Board also has by order previously approved asset management activities similar to those proposed by Applicant. *First Florida Banks, Inc.*, 74 Federal Reserve Bulletin 771 (1988).

Additionally, servicing and collection activities are permissible for bank holding companies pursuant to § 225.25(b)(1) and (23), respectively, of Regulation Y. 12 CFR 225.25(b)(1) and (23).

Any views or requests for hearing should be submitted in writing and received by William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551, not later than November 6, 1990. Any request for a hearing must, as required by § 262.3(e) of the Board's Rules of Procedure (12 CFR 262.3(e)), be accompanied by 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, summarizing the evidence that would be presented at a hearing, and indicating how that party commenting would be aggrieved by approval of the proposal.

This application my be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Richmond.

Board of Governors of the Federal Reserve System, October 15, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-24708 Filed 10-18-90; 8:45 am]

BILLING CODE 6210-01-M

Osterreichische Landerbank Aktiengesellschaft, et al.; Acquisition of Companies 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 this application must be received at the Reserve Bank or the offices of the Board of Governors not later than November 8, 1990.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Osterreichische Landerbank Aktiengesellschaft*, Frankfurt (Main), Germany; to acquire Roley, Nichols Capital Group, Inc., Los Angeles, California, and thereby engage in providing investment or financial advisory services, providing shareholder servicing functions; and conducting investment advisory services pursuant to § 225.25(b)(4) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, October 15, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-24711 Filed 10-18-90; 8:45 am]

BILLING CODE 6210-01-M

South Florida Bank Holding Corp., 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 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 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 November 8, 1990.

A. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *South Florida Bank Holding Corporation*, Fort Myers, Florida; to become a bank holding company by acquiring 100 percent of the voting shares of South Florida Bank, Fort Myers, Florida.

B. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *First Peoria Corp.*, Peoria, Illinois; to acquire 100 percent of the voting shares of The Tazewell County National Bank of Delavan, Delavan, Illinois.

2. *Mascouten Bancorp, Inc.*, Beardstown, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of The First National Bank of Beardstown, Beardstown, Illinois.

C. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice president) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Hettinger Holding Company,* Hettinger, North Dakota; to become a bank holding company by acquiring 100 percent of the voting shares of First National Bank, Hettinger, North Dakota.

D. Federal Reserve Bank of Kansas city (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *First Bank Holding Company Employee Stock Ownership Plan,* Lakewood, Colorado; to become a bank holding company by acquiring 29.1 percent of the voting shares of FirstBank Holding Company of Colorado, Lakewood, Colorado, and thereby indirectly acquire FirstBank of West Arvada, N.A., Arvada, Colorado; FirstBank of Aurora, N.A., Aurora, Colorado; FirstBank of Avon, Avon, Colorado; FirstBank of Table Mesa, NA., Boulder, Colorado; FirstBank at Chambers/Mississippi, N.A., Aurora, Colorado; FirstBank at Buckley/Quincy, N.A., Aurora, Colorado; FirstBank at 30th/Arapahoe, N.A., Boulder, Colorado; FirstBank of Boulder, NA., Boulder, Colorado; Breckenridge FirstBank, N.A., Breckenridge, Colorado; FirstBank of Castle Rock, N.A., Castle Rock, Colorado; FirstBank of 9th/Corona, N.A., Denver, Colorado; FirstBank of Denver, Colorado; FirstBank of Cherry Creek, N.A., Denver, Colorado; FirstBank of Republic Plaza, N.A., Denver, Colorado; FirstBank of Southmoor Park, N.A., Denver, Colorado; FirstBank of Edgewater, N.A., Edgewater, Colorado; FirstBank of Arapahoe/Yosemite, Englewood, Colorado; FirstBank of Erie, Erie, Colorado; FirstBank of Tech Center, N.A., Englewood, Colorado; FirstBank of Colorado, N.A., Jefferson County, Colorado; FirstBank of Lakewood, N.A., Lakewood, Colorado; FirstBank of Westland, N.A.; Lakewood, Colorado; FirstBank of Academy Park, Lakewood, Colorado; FirstBank of Villa Italia, N.A., Lakewood, Colorado; FirstBank of Green Mountain, N.A., Lakewood, Colorado; FirstBank of Littleton, N.A., Littleton, Colorado; FirstBank Wadsworth/Coal Mine, Littleton, Colorado; FirstBank of Arapahoe County, N.A., Littleton, Colorado; FirstBank of North Longmont, Longmont, Colorado; FirstBank of South Longmont, N.A., Longmont, Colorado; FirstBank of Arapahoe/Holly, N.A., Littleton, Colorado; FirstBank of Minturn, Minturn, Colorado; FirstBank of Silverthorne, N.A., Silverthorne, Colorado; FirstBank of 120th/Colorado, N.A, Thorton, Colorado; FirstBank of West Vail, Vail, Colorado; FirstBank of Vail, Vail, Colorado; FirstBank of 88th/Wadsworth, N.A., Westminster, Colorado; and FirstBank of Wheat Ridge N.A., Wheat Ridge, Colorado.

2. *First Norton Corporation,* Norton, Kansas; to become a bank holding company by acquiring 100 percent of the voting shares of First-Security Bank and Trust Company, Norton, Kansas.

3. *Sunflower Banks, Inc.,* Salina, Kansas; to acquire Farmers National Bank of Victoria, Hays, Kansas.

4. *Whitcorp Financial Company,* Leoti, Kansas; to acquire 100 percent of the voting shares of First National Bankshares, Inc., Garden City, Kansas, and thereby indirectly acquire First National Bank in Lamar, Lamar, Colorado. In connection with this application, First National Bankshares, Inc., Garden City, Kansas, has applied to become a bank holding company by acquiring 100 percent of the voting shares of First National Bank in Lamar, Lamar, Colorado.

Board of Governors of the Federal Reserve System, October 15, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90–24712 Filed 10–18–90; 8:45 am]

BILLING CODE 6210–01–M

FEDERAL TRADE COMMISSION

[Dkt. C–3305]

Amersham International PLC; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, a Buckinghamshire, England company from consummating the acquisition of Medi-Physics, Inc. by respondent until after the closing of the sale of Medi-Physics, SPECTamine business to IMP, Incorporated or any other Commission-approved acquirer. In addition, for a period of ten years, respondent is prohibited from acquiring, without prior Commission approval, any stock, share capital, or equity interest in, or any assets relating to SPECT brain imaging.

DATES: Complaint and Order issued September 14, 1990.[1]

FOR FURTHER INFORMATION CONTACT: Phillip Broyles, FTC/S–2308, Washington, DC 20580. (202) 326–2682.

SUPPLEMENTARY INFORMATION: On Monday, June 18, 1990, there was published in the **Federal Register,** 55 FR 24640, a proposed consent agreement with analysis In the Matter of Amersham International PLC, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

Authority: Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18.

Donald S. Clark,

Secretary.

[FR Doc. 90–24718 Filed 10–18–90; 8:45 am]

BILLING CODE 6750–01–M

[File No. 892 3202]

Fertility Institute of Western Massachusetts, et al.; Proposed Consent Agreement with Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, a Springfield, MA., fertility institute and its proprietor from misrepresenting: The number or percentage of patients that achieve success in overcoming infertility, including the number or percentage of patients that give birth or achieve pregnancy; the success rate of any infertility procedure, without competent and reliable scientific evidence to substantiate the claims; or the cost or expense of any infertility test or precedure. The order also prohibits respondents from misrepresenting their qualifications or ability to provide infertility treatments, and any beneficial or therapeutic aspects of any test or

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H–130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

procedure relating to the treatment of infertility.

DATES: Comments must be received on or before December 18, 1990.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, room 159, 6th St. and Pa. Ave. NW., Washington, D,C. 20580.

FOR FURTHER INFORMATION CONTACT: Phoebe Morse, Boston Regional Office, Federal Trade Commission, 10 Causeway St., room 1184, Boston, MA 02222–1073. (617) 565–7240.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

Agreement Containing Consent Order To Cease and Desist

In the matter of Fertility Institute of Western Massachusetts, a sole proprietorship, and Ronald K. Burke, M.D., individually.

The Federal Trade Commission having initiated an investigation of certain acts and practices of the Fertility Institute of Western Massachusetts, a sole proprietorship, and Ronald K. Burke, M.D., individually, hereinafter sometimes collectively referred to as proposed respondents or respondents, are willing to enter into an agreement containing an order to cease and desist from the use of the acts and practices being investigated;

It is Hereby Agreed by and between Fertility Institute of Western Massachusetts, Ronald K. Burke, M.D., and by their attorney, and counsel for the Federal Trade Commission that:

1. Proposed respondent Fertility Institute of Western Massachusetts is a sole proprietorship with its principal office and place of business located at 130 Maple Street, Springfield, MA 01103.

Proposed respondent Ronald K. Burke is the sole proprietor of Fertility Institute of Western Massachusetts.

2. Proposed respondents admit all the jurisdictional facts set forth in the attached draft complaint.

3. Proposed respondents waive:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law;

(c) All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement; and

(d) Any claim under the Equal Access to Justice Act, 5 U.S.C. 504.

4. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the attached draft complaint, will be placed on the public record for a period of sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the respondents, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

5. This agreement is for settlement purposes only and does not constitute an admission by proposed respondents that the law has been violated as alleged in the attached draft complaint.

6. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may without further notice to proposed respondents: (a) Issue its complaint corresponding in form and substance with the attached draft complaint and its decision containing the following order to cease and desist in disposition of the proceeding; and (b) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to order to proposed respondents' addresses as stated in this agreement shall constitute service. Proposed respondents waive any right they may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation or interpretation not contained in the order or the agreement may be used to vary or contradict the terms of the order.

7. Proposed respondents have read the attached draft complaint and the following order. Proposed respondents understand that once the order has been issued, they will be required to file one or more compliance reports showing that they have fully complied with the order. Proposed respondents further understand that they may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.

Order

I

It is ordered that respondents Fertility Institute of Western Massachusetts, a sole proprietorship, and Ronald K. Burke, M.D., individually, and respondents' officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, promotion, sale or offering for sale of any service in or affecting commerce, as "commerce" is defined in the FTC Act, relating to the treatment of infertility, do forthwith cease and desist from:

A. Misrepresenting, directly or by implication, in any manner the number or percentage of patients that achieve success in overcoming infertility, including but not limited to the number or percentage of patients that give birth or achieve pregnancy, or have given birth or achieved pregnancy.

B. Representing, directly or by implication, any success rate of any infertility procedure, unless at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence substantiating the representation. For any test, analysis, research, study, or other evidence to be "competent and reliable," it must be conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the relevant profession to yield accurate and reliable results.

C. Misrepresenting, directly or by implication, the cost or expense of any infertility procedure.

II

It is further ordered that respondents Fertility Institute of Western Massachusetts and Ronald K. Burke, and respondents' officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the advertising, promotion, sale, or

offering for sale of any service in or affecting commerce, as "commerce" is defined in the FTC Act, relating to the treatment of infertility, do forthwith cease and desist from misrepresenting, directly or by implication, their capacity or ability to perform any test or procedure relating to the treatment of infertility and cease and desist from misrepresenting, directly or by implication, any beneficial or therapeutic aspect of any test or procedure relating to the treatment of infertility.

III

It is further ordered that respondents shall maintain for a period of three (3) years after the date the representation was last made and, upon request, make available to the Federal Trade Commission business records supporting all claims for any infertility treatment service.

IV

It is further ordered that respondents shall notify the Commission at least thirty (30) days prior to any proposed change in respondents such as dissolution, assignment or sale resulting in the emergence of a successor sole proprietorship, or any other change in respondents which may affect compliance obligations arising out of this Order.

V

It is further ordered that respondents shall, within sixty (60) days after service of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with all requirements of this Order.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted, subject to final approval, an agreement containing a consent order from Fertility Institute of Western Massachusetts ("Fertility Institute"), located in Springfield, Massachusetts, and Ronald K. Burke, M.D., the sole proprietor of Fertility Institute (collectively, the "respondents"). Under this agreement, the respondents will cease and desist from making certain claims concerning success rates for various infertility treatments and will not make any claims regarding such treatments unless they possess reliable scientific evidence that substantiates such claims.

The proposed consent order has been placed on the public record for sixty (60) days for the receipt of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement and take other appropriate action, or make final the proposed order contained in the agreement.

This matter concerns claims made for various infertility treatments contained in Fertility Institute's promotional brochure "Understanding Your Fertility." The Complaint accompanying the proposed consent order alleges that respondents violated section 5 of the Federal Trade Commission Act in making certain representations contained in this brochure.

Specifically, according to the Complaint, respondents' brochure contained false and misleading statements regarding the success rate experienced by Fertility Institute's patients in undergoing treatment known as "Gamete Intra-fallopian Transfer" ("GIFT"), when success is defined as the ratio of the number of patients taking home babies compared to the number of patients entering the GIFT program. In addition, the Complaint alleges that respondents made certain representations in their brochure concerning the success rates and costs of other infertility treatments and claimed directly or indirectly that they possessed and relied upon a reasonable basis for these representations. In fact, according to the Complaint, respondents did not have a reasonable basis for making these representations at the time they were made.

Part I of the proposed consent order would prohibit respondents from misrepresenting the success rates of patients who have undergone infertility treatments and requires them to possess "competent and reliable" evidence in support of any representation concerning such success rates. Respondents are also prohibited from misrepresenting the cost or expense of fertility treatments.

In addition, part II of the proposed consent would prohibit respondents from misrepresenting their qualifications, their ability to provide infertility treatments, and the beneficial or therapeutic aspects of any test or procedure relating to the treatment of infertility.

Part III of the proposed consent requires respondents to maintain for three years any records supporting claims made for infertility treatment programs. Part IV of the proposed consent requires respondents to notify the Commission within 30 days of any proposed change in the operation of Fertility Institute, such as dissolution or sale resulting in a change of ownership.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order, or to modify in any way their terms.

Donald S. Clark,

Secretary.

[FR Doc. 90–24719 Filed 10–18–90; 8:45 am]

BILLING CODE 6750–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substances and Disease Registry

[ATSDR–19]

Extension of Public Comment Period for the Draft Health Assessment Guidance Manual

AGENCY: Agency for Toxic Substances and Disease Registry (ATSDR), Public Health Service, Department of Health and Human Services.

ACTION: Notice of extension of public comment period.

SUMMARY: This notice announces an extension of the public comment period for the draft Health Assessment Guidance Manual. ATSDR announced the availability of this manual in the **Federal Register** on August 30, 1990 (55 FR 35463) with a public comment period through October 31, 1990. This notice announces an extension of the public comment period through November 30, 1990, in order to allow the public additional time to review and submit written comments on the Guidance Manual.

ADDRESSES: Comments on this notice should bear the docket control number ATSDR–19, and should be submitted to the Division of Health Assessment and Consultation, Agency for Toxic Substances and Disease Registry, Mailstop E–32, 1600 Clifton Road, Atlanta, Georgia 30333.

Comments submitted in response to this notice will be available for public inspection at the Agency for Toxic Substances and Disease Registry, Building 31, Executive Park Drive, Atlanta, Georgia, from 8 a.m. until 4:30 p.m., Monday through Friday, except for legal holidays.

SUPPLEMENTARY INFORMATION: ATSDR is mandated to conduct health assessments under section 104(i) of the Comprehensive Environmental Response, Compensation, and Liability

Act (CERCLA) (42 U.S.C. 9604(i)) and the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6939a(b)). The Guidance Manual sets forth in detail the health assessment process as developed by ATSDR and clarifies the methodologies and guidelines that will be used by ATSDR staff and agents of ATSDR in conducting health assessments.

DATES: Comments concerning this manual must be received by November 30, 1990.

FOR FURTHER INFORMATION CONTACT: The Division of Health Assessment and Consultation, Agency for Toxic Substances and Disease Registry, Mailstop E–32, 1600 Clifton Road, NE., Atlanta, Georgia 30333. Telephone: 404–639–0610.

Dated: October 12, 1990.

William L. Roper,

Administrator, Agency for Toxic Substances and Disease Registry.

[FR Doc. 90–24740 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–70–M

Centers for Disease Control

National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control (CDC), NIOSH Assessment of Performance Levels for Industrial Respirators: Prerulemaking Technical Conference: Meeting

NAME: NIOSH Assessment of Performance Levels for Industrial Respirators: Prerulemaking Technical Conference.

TIME AND DATE: 9 a.m.–5 p.m., January 9–11, 1991.

PLACE: Appalachian Laboratory for Occupational Safety and Health, room 138, NIOSH, CDC, 944 Chestnut Ridge Road, Morgantown, West Virginia 25605–2888.

STATUS: Open to the public, limited only by the space available.

PURPOSE: To solicit and present the available research and recommendations concerning the following technical issues and questions: (1) The feasibility and practicality of developing a detailed protocol (including analytical methods, facepiece sampling methods, statistical analysis of data, etc.) for conducting workplace protection factor tests that would apply to all workplace settings, all contaminants, and all respirator types, (2) the available techniques and procedures for measuring assigned protection factors for respirator types that offer very high levels of worker protection (such as positive pressure air-supplied respirators or high performance powered air-purifying respirators), (3) the need to standardize further the nomenclature associated with defining the workplace performance of respiratory protective devices, (4) the procedures and techniques for conducting workplace protection factor studies of gas and vapor respirators, (5) the procedures and techniques for conducting workplace protection factor studies of closed-circuit respirators, (6) the approaches for and benefits and limitations of assigning performance values to individual respirator models, and (7) any additional knowledge, gaps or issues relating to workplace performance testing as a condition of a respirator certification.

SUMARY: In an associated regulatory activity (Improved Standards for Respirator Devices), NIOSH has undertaken a substantial revision of certification tests and criteria for industrial respirators (currently 30 CFR part 11). The first Notice of Proposed Rulemaking (NPRM) for this revision was published in August 1987 (52 FR 32401) as a proposed 42 CFR part 84 to replace 30 CFR part 11. In addition to requiring laboratory performance testing, provisions in the first NPRM would have required workplace or validated simulated-workplace testing of industrial respirators as a part of the certification process. Associated with these provisions was a plan for certifying makes and models at quantitative performance levels. However, because commenters believed that suitable protocols for workplace or validated simulated-workplace testing are not available, and to avoid needless delay in implementing critical advances in laboratory performance tests, NIOSH will remove these provisions from its second NPRM, which is currently under development. Therefore, appropriate data required for certifying respirator protection levels will not be initially available under the new 42 CFR part 84. The National Institute for Occupational Safety and Health be proposing a separate rulemaking activity to include workplace or validated simulated-workplace testing in the NIOSH Respiratory Protective Devices Certification Program at a later time. The National Institute for Occupational Safety and Health remains convinced that respirators that appear to have achieved effective performance in laboratory performance tests must still demonstrate adequate performance under workplace or validated simulated-workplace conditions. Protection values based solely on laboratory fit testing should be viewed and applied with particular caution. Therefore, NIOSH believes that federal certification requirements must include workplace or validated simulated-workplace testing. Only when results of these tests are available can NIOSH accurately assess the protection afforded by individual makes and models of respirators.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Dr. Alfred A. Amendola, Deputy Director, Division of Safety Research, NIOSH, CDC, 944 Chestnut Ridge Road, Mailstop S118B, Morgantown, West Virginia 26505–2888, telephone 304/291–4594 or FTS 923–4595.

Anyone wishing to make an oral presentation should submit their request, in writing, to Dr. Amendola by close of business, December 14, 1990. The request should include the name, address, and telephone number of the participant, the approximate time needed and a brief summary of the topics to be presented. For those persons who cannot participate at the meeting, written comments should be submitted to Dr. Amendola by close of business, December 14, 1990.

SUPPLEMENTARY INFORMATION: Federally-certified respirators are relied upon by up to 6.6 million American workers, either full-time or part-time, to protect themselves from hazards in their workplaces. This number could go as high as 10 million in the mid-1990s. Occupational Safety and Health Administration regulations (29 CFR 1910.134) require that NIOSH-certified respirators be used by many of these workers. Regulations of the Environmental Protection Agency and the Nuclear Regulatory Commission also require the use of NIOSH-certified respirators. The National Institute for Occupational Safety and Health certifications have become de facto premarket approvals for industrial respirators in the United States. Therefore, it is imperative that NIOSH certifications be based on the most relevant and reliable test procedures and criteria. The objectives of this proposed regulatory revision are to establish rigorous and realistic performance testing of respirators in the workplace or simulated-workplaces and provide purchasers and users with meaningful performance information that is relevant to actual conditions experienced by users.

There is ample precedent for requiring workplace or validated simulated-workplace testing for federally-certified respirators. For the past 14 years, the manufacturer of any medical device regulated by the Food and Drug Administration (FDA) under the 1976

Medical Device Amendments to the Food, Drug, and Cosmetic Act has had to demonstrate both the safety and efficacy (i.e., adequate performance) of the device to receive the necesssary government approval before marketing. For Class III devices, which are life-sustaining, life-supporting, or which are of substantial importance in preventing impairment of health (21 CFR part 860), FDA premarket approval depends upon the results of clinical studies showing the safety and efficacy of the device. Most, if not all, the respirators certified by NIOSH share the characteristics of Class III devices. The nature and complexity of industrial respirators prevent purchasers and users from personally assessing the safety and efficacy of the respirators they purchase or must wear. Thus, NIOSH believes that workplace or validated simulated-workplace testing requrements for federally-certified respirators are necessary to protect adequately the health and safety of respirator users.

Additionally, federal assessment of individual performance levels will stimulate market competition and result in both better-performing and more cost-effective respirators for purchasers and users. It will encourage manufacturers to develop and market better-performing and innovative respirators because better performance would be assessed by NIOSH and the information disseminated to the public. It will also enable purchasers and users to better protect themselves with respirators by providing them with information on the protection they might achieve with individual makes and models. The federal regulations for performance grading of automobile tires at multiple performance levels (49 CFR part 575) and noise reduction ratings for hearing protective devices (40 CFR part 211) are examples of this approach.

After the necessary technical methodologies are available, NIOSH will publish an NPRM presenting test requirements and evaluation criteria to implement requirements for workplace or validated simulated-workplace testing combined with NIOSH-assessed performance levels. This technical meeting and NPRM will provide ample opportunity for respirator manufacturers, pruchasers, and users to comment on these issues.

Dated: October 15, 1990.

Elvin Hilyer,

Associate Director for Policy Coordination, Centers for Disease Control.

[FR Doc. 90–24744 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–19–M

CDC Advisory Committee on the Prevention of HIV Infection; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Centers for Disease Control (CDC) announces the following committee meeting:

Name: CDC Advisory Committee on the Prevention of HIV Infection.

Time and date:

8:30 a.m.–5 p.m., November 7, 1990

8 a.m.–3 p.m., November 8, 1990.

Place: Colony Square Hotel, Peachtree and 14th Street, Atlanta, Georgia 30361.

Status: Open to the public, limited only by the space available.

Purpose: This committee is charged with advising the Director, CDC, regarding objectives, strategies, and priorities for HIV prevention efforts, including maintaining surveillance of AIDS and HIV infection, the epidemiologic and laboratory study of AIDS and HIV, information/education and risk reduction activities designed to prevent the spread of HIV infection, and other preventive measures that become available.

Matters to be discussed: The committee will discuss actions taken by CDC on the recommendations made by the committee during the May 16–17, 1990, meeting and current CDC approaches to HIV prevention for high-risk youth. In-depth discussions will lead to development of a preliminary list of recommendations regarding CDC methods and approaches.

Agenda items are subject to change as priorities dictate.

Contact Person for More Information: Connie Granoff, Committee Assistant, Office of the Deputy Director (HIV), CDC, 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333, telephone (404) 639–2918 or FTS 236–2918.

Dated: October 15, 1990.

Elvin Hilyer,

Associate Director for Policy Coordination Centers for Disease Control.

[FR Doc. 90–24743 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–18–M

Family Support Administration

Forms Submitted to the Office of Management and Budget for Clearance

The Family Support Administration (FSA) will publish on Fridays information collection packages submitted to the Office of Management and Budget (OMB) for clearance, in compliance with the Paperwork Reduction Act (44 U.S.C. chapter 35). Following is the package submitted to OMB since the last publication.

(For a copy of a package, call the FSA, Report Clearance Officer 202–252–5604)

Periodic Reevaluation of AFDC Need and Payment Standards—Form–FSA–111 and FSA–112

In order to meet the requirements of section 404, of the Family Support Act, states are required to submit tri-annual reports on adjustments in the need and payment standards. The information from these forms will provide national data regarding frequency and the methods used by States to adjust AFDC need and payment standards, and special need amounts. *Respondents:* State or local governments; *Number of Respondents:* 54; *Frequency of Response:* 1; *Average Burden per Response:* 200 hours; *Estimated Annual Burden:* 10,800 hours.

OMB Desk Clearance Officer: Laura Oliven.

Written comments and recommendations for the proposed information collections should be sent directly to the appropriate OMB Desk Officers designated above at the following address: OMB Reports Management Branch, New Executive Office Building, room 3201, 725 17th Street NW., Washington, DC 20503.

Dated: October 11, 1990.

Naomi B. Marr,

Associate Administrator, Office of Management & Information Systems.

[FR Doc. 90–24271 Filed 10–18–90; 8:45 am]

BILLING CODE 4150–04–M

Forms submitted to the Office of Management and Budget for Clearance

The Family Support Administration (FSA) will publish on Fridays information collection packages submitted to the Office of Management and Budget (OMB) for clearance, in compliance with the Paperwork Reduction Act (44 U.S.C. chapter 35). Following is the package submitted to OMB since the last publication.

(For a copy of a package, call the FSA, Report Clearance Officer 202–252–5604)

JOBS Program Participant Data Collection—Form-FSA–108

The information received from this collection will provide the database to analyze and evaluate the JOBS program relevant to the degree in which States are assisting individuals and families to achieve self-sufficiency and reduce welfare dependency. *Respondents:* State or local governments; *Number of Respondents:* 51; *Frequency of Response:* 12; *Average Burden per Response:* 612 hours; *Estimated Annual Burden:* 1,224 hours.

OMB Desk Clearance Officer: Laura Oliven.

Written comments and recommendations for the proposed information collections should be sent directly to the appropriate OMB Desk Officers designated above at the following address: OMB Reports Management Branch, New Executive Office Building, room 3201, 725 17th Street NW., Washington, DC 20503.

Dated: October 11, 1990.

Naomi B. Marr,

Associate Administrator, Office of Management & Information Systems.

[FR Doc. 90–24722 Filed 10–18–90; 8:45 am]

BILLING CODE 4150–04–M

Forms Submitted to the Office of Management and Budget for Clearance

The Family Support Administration (FSA) will publish on Fridays information collection packages it has submitted to the Office of Management and Budget (OMB) for clearance, in compliance with the Paperwork Reduction Act (44 U.S.C. chapter 35). Following is the **Federal Register** submission for FSA.

(For a copy of the package below, call the FSA, Reports Clearance Officer on 202 252–5604.)

State Plan for Child Support Collection and Establishment of Paternity under Title IV–D of the Social Security Act, OCSE–100—0970–0017

The information obtained on the state plan preprint serves as a contract with OCSE in outlining the activities the states will perform as required by law in order for states to receive Federal funds to meet the costs of these activities. *Respondents:* State or local governments; *Number of Respondents:* 54; *Frequency of Response:* 14; *Average Burden per response:* 43 minutes; *Estimated Annual Burden:* 541.8.

OMB Desk Clearance Officer: Laura Oliven.

Written comments and recommendations for the proposed information collection should be sent directly to the appropriate OMB Desk Officer designated above at the following address: OMB Reports Management Branch, New Executive Office Building, Room 3201 725 17th Street, NW. Washington, DC 20503.

Dated: October 8, 1990.

Naomi B. Marr,

Associate Administrator, Office of Information and Management Systems, FSA.

[FR Doc. 90–24273 Filed 10–18–90; 8:45 am]

BILLING CODE 4150–04–M

Food and Drug Administration

[Docket No. 90F–0311]

Nissin Chemical Industry Co., Ltd.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Nissin Chemical Industry Co., Ltd., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of vinyl chloride/vinyl acetate/maleic anhydride/glycidyl methacrylate copolymer as a component of coatings for articles that will contact food.

FOR FURTHER INFORMATION CONTACT: Vir Anand, Center for Food Safety and Applied Nutrition (HFF–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5) (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 0B4224), has been filed on behalf of Nissin Chemical Industry Co., Ltd., c/o 1730 Rhode Island Ave. NW., Washington, DC 20036, proposing that 21 CFR 175.300 *Resinous and polymeric coatings* be amended to provide for the safe use of vinyl chloride/vinyl acetate/maleic anhydride/glycidyl methacrylate copolymer as a component of coatings that will contact food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: October 11, 1990.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90–24703 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–01–M

[Docket No. 90G–0296]

Suddeutsche Zucker AG and Bayer AG; Filing of Petition for Affirmation of GRAS Status

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Suddeutsche Zucker AG and Bayer AG have filed a petition (GRASP 6G0321) proposing to affirm that isomalt, prepared by the action of sucrose glycosyl fructose-mutase enzyme from *Protaminobacter rubrum* immobilized with a polyamine-epichlorohydrin resin, glutaraldehyde, and tannin, is generally recognized as safe (GRAS) as a direct human food ingredient.

DATES: Comments by December 18, 1990.

ADDRESSES: Written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Rosalie M. Angeles, Center for Food Safety and Applied Nutrition (HFF–334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–426–5487.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sections 201(s), 409 (21 U.S.C. 321(s), 348)) and the regulations for affirmation of GRAS status in § 170.35 (21 CFR 170.35), notice is given that, Suddeutsche Zucker AG and Bayer AG c/o Center for Regulatory Services, 2347 Paddock Lane, Reston, VA 22091, have filed a petition (GRASP 6G0321), proposing that isomalt be affirmed as GRAS for use as a direct human food ingredient. The petition substance is manufactured by the action of sucrose glycosyl fructose-mutase enzyme from *P. rubrum* immobilized with a polyamine-epichlorohydrin resin, glutaraldehyde, and tannin.

The petition has been placed on display at the Dockets Management Branch (address above).

Any petition that meets the requirements outlined in §§ 170.30 and 170.35 (21 CFR 170.30 and 170.35) is filed by the agency. There is no prefiling review of the adequacy of data to support a GRAS conclusion. Thus, the filing of this petition for GRAS affirmation should not be interpreted as a preliminary indication of suitability of isomalt for GRAS affirmation.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Interested persons may, on or before December 18, 1990, review the petition and/or file comments (two copies, identified with the docket number found in brackets in the heading of this document) with the Dockets Management Branch (address above). Comments should include any available information that would be helpful in determining whether the substance is, or is not, GRAS for the proposed use. A copy of the petition and received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: October 11, 1990.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90-24704 Filed 10-18-90; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 90E-0266]

Determination of Regulatory Review Period for Purposes of Patent Extension; Ergamisol®

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for Ergamisol® **and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Commissioner of Patents and Trademarks, Department of Commerce, for the extension of a patent which claims that human drug product.**

ADDRESSES: Written comments and petitions should be directed to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Nancy E. Pirt, Office of Health Affairs (HFY-20), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1382.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100-670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Commissioner of Patents and Trademarks may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA recently approved for marketing the human drug product Ergamisol®. Ergamisol® (levamisole HCl) is indicated as adjuvant treatment in combination with fluorouracil after surgical resection in patients with Dukes' stage C colon cancer. Subsequent to this approval, the Patent and Trademark Office received a patent term restoration application for Ergamisol® (U.S. Patent No. 4,584,305) from Janssen Pharmaceutica N.V., and the Patent and Trademark Office requested FDA's assistance in determining this patent's eligibility for patent term restoration. FDA, in a letter dated August 23, 1990, advised the Patent and Trademark Office that this human drug product had undergone a regulatory review period. The letter also stated that the active ingredient, levamisole HCl, represented the first permitted commercial marketing or use under the provision of law governing regulatory review of human drug products. Levamisole HCl had previously received permission for commercial marketing or use under the provision of law governing regulatory review of animal drugs. Shortly thereafter, the Patent And Trademark Office requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for Ergamisol is 4,833 days. Of this time, 4,603 days occurred during the testing phase of the regulatory review period, while 230 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act became effective:* March 27, 1977. The applicant claims April 8, 1977, as the date the investigational new drug (IND) application became effective. However, FDA records indicate that the IND effective date was March 27, 1977, which was 30 days after FDA receipt of the IND application.

2. *The date the application was initially submitted with respect to the human drug product under section 505(b) of the Federal Food, Drug, and Cosmetic Act:* November 1, 1989. FDA has verified the applicant's claim that new drug application (NDA) 20-035 was submitted on November 1, 1989.

3. *The date the application was approved:* June 18, 1990. FDA has verified the applicant's claim that NDA 20-035 was approved on June 18, 1990.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the U.S. Patent and Trademark Office applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 422 days of patent term extension.

Anyone with knowledge that any of the dates as published is incorrect may, on or before December 18, 1990, submit to the Dockets Management Branch (address above) written comments and ask for a redetermination. Furthermore, any interested person may petition FDA, on or before April 19, 1991, for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must contain sufficient facts to merit an FDA investigation. (See H. Rept. 857, Part 1, 98th Cong., 2d Sess., pp. 41-42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Comments and petitions should be submitted to the Dockets Management Branch (address above) in three copies (except that individuals may submit single copies) and identified with the docket number found in brackets in the heading of this document. Comments and petitions may be seen in the Dockets Management Branch between 9 am. and 4 pm., Monday through Friday.

Dated: October 12, 1990.

Stuart L. Nightingale,

Associate Commissioner for Health Affairs.

[FR Doc. 90-24702 Filed 10-18-90; 8.45 am]

BILLING CODE 4160-01-M

[Docket No. 90M-0303]

Hoffmann Medizinische Technik GMBH; Premarket Approval of the Hoffmann Medizinische Technik 20/1500 Shock Plug

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Hoffmann medizinische Technik GmbH for premarket approval, under the Medical Device Amendments of 1976, of the Hoffmann medizinische Technik 20/1500 Shock Plug. After reviewing the recommendation of the Gastroenterology-Urology Devices Panel, FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of September 6, 1990, of the approval of the application.

DATES: Petitions for administrative review by November 19, 1990.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Robert Gatling, Center for Devices and Radiological Health (HFZ-420), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301-427-1220.

SUPPLEMENTARY INFORMATION: On June 17, 1988, Hoffmann medizinische Technik GmbH, Haus Heide 21, 5884 Halver, Federal Republic of Germany, submitted to CDRH an application for premarket approval of the Hoffmann medizinische Technik 20/1500 Shock Plug. The device is a replacement for the shock plug used in the HM3 Dornier Extracorporeal Shock Wave Lithotripter which is indicated for use in the fragmentation of upper urinary tract stones, i.e., renal calyx stones, renal pelvic stones, and upper ureteral stones.

On December 7, 1988, the Gastroenterology-Urology Devices Panel, an FDA advisory committee, reviewed and recommended approval of the application. On September 6, 1990, CDRH approved the application by a letter to the applicant from the Director of the Office of Device Evaluation, CDRH.

A summary of the safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

A copy of all approved labeling is available for public inspection at CDRH—contact Robert Gatling (HFZ-420), address above.

Opportunity for Administrative Review

Section 515(d)(3) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under Part 12 (21 CFR part 12) of FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the **Federal Register**. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before November 19, 1990, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (sections 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: October 10, 1990.

Elizabeth D. Jacobson,

Acting Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 90-24699 Filed 10-18-90; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 90M-0318]

Devices for Vascular Intervention, Inc.; Premarket Approval of the Simpson Coronary Atherocath™

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Devices for Vascular Intervention, Inc., Redwood City, CA, for premarket approval, under the Medical Device Amendments of 1976, of the Simpson Coronary AtheroCath™. After reviewing the recommendation of the Circulatory System Devices Panel, FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of September 14, 1990, of the approval of the application.

DATES: Petitions for administrative review by November 19, 1990.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Donald J. St. Pierre, Center for Devices and Radiological Health (HFZ-450), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301-427-1197.

SUPPLEMENTARY INFORMATION: On August 18, 1989, Devices for Vascular Intervention, Inc., Redwood City, CA 94063, submitted to CDRH an application for premarket approval of the Simpson Coronary AtheroCath™. Coronary atherectomy with the AtheroCath is indicated in patients with coronary artery disease accessible to the AtheroCath. The AtheroCath can be used alone or in conjunction with percutaneous transluminal coronary angioplasty (PTCA). Generally, lesions most accessible to atherectomy are those in the proximal or mid-portion of coronary vessels. Patients selected for coronary atherectomy should be acceptable candidates for coronary artery bypass graft surgery and meet one of the following criteria:

1. Single vessel atherosclerotic coronary artery disease with a stenosis that is discrete and subtotal;
2. Multiple vessel coronary artery disease that in the physician's judgment does not pose undue risk to the patient;
3. Certain patients who have had prior coronary artery bypass graft surgery and who have a stenosis or restenosis of the graft; and

4. Certain patients who have had prior percutaneous transluminal coronary angioplasty, PTCA, and who have a restenosis of the native vessel.

On June 15, 1990 the Circulatory System Devices Panel, an FDA advisory committee, reviewed and recommended approval of the application. On September 14, 1990, CDRH approved the application by a letter to the applicant from the Director of the Office of Device Evaluation, CDRH.

A summary of the safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

A copy of all approved labeling is available for public inspection at CDRH—contact Donald J. St. Pierre (HFZ–450), address above.

Opportunity for Administrative Review

Section 515(d)(3) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under part 12 (21 CFR part 12) of FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the **Federal Register**. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before November 19, 1990, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (sections 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: October 10, 1990.

Elizabeth D. Jacobson,

Acting Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 90–24700 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–01–M

Consumer Participation; Open Meetings

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the following district consumer exchange meetings:

Buffalo District Office and the Erie County Consumer Protection Committee, joint sponsors, chaired by Lois M. Meyer, FDA District Consumer Affairs Officer, and Charles Kreiner, Chairman, Erie County Consumer Protection Committee. The topic to be discussed is food labeling.

DATES: Tuesday, October 30, 1990, 3:30 p.m. to 5:30 p.m.

ADDRESSES: Buffalo and Erie County Public Library Auditorium, Lafayette Square, Buffalo, NY 14203.

FOR FURTHER INFORMATION CONTACT: Lois M. Meyer, Consumer Affairs Officer, Food and Drug Administration, 599 Delaware Ave., Buffalo, NY 14202, 716–846–4461.

New York District Office, chaired by Edward T. Warner, District Director. The topic to be discussed is food labeling proposals.

DATES: Thursday, November 15, 1990, 1 p.m.

ADDRESSES: Fort Hamilton Officers' Club, Fort Hamilton, Brooklyn, NY 11252.

FOR FURTHER INFORMATION CONTACT: Herman B. Janiger, Consumer Affairs Officer, Food and Drug Administration, 850 Third Ave., Brooklyn, NY 11232–1593, 718–965–5043.

SUPPLEMENTARY INFORMATION: The purpose of these meetings is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's district offices, and to contribute to the agency's policymaking decisions on vital issues.

Dated: October 15, 1990.

Alan L. Hoeting,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 90–24701 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–01–M

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Meeting of Epidemiology and Technology Transfer Subcommittee of the Acquired Immunodeficiency Syndrome Research Review Committee

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Epidemiology and Technology Transfer Subcommittee of the Acquired Immunodeficiency Syndrome Research Review Committee, National Institute of Allergy and Infectious Diseases, October 31 through November 2, 1990, at the Crown Plaza Holiday Inn, 1750 Rockville Pike, Rockville, Maryland 20852.

The meeting will be open to the public from 8:30 a.m. to 9 a.m. on October 31 to discuss administrative details relating to committee business and for program review. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, the meeting will be closed to the public for the review, discussion, and evaluation of individual grant applications and contract proposals from 9 a.m. until recess on October 31, from 8:30 a.m. until recess on November 1, and from 8:30 a.m. until adjournment on November 2. These applications, proposals, and discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Patricia Randall, Office of Research Reporting and Public Responses, National Institute of Allergy and Infectious Diseases, Building 31, room 7A32, National Institutes of Health, Bethesda, Maryland 20892, telephone (301–496–5717), will provide a summary of the meeting and a roster of the committee members upon request.

Dr. Dianne E. Tingley, Executive Secretary, Acquired Immunodeficiency Syndrome Research Review Committee, NIAID, NIH, Westwood Building, Room 3A10, Bethesda, Maryland 20892, telephone (301–496–0818), will provide substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.855, Pharmacological Sciences; 13.856, Microbiology and Infectious Diseases Research, National Institutes of Health.)

Dated: October 2, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90–24696 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Center for Research Resources; Meeting of the Biomedical Research Technology Review Committee

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Biomedical Research Technology Review Committee, National Center for Research Resources, National Institutes of Health.

This meeting will be open to the public as listed below for a brief staff presentation on the current status of the Biomedical Research Technology Program and the selection of future meeting dates. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, the meeting will be closed to the public as listed below for the review, discussion and evaluation of individual grant application submitted to the Biomedical Research Technology Program. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Biomedical Research Technology Review.

Date of Meeting: November 8–9, 1990.

Place of Meeting: Holiday Inn Crowne Plaza, 1750 Rockville Pike Rockville, MD 20852.

Open: November 8—8 a.m.–9 a.m.

Closed: November 8—9 a.m. to Recess, November 9—8 a.m. to Adjournment

Mr. James J. Doherty, Information Officer, National Center for Research Resources, 5333 Westbard Avenue, Room 10A15, Bethesda, Maryland 20892, (301) 496–5545, will provide a summary of the meeting and a roster of the committee members upon request.

Dr. Ismael Almodovar, Executive Secretary of the Biomedical Research Technology Review Committee, National Center for Research Resources, National Institutes of Health, 5333 Westbard Avenue, Room 10A16, Bethesda, Maryland 20892, (301) 402–0627 will furnish substantive program information upon request.

Dated: October 2, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90–24692 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Eye Institute; Meeting of the Vision Review Committee

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Vision Research Review Committee, National Eye Institute, on November 15–16, 1990, at the Chevy Chase Holiday Inn, 5520 Wisconsin Avenue, Chevy Chase, Maryland.

This meeting will be open to the public on November 15 from 8:30 to approximately 9:30 a.m. for opening remarks and instructions to the committee members. Attendance by the public will be limited to space available.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, the meeting will be closed to the public from 9:30 a.m. on November 15 until recess and on November 16 from 8:30 a.m. until adjournment for the review, discussion, and evaluation of individual grant applications. These applications and the discussion could reveal confidential trade secrets or commercial property, such as patentable material, or personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Lois DeNinno, Committee Management Officer, National Eye Institute, Building 31, Room 6A/08, National Institutes of Health, Bethesda, Maryland 20892, (301) 496–9110, will provide a summary of the meeting, roster of committee members, and substantive program information upon request.

(Catalog of Federal Domestic Assistance Program Nos. 13.867, Retinal and Choroidal Diseases; 13.868, Anterior Segment Diseases Research; and 13.871 Strabismus, Amblyopia and Visual Processing; National Institutes of Health.)

Dated: October 2, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90–24693 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Diabetes and Digestive and Kidney Diseases; Meeting of the Board of Scientific Counselors

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), November 1, 2, and 3, 1990, National Institutes of Health, Building 2, Room 102, Bethesda, Maryland 20892. This meeting will be open to the public on November 1 from 8 p.m. to 10 p.m., November 2 from 9 a.m. to 12 noon and again from 2 p.m. to 4:30 p.m., and November 3 from 9 a.m. to 10:30 a.m. The open portion of the meeting will be devoted to scientific presentations by various laboratories of the NIDDK Intramural Research Program. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, the meeting will be closed to the public on November 1 from 7:30 p.m. to 8 p.m., November 2 from 12 noon to 2 p.m. and again from 4:30 p.m. to recess, and November 3 from 10:30 a.m. to adjournment for the review, discussion and evaluation of individual intramural programs and projects conducted by the NIDDK, including consideration of personnel qualifications and performance, the competence of individual investigators, and similar items, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Summaries of the meeting and rosters of the members will be provided by the Committee Management Office, National Institute of Diabetes and Digestive and Kidney Diseases, Building 31, room 9A19, Bethesda, Maryland 20892. Further information concerning the meeting may be obtained by contacting the office of Dr. Jesse Roth, Executive Secretary, Board of Scientific Counselors, National Institute of Health, Building 10, Room 9N–222, Bethesda, Maryland 20892, (301) 496–4128.

Dated: October 11, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90–24694 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Heart, Lung, and Blood Institute; Meeting of Heart, Lung, and Blood Research Review Committee B

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Heart, Lung, and Blood Research Review Committee B, National Heart, Lung, and Blood Institute, National Institutes of Health, on November 29, 1990 in Building 31, Conference Room 9, 9000 Rockville Pike, Bethesda, Maryland 20892.

This meeting will be open to the public on November 29 from 9 a.m. to approximately 10 a.m. to discuss administrative details and to hear reports concerning the current status of the National Heart, Lung, and Blood Institute. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C., and section 10(d) of Public Law 92–463, the meeting will be closed to the public on November 29 from approximately 10 a.m. until adjournment for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Terry Bellicha, Chief, Communications and Public Information Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21, National Institutes of Health, Bethesda, Maryland 20892, (301) 496–4236 will provide a summary of the meeting and a roster of the committee members.

Dr. Jeffrey H. Hurst, Executive Secretary, Heart, Lung, and Blood Research Review Committee B, Westwood Building, Room 5A–10, National Institutes of Health, Bethesda, Maryland 20892, (301) 496–4485, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, Heart and Vascular Diseases Research; 13.838, Lung Diseases Research, National Institutes of Health.)

Dated: October 2, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90–24695 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Cancer Institute; Meeting of Developmental Therapeutics Contracts Review Committee

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Developmental Therapeutics Contracts Review Committee, National Cancer Institute, National Institutes of Health, November 1–2, 1990, Executive Plaza North, conference room J, 6130 Executive Boulevard, Rockville, Maryland 20852.

This meeting will be open to the public on November 1 from 8 a.m. to 9 a.m. to discuss administrative details. Attendance by the public will be limited to space available.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, the meeting will be closed to the public on November 1 from 9 a.m. to recess and on November 2 from 8 a.m. to adjournment for the review, discussion and evaluation of individual contract proposals. These proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the proposals, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Committee Management Office, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892 (301/496–5708) will provide summaries of the meeting and rosters of committee members upon request.

Dr. Susan E. Feinman, Executive Secretary, Developmental Therapeutics Contracts Review Committee, 5333 Westbard Avenue, Room 809, Bethesda, Maryland 20892 (301/402–0944) will furnish substantive program information.

Dated: October 9, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90–24689 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Cancer Institute; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the National Cancer Institute, Frederick Cancer Research and Development Center (FCRDC) Advisory Committee, November 29–30, 1990, Building 549, Executive Board Room, at the NCI-Frederick Cancer Research and Development Center, Frederick, Maryland 21702–1201. The meeting will be open to the public on November 29 from 8:30 a.m. to approximately 10:15 a.m. to discuss administrative matters and a concept review of scientific research. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, the meeting will be closed to the public on November 29 from approximately 10:15 a.m. to recess and on November 30 from 8:30 a.m. to adjournment for site visit review of research being conducted by the Advanced BioScience Laboratories, Inc.-Basic Research Program's (ABL–BRP) Crystallography Laboratory. There will be a review and evaluation of reports of the previous site visit for the ABL–BRP's Laboratory of Eukaryotic Gene Expression and the Laboratory of Molecular Virology and Carcinogenesis. These discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contractor, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892 (301–496–5708) will provide summaries of the meeting and rosters of committee members, upon request.

Dr. Cedric W. Long, Executive Secretary, Frederick Cancer Research and Development Center Advisory Committee, National Cancer Institute, Frederick Cancer Research and Development Center, P.O. Box B, Frederick, Maryland 21702–1201 (Tel. 301–846–1108) will provide substantive program information upon request.

Dated: October 9, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH

[FR Doc. 90–24690 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Child Health and Human Development; Meetings

Pursuant to Public Law 92–463, notice is hereby given of meetings of the review committees of the National Institute of Child Health and Human Development for November/December 1990.

These meetings will be open to the public to discuss items relative to committee activities including announcements by the Director NICHD, and executive secretaries, for

approximately one hour at the beginning of the first session of the first day of the meeting Attendance by the public will be limited to space available.

These meetings will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Mary Plummer, Committee Management Officer, NICHD. Executive Plaza North Building, Room 520, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1485, will provide a summary of the meeting and a roster of committee members.

Other information pertaining to the meetings may be obtained from the Executive Secretary indicated.

Name of committee: Maternal and Child Health Research Committee.

Executive secretary: Dr. Scott F. Andres, Room 520, Executive Plaza North Building, Telephone: 301, 496–1485.

Date of Meeting: November 6–7, 1990.

Place of Meeting: Holiday Inn Bethesda, 8120 Wisconsin Avenue, Bethesda, Maryland, Versailles Room 3.

Open: November 6, 1990. 9 a.m.–10 a.m.

Closed:

November 6, 1990, 10 a.m.–5 p.m.

November 7, 1990, 8:30 a.m.–adjournment.

Name of committee: Population Research Committee.

Executive secretary: Dr. A.T. Gregoire, Room 520, Executive Plaza North Building, Telephone: 301, 496–1696.

Date of meeting: December 6–7, 1990.

Place of meeting: Hyatt Regency Bethesda, One Bethesda Metro Center, Bethesda, Maryland.

Open: December 6. 1990. 8:30 a.m.–9:30 a.m.

Closed:

December 6, 1990, 9:30 a.m.–5 p.m.

December 7, 1990, 8:30 a.m.–adjournment.

(Catalog of Federal Domestic Assistance Program No. 13.864, Population Research and No. 13.865, Research for Mothers and Children, National Institutes of Health.)

Dated: October 10, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90–24691 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

Public Health Service

Misconduct in Science; Notice of Availability

AGENCY: Office of the Assistant Secretary for Health, HHS.

ACTION: Notice of Availability.

SUMMARY: Notice is hereby given that the Public Health Service (PHS) has revised its internal guidelines for dealings with misconduct in science. This document entitled "Policies and Procedures for Dealing with Possible Misconduct in Extramural Research" focuses on the responsibilities of PHS officials and the relationships among PHS offices that deal with possible misconduct in science.

FOR FURTHER INFORMATION CONTACT: Director, Office of Scientific Integrity, National Institutes of Health, Building 31, Room B1C39, 9000 Rockville Pike, Bethesda, Maryland 20892, (301) 496–2624—This is not a toll free number.

SUPPLEMENTARY INFORMATION: The responsibilities of PHS officials and the relationships among Federal offices that deal with possible misconduct in science are described in this internal guidance. This document may be subject to minor revisions when needed. The responsibilities of the applicant and awardee institutions are described in the *Final Rule* on "Responsibilities of Awardee and Applicant Institutions for Dealing With and Reporting Possible Misconduct in Science" (54 FR 32446, August 8, 1989).

These policies and procedures and the responsibilities outlined in the *Final Rule* apply to instances of possible misconduct in research, research training or research related activities for which funds have been provided or requested under the PHS Act.

This document is available upon request at the above address.

Dated: October 11, 1990.

Lyle W. Bivens,

Director, Office of Scientific Integrity Review.

[FR Doc. 90–24642 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–17–M

National Toxicology Program, Board of Scientific Counselors; Meeting

Pursuant to Public Law 92–463, notice is hereby given of a meeting on November 8–9, 1990, of the National Toxicology Program (NTP) Board of Scientific Counselors, Reproductive and Developmental Toxicology Program Review Subcommittee. The meeting will be held in Conference Room C, Alice B. Hamilton Laboratory, National Institute of Occupational Safety and Health, 5555 Ridge Road, Cincinnati, Ohio 45213.

The meeting will be open to the public from 8 a.m. to 6 p.m. on November 8 and from 8 a.m. to 12 noon on November 9. The primary agenda topics are reviews from the reproductive and developmental toxicology research efforts of the staff at the National Institute of Environmental Health Sciences (NIEHS) and the National Institute for Occupational Safety and Health (NIOSH).

In accordance with the provisions set forth in section 552b(c)(6) title 5 U.S. Code and section 10(d) of Public Law 92–463, the meeting will be closed to the public on November 9 from 1 p.m. to 3 p.m. for further evaluation of research activities at NIEHS and NIOSH including the consideration of personnel qualifications and performance, the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Executive Secretary, Dr. Larry G. Hart, Office of the Director, National Toxicology Program, P.O. Box 12233, Research Triangle Park, North Carolina 27709, Telephone (919) 541–3971, will furnish the final agenda. The roster of subcommittee members and other program information will be available prior to and at the meeting, and summary minutes will be available subsequent to the meeting.

Dated: October 9, 1990.

David G. Hoel,

Acting Director, National Toxicology Program.

[FR Doc. 90–24705 Filed 10–18–90; 8:45 am]

BILLING CODE 4140–01–M

National Toxicology Program Board of Scientific Counselors' Meeting; Review of Draft NTP Technical Reports

Pursuant to Public Law 92–463, notice is hereby given of the next meeting of the NTP Board of Scientific Counselors' Technical Reports Review Subcommittee and associated *ad hoc* Panel of Experts (Peer Review Panel) on November 19 and 20, 1990, in the Conference Center, Building 101, South Campus, National Institute of Environmental Health Sciences, 111 Alexander Drive, Research Triangle Park, North Carolina. The meeting will begin at 9:00 a.m. both days and is open to the public. The primary agenda topic is the peer review of draft Technical Reports of long-term toxicology and carcinogenesis studies and short-term

toxicity studies from the National Toxicology Program.

Tentatively scheduled to be peer reviewed on November 19 and 20 are draft Technical Reports of long-term studies on seven chemicals, listed alphabetically, along with supporting information in Table 1. All studies were done using Fischer 344 rats and B6C3F1 mice. The order of review is given in the far right column of the table.

Also scheduled to be peer reviewed are draft Technical Reports of toxicity studies on four chemicals, listed alphabetically, along with supporting information in Table 2. Order of presentation is given in the far right column of the table.

Persons wanting to make a formal presentation regarding a particular Technical Report must notify the Executive Secretary by telephone or by mail no later than November 13, 1990, and provide a written copy in advance of the meeting so copies can be made and distributed to all Panel members and staff and made available at the meeting for attendees. Oral presentations should supplement and not just repeat the written statement. Presentations should be limited to no more than seven minutes.

The Program would welcome receiving toxicology and carcinogenesis information from completed, ongoing or planned studies by others, as well as current production data, human exposure information, and use patterns on any of the studies listed in this announcement. Please contact the staff scientists as early as possible by telephone or by mail to: NIEHS, P.O. Box 12233, Research Triangle Park (RTP), North Carolina 27709.

The Executive Secretary, Dr. Larry G. Hart, P.O. Box 12233, RTP, North Carolina 27709 (telephone 919/541-3971, FTS 629-3971) will furnish final agenda, a roster of subcommittee and panel members, and other program information prior to the meeting. Summary minutes subsequent to the meeting be available upon request.

Attachment

Dated: October 12, 1990.

David G. Hoel,

Acting Director, National Toxicology Program.

TABLE 1.—SUMMARY DATA FOR LONG TERM NTP TOXICOLOGY AND CARCINOGENESIS STUDY TECHNICAL REPORTS SCHEDULED FOR PEER REVIEW AT THE BOARD OF SCIENTIFIC COUNSELORS' PEER REVIEW PANEL MEETING ON NOVEMBER 19-20, 1990

Chemical CAS Number	Staff scientist/technical report Number	Primary uses	Route/exposure levels	Study laboratory	Review order
Acetaminophen (4-Hydroxyacetanilide) 103-90-2.	Dr. R. Irwin, 919-541-3340; TR-394.	Manufacture of Azo Dyes, Analgesic, Intermediate for Pharmaceutical (HSDB 1990).	Oral in Feed (FEED): R&M: 0,.06,.3,.6%/60 Per Group.	T.S.I. Mason Research Institute.	4
Chloramine/Chlorine 10599-90-3/7782-50-5.	Dr. J. Dunnick, 919-541-4811; TR-392.	Drinking Water Disinfectant. Organic Synthesis. Intermediate in the Raschig Process for Hydration. (TDB).	Oral with Water (DI Water): Chloramine R&M: 0,50,100,200 PPM/Buff'd Chlorine H20 0,70,140,275 PPM/60 Per Group.	Southern Research Institute.	3
C.I. Direct Blue 15 2429-74-5.	Dr. J. Dunnick, 919-541-4811; TR-397.	Dye for Silk, Wool, Viscose, Leather, Paper, Cellulose Fibers. Biological Stain. Tint for Cinematographic Films. (TDB).	Oral with Water (Water): Rats Only: 0,630,1250,2500 PPM 60,45,75,70 Per Group Respectively).	Hazelton (Vienna).....	2
Methyl Bromide 74-83-9....	Dr. S. Eustis, 919-541-3231; TR-385.	Fumigant, Extractant, Wool Degreasing, in Ion. Chambers, Fire-Extinguishing Agent, Insecticide, Rodenticide.	Inhalation: Mice Only: 0,10,33,100 PPM.	Brookhaven National Lab (DOE).	1
Monochloroacetic Acid 79-11-8.	Dr. K. Abdo, 919-541-7819; TR-396.	Chemical Intermediate in the Manufacture of Various Dyes and Other Organic Materials. (TDB).	Oral, Gavage (Water) R: 0,15,30; M: 0,50,100 MG/KG/70 & 60 Per Group respectively..	International Research & Development Corp..	6
Probenecid 57-66-9.....	Dr. K. Abdo, 919-541-7819; TR-395.	Uricosuric Agent for Treatment of Gout and Gouty Arthritis. (TDB).	Oral, Gavage (Corn Oil): R&M: 0,100,400 MG/KG/50 Per Group.	T.S.I. Mason Research Institute.	7
Titanocene Dichloride 1271-19-8.	Dr. J. Dunnick, 919-541-4811; TR-399.	Research Chemical. Catalyst. (TDB).....	Oral, Gavage (Corn Oil): Rats Only: 0,25,50 MG/KG/80 Per Group.	T.S.I. Mason Research Institute.	5

TABLE 2.—SUMMARY DATA FOR SHORT-TERM NTP TOXICITY STUDY TECHNICAL REPORTS SCHEDULED FOR PEER REVIEW AT THE BOARD OF SCIENTIFIC COUNSELORS' PEER REVIEW PANEL MEETING ON NOVEMBER 19-20, 1990

Chemical Cas Number	Staff scientist/technical report Number	Primary uses	Route/exposure levels	Study laboratory	Review Order
Antimony Potassium Tartrate, 28300-74-5.	Dr. M. Dieter, 919-541-3368; TOX-11.	Mordant in Textile Industry, Used as Pesticide, Insecticide, in Leathers, as Parasitide (HSDB 1990).	Intraperitoneal Injection (SALINE): R&M: 0, 1.5, 3, 6, 12, 24 MG/KG/30 Per Group.	Battelle Columbus Laboratory.	9
Castor Oil 8001-79-4.....	Dr. R. Irwin, 919-541-3340; TOX-12.	Paint, Cathartic, Emollient, Starting Raw Material for Many Basic in Dust. Chemicals, Machine Lubricants, Embalming Fluids. In Soap Manufacture. For Dyeing Textiles. Plasticizer. In Manufacture of Fungicides. (Merck 1989).	Oral in Feed (NIH-07 Diet): R&M: 0, .62, 1.25, 2.5, 5.0, 10.0%.	Microbiological Associates.	11

TABLE 2.—SUMMARY DATA FOR SHORT-TERM NTP TOXICITY STUDY TECHNICAL REPORTS SCHEDULED FOR PEER REVIEW AT THE BOARD OF SCIENTIFIC COUNSELORS' PEER REVIEW PANEL MEETING ON NOVEMBER 19–20, 1990—Continued

Chemical Cas Number	Staff scientist/technical report Number	Primary uses	Route/exposure levels	Study laboratory	Review Order
Cresol (MIXED ISOMERS), 1319-77-3.	Dr. D. Dietz, 919-541-2272; TOX-09.	Household Disinfectant, Paintbrush Cleaner, in Lubricating Oils, Fumigant, Photographic Developers, Explosives, Organic Intermediate in Prod'n of Coumarin, Salicylaldehyde, Synthetic Resins, Degreasing Compounds, Obtained from Coal Tar (HSDB 1990).	Oral in Feed (NIH-07 Diet (POWDERED): R&M: 0, .03, .1, .3, 1.0, 3.0%.	Microbiological Associates.	10
O-Cresol 95-48-7	Dr. D. Dietz, 919-541-2272; TOX-09.	Chemical Intermed. For Epoxy Resins, Herbicides, Dyes, Disinfectant, Solvent, Pharmaceuticals, Photography, Paints, Explosives, Agricultural Chemicals, Obtained From Coal Tar (HSDB 1990).	Oral in Feed (NIH-07 Diet (Powdered): R&M: 0, .03, .1, .3, 1.0, 3.0%.	Microbiolgical Associates.	10
Ethylbenzene, 100-41-4.	Dr. P. Chan, 919-541-7561; TOX-10.	Manufacture of Synthetic Rubber. Solvent. Fuel Additive. Chemical Intermediate. (TDB).	Inhalation (AIR): R&M: 0, 100, 250, 500, 750, 1000 PPM.	IIT Research Institute	8

[FR Doc. 90-24697 Filed 10-18-90; 8:45 am]
BILLING CODE 4140-01-M

Agency for Health Care Policy and Research; Statement of Organization, Functions and Delegations of Authority

Part H, Public Health Service (PHS), Chapter HP (Agency for Health Care Policy and Research), of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health and Human Services (55 FR 12286–89, April 2, 1990), is amended to reflect establishment of the substructure organizations within the Agency for Health Care Policy and Research.

Agency for Health Care Policy and Research

Under the heading *Section HP–20, Functions*, following the statement for the *Office of Planning and Resource Management (HPA2)*, add the following statements:

Office of Management (HPA22). Provides direction and coordination of Agency-wide administrative management activities, including grants management, contract review and administration and financial management activities. Maintains close liaison with officials of the Agency, the Office of the Assistant Secretary for Health, and the Office of the Secretary on management and support activities. Specifically: (1) Serves as the Administrator's principal source for management and administrative advice and assistance; (2) provides advice, guidance, and coordinates personnel activities for the Agency with the Division of Personnel, OASH; (3) directs and coordinates the allocation of personnel resources; (4) provides organization and management analysis, develops policies and procedures for internal operation, and interprets and implements the Agency's management policies, procedures and systems; (5) develops and coordinates program and administrative delegations of authority activities; (6) plans and directs financial management activities, including budget formulation, presentation, and execution functions; (7) conducts all business management aspects of the review, negotiation, award and administration of Agency grant management activities; (8) manages the devlopment, review, and administration of the Agency contracts; (9) provides Agency-wide support services such as supply management, equipment utilization, printing, and property, space, records and reports management; (10) manages the Agency's performance management systems; (11) coordinates and provides guidance on Privacy Act activities; and (12) serves as the Agency focal point for the analysis, selection and implementation of all ADP, word processing and telecommunication equipment and systems.

Office of Program Development (HPA23). Responsible for a broad range of program planning, evaluation, and legislative activities, and coordinates issues and programs that involve multiple Agency organizations. Specifically: (1) Stimulates, guides, and coordinates program planning, reporting, and evaluation activities of the Agency and maintains liaison with appropriate components of the Department; (2) develops and disseminates program objectives, alternatives, and policy positions; (3) provides staff services for program planning in relation to the budgetary process, the development of issue papers, and congressional reports; (4) develops the annual plan for evaluation and policy-relevant research (5) monitors ongoing research, demonstration, and evaluation activities of the Agency in relation to changing research and policy priorities; (6) stimulates, guides, and coordinates the development of research agendas and program notes, identifying gaps and initiating research devlopment activities as needs arise; (7) coordinates activities pertaining to legislative policy development, interpretation, and implementation, including the development of legislative proposals, the analysis of existing and pending legislation, liaison with other agencies, and distribution of legislative materials; (8) coordinates activities pertaining to the development and clearance of regulations and public notices; (9) plans and manages the activities of the National Advisory Council for Health Care Policy, Research, and Evaluation; and (10) manages the process for responding to controlled correspondence within the outside the Agency.

Office of Scientific Review (HPA24). Provides leadership and coordination in the assignment and peer review of grant applications for the purpose of advising the Administrator on the scientific and technical merits of these applications and subsequent recommendations for approval or disapproval. Specifically: (1) Provides staffing and committee management resources to manage all chartered advisory committees of nonfederal scientists and advisors for the purpose of conducting first-level review of grant applications; (2) provides staffing and resources to manage the noncommittee review of small grant applications through the use

of federal and non-federal field readers; (3) responsible for the documentation of individual grant application reviews and the conduct of reviews in accordance with prescribed procedures and regulations; (4) makes decisions about the assignment of grant applications to the Agency and the appropriate peer review mechanism; (5) provides for the review of NIH and ADAMHA grant applications as a courtesy in cases when adequate review resources do not exist in these agencies, and in cases where Agency resources are not adequate makes arrangements for appropriate reviews outside the Agency.

Office of State and Local User Liaison (HPA25). Provides direction and coordination of the Agency's program to address the issues, problems, and information needs of leaders of State and local governments responsible for policy making that affects the planning, management, delivery and financing of health services as well as leaders of major health care delivery organizations, (e.g., health maintenance organizations, major purchasers of health care in the business world). Specifically: (1) Develops syntheses of research findings focused on particular issues dealing with policy concerns and operational problems; (2) plans and conducts workshops and seminars to provide research findings and related information and discuss options for dealing with these with State and local leaders to allow them to make better informed health care policy decisions; (3) maintains liaison with State and local government organizations and with the research community and provides information which may affect the Agency's research plan and priority setting process; (4) formulates, in collaboration with Agency staff, appropriate policies and activities to develop effective linkages with potential users of health services research; (5) communicates information regarding user research needs to the Agency Administrator and appropriate Agency staff to ensure user needs are adequately addressed in current and planned Agency intramural and extramural projects; (6) develops and implements mechanisms to identify and contact potential users of research findings and related information; (7) plans meetings and coordinates contacts between Agency staff and individual users and representatives of users groups and organizations; (8) provides assistance and advice to other Federal agencies and organizations in evaluating utility of federally-supported research to State and local government officials; and (9) provides technical assistance to design and implementation of research projects undertaken in State and local governments.

Following the statement for the Center for General Health Services Intramural Research (HPC), add the following:

Division of Long Term Care Studies (HPC2). Plans and conducts studies of institutional and noninstitutional care for the elderly and the chronically ill to provide the basis for policy research and analysis and for technical assistance that might be provided to other parts of the Agency, the Department, and other Government agencies, such as the Office of Management and Budget and the Congressional Budget Office. Specifically: (1) Obtains, organizes, and manages large data sets used for descriptive and analytic studies of the source, use, cost, and financing of long term care; (2) plans, designs, and conducts policy research and evaluation studies which examine critical issues and problems in the area of long term care identified in the research plan of the Center and the Agency; (3) prepares articles and reports which describe the purpose, methods, and findings of the research carried out by the Division and assists the Center for Research Dissemination and Liaison in preparing the reports for publication; (4) provides consultation and technical assistance within the Agency, to the Office of the Assistant Secretary for Health, the Office of the Secretary, and to the Health Care Financing Administration, as well as other Federal Agencies; (5) directs and analyzes program operations to ensure responsible administration of the resources allocated to the Division and the effective and efficient direction of the contracts managed by the Division; (6) advises other components of the Agency, and other PHS Agencies, such as the National Institute on Aging, NIH, on the availability, content, and utility of data bases useful in studies of long term care; and (7) maintains a working relationship with professional and scientific organizations, foundations, and other public and private groups engaged in activities related to the delivery of health services, the formulation of health policy, and research on health outcomes and health services.

Division of Medical Expenditure Studies (HPC3). Plans and conducts studies on how Americans use health services, what they pay for care, and how individuals finance these expenditures to provide the basis for policy research and analysis and for the provision of technical assistance within the Agency, the Department, and other Government agencies, especially the Office of Management and Budget and the Congressional Budget Office. Specifically: (1) Develops the plans for large survey projects to collect data from households, employers, insurers, providers, and long term care institutions on the use, cost of, and sources of payment for personal health care services; (2) organizes, edits, and managers large data sets based on survey data collected by the Center and by other survey and research organizations to facilitate the use of these data for descriptive and analytic studies of the health care industry and the markets for health care services; (3) plans, designs, and conducts policy research and evaluation studies which examine critical issues and problems in such areas as health insurance coverage, the expenditures for medical care, and factors that affect access to and use of medical services; (4) prepares articles and reports which describe the purpose, methods, and findings of the research carried out by the Division and assists the Center for Research Dissemination and Liaison in preparing the reports for publication; (5) provides consultation and technical assistance within the Agency, to the Office of the Assistant Secretary for Health, other Department components, as well as other Federal Agencies; (6) directs and analyzes program operations to ensure responsible administration of the resources allocated to the Division and the effective and efficient direction of the contracts managed by the Division; (7) advises other components of the Center, the Office of Science and Data Development in the Agency, and other PHS agencies such as the National Institutes of Health, the Alcohol, Drug Abuse and Mental Health Administration, and the Health Care Financing Administration on the availability, content, and utility of data bases useful in studies of personal health care services; and (8) maintains a working relationship with professional and scientific organizations, foundations, and other public and private groups engaged in activities related to the delivery of health services, the formulation of health policy, and research on the health care sector.

Division of Provider Studies (HPC4). Plans and conducts studies of the structure, conduct, and performance of the health care industry with particular emphasis on the hospital sector to provide the basis for policy research and analysis and for the provision of technical assistance within the Agency, the Department, and other Government

agencies. Specifically: (1) Plans, assembles, and manages large data sets which include patient records, sociodemographic information and provider characteristics that can be used for descriptive and analytic studies of the way providers compete, produce medical care, and use resources; (2) plans and conducts policy research and evaluation projects which address critical issues associated with the delivery of medical services, such as the effectiveness of medical services, the cost and variations in hospital care for AIDS, rural-urban differences in hospital services and patterns of treatment, the use of medical technology, and the source of payment for health care problems identified in the research plan of the Center and the Agency; (3) prepares articles and reports which describe the purpose, methods, and findings of the research carried out by the Division and assists the Center for Research Dissemination and Liaison in preparing the reports for publication; (4) provides consultation and technical assistance within the Agency, to the Office of the Assistant Secretary for Health, other Department components, as well as other Federal Agencies; (5) directs and analyzes program operations to ensure responsible administration of the resources allocated to the Division and effective and efficient direction of the contracts managed by the Division; (6) advises other components of the Agency on the structure, confidentiality, and management of large, complex health data bases; and (7) maintains a working relationship with professional and scientific organizations, foundations, and other public and private groups engaged in activities related to the delivery of health services, the formulation of health policy, and research on health outcomes, health services, and health technology.

Division of Statistics and Research Methodology (HPC5). Plans and conducts studies on the statistical methods and the use of statistics in survey design and in health services research to provide the basis for policy research and analysis and for technical assistance provided within the Agency, the Department, and to other Government agencies such as the Bureau of the Census and the Office of Management and Budget. Specifically: (1) Plans and conducts studies on such problems as sampling design, estimation strategies, sampling weight specifications, survey design, measurement error, and matching techniques; (2) prepares articles and reports which describe the purpose, methods, and findings of the research carried out by the Division and assists the Center for Research Dissemination and Liaison in preparing the reports for publication; (3) provides statistical direction and support to all Divisions within the Center for General Health Services Intramural Research, to other Agency components, and the Department on analytical and statistical strategies employed in health care, health expenditures, and epidemiologic surveys and studies; (4) reviews and evaluates grant and contract proposals and final reports where sophisticated, advanced, and complex methologogical techniques are central to establishing that the techniques used or proposed are valid; (5) prepares and oversees the specifications for statistical tabulations and the presentation of statistical results in reports prepared or published by the Agency; (6) directs and analyzes program operations to ensure responsible administration of the resources allocated to the Division and the effective and efficient direction of the contracts managed by the Division; and (7) maintains a working relationship with professional and scientific organizations, foundations, and other public and private groups engaged in activities related to the delivery of health services, the formulation of health policy, and research on health outcomes and health services.

Following the statement for the Center for General Health Services Extramural Research (HPE), add the following:

Office of the Director (HPE1). Plans and manages health services and health care technology research, demonstration, and evaluation activities supported by means of grants and contracts. Specifically: (1) Promulgates, plans, administers, coordinates and evaluates overall Center research and management programs, plans and policies; (2) provides leadership and direction for all Center activities; and (3) coordinates and directs the Center management, planning, and evaluation/reporting systems to assure optimum utilization of Center manpower, financial resources and facilities.

Division of Cost and Financing (HPE2). Plans and manages health services research on the role of market forces in the health care system in restraining cost increases and improving the availability and quality of care. Initiates, monitors, and evaluates both theoretical and empirical research on the competitive nature, structure, and performance of the market for health care services. Specifically: (1) Determines the structure and content of research studies supported by contract which address the critical issues and research questions identified in the research plan of the Agency; (2) develops and administers a program to monitor research studies supported by grants or contracts; (3) provides general guidance and assistance to groups and individuals seeking support for research, demonstration, or evaluation projects; (4) participates in the preparation of periodic reports which describe, analyze, and integrate the results of various research, demonstration, and evaluation projects supported by the Agency; (5) provides a summary of current extramural studies and informs other Agency components of results that might affect health policy and legislation; and (6) maintains liaison with professional and scientific organizations, foundations, and other groups engaged in health services research, demonstration, and evaluation activities.

Division of Technology and Quality (HPE3). Plans and manages health services research on health care technology and health care information systems, and health care quality improvement. Specifically: (1) Determines the structure and content of research studies supported by contract which address the critical issues and research questions identified in the research plan of the Agency; (2) develops and administers a program to monitor research studies supported by grants or contracts; (3) provides general guidance and assistance to groups and individuals seeking support for research, demonstration, or evaluation projects; (4) participates in the preparation of periodic reports which describe, analyze, and integrate the results of various research, demonstration, and evaluation projects supported by the Agency; (5) provides a summary of current extramural studies and informs other Agency components of results that might affect health policy and legislation; and (6) maintains liaison with professional and scientific organizations, foundations, and other groups engaged in health services research, demonstration, and evaluation activities.

Division of Primary Care (HPE4). Conducts activities associated with research and improvement of the delivery of health services and the effect of health systems on patient outcomes and to increase access to quality care. Specifically: (1) Determines the structure and content of research studies supported by contract which address the critical issues and research questions identified in the research plan of the Agency; (2) develops and administers a program to monitor research studies

supported by grants or contracts; (3) provides general guidance and assistance to groups and individuals seeking support for research, demonstration, or evaluation projects; (4) participates in the preparation of periodic reports which describe, analyze, and integrate the results of various research, demonstration, and evaluation projects supported by the Agency; (5) provides a summary of current extramural studies and informs other Agency components of results that might affect health policy and legislation; and (6) maintains liaison with professional and scientific organizations, foundations, and other groups engaged in health services research, demonstration, and evaluation activities.

Following the statement for the Center for Research Dissemination and Liaison (HPG), add the following:

Division of Education, Evaluation, and Demonstration (HPG2). Develops and evaluates the effectiveness of Agency dissemination strategies and its educational and training programs and maintains the Agency's minority health and training programs. Specifically: (1) Conducts evaluations of dissemination strategies to determine the most appropriate methods for disseminating Agency information; (2) conducts studies to determine optimal methods for achieving cost-effective dissemination strategies and information penetration into specific segments of the health field; (3) determines the gaps in information transfer; (4) evaluates adoption/acceptance of information transfer in health care; (5) designs and supports new information systems and evaluates new technologies to improve the diffusion of Agency research products; (6) recommends the most effective and efficient approaches to information dissemination; (7) provides technical assistance to the Agency on optimal strategies for disseminating practice guidelines, clinical findings and research analyses; (8) conducts programs to support increased development of health service researchers, and improve the capacity for health services research training; (9) administers the National Research Service Awards and other training funds; (10) ensures that the Agency complies with pertinent Executive Orders and other directives that attend to and promote minority health issues and research capacity; (11) provides for liaison with other Federal agencies, provider groups and continuing medical education programs on health professions activities; (12) develops effective state-of-the-art information transfer systems, and appropriate document retrieval terminology; and (13) works closely with the National Library of Medicine, the National Technical Information Service, and commercial computer data bases to provide health research information to the Agency's constituencies.

Division of Information and Publications (HPG3). Makes Agency-funded research findings and information promptly available to the public and private sectors and transmits it in forms useful to the recipients. Responsible for disseminating all of the Agency's many and varied informational products. Specifically: (1) Prepares documents that are scientifically sound and appropriately targeted to various audiences; (2) edits and controls review and publication of all Agency documents; (3) maintains indexing, abstracting, and retrieval services; (4) ensures proper clearance procedures consistent with Departmental rules; (5) provides interface with the Government Printing Office and National Technical Information Service; (6) carries on the Agency's Freedom of Information Act activities; (7) maintains computerized information systems for the Agency on users of information, and available publications; (8) analyzes Agency audiences and recommending new outreach programs that meet the Agency's dissemination goals; (9) prepares and controls graphics production for the Agency; (10) works with and assists the National Library of Medicine in efforts to improve the availability of health services information to the public; (11) carries out the public affairs and liaison activities for the Agency; (12) organizes and conducts the Agency's conferences and prepares exhibits for the Agency; (13) promotes the research of the Agency through effective media and public affairs activities; and (14) develops and revises Agency documents as needed to keep the public adequately informed on Agency activities and priorities.

Section HP–30, Delegations of Authority. All delegations and redelegations of authority made to National Center for Health Services Research and Health Care Technology Assessment officials which were in effect immediately prior to the reorganization of April 2, 1990, and which are consistent with the reorganization, shall continue in effect pending further redelegation.

Dated: October 3, 1990.

J. Jarrett Clinton,

Acting Administrator.

[FR Doc. 90–24628 Filed 10–18–90; 8:45 am]

BILLING CODE 4160–90–M

Social Security Administration

Agency Forms Submitted to the Office of Management and Budget for Clearance

Each Friday the Social Security Administration publishes a list of information collection packages that have been submitted to the Office of Management and Budget (OMB) for clearance in compliance with Public Law 96–511, The Paperwork Reduction Act. The following clearance packages have been submitted to OMB since the last list was published in the **Federal Register** on September 28, 1990.

Department of Health and Human Services

Social Security Administration

(Call Reports Clearance Officer on (301) 965–4149 for copies of package)

1. *Annual Report of Earnings*—0960–0057—The information collected on the forms SSA–777 and SSA–7770 is used by the Social Security Administration to obtain information from beneficiaries so that the proper amount of benefits can be paid. The affected public is comprised of Social Security beneficiaries under age 70 who earned over the exempt amount as prescribed by law for the year and received any benefits for the year.

Number of Respondents: 1,200,000.

Frequency of Response: 1.

Average Burden Per Response: 6 minutes.

Estimated Annual Burden: 120,000 hours.

OMB Desk Officer: Allison Herron.

Social Security Administration

Written comments and recommendations regarding these information collections should be sent directly to the appropriate OMB Desk Officer designated above at the following address: OMB Reports Management Branch, New Executive Office Building, room 3208, Washington, DC 20503.

Dated: October 12, 1990.

Ron Compston,

Social Security Administration, Reports Clearance Officer.

[FR Doc. 90–24626 Filed 10–18–90; 8:45 am]

BILLING CODE 4190–11–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N-90-1917; FR-2606-N-94]

Federal Property Suitable as Facilities to Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identified unutilized and underutilized Federal property determined by HUD to be suitable for possible use for facilities to assist the homeless.

EFFECTIVE DATE: October 9, 1990.

ADDRESSES: For further information, contact James Forsberg, Department of Housing and Urban Development, Room 7262, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708–4300; TDD number for the hearing- and speech-impaired (202) 708–2565. (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized and underutilized Federal buildings and real property determined by HUD to be suitable for use for facilities to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable this week.

Dated: October 12, 1990.

Audrey E. Scott,

Deputy Assistant Secretary for Program Development.

[FR Doc. 90-24451 Filed 10-18-90; 8:45 am]

BILLING CODE 4210-29-M

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

[Docket No. N-90-3161; FR-2918-N-01]

Nehemiah Housing Opportunity Grants; Announcement of Funding Awards

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Announcement of funding awards.

SUMMARY: In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, this document notifies the public of funding awards made under the Nehemiah Housing Opportunity Grants Program (NHOP). The purpsoe of this document is to announce the names and addresses of the award winners and the amount of the awards to be used to enable nonprofit organizations to provide loans to families purchasing homes that are constructed or substantially rehabilitated in accordance with a HUD-approved program.

FOR FURTHER INFORMATION CONTACT: Morris E. Carter, Director, Single Family Development Division, Office of Insured Single Family Housing, Department of Housing and Urban Development, room 9272, 451 Seventh Street SW., Washington, DC 20410, telephone (202) 707–2700. A telecommunications device for deaf persons (TDD) is available at (202) 708–4594. (These are not toll-free telephone numbers.)

SUPPLEMENTARY INFORMATION: Title VI of the Housing and Community Development Act of 1987 (Pub. L. 100–242, approved February 5, 1988) established the Nehemiah Housing Opportunities Grant Program (NHOP). On May 22, 1989, HUD published a final rule establishing the requirements for NHOP at 54 FR 22248. This final rule became effective on July 13, 1989.

Organizations funded under NHOP will make loans to eligible moderate-income families to purchase homes in selected neighborhoods. The program is designed to encourage home ownership by families who otherwise would not be able to afford home ownership; to help rebuild depressed areas of cities and create sound and attractive neighborhoods; and to increase employment opportunities of residents of these neighborhoods.

The loans to families cannot exceed $15,000 and will be secured by a second mortgage held by HUD on the property. The loans are interest-free and are repayable to HUD upon the sale, lease or other transfer of the property. To be eligible for the program, families must not have an income higher than the median income in the area, and cannot have owned a home during the three years before purchase.

The non-profit organizations will develop the homes, which must be constructed or substantially rehabilitated in accordance with a HUD-approved program. The homes are required to be located in neighborhoods where the median income is 80% or less of the area median income.

On May 16, 1990 (55 FR 20311), the Department announced the availability of $25.2 million in funds appropriated for NHOP in the Urban Development-Independent Agencies Appropriations Act, 1990, (Pub. L. 101–144, approved November 9, 1989). Applications for funding, which were due July 16, 1990, were reviewed, evaluated and scored based on the criteria in the final rule. As a result, HUD has awarded 21 non-profit organizations $21.3 million in grants to be used as loans to eligible moderate-income families to purchase homes in selected neighborhoods. Awards have been made only to those applicants who met the threshold requirements of the selection criteria. Therefore, all of the available funds have not been awarded.

In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989 (Pub. L. 101–235, approved December 15, 1989), the Department is publishing details concerning the recipients of these awards, as follows:

NEHEMIAH HOUSING OPPORTUNITY GRANTS

[Pursuant to Title VI of the Community Development Act of 1987]

Region	Funding recipient (name and address)	Project name/location	Amount approved	No. of units
01	Dudley Street Neighborhood Initiative, Roxbury, MA 02119	Dudley Triangle Development Program, Boston, MA	$2,325,000	155
02	Calvary Baptist Housing Dev. Corp., Paterson, NJ 07514	Rosa Parks Terrace, Paterson, NJ	270,000	18
03	The Enterprise Cherry Hill Nehemiah, Inc. Columbia, MD 21044.	The Cherry Hill Nehemiah Project, Baltimore, MD	392,000	28
03	Housing Development Corp. of Allegheny County, Turtle Creek, PA 15145.	Dwight Avenue Plan, Dormont, PA	480,000	32

NEHEMIAH HOUSING OPPORTUNITY GRANTS—Continued

[Pursuant to Title VI of the Community Development Act of 1987]

Region	Funding recipient (name and address)	Project name/location	Amount approved	No. of units
03	East Pittsburgh Economic Dev. Corp., East Pittsburgh, PA 15112.	Shamrock Square, East Pittsburgh, PA	315,000	21
03	So. Central PA Housing Development Foundation, Harrisburg, PA 17110.	Summit Terrace Neighborhood Revitalization Project, Harrisburg, PA.	900,000	60
03	ACTION-Housing McKeesport Dev. Corp., Pittsburgh, PA 15222.	Menzie Valley, McKeesport, PA	750,000	50
03	National Temple Non-profit Corp., Philadelphia, PA 19121	Nehemiah Housing Opportunity Grant, Philadelphia, PA	3,750,000	250
03	Hill Community Development Corp., Pittsburgh, PA 15219	Crawford Roberts, Pittsburgh, PA	600,000	40
03	United Way of York County, York, PA 17405	York Nehemiah Project, York, PA	448,000	32
04	Overview Housing Assistance Corp., Inc., Milledgeville, GA 31061.	Nehemiah Subdivision, Sparta, GA	750,000	50
04	Wilson Community Improvement Assoc., Wilson, NC 27893	East Wilson Revitalization, Wilson, NC	1,020,000	68
05	Industry Neighborhood Council, Inc., Muncie, IN 47308	INCLUDE Chapter III-A, Muncie, IN	225,000	17
05	Neighborhood Conservation Services of Barberton, Barberton, OH 44203.	South Barberton New Housing Project Phase II, Barberton, OH	300,000	20
05	Walnut Hills Redevelopment Foundation, Inc., Cincinnati, OH 45206.	Park Avenue Infill Housing, Cincinnati, OH	105,000	7
05	New Village Corporation, Cleveland, OH 44102	Cleveland Nehemiah Project, Cleveland, OH	652,207	49
05	Nehemiah Neighborhood Dev. Corp., Dayton, OH 45401	Madden Hills, Sucher, Western Hills, Dayton, OH	1,650,000	110
05	North Division Neighborhood Residents, Inc., Milwaukee, WI 53206.	Genesis Cooperative Dev., Milwaukee, WI	1,065,000	71
06	Tierra Del Sol Housing Corp., Las Cruces, NM 88001	Las Cruces Nehemiah Housing Program, Las Cruces, NM	773,103	59
07	Goldenrod Hills Community Action Council, Wisner, NE	Nebraska Nehemiah HOP Madison, Madison, NE	750,000	50
10	HomeSight Corporation, Seattle, WA 98122	Seattle Nehemiah Housing, Housing Opportunity Grant Program, Seattle, WA.	3,750,000	250
Totals			21,270,310	1437

Dated: October 15, 1990.

Arthur J. Hill,

Acting Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 90-24661 Filed 10-18-90; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

School Construction Priority List, FY 1992

AGENCY: Office of Construction Management, Interior.

ACTION: Notice of new school construction priority list for fiscal year 1992.

The new school construction project list has been prepared for FY 1992 as required by Public Law 95-561 (92 Stat. 2319 section 1125 (O)) which requires that: "At the time any budget request for school construction is presented, the Secretary shall publish in the Federal Register and submit with the budget request the current list of all school construction priorities."

This notice for FY 1992 provides the current revised list of proposed new school construction projects. Construction of these projects is subject to the availability of funds and/or the status of currently committed construction projects approved by the Congress. These proposed projects are also subject to further review in terms of either replacement or rehabilitation.

The current list of school construction projects applies to FY 1992 and is based upon the evaluation criteria developed by the Office of Construction Management and the Bureau of Indian Affairs, as noticed in the Federal Register (Vol. 53, No. 72, 12470-12471) on April 14, 1988. A revised list will be developed and published for each succeeding year.

The new school construction priority list for FY 1992 is:

Pinon Community School Dorm
Eastern Cheyenne River Consolidated School
Rock Point Community School
Many Farms High School*
Tucker Day School
Shoshone-Bannock/Fort Hall School
Standing Pine Day School
Chief Leschi School Complex
Seba Delkai Boarding School
Sac & Fox Settlement School

Fiscal Year 1993 may be submitted during the period of September 15, 1990 through December 15, 1990. The "Instructions and Application for New School Construction" is available upon request through the Office of Construction Management (OCM) and from the Bureau of Indian affairs (BIA) Area and Agency offices and the BIA Facilities Management and Construction Center, P.O. Box 1248, Albuquerque, New Mexico, 87103.

Supplemental information being requested on data in the application may also be obtained from these locations. This supplemental information is entirely optional, is not required as part of the application form, and applicants will not in any way be penalized by not providing information in this format. It is being requested, however, to enable easier evaluation of data by the evaluation panel.

Applications must be received by OCM by December 15, 1990 to be considered for Fiscal Year 1993 budget consideration. The new school construction priority list is revised each year based on the evaluation of applications received that year. Tribal entities may submit a new school construction application each year.

FOR FURTHER INFORMATION CONTACT: David J. Matheson, Director, Office of Construction Management, Department of the Interior, 1849 C Street, NW., Mail Stop 2415, Washington, DC 20240, (202) 208-3403.

Charles E. Kay

Principal Deputy Assistant Secretary, Policy Management and Budget.

[FR Doc. 90-24709 Filed 10-18-90; 8:45 am]

BILLING CODE 4310-10-M

*Enrollment figures for this school have required a follow-up validation. The final site validation indicates enrollment figures below the level indicated in the application and preliminary site validation. Rankings are based on the percentage of unhoused students, as defined in the enrollment criteria published in the Federal Register.

Bureau of Indian Affairs

Fiscal Year 1991 Indian Child Welfare Act Grant Program; Availability of Title II Funds.

October 15, 1990.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of availability of title II funds.

SUMMARY: The Indian Child Welfare Act makes available grant funds from the Bureau of Indian Affairs (BIA), Department of the Interior, for the purpose of improving child welfare services to Indian children and families.

DATES: The closing date for receipt of applications for this program is December 17, 1990.

ADDRESSES: Bureau of Indian Affairs' area offices are listed in part IV of this announcement. BIA/Division of Social Services, room 310 SIB, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: The Bureau of Indian Affairs' area office nearest to the applicant, or the Chief, Division of Social Services at the address listed above; Telephone (202) 208–2721.

SUPPLEMENTARY INFORMATION: The Assistant Secretary—Indian Affairs is announcing procedures necessary to apply for grant funds under title II of the Indian Child Welfare Act.

Applications for single-year programs and renewal applications for existing multi-year projects will be accepted. Although the final Fiscal Year 1991 appropriation bill has not been enacted by Congress, the Bureau of Indian Affairs requested $8.9 million for grants under the Indian Child Welfare Act. It is important that applicants carefully review requirements detailed in this announcement related to deadlines, indirect costs, and page limitations. If an application is not received by the close of business on December 17, 1990, it will not be reviewed. If the applicant does not itemize indirect costs in its proposed budget a total of five points will automatically be deducted from Criteria V—"Fiscal Capabilities, Budget and Budget Justification, Part (b)." If an application is longer than the established page limitation, only the first forty pages of the application will be reviewed.

Authority

The Indian Child Welfare Act, Public Law 95–608 authorized the utilization of funds for grants to Indian tribes, organizations, and multi-service Indian centers. This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Part I. General Information

A. Background

This announcement provides information on opportunities to apply for Indian Child Welfare Act (ICWA) grant funds for FY 1991. The Indian Child Welfare Act of 1978 (Pub. L. 95–608, 25 U.S.C. 1902, 25 U.S.C. 1931 and 1932) limits the use of grant funds for the following activities:

(1) To prevent separation of Indian children from their families when possible;

(2) When separation is necessary, to reunite Indian children with their families as soon as possible;

(3) When reunification is not possible, to arrange permanent placements with extended families or through adoption; and

(4) To carry out work with Indian children and their families in accordance with the preferences of the ICWA, following procedures and practices which reflect the unique values of Indian culture.

An applicant for an Indian Child Welfare Act Grant may submit only one grant application for this program during this application period (refer to 25 CFR 23.21(b)).

B. BIA Indian Child Welfare Act Grant Program Purpose

The objective of every Indian child and family service program shall be to prevent the breakup of Indian families, and insure that the permanent removal of an Indian child from the custody of his/her parent or Indian custodian shall be a last resort.

The specific purposes of the Bureau of Indian Affairs' Indian Child Welfare grants as stated in the law are:

(1) The establishment and operation of Indian child and family service programs which promote the stability of Indian families, and

(2) The provision of non-Federal matching shares for the other Federal financial assistance programs which contribute to the same purpose.

These purposes are further defined in Public Law 95–608, sections 201 and 202; 25 U.S.C. 1931 and 1932; and 25 CFR 23.22.

C. Eligible Applicants

The governing body of any tribe or tribes, or any nonprofit off-reservation Indian organization or multi-service Indian center, may apply individually or as a consortium for a grant. No applicant may submit more than one application.

A consortium is created by an agreement or association between two or more eligible applicants.

New applications for projects of one year duration and renewal applications for multi-year applications funded in FY 1990 may be submitted in response to this announcement.

Part II. Available Funds

Subject to the availability of funds through appropriations for this program in Fiscal Year 1991, grants will be awarded to individual tribes, organizations, or to consortia of tribes and organizations within the following categories:

(a) A maximum of up to $50,000 for eligible applicants with a total service area population of 2,500 or less;

(b) A maximum of up to $75,000 for eligible applicants with a total service area population greater than 2,500 but less than 5,000;

(c) A maximum of up to $100,000 for eligible applicants with a total service area population greater than 5,000 but less than 7,500;

(d) A maximum of up to $150,000 for eligible applicants with a total service area population greater than 7,500 but less than 15,000;

(e) A maximum of $300,000 for eligible applicants with a total service area of greater than 15,000.

Applicants in the State of Alaska will be allowed a 25 percent cost of living adjustment to the total maximum amount for which they may apply.

Notwithstanding the above grant guidelines, consortia having a total service area population of 5,000 or less may apply for a maximum grant of up to $100,000 because of the greater administrative costs associated with operating a small consortium. Consortia with service area populations greater than 5,000 must comply with the grant guidelines set above.

Service area population means the total number of Indians eligible for service under 25 CFR 23.2(d) (2) and/or (3), in the geographical area to which the tribe, or organization, or multi-service center can realistically provide the services proposed in the application. The service area population is used only to determine maximum grant allocations that a tribe, multi-service center, or organization may be eligible to receive. These population figures must be based on identifiable statistical resources.

All costs associated with the administration of proposed projects shall be line itemized. Indirect cost as well as all other administrative costs

must be broken down by percentage and dollar amounts. All administrative costs will be carefully scrutinized in relation to proposed funds used for direct services. If the applicant does not itemize indirect costs in its proposed budget, a total of five points will automatically be deducted from Criteria V–"Fiscal Capabilities. Budget and Budget Justification, Part (b)."

In accordance with 25 CFR 23.25(a)(8), the reasonableness and relevance of the estimated costs for the project are considered in the rating of all project applications. Administrative costs are only allowable within the funding specified by the grant formula and limitations specified in this announcement.

Applicants will not be funded for more than their demonstrated need, as specifically addressed in 25 CFR 23.24 and 23.25. The statistical requirements established in these regulations, as well as the tribe's multi-service center's or organization's prior service record will be used in determining need. Examples of necessary data include the number of actual or estimated Indian family breakups, and the number of persons who will receive direct services from any portion of the proposed program, by program area.

In accordance with 25 CFR 23.27(c)(3), if an applicant has been a grantee during the preceding fiscal year and proposes to continue essentially the same service program, the applicant, at the time of application, must provide a satisfactory evaluation from the area office along with the other materials required in this subsection.

Minimum standards for receiving a satisfactory evaluation include the timely submission of all fiscal and programmatic reports, as well as utilizing the corrective analysis form when programmatic changes are necessary. At no time may any Indian tribe, organization, or multi-service center which is either an eligible individual applicant in accordance with 25 CFR 23.21 or a member of a consortium, receive Indian Child Welfare Act grant funds greater than a maximum grant of $300,000 through a direct grant or through subgranting procedures with approved applicants.

Part III. Application and Selection Criteria

A. Statutory Authority

The Indian Child Welfare Program from the Bureau of Indian Affairs is authorized by title II of Public Law 95–608, the Indian Child Welfare Act (25 U.S.C. 1901 *et seq.*, 25 CFR part 23). The Central Office will retain 10 percent of the total available funding, to assure funding for any applicant who may appeal a denial at the area office level. If these funds are not utilized for appeals, they will be distributed through the area offices to approved applicants.

B. The Closing Date for Receipt of Applications For All Single-Year and Multi-year Applications

The closing date for receipt of all single-year and multi-year renewal applications under this Program Announcement is December 17, 1990. All applications or renewals for Indian Child Welfare Act Grants must be received in the appropriate Bureau of Indian Affairs' Social Services Area/Agency Office, as specified in 25 CFR 23.28, on/or before 4:15 p.m. or the applicable close of business for that office on the closing date of the application period. Postmarks will not be considered as meeting the timeframe for applications received after the application deadline. The names and addresses of Bureau Social Service Area Offices and staff are listed at the end of this announcement. Hand delivered applications are accepted during normal working hours Monday through Friday. Applications which do not meet this criteria are considered late applications and will not be considered in the current competition.

C. Program Priorities

Indian Child Welfare Act grants are for the purpose of: (1) Establishment and operation of Indian child and family service programs. In accordance with the policy in 25 CFR 23.3 to emphasize the design and funding of programs to promote the stability of Indian families, program priorities have been established to be utilized by area offices in the competitive review process when more than one application obtains the same competitive score. These priorities reemphasize the programmatic interest in maintaining the family and preventing out-of-home placements.

Program priorities are listed below in descending order:

(a) Operation and maintenance of facilities for the counseling and treatment of Indian families and for the temporary custody of Indian children.

(b) Family Assistance (including homemaker and home counselors), daycare, after-school care, recreational activities, respite-care, and employment.

(c) A system for the tribes and Indian organizations to license or otherwise regulate Indian foster and adoptive homes or the preparation and implementation of child welfare codes within their legal jurisdictional authority, or pursuant to a state-tribal and/or Indian organization agreement.

(d) Guidance, legal representation and advice to Indian families involved in tribal, state or federal child custody proceedings.

(e) Employment of professional and other trained personnel to assist the tribal court in the disposition of domestic relations and child welfare matters. (Funding of tribal court staff is not allowable.)

(f) Education and training of Indians (including tribal court judges and staff) in skills relating to child and family assistance and service programs.

(g) Subsidy programs under which Indian adoptive children may be provided support comparable to that for which they could be eligible as foster children, taking into account the appropriate state standards of support for maintenance and medical needs.

(h) Home improvement programs.

(i) Other programs designed to meet the purpose of the Act. Planning or feasibility grants may be undertaken for any one of the above listed program purposes. These applications will be ranked according to the priority of the program under consideration.

(2) Providing non-Federal matching shares for other Federal financial assistance programs as prescribed in 25 CFR 23.43. The order of priorities of matching share grants will correlate with the purpose of the program receiving the match.

D. Content of the Single-year Application

The single-year application shall be no longer than 40 pages, double spaced, excluding the appendix. The table of contents and appendices will not be counted toward the maximum length. It is recommended that the appendix be no longer than 20 pages. Any application whose narrative exceeds 40 pages will not be reviewed past page 40.

The application shall include standard form 424 and the following information:

(1) Name and address of Indian tribal governing body(ies) or Indian organization applying for a grant,

(2) Descriptive name of project,

(3) Grant funds requested,

(4) The unduplicated client service population directly benefiting from the project,

(5) Length of project,

(6) Beginning date,

(7) Project budget categories or items,

(8) Program narrative statement (including three year plans if current multi-year grantee),

(9) Certification or evidence of request by Indian tribe or board of Indian

organization (preferably covering the duration of the proposed project),

(10) Evidence of substantial community support for the proposed program. This request may be in the form of a tribal resolution, an endorsement included in the grant application or such other forms as the tribal constitution or current practice requires,

(11) Name and address of the Bureau office to which an application is submitted,

(12) Date application is submitted to the Bureau, and

(13) Additional information pertaining to grant applications for funds to be used as matching shares.

Information included in the appendix should relate specifically to the application. The appendix may include, but is not limited to the following: Resolutions, support letters, position descriptions, fiscal management/accounting certification, operational monitoring system, non-profit status documentation.

E. Evaluation Criteria for Single-Year Applications

The content of the application and the following factors are considered in the competitive review of these grant applications:

(1) The degree to which an applicant demonstrates in the program narrative an understanding of the social service problems or issues impacting the client population which the applicant proposes to serve. (If an applicant identifies alcohol or drug abuse as a major problem or issue impacting Indian children and families, they must also clearly address current efforts to coordinate existing resources to attack these problems. This may include information on the development or contents of the Tribal Action Plan specified under section 4206 of the Omnibus Drug and Alcohol Abuse Act of 1986.)

(2) The degree to which and the methods by which the applicant intends to fulfill the purpose of the grant, specifically relating to the goals and objectives of the program to the issues and problems impacting the client population. (The proposed methods outlined in the application should have an established basis for operation, e.g., a tribal placement program requires tribally established licensing or placement standards on which to operate, or a program to assist the tribal court requires a tribal code and a tribal court with which to work, etc.)

(3) Whether the applicant presents narrative, quantitative data and demographics of the client population to be served. Examples of such data include:

(a) The number of actual or estimated Indian child placements outside the home;

(b) The number of actual or estimated Indian family breakups; and

(c) The need for a directly related preventive program. (Refer to part II for further explanation.)

(4) The relative accessibility which the Indian population to be served under a specific proposal already has to existing child and family service programs emphasizing prevention of Indian family breakup. Factors to be considered in determining accessibility include:

(a) Cultural barriers;

(b) Discrimination against Indians;

(c) Inability of potential Indian clientele to pay for service;

(d) Lack of programs which provide free service to indigent families;

(e) Technical barriers created by existing public or private programs;

(f) Availability of transportation to existing programs;

(g) Distance between the Indian community to be served under the proposal and nearest existing programs;

(h) Quality of service provided to Indian clientele; and

(i) Relevance of service provided to specific needs of Indian clientele.

(5) The proper justification of the extent to which the proposed program would duplicate any existing child and family service program emphasizing prevention of family breakup, taking into consideration all the factors listed in paragraphs (1), (2), (3), and (4) of this section. Proper justification must be given for any duplication of services.

(6) Evidence of substantial community support for the proposed program from the Indian community or communities to be served. Such support may be evidenced by:

(a) Letters of support from individuals and families to be served;

(b) Local Indian community representation in and control over the Indian entity requesting the grant;

(c) Letters from local social service or social service related agencies familiar with the applicant's past work experience;

(7) The explanation of proposed facilities and of the structure of the tribal or Indian organization requesting grant funds, and the position description of any position to be funded with grant funds, identifying qualifications, responsibilities, and lines of supervision.

(8) The reasonableness and relevance of the estimated costs of the proposed program or service.

An application shall not receive a preliminary approval unless a review of the application determines that it:

(a) Contains all the information required in "D. Content of an Application".

(b) Receives a minimum score of 60 in a competitive review under the scoring process using the selection criteria established in regulation.

(c) If an applicant has been a grantee during the year immediately preceding the year for which an application is being made, and has made an application to continue essentially the same service program, satisfactory evaluation(s) from the area office review of the program must be provided in addition to the other materials required in this subsection.

F. Single Year Grant Review Process

The Assistant Secretary—Indian Affairs or his/her designated representative shall select for grants under the Indian Child Welfare Act those proposals which will in his/her judgment best promote the purposes of the Act. Such selection will be made through a review process in which each application will be scored competitively using the BIA review criteria listed above at the appropriate Bureau Social Service Office referred to in 25 CFR 23.30, 23.31, or 23.33. Grant applications will be reviewed by a panel of reviewers qualified by training and/or experience in human services to Indian populations. These recommendations will be used by the Assistant Secretary—Indian Affairs' designated representative to preliminarily approve or disapprove all single year grant applications, and make funding recommendations to the Central Office. The assistant Secretary—Indian Affairs has final funding authority.

G. Procedures for Submission of Multi-Year Renewal Applications

The Assistant Secretary—Indian Affairs may award grants for the third and final year of approved multi-year project proposals as authorized in 25 CFR 23.37. *No new multi-year projects shall be considered in the FY 1991 application period. Funding of projects is subject to the availability of funds in accordance with 25 CFR 23.27(e). Only current grantees who have FY 1990 approved multi-year projects may submit renewal applications.*

Current multi-year project grantees must submit three copies of renewal applications which contain the following information to the appropriate agency or area office:

(1) New SF–424;

(2) Updated information required in 25 CFR 23.24, 23.25, 23.26 and 23.27(c)(3);

(3) Updated Operational Monitoring System (OMS);

(4) Proposed budget.

Grantees must have a satisfactory evaluation of the current year of their multi-year project from the Area Office in order to be considered for continued funding in FY 1991 (25 CFR 23.27(c)(3)).

As stated in 25 CFR 23.37(e), requests (e.g., resolutions) from tribal governing bodies or Indian organizations which cover the duration of the multi-year project will fulfill the requirements specified in 25 CFR 23.26 and do not need to be resubmitted on an annual basis. Resolutions that covered only one year of the project must be updated for the year which the grantee is submitting a renewal application.

Grantees must comply with 25 CFR part 276 in terms of both financial and performance reporting requirements. Failure to meet and comply with regulatory requirements may result in suspension, cancellation and/or termination of program funds. The OMS for a multi-year renewal application must demonstrate a developmental approach to the delivery of the proposed child and family service project (25 CFR 23.37(d)(2)). In revising or updating the OMS, renewal applicants shall submit an OMS–2. Applicants may specify that the OMS–2 does not require updating and should note such in the renewal application.

H. Multi-year Renewal Application Review

Upon submission of the initial application and the renewal application, the area/agency certification form will be completed by the appropriate area/agency office specified in 25 CFR 23.30 or 23.31. The applicant must include a satisfactory evaluation of their existing ICWA program (25 CFR 23.27(c)(3)) with their renewal application.

Materials submitted for renewal shall not be subject to competitive review. The area social worker or designated social services staff review renewal applications for compliance with 25 CFR part 23 and 25 CFR part 276. The area social worker or designated social services staff shall make recommendations based on this review.

I. Multi-year Renewal Application Funding

Funding shall be in accordance with the formula published in the Federal Register (25 CFR 23.27(e)(1)). Funding after the first year of a multi-year project will depend upon the submission of a current satisfactory evaluation for an existing program which will attest to the grantee's progress in achieving the objectives of the project according to the approved work plan submitted in the previous year(s) of the project (25 CFR 23.73(f)), demonstrated need, and the availability of funds.

J. Appeals

In accordance with 25 CFR 2.20(c), 23.63, and 23.64, the Assistant Secretary—Indian Affairs has made a determination to assume administrative jurisdiction over all Fiscal Year 1991 Indian Child Welfare Act Grant Application appeals.

Notice(s) of appeals must be filed within 30 days of the appellant's receipt of the decision being appealed. The notice is filed in the office of the official whose decision is being appealed. The date of filing is the date the notice of appeal is postmarked or the date it is personally delivered to the official's immediate office. (25 CFR 2.9(a), 2.13(a)). No extension of time will be granted for filing a notice of appeal. (25 CFR 2.9(a), 2.16).

The Statement of Reasons must be filed within the next 30 days in the office of the official whose decision is being appealed. It may be included in or filed with the notice of appeal. (25 CFR 2.10). The Assistant Secretary—Indian Affairs shall take action and render a final decision for the Department in accordance with the provisions required in 25 CFR 2.20.

Part IV. BIA Area Offices—Area Social Workers

Aberdeen—Dean Krahulec, 115 4th Avenue, SE., Aberdeen, SD 57401; (605) 226–7351.

Albuquerque—Joe Naranjo, 615 1st Street, P.O. Box 26567, Albuquerque, NM 87125–6567; (505) 766–3321.

Anadarko—Jerry Bridges, P.O. Box 368, Anardako, OK 73005; (405) 247–6673 ext. 257.

Billings—Louise Reyes, 316 N. 26th Street, Billings, MT 59101; (406) 657–6651.

Eastern—Evelyn Roanhorse, 3701 N. Fairfax Drive, Suite 260/Mailroom, Arlington, Virginia 22203; (703) 235–2353.

Juneau—Jimmie Clemmons, P.O. Box 3–8000, Juneau, AK 99802–1219; (907) 586–7611.

Minneapolis—Rosalie V. Clark, 15 South Fifth Street, 6th Floor, Minneapolis, MN 55402; (612) 349–3615.

Muskogee—Alice Allen, Old Federal Building, Muskogee, OK 74401; (918) 687–2507.

Navajo—Nancy Evans, P.O. Box M, Bldg. 50, Window Rock, AZ 86515; (602) 871–5151.

Phoenix—Elizabeth BlackOwl, One North First Street, P.O. Box 10, Phoenix AZ 85001; (602) 241–2262.

Portland—Robert C. Carr, 1002 N.E. Holladay St., P.O. Box 3785, Portland, OR 97232; (503) 231–6783/6785.

Sacramento—Kevin Sanders, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825; (916) 978–4691.

Eddie F. Brown,

Assistant Secretary—Indian Affairs.

[FR Doc. 90–24627 Filed 10–18–90; 8:45 am]

BILLING CODE 4310–02–M

Bureau of Land Management

[NV–030–01–4320–02]

Carson City District Grazing Advisory Board Meeting; Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: The Carson City District Grazing Advisory Board will meet at 10:00 am on Thursday, December 6, 1990 at the Carson City District Office Conference Room, 1535 Hot Springs Road, suite 300, Carson City Nevada.

The primary topics will be the FY 1991 Rangeland Improvement Projects, Allotment Management Plans and Evaluations and status of the Land Use Plans as they pertain to grazing management.

FOR FURTHER INFORMATION CONTACT: Andy Anderson, Carson City District, Bureau of Land Management, 1535 Hot Springs Road, suite 300, Carson City, Nevada 89706 (702) 885–6141.

SUPPLEMENTARY INFORMATION: The meeting is open to the public. Interested persons may make oral statements at 1:30 pm or file written statements for the Board's consideration.

James W. Elliott,

District Manager, Carson City District.

[FR Doc. 90–24646 Filed 10–18–90; 8:45 am]

BILLING CODE 4310–4C–M

[CO–010–01–4320–02]

Craig Colorado Advisory Council Meeting; Colorado

TIME AND DATE: November 7, 1990, at 10 a.m.

PLACE: BLM—Craig District Office, 455 Emerson Street, Craig, Colorado 81625.

STATUS: Open to public; interested persons may make oral statements at 10:30 a.m. Summary minutes of the meeting will be maintained in the Craig District Office.

MATTERS TO BE CONSIDERED:

1. Habitat Partnership Guidelines.

CONTACT PERSON FOR MORE INFORMATION: Mary Pressley Craig, District Office, 455 Emerson Street,

Craig, Colorado 81625–1129, Phone: (303) 824–8261.

Dated: October 11, 1990.

William J. Pulford,

District Manager.

[FR Doc. 90–24643 Filed 10–18–90; 8:45 am]

BILLING CODE 4310–JB–M

[AZ–942–01–4730–12]

Arizona; Filing of Plats of Survey

October 10, 1990.

1. The plats of survey of the following described lands were officially filed in the Arizona State Office, Phoenix, Arizona, on the dates indicated:

A plat, (in three sheets), representing a dependent resurvey of a portion of the west and north boundaries and a portion of the subdivisional lines; and the survey of the subdivisions in sections 2, 3, 5, 6 and 8 in Township 5 North, Range 11 East, Gila and Salt River Meridian, Arizona, was accepted July 17, 1990 and was officially approved July 20, 1990.

A plat, (in two sheets), representing the dependent resurvey of a portion of the east, west and north boundaries and a portion of the subdivisional lines, and a survey of the subdivisions in section 2, 3, 12 and 31, in Township 6 North, Range 11 East, Gila and Salt River Meridian, Arizona, was accepted July 17, 1990, and was officially filed July 20, 1990.

A plat representing a metes-and-bounds survey of Tract 37, in unsurveyed Township 8 North, Range 12 East, Gila and Salt River Meridian, Arizona, was accepted September 12, 1990, and was officially filed September 14, 1990.

These plats were prepared at the request of the Forest Service, Tonto National Forest.

A plat, (in four sheets), representing the dependent resurvey of a portion of the south boundary and a portion of the subdivisional lines; and a survey of the subdivisions of sections 14, 22, 23, 27, 34 and 35, in Township 23 North, Range 6 East, Gila and Salt River Meridian, Arizona was accepted July 17, 1990 and was officially filed July 20, 1990.

This plat was prepared at the request of the Forest Service, Coconino National Forest.

A plat, (in four sheets), representing a dependent resurvey of the south boundary, a portion of the east boundary, a portion of the abandoned south boundary of the Navajo Indian Reservation, and a portion of the subdivisional lines and a survey of the north boundary, a portion of the subdivisional lines, and the subdivision of certain sections in Township 26 North, Range 30 East, Gila and Salt River Meridian, Arizona, was accepted September 28, 1990 and was officially filed October 2, 1990.

A plat representing a dependent resurvey of a portion of the Arizona-New Mexico State line between Astronomical Station No. 3 and the 100 mile post, and a portion of section 7, Township 26 North, Range 31 East, and a survey of the south boundary and a completion survey of the subdivisional lines in Township 26 North, Range 31 East, Gila and Salt River Meridian, Arizona, was accepted September 28, 1990, and was officially filed October 2, 1990.

These plats were prepared at the request of the BIA, Navajo Project Office.

A plat, (in two sheets), representing the dependent resurvey of portions of the west and north boundaries, portions of the subdivisional lines and the U.S. Customs and Immigration Reserve, and the subdivision of section 6, and the survey of certain lots, and a metes-and-bounds survey in sections 6 and 7, of fractional Township 18 South, Range 5 West, Gila and Salt River Meridian, Arizona was accepted July 20, 1990 and was officially filed July 24, 1990.

This plat was prepared at the request of the National Park Service.

2. These plats will immediately become the basic records for describing the land for all authorized purposes. These plats have been placed in the open files and are available to the public for information only.

3. All inquiries relating to these lands should be sent to the Arizona State Office, Bureau of Land Management, P.O. Box 16563, Phoenix, Arizona 85011.

James P. Kelley,

Chief, Branch of Cadastral Survey.

[FR Doc. 90–24647 Filed 10–18–90; 8:45 am]

BILLING CODE 4310–32–M

Minerals Management Service

[FES 90–30]

Pacific Region; Availability of Final Environmental Impact Statement for Proposed Marine Mineral Lease Sale; Exclusive Economic Zone Adjacent to Hawaii and Johnston Island

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Minerals Management Service (MMS) has prepared a final Environmental Impact Statement (EIS) relating to the Proposed Marine Mineral Lease Sale: Exclusive Economic Zone Adjacent to Hawaii and Johnston Island.

A single copy of the final EIS may be obtained by written request or by telephone from the following: Dr. Charles L. Morgan, State EIS Coordinator, Look Laboratory, 811 Olomehani Street, Honolulu, Hawaii 96813, (808) 522–5617 of FAX (808) 522–5618; Mr. Robert G. Paul, Federal EIS Coordinator, Pacific OCS Region, Minerals Management Service, 1340 West 6th Street, Los Angeles, California 90017, (213) 894–2233 or FAX (213) 894–6485.

Copies of the final EIS are available for inspection at the following public libraries: California Academy of Science Library, Golden Gate Park, San Francisco, California; College of the Redwoods Library, 1211 Del Mar Drive, Fort Bragg, California; College of the Redwoods Library, 7351 Compkins Road, Eureka, California; Green Library, Government Documents Department, Stanford University, Stanford, California; Humboldt State University Library, Arcata, California; Library, Government Publications Department, University of California at Santa Barbara, Santa Barbara, California; Library, Santa Barbara Museum of Natural History, 2559 Puesta Del Sol Road, Santa Barbara, California; Long Beach Main Library, 101 Pacific Avenue, Long Beach, California; San Francisco Public Library, Government Documents Department, Civic Center, San Francisco, California; Scripps Institution of Oceanography, La Jolla, California; Scripps Library, University of California, San Diego, California; Shields Library, Government Documents Department, University of California at Davis, Davis, California; Sonoma State University Library, 1801 East Cotati Avenue, Rohnert Park, California; U.S. Geological Survey Library, 345 Middlefield Road, Menlo Park, California; West Los Angeles Regional Library, 11360 Santa Monica Boulevard, Los Angeles, California; Aiea Library, 99–143 Moanalua Road, Aiea, Hawaii; Aina Haina Library, 5246 Kalanianaole Highway, Honolulu, Hawaii; Bond Memorial Library, Akoni Pule Highway, P.O. Box 248, Kapaau, Hawaii; DBED Library, Kamamalu Building, 250 South King Street, 7th Floor, Room 727, Honolulu, Hawaii; East Oahu Library District, Administration, 3642 Harding Avenue, Honolulu, Hawaii; Ewa Beach Public and School Library, 91–950 North Road, Ewa Beach, Hawaii; Hamilton Library, University of Hawaii at Manoa, Honolulu, Hawaii; Hana Public and School Library, P.O. Box 490, Hana, Hawaii; Hanapepe Library, P.O. Box B, Hanapepe, Hawaii; Hawaii Kai Library, 249 Lunalilo Home Road, Honolulu, Hawaii; Hawaii State Library, 478 South King Street, Honolulu, Hawaii; Hilo

Community College Library, UH-Hilo Main Library, 1400 Kapiolani Street, Hilo, Hawaii; Hilo Public Library, 300 Waianuenue Avenue, Hilo, Hawaii; Holualoa Library, P.O. Box 214, Holualoa, Hawaii; Honokaa Library, P.O. Box 236, Honokaa, Hawaii; Honolulu Community College Library, 874 Dillingham Boulevard, Honolulu, Hawaii; Kahuku Public and School Library, P.O. Box 65, Kahuku, Hawaii; Kahului Library, 90 School Street, Kahului, Hawaii; Kailua Library, 239 Kuulei Road, Kailua, Hawaii; Kailua-Kona Library, 75–138 Hualalai Road, Kailua-Kona, Hawaii; Kaimuki Regional Library, 1041 Koko Head Avenue, Honolulu, Hawaii; Kalihi-Palama Library, 1325 Kalihi Street, Honolulu, Hawaii; Kaneohe Regional Library, 45–829 Kamehameha Highway, Kaneohe, Hawaii; Kapaa Library, 1646 Kuhio Highway, Kapaa, Hawaii; Kapiolani Community College Library, 4303 Diamond Head Road, Honolulu, Hawaii; Kapiolani Community College Library, 620 Pensacola Street, Honolulu, Hawaii; Kauai Community College Library, 3–1901 Kaumualii Highway, Lihue, Kauai, Hawaii; Kauai Regional Library, 4344 Hardy Street, Lihue, Kauai, Hawaii; Keaau Public and School Library, P.O. Box 949, Keaau, Hawaii; Kealakekua Library, P.O. Box 768, Kealakekua, Hawaii; Kihei Library, 131 South Kihei Road, Kihei, Hawaii; Koloa Public and School Library, P.O. Box 9, Koloa, Hawaii; Kona Bookmobile, c/o Kealakekua Public Library, P.O. Box 768, Kealakekua, Hawaii; Kona Area Libraries, 75–138 Hualalai Road, Kailua-Kona, Hawaii; Lahaina Library, 680 Wharf Street, Lahaina, Hawaii; Lanai Public and School Library, P.O. Box A–149, Lanai City, Hawaii; Laupahoehoe Public and School Library, P.O. Box 249, Laupahoehoe, Hawaii; Library for the Blind and Physically Handicapped, 402 Kapahulu Avenue, Honolulu, Hawaii; Lihue Library, 4344 Hardy Street, Lihue, Hawaii; Liliha Library, 1515 Liliha Street, Honolulu, Hawaii; Makawao Library, P.O. Box 459 Makawao, Hawaii; Manoa Library, 2716 Woodlawn Drive, Honolulu, Hawaii; Maui Community College Library, 310 Kaahumanu Avenue, Kahului, Maui, Hawaii; McCully-Moiliili Library, 2211 South King Street, Honolulu, Hawaii; Mililani Library, 94–450 Makaimoimo Street, Mililani, Hawaii; Molokai Library, P.O. Box 395, Kaunakakai, Hawaii; Mountain View Public and School Library, P.O. Box 380, Mt. View, Hawaii; Pahala Public and School Library, P.O. Box 400, Pahala, Hawaii; Pahoa Public and School Library, P.O. Box 16, Pahoa, Hawaii; Pearl City Regional Library, 1138 Waimano Home Road, Pearl City, Hawaii; Salt Lake-Moanalua Library, 848 Ala Lilikoi Street, Honolulu, Hawaii; Sinclair Library, University of Hawaii, Manoa Campus, Honolulu, Hawaii; Wahiawa Library, 820 California Avenue, Wahiawa, Hawaii; Waialua Library, 67–068 Kealohanui Street, Waialua, Hawaii; Waianae Library, 85–625 Farrington Highway, Waianae, Hawaii; Wailuku Library, 251 High Street, Wailuku, Hawaii; Waikiki-Kapahulu Library, 400 Kapahulu Avenue, Honolulu, Hawaii; Waimea Library, P.O. Box 397, Waimea, Hawaii; Wiamea Area Libraries, P.O. Box 236, Honokaa, Hawaii; Waipahu Library, 94–521 Farrington Highway, Waipahu, Hawaii; West Oahu Library District, 1138 Waimano Home Road, Pearl City, Hawaii; Winward Community College Library, 45–720 Keaahala Road, Kaneohe, Hawaii; Ocean and Coastal Law Center Library, University of Oregon, School of Law, Eugene, Oregon; Fisheries-Oceanography Library, University of Washington, 151 Oceanography Teaching Building, Seattle, Washington; NOAA Library E/A 1216, Building 3, 7600 Sand Point Way, Northeast, Seattle, Washington; U.S. EPA Library-MD 108, 1200 6th Avenue, Seattle, Washington; Washington State Library, AJ–11, Olympia, Washington.

Ed Cassidy,

Deputy Director, Minerals Management Service.

Approved: October 15, 1990.

Johnathan P. Deason,

Director, Office of Environmental Affairs.

[FR Doc. 90–24275 Filed 10–18–90; 8:45 am]

BILLING CODE 4310–MR–M

INTERSTATE COMMERCE COMMISSION

Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

1. Parent corporation and address of principal office: Farmers Union Central Exchange, Incorporated, aka Cenex, 5500 Cenex Drive, Inver Grove Heights, MN 55077.

2. Wholly-owned subsidiaries which will participate in the operations, and state(s) of incorporation: Hornoi Transport, Inc., a Montana corporation.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 90–24738 Filed 10–18–90; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 31751]

Burlington Northern Railroad Co.; Trackage Rights Exemption

Duluth, Missabe and Iron Range Railway Company has agreed to grant overhead trackage rights to Burlington Northern Railroad Company (BN) over its line of railroad between Pokegama (milepost 13) and Saunders (milepost 17.45), WI, a distance of 4.45 miles. The trackage rights were to become effective on October 8, 1990.

This notice is filed under 49 CFR 1180.2(d)(7). Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: A.C. Saylor, Duluth, Missabe and Iron Range Railway Company, P.O. Box 68, 135 Jamison Lane, Monroeville, PA 15146.

As a condition to the use of this exemption, any employees affected by the trackage rights will be protected pursuant to *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Dated: October 11, 1990.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 90–24607 Filed 10–18–90; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 31680]

Mokena Illinois Railroad Company—Construction Exemption—Will County, IL

AGENCY: Interstate Commerce Commission.

ACTION: Notice of availability of environmental assessment.

SUMMARY: By decision served October 4, 1990 in this proceeding, the Commission granted, subject to environmental review, Mokena Illinois Railroad Company's petition for exemption from the requirements of 49 U.S.C. 10901 for the construction of 3,250 feet of rail line in Will County, Illinois. The effective date of the decision was postponed until

completion of the Commission's environmental review and further decision. The Commission has prepared its environmental assessment which concludes that the proposed action will not significantly affect either the quality of the human environment or the conservation of energy resources. The Commission will consider any comments to the conclusions reached in the environmental assessment before rendering a final decision in this proceeding.

DATES: Written comments must be filed by November 19, 1990.

ADDRESSES: Send an original and 10 copies of comments referring to Finance Docket No. 31680 to:

(1) Section of Energy and Environment, room 3219, Interstate Commerce Commission, Washington, DC 20423, and one copy of the comments to:

(2) Petitioner's representative: Andrew P. Goldstein; 1200 Eighteenth Street, NW., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Tawanna Glover-Sanders (202) 275–7918 or Elaine K. Kaiser, Section Chief (202) 275–7684. (TDD for hearing impaired: (202) 275–1721).

SUPPLEMENTARY INFORMATION: Copies of the Environmental Assessment may be obtained from the Section of Energy and Environment, Office of Economics, room 3219, Interstate Commerce Commission, Washington, DC 20423. Telephone (202) 275–7684. Assistance for the hearing impaired is available through TDD Services at (202) 275–1721.

By the Commission, Howard K. Face, Director, Office of Economics.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 90–24739 Filed 10–18–90; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–6 (Sub-No. 322X)]

Burlington Northern Railroad Co., Abandonment Exemption—in Cherokee County, KS, and Ottawa County, OK

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 10903–10904 the abandonment by the Burlington Northern Railroad Company of a 5.26-mile line of railroad between Baxter Junction, in Cherokee County, KS, and Picher, in Ottawa County, OK, subject to standard labor protective conditions.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on November 18, 1990. Formal expressions of intent to file an offer [1] of financial assistance under 49 CFR 1152.27(c)(2) must be filed by October 29, 1990, petitions to stay must be filed by November 5, 1990, and petitions for reconsideration must be filed by November 15, 1990. Requests for a public use condition must be filed by October 29, 1990.

ADDRESSES: Send pleadings referring to Docket No. AB–6 (Sub-No. 322X) to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423 and

(2) Petitioner's representative: Sarah J. Whitley, Burlington Northern Railroad Company, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 275–7245, (TDD for hearing impaired: (202) 275–1721).

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., room 2229, Interstate Commerce Commission Building, Washington, DC 20423. Telephone: (202) 289–4357/4359. (Assistance for the hearing impaired is available through TDD services (202) 275–1721).

Decided: October 9, 1990.

By the Commission, Chairman Philbin, Vice Chairman Phillips, Commissioners Simmons, Lamboley, and Emmett. Commissioner Lamboley did not participate in the disposition of this proceeding.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 90–24737 Filed 10–18–90; 8:45 am]

BILLING CODE 7035–01–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.

[1] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

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 Officer 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 or 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 to OMB should advise Mr. Larson of this intent at the earliest possible date.

Extension

Employment and Training Administration.

Occupational Code Request.

1205–0137; ETA 741.

As needed.

State or local governments.

52 respondents; 52 burden hours; 1 form.

Provided as a public service to obtain occupational codes and titles for jobs not included in the DOL.

Occupational Safety and Health Administration.

Temporary Labor Camps Standard.

1218–0096.

On Occassion.

State or local governments; farms, business or other for-profit small businesses or organizations.

1,379 respondents; 138 burden hours; .10 hours per response; 0 Form.

The purpose of this standard and its information collection requirement is to request clearance for requiring temporary labor camp superintendents to notify local health officials of incidence of communicable diseases and of occurrences in which sore throat, fever, diarrhea, vomiting or jaundice is a prevalent symptom among temporary labor camp residents. These reporting requirements are necessary to minimize the possibility of communicable disease epidemics spreading throughout the camps and endangering the health of the camp residents.

Revision

Bureau of Labor Statistics.

Cognitive Research on the Consumer Expenditure Surveys.

Questionnaires.

1220–0117; CE–302, CE–305, CE–801.

1400 responses; 1400 hours; 60 minutes per response.

The proposed 'Laboratory Research on CE Qestionnaires' will determine ways to improve the wording of questions and/or interview procedures to facilitate the respondents' participations with the surveys. In addition, the results of this research will also guide the next sample redesign efforts.

Pension and Welfare Benefits Administration.

Employee Benefit Plan Annual Report (Form 5500).

Businesses or other for-profit; non-profit institutions; small businesses or organizations.

900,000 responses; 1,086,970 hours; 1.2 hours per response; 3 forms.

Section 104(a)(1)(A) of ERISA requires plan administrators to file an annual report containing the information described in section 103 of ERISA. The Form 5500 Series provides a standard format for fulfilling that requirement.

Extension

Mine Safety and Health Administration.

Ventilation Tests and Examinations in Underground Coal Mines (30 CFR 75.300, 75.300–4, 75.303, 75.305, 75.306 and 75.309–4).

1219–0088.

Weekly; daily.

Businesses or other for profit; Small businesses or organizations.

Number of Respondents: 1,976 mines.

Regulatory.

Section	Factor	Average Time		
		Day/Week	Per Response	Total hours
75.300	1.65 fans	220 days	2.1667 hours	1,556,507
75.300–4				
75.303	1.64 shifts	220 days	3 hours	2,142,070
75.305		44 weeks	3.5 hours	304,776
75.306		44 weeks	4 hours	348,304
75.309–4	1.7 sections x 1.64 shifts	220 days	1 hour	1,213,840
Total Burden Hours				5,565,487

Requires that records be kept of certain tests and examinations which are required to be performed to monitor the ventilation system in underground coal mines. The information is used to ensure that the integrity of the ventilation system is being maintained and that a safe working environment is being provided to miners.

Employment Standards Administration.

Request for Examination and/or Treatment.

1215–0066; LS–1.

On occasion.

Individuals or households.

16,500 respondents; 178,200 total hours; 1.08 hrs. per response; 1 form.

Form is used by employers to authorize medical treatment for injured workers and by physicians to report findings of physical examinations and treatment recommended.

Reinstatement

Pension and Welfare Benefits Administration.

Class Exemption 77–4 for Certain Transactions.

1210–0049.

Annually when exemption is used.

Business or other for profit; small businesses or organizations.

18,150 responses; 1,633 hours; 1/10th hours per response.

This class exemption exempts from the prohibited transaction restrictions of ERISA the purchase and sale by an employee benefit plan of shares of a registered open-end mutual fund when a fiduciary with respect to the plan (e.g., an investment manager) is also investment adviser for the mutual fund.

Pension and Welfare Benefits Administration.

DOL Regulation Section 2560–503–1 Claims Procedure.

1210–0053.

On occasion.

Individuals or households; Business or other for-profit; non-profit institutions; small business organizations.

73,567 responses; 20,634 hours; ¼ hour for 90 percent of the responses and ½ hour for 10 percent of the responses.

The regulation requires employee benefit plans to establish procedures which provide adequate written notice to any participant or beneficiary of an employee benefit plan whose claim has been denied. An opportunity for a review of a denied claim must also be provided; the decision upon a review must also be in writing.

Reinstatement

Office of Pension and Welfare Benefits Association.

Prohibited Transaction Exemption 78–19.

1210–0054.

Recordkeeping.

Business or other for-profit; small businesses or organizations.

1 Respondent; 1 hour.

This exemption allows parties in interest of an employee benefit plan that invests in an insured pooled separate account to engage in transactions with the separate account if the plan's participation in the separate account does not exceed specified limits. Six year recordkeeping is required.

Pension and Welfare Benefits Administration.

Prohibited Transaction Class Exemption 80–83.

1210–0064.

Recordkeeping.

Businesses or other for-profit.

1 hour; 1 respondent; 1 hour per response; 0 forms.

This class exemption exempts from the prohibited transactions provisions of ERISA certain transactions involving an employee benefit plan's purchase of securities which may aid the issuer of the securities to reduce or retire indebtedness to a party in interest.

Signed at Washington, DC this 16th day of October, 1990.

Paul E. Larson,

Departmental Clearance Officer.

[FR Doc. 90–24746 Filed 10–18–90; 8:45 am]

BILLING CODE 4510–29–M

Employment Standards Administration; Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S–3014, Washington, DC 20210.

Modifications to General Wage Determination Decisions

The numbers of the decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume, State, and page number(s). Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Florida:
- FL90–15 (Jan. 5, 1990) ..... pp. 137, 138.
- FL90–17 (Jan. 5, 1990) ..... pp. 143, 145.

Massachusetts:
- MA90–1 (Jan. 5, 1990) ..... pp. 399, 400, 405–412.
- MA90–2 (Jan. 5, 1990) ..... pp. 417, 420.

Pennsylvania, PA90–2 (Jan. 5, 1990). pp. 921, 924.

Volume II

Illinois, IL90–17 (Jan. 5, 1990). pp. 215, 216–217, 220.

Michigan, MI90–2 (Jan. 5, 1990). pp. 441, 442, 449–452.

Volume III

Idaho, ID90–1 (Jan. 5, 1990).. pp. 147, 152.

Montana, MT90–1 (Jan. 5, 1990). pp. 171, 173–174.

Washington, WA90–1 (Jan. 5, 1990). pp. 369, 381–383.

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country. Subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783–3238.

When ordering subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the three separate volumes, arranged by State. Subscriptions include an annual edition (issued on or about January 1) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC, this 12th Day of October 1990.

Alan L. Moss,

Director, Division of Wage Determinations.

[FR Doc. 90–24413 Filed 10–8–90; 8:45 am]

BILLING CODE 4510–27–M

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under title II, chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 29, 1990.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 29, 1990.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 9th day of October 1990.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

APPENDIX

Petitioner (union/workers/firm)	Location	Date received	Date of petition	Petition No.	Articles produced
ABB Kent, Inc. (Workers)	Edison, NJ	10/09/90	9/17/90	24,891	Electronic Instruments.
Advanced Input (Workers)	Priest River, ID	10/09/90	9/18/90	24,892	Computer Keyboards.
A&G Belt (Workers)	New York, NY	10/09/90	9/14/90	24,893	Belts.
Airpax, Inc. (MEA)	Cambridge, MD	10/09/90	9/19/90	24,894	Electronic Devices.
Amax Potash Co. (OCAW)	Dumas, TX	10/09/90	9/20/90	24,895	Fertilizer.
American Precision Industries, Inc.	E. Aurora, NY	10/09/90	9/17/90	24,896	Electrical Inductors.
Bethlehem Steel Corp. (SFUCM)	Eighty Four, PA	10/09/90	9/10/90	24,897	Coal.
Cabinet Industries Inc. (Workers)	Danville, PA	10/09/90	9/18/90	24,898	TV Shells.
Candice Fashions (Workers)	Haleyville, AL	10/09/90	9/25/90	24,899	Coats.
Capitol Gears, Inc. (IAMAW)	St. Paul, MN	10/09/90	9/17/90	24,900	Gears and Transmissions.
CIBA-GEIGY Corp. (Workers)	Toms River, NJ	10/09/90	9/21/90	24,901	Plastics.
Colorado Crystal Corp. (Workers)	Loveland, CO	10/09/90	9/18/90	24,902	Component Parts.
Curtis Wire Pro. Co. (UAW)	Petoskey, MI	10/09/90	9/15/90	24,903	Wires.
Emerson Quiet Kool (IUE)	Woodbridge, NJ	10/09/90	9/17/90	24,904	Air Conditioners.
Endicott Johnson Corp. (Workers)	Endicott, NY	10/09/90	9/15/90	24,905	Sales.
Fleck Inc. (Workers)	Fayette, MS	10/09/90	9/27/90	24,906	Power Cords and Wires.
Health-Tex Inc. (Workers)	La Follette, TN	10/09/90	9/26/90	24,907	Apparel.
HPM Corp. (Workers)	Mt. Gilead, OH	10/09/90	9/26/90	24,908	Molding and Die Casting.
Hughes Display (Workers)	Dover, NJ	10/09/90	9/19/90	24,909	Mfg Tubes.
I-STAT (Workers)	Plainsbora, NJ	10/09/90	9/27/90	24,910	Computers.
Lone Star Ind., Inc. (Workers)	Bonner Springs, KS	10/09/90	9/25/90	24,911	Cement.
Marietta Sportwear, Inc. (Workers)	Marietta, OK	10/09/90	9/17/90	24,912	Sportswear.
Manufacturing & Tech. Enterprises, Inc. (Workers)	Farmington, ME	10/09/90	9/17/90	24,913	Wiring Assemblies.
Mecon Mfg. (Workers)	Oxford, ME	10/09/90	9/25/90	24,914	Telephone Boxes.
Nannette Mfg. Co., (Workers)	Phila., PA	10/09/90	9/30/90	24,915	Clothing.
New West Mfg. (Workers)	Hoquiam, WA	10/09/90	9/18/90	24,916	Shakes and Shingles.
Oxford of Cumming (Worker)	Cumming	10/09/90	9/25/90	24,917	Clothing.
Ozark Mfg. Co. (Workers)	S. Ozark, AL	10/09/90	9/24/90	24,918	Blouses.
Pentapco (Workers)	Elizabeth, NJ	10/09/90	9/28/90	24,919	Sewing Kits.
Remington Arms Co., Inc. (Workers)	Ilion, NY	10/09/90	9/19/90	24,920	Firearms.
Rheem's Mfg. Co. (Workers)	Chicago, IL	10/09/90	9/20/90	24,921	Water Heaters.
SAF-T-BAK, Inc. (Workers)	Altoona, PA	10/09/90	9/14/90	24,922	Hunting and Fishing Clothes.
Shakertown Corp. (Workers)	Winlock, WA	10/09/90	9/20/90	24,923	Shakes and Shingles.
Small A.C. Motor Co. (Motor Blds)	Hendersonville, TN	10/09/90	9/21/90	24,924	Motor Equipment.
Tektronix (Workers)	Beaverton, OR	10/09/90	9/24/90	24,925	Generators.
(The) Timken Co. (Workers)	Columbus, OH	10/09/90	9/19/90	24,926	Roller Bearings.
Trane, Co. (IEU)	Trenton, NJ	10/09/90	9/19/90	24,927	Air Conditioning and Heating Units.
Transco Exploration, Co. (Workers)	Lake Charles, LA	10/09/90	9/18/90	24,928	Oil and Gas.
Tricor Drilling (Workers)	Gaylord, MI	10/09/90	9/17/90	24,929	Oil and Gas.
TRW Carr Knoxvill (Workers)	Knoxville, TN	10/09/90	9/01/90	24,930	Auto Switches.
II, VI (Two Six), Inc. (Workers)	Saxonburg, PA	10/09/90	9/18/90	24,931	Components.
United Technology (UAW)	Lexington, OH	10/09/90	9/15/90	24,932	Air Conditioner Parts.
Willamette Business Machines, Ltd	Salem, OR	10/09/90	9/19/90	24,933	Calculators, Typewriters, Etc.
Young Wireline Services, Inc. (Workers)	Charleston, WV	10/09/90	9/29/90	24,934	Oil and Gas.

[FR Doc. 90-24747 Filed 10-18-90; 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 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period of October 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, heave 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 diretly 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-24,661; Electronic Processors, Inc., Englewood, CO

TA-W-24,719; Mercury Manufacturing Co., Wyandotte, MI

TA-W-24,688; Homestead Industries, Claremont, NH

TA-W-24,713; Goodyear Tire & Rubber Co., Lincoln, NE

TA-W-24,684; E.H. Hall Co., Williamsport, PA

TA-W-24,658; Woodstock Die Cast, Woodstock, IL

In the following cases, the investigation revealed that the criteria for eligibility has not been met for the reasons specified.

TA-W-24,706; Avalone Corp, Avalon Energy, Denver, CO

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-24,755; Malapai Resources Co., Bruni, TX

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-24,692; Maxon Systems, Inc., St. Joseph, MO

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-24,749; Integrated Resources Energy Group, Denver, CO

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-24,726; Westinghouse Electric Corp., Buffaalo, NY

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-24,727; Westinghouse Electric Corp., Syracuse, NY

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-24,710; Cole Office Environment, York PA

Increased imports did not contribute importantly to worker separations.

Affirmative Determinations

TA-W-24,718; L & G Drilling Co., Mt. Pleasant, MI

A certification was issued covering all workers separated on or after July 30, 1989.

TA-W-24,693; Milliken & Co., Inc., Robbins Plant, Robbins, NC

A certification was issued covering all workers separated on or after July 20, 1989.

TA-W-24,591; Anderson Bolling Manufacturing Co., Spring Lake, MI

A certification was issued covering all workers separated on or after April 11, 1989.

TA-W-24,714; Greenville Pants Manufacturing Co., Greenville, TX

A certification was issued covering all workers separated on or after July 27, 1989.

I hereby certify that the aforementioned determinations were issued during the month of October 1990. Copies of these determinations are available for inspection in room C4318, U.S. Department of Labor, 200 Constitution Avenue, NW. Washington, DC 20210 during normal business hours or will be mailed to persons to write to the above address.

Dated: October 15, 1990.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 90-24748 Filed 10-18-90; 8:45 am]
BILLING CODE 4510-30-M

Review Panel for the Job Training Partnership Act (JTPA) Presidential Awards; Renewal

In accordance with the provisions of the Federal Advisory Committee Act, and after consultation with the General Services Administration, the Secretary of Labor has determined that the renewal of the Review Panel for the JTPA Presidential Awards is in the public interest in connection with the performance of duties imposed on the Department by section 172 of the Job Training Partnership Act.

The Panel will advise the Secretary of Labor on the selection of the Presidential Awards recipients. The panel will perform an expert review of the nominations for each of the award categories and will provide the Secretary with its views and recommendations on the top nominations.

The Panel will consist of training and employment representatives of the private sector, labor, private industry councils, community-based organizations and Federal, State, and local governments. Other than the Federal Government members, the members shall not be compensated and shall not be deemed to be employees of the United States.

The Panel will function solely as an advisory body and in compliance with the provisions of the Federal Advisory Committee Act. Its charter will be filed under the Act 15 days from the date of this publication.

Interested persons are invited to submit comments regarding the renewal of the Review Panel for the JPTA Presidential Awards. Such comments should be addressed: Mr. Hugh Davies, Acting Director, Office of Employment and Training Programs, U.S. Department of Labor, ETA, 200 Constitution Avenue, NW., Room N-4703, Washington, DC 20210, Telephone: (202) 535-0580.

Signed at Washington, DC, this 26th day of September 1990.

Elizabeth Dole,

Secretary of Labor.

[FR Doc. 90–24748 Filed 10–18–90; 8:45 am]

BILLING CODE 4510–30–M

Dictionary of Occupational Titles, Issue Paper and Initiative; Reopening and Extension of Comment Period

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice; reopening and extension of comment period.

SUMMARY: On August 10, 1990, the Employment and Training Administration (ETA) published in the Federal Register for notice and comment an issue paper on the *Dictionary of Occupational Titles (DOT)*. The paper described the components of a review of the *DOT* and raised key *DOT* issues. The ETA sought public comment, recommendations and/or suggestions from interested parties.

ETA has received a number of comments requesting additional time to study and comment on the key issues, and has determined to reopen and extend the comment period through November 19, 1990.

DATES: The comment period on the DOT key issues published at 55 FR 32868–32871 (August 10, 1990) is reopened and comments are invited to be received by November 19, 1990.

ADDRESSES: Comments shall be mailed to Robert A. Schaerfl, Director, U.S. Employment Service, Employment and Training Administration, U.S. Department of Labor, room N–4470, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Robert A. Schaerfl, Director, U.S. Employment Service, Employment and Training Administration, telephone: (202) 535–0157 (this is not a toll free number).

Signed at Washington, DC, this 10th day of October, 1990.

Roberts T. Jones,

Assistant Secretary for Employment and Training.

[FR Doc. 90–24749 Filed 10–18–90; 8:45 am]

BILLING CODE 4510–30–M

Labor Surplus Area Classifications Under Executive Orders 12073 and 10582; Annual List of Labor Surplus Areas

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

DATE: The annual list of labor surplus areas is effective October 1, 1990, through September 30, 1991.

SUMMARY: The purpose of this notice is to announce the annual list of labor surplus areas.

FOR FURTHER INFORMATION CONTACT: William J. McGarrity, Labor Economist, Employment and Training Administration, 200 Constitution Avenue, NW., room N–4470, Attention: TEESS, Washington, DC 20210. Telephone: 202–535–0189.

SUPPLEMENTARY INFORMATION: Executive Order 12073 requires executive agencies to emphasize procurement set-asides in labor surplus areas. The Secretary of Labor is responsible under that Order for classifying and designating areas as labor surplus areas. Executive agencies should refer to Federal Acquisition Regulation part 20 (48 CFR part 20) in order to assess the impact of the labor surplus area program on particular procurements.

Under Executive Order 10582 executive agencies may reject bides or offers of foreign materials in favor of the lowest offer by a domestic supplier, provided that the domestic supplier undertakes to produce substantially all of the materials in areas of substantial unemployment as defined by the Secretary of Labor. The preference given to domestic suppliers under Executive Order 10582 has been modified by Executive Order 12260. Federal Acquisition Regulation part 25 (48 CFR part 25) implements Executive Order 12260. Executive agencies should refer to Federal Acquisition Regulation part 25 in procurements involving foreign businesses or products in order to assess its impact on the particular procurements.

The Department of Labor regulations implementing Executive Orders 12073 and 10582 are set forth at 20 CFR part 654, subparts A and B. Subpart A requires the Assistant Secretary of Labor to classify jurisdictions as labor surplus areas pursuant to the criteria specified in the regulations and to publish annually a list of labor surplus areas. Pursuant to those regulations the Assistant Secretary of Labor is publishing the annual list of labor surplus areas.

Subpart B of part 654 states that an area of substantial unemployment for purposes of Executive Order 10582 is any area classified as a labor surplus area under subpart A. Thus, labor surplus areas under Executive Order 12073 are also areas of substantial unemployment under Executive Order 10582.

The areas described below have been classified by the Assistant Secretary of Labor as labor surplus areas pursuant to 20 CFR 654.5(b) (48 FR 15615 April 12, 1983) and are effective October 1, 1990, through September 30, 1991.

The list of labor surplus areas is published for the use of all Federal agencies in directing procurement activities and locating new plants or facilities.

Signed at Washington, DC, on September 30, 1990.

Roberts T. Jones,

Assistant Secretary of Labor.

Eligible labor surplus areas	Civil jurisdictions included
ALABAMA:	
Anniston City	Anniston City in Calhoun County
Autauga County	Autauga County
Baldwin County	Baldwin County
Barbour County	Barbour County
Bessemer City	Bessemer City in Jefferson County
Bibb County	Bibb County
Birmingham City	Birmingham City in Jefferson County
Bullock County	Bullock County
Butler County	Butler County
Cherokee County	Cherokee County
Chilton County	Chilton County
Choctaw County	Choctaw County
Clarke County	Clarke County
Clay County	Clay County
Colbert County	Colbert County
Conecuh County	Conecuh County
Covington County	Covington County
Crenshaw County	Crenshaw County
Cullman County	Cullman County
Dale County	Dale County
Balance of Dallas County.	Dallas County Less Selma City
De Kalb County	De Kalb County
Decatur City	Decatur City in Morgan County
Escambia County	Escambia County
Fayette County	Fayette County
Florence City	Florence City in Lauderdale County
Franklin County	Franklin County
Gadsden City	Gadsden City in Etowah County
Greene County	Greene County
Hale County	Hale County
Jackson County	Jackson County
Lamar County	Lamar County
Lawrence County	Lawrence County
Lowndes County	Lowndes County
Macon County	Macon County
Marengo County	Marengo County
Marion County	Marion County
Marshall County	Marshall County
Mobile City	Mobile City in Mobile County
Balance of Mobile County.	Mobile County Less Mobile City Prichard City
Monroe County	Monroe County
Balance of Morgan County.	Morgan County Less Decatur City
Perry County	Perry County
Pickens County	Pickens County
Prichard City	Prichard City in Mobile County
Randolph County	Randolph County
Selma City	Selma City in Dallas County

Eligible labor surplus areas	Civil jurisdictions included
Sumter County	Sumter County
Talladega County	Talladega County
Walker County	Walker County
Washington County	Washington County
Wilcox County	Wilcox County
Winston County	Winston County
ALASKA:	
Bethel Census Area	Bethel Census Area
Bristol Bay Borough Div.	Bristol Bay Borough Div
Fairbanks City	Fairbanks City in Fairbanks North Star Borough
Balance of Fairbanks North Star Borough.	Fairbanks North Star Boroguh Less Fairbanks City
Haines Borough	Haines Borough
Kenai Peninsula Borough.	Kenai Peninsula Borough
Ketchikan Gateway Borough.	Ketchikan Gateway Borough
Matanuska-Susitna Borough.	Matanuska-Susitna Borough
Nome Census Area	Nome Census Area
Northwest Arctic Borough.	Northwest Arctic Borough
Prince of Wales Outer Ketchikan.	Prince of Wales Outer Ketchikan
Skagway Yakutat Angoon Census Area.	Skagway Yakutat Angoon Census Area
Southeast Fairbanks Census Area.	Southeast Fairbanks Census Area
Valdez Cordova Census Area.	Valdez Cordova Census Area
Wade Hampton Census Area.	Wade Hampton Census Area
Wrangell-Petersburg Census Area.	Wrangell-Petersburg Census Area
Yukon-Koyukuk Census Area.	Yukon-Koyukuk Census Area
ARIZONA:	
Apache County	Apache County
Balance of Cochise County.	Cochise County less Sierra Vista City
Balance of Coconino County.	Coconino County less Flagstaff City
Flagstaff City	Flagstaff City in Coconino County
Gila County	Gila County
Graham County	Graham County
Greenlee County	Greenlee County
La Paz County	La Paz County
Navajo County	Navajo County
Pinal County	Pinal County
Santa Cruz County	Santa Cruz County
Sierra Vista City	Sierra Vista City in Cochise County
Yuma City	Yuma City in Yuma County
Balance of Yuma County.	Yuma County less Yuma City
ARKANSAS:	
Ashley County	Ashley County
Baxter County	Baxter County
Bradley County	Bradley County
Chicot County	Chicot County
Clark County	Clark County
Clay County	Clay County
Cleburne County	Cleburne County
Cleveland County	Cleveland County
Columbia County	Columbia County
Conway County	Conway County
Crawford County	Crawford County
Balance of Crittenden County.	Crittenden County less West Memphis City
Cross County	Cross County
Dallas County	Dallas County
Desha County	Desha County
Drew County	Drew County
El Dorado City	El Dorado City in Union County
Faulkner County	Faulkner County
Franklin County	Franklin County
Fulton County	Fulton County
Balance of Garland County.	Garland County less Hot Springs City
Greene County	Greene County
Hempstead County	Hempstead County
Hot Spring County	Hot Spring County
Hot Springs City	Hot Springs City in Garland County
Howard County	Howard County
Independence County	Independence County
Jackson County	Jackson County
Jacksonville City	Jacksonville City in Pulaski County
Balance of Jefferson County.	Jefferson County less Pine Bluff City
Johnson County	Johnson County
Lafayette County	Lafayette County
Lawrence County	Lawrence County
Lee County	Lee County
Lincoln County	Lincoln County
Little River County	Little River County
Logan County	Logan County
Lonoke County	Lonoke County
Madison County	Madison County
Balance of Miller County.	Miller County less Texarkana City Ark
Mississippi County	Mississippi County
Monroe County	Monroe County
Montrgomery County	Montgomery County
Nevada County	Nevada County
Newton County	Newton County
Ouachita County	Ouachita County
Perry County	Perry County
Phillips County	Phillips County
Pike County	Pike County
Pine Bluff City	Pine Bluff City in Jefferson County
Pointsett County	Poinsett County
Polk County	Polk County
Prairie County	Prairie County
Randolph County	Randolph County
Searcy County	Searcy County
Balance of Sebastian County.	Sebastian County less Fort Smith City
Sharp County	Sharp County
St. Francis County	St. Francis County
Stone County	Stone County
Texarkana City Ark	Texarkana City Ark in Miller County
Balance of Union County.	Union County less El Dorado City
Van Buren County	Van Buren County
West Memphis City	West Memphis City in Crittenden County
White County	White County
Woodruff County	Woodruff County
CALIFORNIA:	
Bakersfield City	Bakersfield City in Kern County
Bell Gardens City	Bell Gardens City in Los Angeles County
Balance of Butte County.	Butte County less Chico City
Calaveras County	Calaveras County
Chico City	Chico City in Butte County
Clovis City	Clovis City in Fresno County
Colusa County	Colusa County
Compton City	Compton City in Los Angeles County
Corona City	Corona City in Riverside County
Del Norte County	Del Norte County
El Centro City	El Centro City in Imperial County
El Monte City	El Monte City in Los Angeles County
Fairfield City	Fairfield City in Solano County
Fontana City	Fontana City in San Bernardino County
Fresno City	Fresno City in Fresno County
Balance of Fresno County.	Fresno County less Clovis City, Fresno City
Gilroy City	Gilroy City in Santa Clara County
Glenn County	Glenn County
Hemet City	Hemet City in Riverside County
Humboldt County	Humboldt County
Huntington Park City	Huntington Park City in Los Angeles County
Balance of Imperial County.	Imperial County less El Centro City
Indio City	Indio City in Riverside County
Balance of Kern County.	Kern County less Bakersfield City
Kings County	Kings County
Lake County	Lake County
Lassen County	Lassen County
Lodi City	Lodi City in San Joaquin County
Lompoc City	Lompoc City in Santa Barbara County
Lynwood City	Lynwood City in Los Angeles County
Madera County	Madera County
Manteca City	Manteca City in San Joaquin County
Marina City	Marina City in Monterey County
Mendocino County	Mendocino County
Merced City	Merced City in Merced County
Balance of Merced County.	Merced County less Merced City
Modesto City	Modesto City in Stanislaus County
Modoc County	Modoc County
Balance of Monterey County.	Monterey County less Marina City, Monterey City, Salinas City, Seaside City,
Oxnard City	Oxnard City in Ventura County
Plumas County	Plumas County
Redding City	Redding City in Shasta County
Richmond City	Richmond City in Contra Costa County
Balance of Riverside County.	Riverside County less Corona City, Hemet City, Indio City, Palm Springs City, Riverside City
Salinas City	Salinas City in Monterey County
San Benito County	San Benito County
Balance of San Joaquin County.	San Joaquin County less Lodi City Manteca City, Stockton City
Santa Cruz City	Santa Cruz City in Santa Cruz County
Santa Maria City	Santa Maria City in Santa Barbara County
Seaside City	Seaside City in Monterey County
Balance of Shasta County.	Shasta County less Redding City
Sierra County	Sierra County
Siskiyou County	Siskiyou County

Eligible labor surplus areas	Civil jurisdictions included
Balance of Stanislaus County.	Stanislaus County less Modesto City Turlock City
Stockton City	Stockton City in San Joaquin County
Sutter County	Sutter County
Tehama County	Tehama County
Trinity County	Trinity County
Tulare City	Tulare City in Tulare County
Balance of Tulare County.	Tulare County less Tulare City, Visalia City
Tuolumne County	Tuolumne County
Turlock City	Turlock City in Stanislaus County
Vacaville City	Vacaville City in Solano County
Visalia City	Visalia City in Tulare County
Watsonville City	Watsonville City in Santa Cruz County
Woodland City	Woodland City in Yolo County
Balance of Yolo County.	Yolo County less Davis City Woodland City
Yuba County	Yuba County
COLORADO:	
Balance of Adams County.	Adams County less Arvada City, Aurora City, Northglenn City, Thornton City, Westminster City
Alamosa County	Alamosa County
Archuleta County	Archuleta County
Chaffee County	Chaffee County
Clear Creek County	Clear Creek County
Colorado Springs City	Colorado Springs City in El Paso County
Conejos County	Conejos County
Costilla County	Costilla County
Custer County	Custer County
Delta County	Delta County
Denver City	Denver City in Denver County
Balance of El Paso County.	El Paso County less Colorado Springs City
Elbert County	Elbert County
Fremont County	Fremont County
Grand Junction City	Grand Junction City in Mesa County
Greeley City	Greeley City in Weld County
Huerfano County	Huerfano County
Lake County	Lake County
Las Animas County	Las Animas County
Loveland City	Loveland city in Larimer County
Balance of Mesa County.	Mesa County less Grand Junction City
Mineral County	Mineral County
Moffat County	Moffat County
Montezuma County	Montezuma County
Montrose County	Montrose County
Morgan County	Morgan County
Otero County	Otero County
Park County	Park County
Prowers County	Prowers County
Pueblo City	Pueblo City in Pueblo County
Balance of Pueblo County.	Pueblo County less Pueblo City
Rio Grande County	Rio Grande County
Routt County	Routt County
Saguache County	Saguache County
San Juan County	San Juan County
San Miguel County	San Miguel County
Teller County	Teller County
FLORIDA:	
Balance of Bay County	Bay County less Panama City
Calhoun County	Calhoun County
Columbia County	Columbia County
Deerfield Beach City	Deerfield Beach City in Broward County
Delray Beach City	Delray Beach City in Palm Beach County
Fort Pierce City	Fort Pierce City in St. Lucie County
Glades County	Glades County
Gulf County	Gulf County
Hallandale City	Hallandale City in Broward County
Hamilton County	Hamilton County
Hardee County	Hardee County
Hendry County	Hendry County
Hialeah City	Hialeah City in Dade County
Holmes County	Holmes County
Indian River County	Indian River County
Lake Worth City	Lake Worth City in Palm Beach County
Lakeland City	Lakeland City in Polk County
Madison County	Madison County
Miami Beach City	Miami Beach City in Dade County
Miami City	Miami City in Dade County
Okeechobee County	Okeechobee County
Panama City	Panama City in Bay County
Balance of Polk County.	Polk County less Lakeland City
Putnam County	Putnam County
Santa Rosa County	Santa Rosa County
Balance of St. Lucie County.	St. Lucie County Less Fort Pierce City, Port St. Lucie City
Sumter County	Sumter County
Suwannee County	Suwannee County
Taylor County	Taylor County
Walton County	Walton County
Washington County	Washington County
GEORGIA:	
Albany City	Albany City in Dougherty County
Appling County	Appling County
Atlanta City	Atlanta City in De Kalb County
	Fulton County
Augusta City	Augusta City in Richmond County
Baker County	Baker County
Barrow County	Barrow County
Bartow County	Bartow County
Ben Hill County	Ben Hill County
Brantley County	Brantley County
Burke County	Burke County
Butts County	Butts County
Calhoun County	Calhoun County
Charlton County	Charlton County
Chattahoochee County	Chattahoochee County
Chattooga County	Chattooga County
Clay County	Clay County
Clinch County	Clinch County
Coffee County	Coffee County
College Park City	College Park City in Clayton County
	Fulton County
Cook County	Cook County
Crawford County	Crawford County
Crisp County	Crisp County
Dade County	Dade County
Dawson County	Dawson County
Dodge County	Dodge County
Balance of Dougherty County.	Dougherty County Less Albany City
Early County	Early County
East Point City	East Point City in Fulton County
Echols County	Echols County
Elbert County	Elbert County
Emanuel County	Emanuel County
Fannin County	Fannin County
Gilmer County	Gilmer County
Greene County	Greene County
Haralson County	Haralson County
Heard County	Heard County
Jasper County	Jasper County
Jefferson County	Jefferson County
Jenkins County	Jenkins County
Laurens County	Laurens County
Liberty County	Liberty County
Lincoln County	Lincoln County
Macon County	Macon County
McDuffie County	McDuffie County
McIntosh County	McIntosh County
Meriwether County	Meriwether County
Mitchell County	Mitchell County
Monroe County	Monroe County
Morgan County	Morgan County
Paulding County	Paulding County
Pickens County	Pickens County
Pierce County	Pierce County
Polk County	Polk County
Putnam County	Putnam County
Quitman County	Quitman County
Randolph County	Randolph County
Rome City	Rome City in Floyd County
Schley County	Schley County
Screven County	Screven County
Stephens County	Stephens County
Stewart County	Stewart County
Sumter County	Sumter County
Talbot County	Talbot County
Taliaferro County	Taliaferro County
Taylor County	Taylor County
Telfair County	Telfair County
Terrell County	Terrell County
Treutlen County	Treutlen County
Turner County	Turner County
Twiggs County	Twiggs County
Ware County	Ware County
Warren County	Warren County
Wayne County	Wayne County
Webster County	Webster County
Worth County	Worth County
IDAHO:	
Adams County	Adams County
Benewah County	Benewah County
Bingham County	Bingham County
Boise County	Boise County
Bonner County	Bonner County
Camas County	Camas County
Cassia County	Cassia County
Clearwater County	Clearwater County
Fremont County	Fremont County
Gem County	Gem County
Idaho County	Idaho County
Jerome County	Jerome County
Kootenai County	Kootenai County
Lemhi County	Lemhi County
Minidoka County	Minidoka County
Nampa City	Nampa City in Canyon County
Payette County	Payette County
Power County	Power County
Shoshone County	Shoshone County
Valley County	Valley County
Washington County	Washington County
ILLINOIS:	
Alexander County	Alexander County
Alton City	Alton City in Madison County
Aurora City	Aurora City in Du Page County; Kane County
Belleville City	Belleville City in St. Clair County
Bond County	Bond County
Boone County	Boone County
Brown County	Brown County
Bureau County	Bureau County

Eligible labor surplus areas	Civil jurisdictions included
Calhoun County	Calhoun County
Carroll County	Carroll County
Cass County	Cass County
Chicago City	Chicago City in Cook County
Christian County	Christian County
Cicero City	Cicero City in Cook County
Clark County	Clark County
Clay County	Clay County
Clinton County	Clinton County
Crawford County	Crawford County
Cumberland County	Cumberland County
Danville City	Danville City in Vermilion County
De Witt County	De Witt County
Decatur City	Decatur City in Macon County
East St. Louis City	East St. Louis City in St. Clair County
Edgar County	Edgar County
Edwards County	Edwards County
Fayette County	Fayette County
Franklin County	Franklin County
Freeport City	Freeport City in Stephenson County
Fulton County	Fulton County
Galesburg City	Galesburg City in Knox County
Gallatin County	Gallatin County
Granite City	Granite City in Madison County
Greene County	Greene County
Grundy County	Grundy County
Hamilton County	Hamilton County
Hancock County	Hancock County
Hardin County	Hardin County
Harvey City	Harvey City in Cook County
Henderson County	Henderson County
Henry County	Henry County
Balance of Jackson County.	Jackson County less Carbondale City
Jasper County	Jasper County
Jefferson County	Jefferson County
Jersey County	Jersey County
Johnson County	Johnson County
Joliet City	Joliet City in Will County
Kankakee City	Kankakee City in Kankakee County
Balance of Kankakee County.	Kankakee County less Kankakee City
Balance of Knox County.	Knox County less Galesburg City
La Salle County	La Salle County
Lawrence County	Lawrence County
Lee County	Lee County
Logan County	Logan County
Macoupin County	Macoupin County
Marion County	Marion County
Mason County	Mason County
Massac County	Massac County
Maywood Village	Maywood Village in Cook County
Balance of McLean County.	McLean County less Bloomington City Normal Town
Mercer County	Mercer County
Moline City	Moline City in Rock Island County
Montgomery County	Montgomery County
Moultrie County	Moultrie County
North Chicago City	North Chicago City in Lake County
Ogle County	Ogle County
Perkin City	Pekin City in Tazewell County
Peoria City	Peoria City in Peoria County
Perry County	Perry County
Piatt County	Piatt County
Pike County	Pike County
Pope County	Pope County
Pulaski County	Pulaski County
Putnam County	Putnam County
Quincy City	Quincy City in Adams County
Randolph County	Randolph County
Richland County	Richland County
Rock Island City	Rock Island City in Rock Island County
Balance of Rock Island County.	Rock Island County less Moline City; Rock Island City
Rockford City	Rockford City in Winnebago County
Saline County	Saline County
Schuyler County	Schuyler County
Scott County	Scott County
Shelby County	Shelby County
Balance of St. Clair County.	St. Clair County less Belleville City; East St. Louis City
Stark County	Stark County
Union County	Union County
Balance of Vermilion County.	Vermilion County less Danville City
Wabash County	Wabash County
Warren County	Warren County
Washington County	Washington County
Wayne County	Wayne County
White County	White County
Whiteside County	Whiteside County
Williamson County	Williamson County
INDIANA:	
Anderson City	Anderson City in Madison County
Blackford County	Blackford County
Crawford County	Crawford County
Dearborn County	Dearborn County
East Chicago City	East Chicago City in Lake County
Fayette County	Fayette County
Gary City	Gary City in Lake County
Greene County	Greene County
Henry County	Henry County
Jay County	Jay County
Kokomo City	Kokomo City in Howard County
Lawrence County	Lawrence County
Marion City	Marion City in Grant County
Ohio County	Ohio County
Orange County	Orange County
Perry County	Perry County
Pike County	Pike County
Randolph County	Randolph County
Richmond City	Richmond City in Wayne County
Rush County	Rush County
Scott County	Scott County
Starke County	Starke County
Sullivan County	Sullivan County
Switzerland County	Switzerland County
Vermillion County	Vermillion County
IOWA:	
Clinton City	Clinton City in Clinton County
Crawford County	Crawford County
Davenport City	Davenport City in Scott County
Jackson County	Jackson County
Lee County	Lee County
Monroe County	Monroe County
Ottumwa City	Ottumwa City in Wapello County
Van Buren County	Van Buren County
Balance of Wapello County.	Wapello County less Ottumwa City
KANSAS:	
Franklin County	Franklin County
Kansas City KN	Kansas City KN in Wyandotte County
Linn County	Linn County
KENTUCKY:	
Adair County	Adair County
Allen County	Allen County
Ballard County	Ballard County
Barren County	Barren County
Bath County	Bath County
Bell County	Bell County
Balance of Boyd County.	Boyd County less Ashland City
Boyle County	Boyle County
Bracken County	Bracken County
Breathitt County	Breathitt County
Breckinridge County	Breckinridge County
Butler County	Butler County
Caldwell County	Caldwell County
Carlisle County	Carlisle County
Carter County	Carter County
Casey County	Casey County
Balance of Christian County.	Christian County less Hopkinsville City
Clark County	Clark County
Clay County	Clay County
Clinton County	Clinton County
Crittenden County	Crittenden County
Cumberland County	Cumberland County
Balance of Daviess County.	Daviess County less Owensboro City
Edmonson County	Edmonson County
Elliott County	Elliott County
Estill County	Estill County
Fleming County	Fleming County
Floyd County	Floyd County
Fulton County	Fulton County
Gallatin County	Gallatin County
Garrard County	Garrard County
Grant County	Grant County
Graves County	Graves County
Grayson County	Grayson County
Green County	Green County
Greenup County	Greenup County
Hancock County	Hancock County
Harlan County	Harlan County
Harrison County	Harrison County
Hart County	Hart County
Henderson City	Henderson City in Henderson County
Balance of Henderson County.	Henderson County less Henderson City
Hickman County	Hickman County
Hopkins County	Hopkins County
Jackson County	Jackson County
Johnson County	Johnson County
Knott County	Knott County
Knox County	Knox County
Larue County	Larue County
Laurel County	Laurel County
Lawrence County	Lawrence County
Lee County	Lee County
Leslie County	Leslie County
Letcher County	Letcher County
Lewis County	Lewis County
Lincoln County	Lincoln County
Livingston County	Livingston County
Logan County	Logan County
Louisville City	Louisville City in Jefferson County
Magoffin County	Magoffin County
Marion County	Marion County
Marshall County	Marshall County
Martin County	Martin County
Balance of McCracken County.	McCracken County less Paducah City
McCreary County	McCreary County
McLean County	McLean County
Meade County	Meade County
Menifee County	Menifee County
Mercer County	Mercer County
Metcalfe County	Metcalfe County

Eligible labor surplus areas	Civil jurisdictions included
Monroe County	Monroe County
Montgomery County	Montgomery County
Morgan County	Morgan County
Muhlenberg County	Muhlenberg County
Nelson County	Nelson County
Nicholas County	Nicholas County
Ohio County	Ohio County
Owensboro City	Owensboro City in Daviess County
Owsley County	Owsley County
Pendleton County	Pendleton County
Perry County	Perry County
Pike County	Pike County
Powell County	Powell County
Pulaski County	Pulaski County
Robertson County	Robertson County
Rockcastle County	Rockcastle County
Rowan County	Rowan County
Scott County	Scott County
Simpson County	Simpson County
Todd County	Todd County
Trigg County	Trigg County
Union County	Union County
Balance of Warren County.	Warren County less Bowling Green City
Washington County	Washington County
Wayne County	Wayne County
Webster County	Webster County
Whitley County	Whitley County
Wolfe County	Wolfe County
Acadia Parish	Acadia Parish
Alexandria City	Alexandria City in Rapides Parish
Allen Parish	Allen Parish
Ascension Parish	Ascension Parish
Assumption Parish	Assumption Parish
Avoyelles Parish	Avoyelles Parish
Baton Rouge City	Baton Rouge City in East Baton Rouge Parish
Beauregard Parish	Beauregard Parish
Bienville Parish	Bienville Parish
Bossier City	Bossier City in Bossier Parish
Balance of Bossier Parish.	Bossier Parish less Bossier City, Shreveport City
Balance of Caddo Parish.	Caddo Parish less Shreveport City
Balance of Calcasieu Parish.	Calcasieu Parish less Lake Charles City
Caldwell Parish	Caldwell Parish
Cameron Parish	Cameron Parish
Catahoula Parish	Catahoula Parish
Claiborne Parish	Claiborne Parish
Concordia Parish	Concordia Parish
De Soto Parish	De Soto Parish
East Carroll Parish	East Carroll Parish
East Feliciana Parish	East Feliciana Parish
Evangeline Parish	Evangeline Parish
Franklin Parish	Franklin Parish
Grant Parish	Grant Parish
Balance of Iberia Parish.	Iberia Parish less New Iberia City
Iberville Parish	Iberville Parish
Jackson Parish	Jackson Parish
Jefferson Davis Parish	Jefferson Davis Parish
Balance of Jefferson Parish.	Jefferson Parish less Kenner City
Kenner City	Kenner City in Jefferson Parish
La Salle Parish	La Salle Parish
Lafayette City	Lafayette City in Lafayette Parish
Lafourche Parish	Lafourche Parish
Lake Charles City	Lake Charles City in Calcasieu Parish
Livingston Parish	Livingston Parish
Madison Parish	Madison Parish
Monroe City	Monroe City in Ouachita Parish
Morehouse Parish	Morehouse Parish
Natchitoches Parish	Natchitoches Parish
New Iberia City	New Iberia City in Iberia Parish
New Orleans City	New Orleans City in Orleans Parish
Balance of Ouachita Parish.	Ouachita Parish less Monroe City
Plaquemines Parish	Plaquemines Parish
Pointe Coupee Parish	Pointe Coupee Parish
Balance of Rapides Parish.	Rapides Parish less Alexandria City
Red River Parish	Red River Parish
Richland Parish	Richland Parish
Sabine Parish	Sabine Parish
Shreveport City	Shreveport City in Bossier Parish, Caddo Parish
Slidell City	Slidell City in St. Tammany Parish
St. Bernard Parish	St. Bernard Parish
St. Charles Parish	St. Charles Parish
St. Helena Parish	St. Helena Parish
St. James Parish	St. James Parish
St. John Baptist Parish	St. John Baptist Parish
St. Landry Parish	St. Landry Parish
St. Martin Parish	St. Martin Parish
St. Mary Parish	St. Mary Parish
Balance of St. Tammany Parish.	St. Tammany Parish less Slidell City
Tangipahoa Parish	Tangipahoa Parish
Tensas Parish	Tensas Parish
Terrebonne Parish	Terrebonne Parish
Union Parish	Union Parish
Vermilion Parish	Vermilion Parish
Vernon Parish	Vernon Parish
Washington Parish	Washington Parish
Webster Parish	Webster Parish
West Baton Rouge Parish.	West Baton Rouge Parish
West Carroll Parish	West Carroll Parish
West Feliciana Parish	West Feliciana Parish
Winn Parish	Winn Parish
MAINE:	
Aroostook County	Aroostook County
Waldo County	Waldo County
Washington County	Washington County
MARYLAND:	
Allegany county	Allegany county
Baltimore City	Baltimore City
Dorchester County	Dorchester County
Garrett County	Garrett County
Hagerstown City	Hagerstown City in Washington County
Somerset County	Somerset County
MASSACHUSETTS:	
Athol Town	Athol Town in Worchester County
Fall River City	Fall River City in Bristol County
Florida Town	Florida Town in Berkshire County
Gloucester City	Gloucester City in Essex County
Lawrence City	Lawrence City in Essex County
Monroe Town	Monroe Town in Franklin County
New Bedfort City	New Bedford City in Bristol County
New Salem Town	New Salem Town in Franklin County
Orange Town	Orange Town in Franklin County
Otis Town	Otis Town in Berkshire County
Plainfield Town	Plainfield Town in Hampshire County
Provincetown Town	Provincetown Town in Barnstable County
Savoy Town	Savoy Town in Berkshire County
Truro Town	Truro Town in Barnstable County
MICHIGAN:	
Alcona County	Alcona County
Alger County	Alger County
Alpena County	Alpena County
Antrim County	Antrim County
Arenac County	Arenac County
Baraga County	Baraga County
Barry County	Barry County
Battle Creek City	Battle Creek City in Calhoun County
Bay City	Bay City in Bay County
Balance of Bay County	Bay County less Bay City Midland City
Benzie County	Benzie County
Berrien County	Berrien County
Branch County	Branch County
Burton City	Burton City in Genesee County
Balance of Calhoun County.	Calhoun County less Battle Creek City
Charlevoix County	Charlevoix County
Cheboygan County	Cheboygan County
Chippewa County	Chippewa County
Clare County	Clare County
Clinton Township	Clinton Township in Macomb County
Delta County	Delta County
Detroit City	Detroit City in Wayne County
Dickinson County	Dickinson County
East Detroit City	East Detroit City in Macomb County
Emmet County	Emmet County
Ferndale City	Ferndale City in Oakland County
Flint City	Flint City in Genesee County
Flint Township	Flint Township in Genesee County
Balance of Genesee County.	Genesee County less Burton City, Flint City, Flint Township, Mount Morris Township
Gladwin County	Gladwin County
Gogebic County	Gogebic County
Grand Rapids City	Grand Rapids City in Kent County
Grand Traverse County.	Grand Traverse County
Gratiot County	Gratiot County
Highland Park City	Highland Park City in Wayne County
Hillsdale County	Hillsdale County
Houghton County	Houghton County
Huron County	Huron County
Inkster City	Inkster City in Wayne County
Ionia County	Ionia County
Iosco County	Iosco County
Iron County	Iron County
Jackson City	Jackson City in Jackso County
Balance of Jackson County.	Jackson County less Jackson City
Kalkaska County	Kalkaska County
Keweenaw County	Keweenaw County
Lake County	Lake County
Lansing City	Lansing City in Eaton County
Lapeer County	Lapeer County
Leelanau County	Leelanau County
Lenawee County	Lenawee County
Lincoln Park City	Lincoln Park City in Wayne County
Luce County	Luce County
Mackinac County	Mackinac County

Eligible labor surplus areas	Civil jurisdictions included
Balance of Macomb County.	Macomb County less Clinton Township, East Detroit City, Roseville City, Shelby Township, St. Clair Shores City, Sterling Heights City, Warren City
Madison Heights City	Madison Heights City in Oakland County
Manistee County	Manistee County
Marquette County	Marquette County
Mason County	Mason County
Mecosta County	Mecosta County
Menominee County	Menominee County
Balance of Midland County.	Midland County less Midland City
Missaukee County	Missaukee County
Monroe County	Monroe County
Montcalm County	Montcalm County
Montmorency County	Montgomery County
Mount Morris Township.	Mount Morris Township in Genesee County
Muskegon City	Muskegon City in Muskegon County
Balance of Muskegon County.	Muskegon County less Muskegon City
Newaygo County	Newaygo County
Oceana County	Oceana County
Ogemaw County	Ogemaw County
Ontonagon County	Ontonagon County
Osceola County	Osceola County
Otsego County	Otsego County
Pontiac City	Pontiac City in Oakland County
Port Huron City	Port Huron City in St. Clair County
Presque Isle County	Presque Isle County
Roscommon County	Roscommon County
Roseville City	Roseville City in Macomb County
Saginaw City	Saginaw City in Saginaw County
Balance of Saginaw County.	Saginaw County less Saginaw City
Sanilac County	Sanilac County
Schoolcraft County	Schoolcraft County
Shiawassee County	Shiawassee County
Balance of St. Clair County.	St. Clair County less Port Huron City
St. Joseph County	St. Joseph County
Taylor City	Taylor City in Wayne County
Tuscola County	Tuscola County
Van Buren County	Van Buren County
Warren City	Warren City in Macomb County
Waterford Township	Waterford Township in Oakland County
Westland City	Westland City in Wayne County
Wexford County	Wexford County
Wyandotte City	Wyandotte City in Wayne County
Ypsilanti Township	Ypsilanti Township in Washtenaw County
MINNESOTA:	
Aitkin County	Aitkin County
Becker County	Becker County
Carlton County	Carlton County
Cass County	Cass County
Clearwater County	Clearwater County
Hubbard County	Hubbard County
Itasca County	Itasca County
Kanabec County	Kanabec County
Kittson County	Kittson County
Lake County	Lake County
Mahnomen County	Mahnomen County
Marshall County	Marshall County
Meeker County	Meeker County
Morrison County	Morrison County
Pennington County	Pennington County
Pine County	Pine County
Polk County	Polk County
Red Lake County	Red Lake County
Todd County	Todd County
MISSISSIPPI:	
Adams County	Adams County
Alcorn County	Alcorn County
Amite County	Amite County
Attala County	Attala County
Benton County	Benton County
Biloxi City	Biloxi City in Harrison County
Bolivar County	Bolivar County
Carroll County	Carroll County
Chickasaw County	Chickasaw County
Choctaw County	Choctaw County
Claiborne County	Claiborne County
Clarke County	Clarke County
Clay County	Clay County
Coahoma County	Coahoma County
Columbus City	Columbus City in Lowndes County
Copiah County	Copiah County
Covington County	Covington County
Franklin County	Franklin County
George County	George County
Greene County	Greene County
Greenville City	Greenville City in Washington County
Grenada County	Grenada County
Gulfport City	Gulfport City in Harrison County
Hancock County	Hancock County
Balance of Hinds County.	Hinds County less Jackson City
Holmes County	Holmes County
Humphreys County	Humphreys County
Issaquena County	Issaquena County
Balance of Jackson County.	Jackson County less Pascagoula City
Jasper County	Jasper County
Jefferson County	Jefferson County
Jefferson Davis County.	Jefferson Davis County
Jones County	Jones County
Kemper County	Kemper County
Balance of Lauderdale County.	Lauderdale County less Meridian City
Lawrence County	Lawrence County
Leake County	Leake County
Leflore County	Leflore County
Lincoln County	Lincoln County
Madison County	Madison County
Marion County	Marion County
Marshall County	Marshall County
Monroe County	Monroe County
Montgomery County	Montgomery County
Neshoba County	Neshoba County
Newton County	Newton County
Noxubee County	Noxubee County
Panola County	Panola County
Pascagoula City	Pascagoula City in Jackson County
Pearl River County	Pearl River County
Perry County	Perry County
Pike County	Pike County
Prentiss County	Prentiss County
Quitman County	Quitman County
Scott County	Scott County
Sharkey County	Sharkey County
Simpson County	Simpson County
Smith County	Smith County
Stone County	Stone County
Sunflower County	Sunflower County
Tallahatchie County	Tallahatchie County
Tate County	Tate County
Tippah County	Tippah County
Tishomingo County	Tishomingo County
Tunica County	Tunica County
Vicksburg City	Vicksburg City in WarrenCounty
Walthall County	Walthall County
Balance of Warren County.	Warren County less Vicksburg City
Balance of Washington County.	Washington County less Greenville City
Wayne County	Wayne County
Webster County	Webster County
Wilkinson County	Wilkinson County
Winston County	Winston County
Yalobusha County	Yalobusha County
Yazoo County	Yazoo County
MISSOURI:	
Bates County	Bates County
Benton County	Benton County
Bollinger County	Bollinger County
Butler County	Butler County
Caldwell County	Caldwell County
Carroll County	Carroll County
Carter County	Carter County
Cedar County	Cedar County
Clinton County	Clinton County
Crawford County	Crawford County
Dallas County	Dallas County
Dent County	Dent County
Douglas County	Douglas County
Dunklin County	Dunklin County
Franklin County	Franklin County
Gasconade County	Gasconade County
Henry County	Henry County
Hickory County	Hickory County
Howell County	Howell County
Iron County	Iron County
Laclede County	Laclede County
Lafayette County	Lafayette County
Lincoln County	Lincoln County
Linn County	Linn County
Madison County	Madison County
Maries County	Maries County
Miller County	Miller County
Mississippi County	Mississippi County
Montgomery County	Montgomery County
New Madrid County	New Madrid County
Oregon County	Oregon County
Ozark County	Ozark County
Pemiscot County	Pemiscot County
Pettis County	Pettis County
Pike County	Pike County
Ray County	Ray County
Reynolds County	Reynolds County
Ripley County	Ripley County
Scott County	Scott County
Shannon County	Shannon County
St. Louis City	St. Louis City
St. Clair County	St. Clair County
St. Francois County	St. Francois County
Ste. Genevieve County	Ste. Genevieve County
Stoddard County	Stoddard County
Stone County	Stone County
Taney County	Taney County
Texas County	Texas County
Warren County	Warren County
Washington County	Washington County
Wayne County	Wayne County
Webster County	Webster County
Wright County	Wright County
MONTANA:	
Big Horn County	Big Horn County
Blaine County	Blaine County
Broadwater County	Broadwater County
Butte-Silver Bow City	Butte-Silver Bow City in Silver Bow County
Balance of Cascade County.	Cascade County less Great Falls City
Deer Lodge County	Deer Lodge County
Fergus County	Fergus County
Flathead County	Flathead County
Glacier County	Glacier County
Granite County	Granite County
Lake County	Lake County
Lincoln County	Lincoln County
Mineral County	Mineral County

Eligible labor surplus areas	Civil jurisdictions included
Musselshell County	Musselshell County
Park County	Park County
Ravalli County	Ravalli County
Richland County	Richland County
Roosevelt County	Roosevelt County
Rosebud County	Rosebud County
Sanders County	Sanders County
Balance of Silver Bow County County.	Silver Bow County less Butte-Silver Bow City
Wheatland County	Wheatland County
Wibaux County	Wibaux County
NEBRASKA:	
Thurston County	Thurston County
NEVADA:	
North Las Vegas City	North Las Vegas City in Clark County
NEW JERSEY:	
Atlantic City	Atlantic City in Atlantic County
Camden City	Camden City in Camden County
Cape May County	Cape May County
Balance of Cumberland County.	Cumberland County les Millville City
	Vineland City
Hoboken City	Hoboken City in Hudson County
Jersey City	Jersey City in Hudson County
Newark City	Newark City in Essex County
Passaic City	Passaic City in Passaic County
Paterson City	Paterson City in Passaic County
Union City	Union City in Hudson County
NEW MEXICO:	
Alamogordo City	Alamogordo City in Otero County
Balance of Bernalillo County.	Bernalillo County less Albuquerque City
Carlsbad City	Carlsbad City in Eddy County
Catron County	Catron County
Cibola County	Cibola County
Clovis City	Clovis City in Curry County
Colfax County	Colfax County
De Baca County	De Baca County
Balance of Dona Ana County.	Dona Ana County less Las Cruces City
Balance of Eddy County.	Eddy County less Carlsbad City
Farmington City	Farmington City in San Juan County
Grant County	Grant County
Guadalupe County	Guadalupe County
Harding County	Harding County
Hobbs City	Hobbs City in Lea County
Luna County	Luna County
McKinley County	McKinley County
Mora County	Mora County
Balance of Otero County.	Otero County less Alamogordo City
Quay County	Quay County
Rio Arriba County	Rio Arriba County
Balance of San Juan County.	San Juan County less Farmington City
San Miguel County	San Miguel County
Sandoval County	Sandoval County
Socorro County	Socorro County
Taos County	Taos County
Torrance County	Torrance County
Valencia County	Valencia County
NEW YORK:	
Auburn City	Auburn City in Cayuga County
Buffalo City	Buffalo City in Erie County
Cattaraugus County	Cattaraugus County
Clinton County	Clinton County
Essex County	Essex County
Franklin County	Franklin County
Fulton County	Fulton County
Hamilton County	Hamilton County
Balance of Jefferson County.	Jefferson County less Watertown City
Lewis County	Lewis County
Montgomery County	Montgomery County
Balance of Niagara County.	Niagara County less Niagara Falls City North Tonawanda City
Niagara Falls City	Niagara Falls City in Niagara County
Orleans County	Orleans County
Oswego County	Oswego County
St. Lawrence County	St. Lawrence County
Watertown City	Watertown City in Jefferson County
NORTH CAROLINA:	
Brunswick County	Burnswick County
Graham County	Graham County
Hyde County	Hyde County
Robeson County	Robeson County
Swain County	Swain County
Tyrrell County	Tyrrell County
Vance County	Vance County
Wilson City	Wilson City in Wilson County
NORTH DAKOTA:	
Benson County	Benson County
Dunn County	Dunn County
Eddy County	Eddy County
Kidder County	Kidder County
McHenry County	McHenry County
Mountrail County	Mountrail County
Pembina County	Pembina County
Rolette County	Rolette County
Sioux County	Sioux County
Slope County	Slope County
Wells County	Wells County
OHIO:	
Adams County	Adams County
Akron City	Akron City in Summit County
Ashtabula County	Ashtabula County
Barberton City	Barberton City in Summit County
Belmont County	Belmont County
Brown County	Brown County
Canton City	Canton City in Stark County
Carroll County	Carroll County
Cleveland City	Cleveland City in Cuyahoga County
Crawford County	Crawford County
Dayton City	Dayton City in Montgomery County
East Cleveland City	East Cleveland City in Cuyahoga County
Elyria City	Elyria City in Lorain County
Fayette County	Fayette County
Gallia County	Gallia County
Guernsey County	Guernsey County
Hamilton City	Hamilton City in Butler County
Hardin County	Hardin County
Harrison County	Harrison County
Highland County	Highland County
Hocking County	Hocking County
Huron County	Huron County
Jackson County	Jackson County
Jefferson County	Jefferson County
Lancaster City	Lancaster City in Fairfield County
Lima City	Lima City in Allen County
Lorian City	Lorian City in Lorain County
Mansfield City	Mansfield City in Richland County
Marion City	Marion City in Marion County
Massillon City	Massillon City in Stark County
Meigs County	Meigs County
Mercer County	Mercer County
Middletown City	Middletown City in Butler County
Monroe County	Monroe County
Morgan County	Morgan County
Balance of Muskingum County.	Muskingum County less Zanesville City
Newark City	Newark City in Licking County
Nobel County	Nobel County
Ottawa County	Ottawa County
Perry County	Perry County
Pike County	Pike County
Putnam County	Putnam County
Ross County	Ross County
Sandusky County	Sandusky County
Scioto County	Scioto County
Seneca County	Seneca County
Toledo City	Toledo City in Lucas County
Balance of Trumbull County.	Trumbull County less Warren City
Tuscarawas County	Tuscarawas County
Vinton County	Vinton County
Warren City	Warren City in Trumbull County
Youngstown City	Youngstown City in Mahoning County
Zanesville City	Zanesville City in Muskingum County
OKLAHOMA:	
Beckham County	Beckham County
Caddo County	Caddo County
Carter County	Carter County
Cherokee County	Cherokee County
Choctaw County	Choctaw County
Coal County	Coal County
Creek County	Creek County
Garvin County	Garvin County
Grady County	Grady County
Harmon County	Harmon County
Haskell County	Haskell County
Hughes County	Hughes County
Latimer County	Latimer County
Le Flore County	Le Flore County
Lincoln County	Lincoln County
Mayes County	Mayes County
McCurtain County	McCurtain County
Murray County	Murray County
Muskogee City	Muskogee City in Muskogee County
Balance of Muskogee County.	Muskogee County less Muskogee City
Nowata County	Nowata County
Okfuskee County	Okfuskee County
Okmulgee County	Okmulgee County
Ottawa County	Ottawa County
Pawnee County	Pawnee County
Pittsburg County	Pittsburg County
Pontotoc County	Pontotoc County
Pushmataha County	Pushmataha County
Roger Mills County	Roger Mills County
Rogers County	Rogers County
Seminole County	Seminole County
Sequoyah County	Sequoyah County
Shawnee City	Shawnee City in Pottawatomie County
Stephens County	Stephens County
Tillman County	Tillman County
Balance of Tulsa County.	Tulsa County less Broken Arrow City Tulsa City

Eligible labor surplus areas	Civil jurisdictions included
Woodward County	Woodward County
OREGON:	
Baker County	Baker County
Columbia County	Columbia County
Coos County	Coos County
Crook County	Crook County
Deschutes County	Deschutes County
Douglas County	Douglas County
Grant County	Grant County
Harney County	Harney County
Hood River County	Hood River County
Balance of Jackson County.	Jackson County less Medford City
Josephine County	Josephine County
Klamath County	Klamath County
Lake County	Lake County
Balance of Linn County.	Linn County less Albany City
Malheur County	Malheur County
Medford City	Medford City in Jackson County
Morrow County	Morrow County
Sherman County	Sherman County
Springfield City	Springfield City in Lane County
Tillamook County	Tillamook County
Umatilla County	Umatilla County
Union County	Union County
Wallowa County	Wallowa County
Wasco County	Wasco County
Wheeler County	Wheeler County
PENNSYLVANIA:	
Altoona City	Altoona City in Blair County
Armstrong County	Armstrong County
Beaver County	Beaver County
Bedford County	Bedford County
Balance of Cambria County.	Cambria County less Johnstown City
Clarion County	Clarion County
Clearfield County	Clearfield County
Clinton County	Clinton County
Fayette County	Fayette County
Forest County	Forest County
Greene County	Greene County
Huntingdon County	Huntingdon County
Indiana County	Indiana County
Jefferson County	Jefferson County
Johnstown County	Johnstown City in Cambria County
Juniata County	Juniata County
Mifflin County	Mifflin County
Northumberland County.	Northumberland County
Somerset County	Somerset County
Balance of Westmoreland County.	Westmoreland County less Hempfield Township and North Huntington Township
Wilkes-Barre City	Wilkes-Barre City in Luzerne County
PUERTO RICO:	
Adjuntas Municipio	Adjuntas Municipio
Aguada Municipio	Aguada Municipio
Aguadilla Municipio	Aguadilla Municipio
Aguas Buenas Municipio.	Aguas Buenas Municipio
Aibonito Municipio	Aibonito Municipio
Anasco Municipio	Anasco Municipio
Arecibo Municipio	Arecibo Municipio
Arroyo Municipio	Arroyo Municipio
Barceloneta Municipio	Barceloneta Municipio
Barranquitas Municipio	Barranquitas Municipio
Bayamon Municipio	Bayamon Municipio
Cabo Rojo Municipio	Cabo Rojo Municipio
Caguas Municipio	Caguas Municipio
Camuy Municipio	Camuy Municipio
Canovanas Municipio	Canovanas Municipio
Carolina Municipio	Carolina Municipio
Catano Municipio	Catano Municipio
Cayey Municipio	Cayey Municipio
Ceiba Municipio	Ceiba Municipio
Ciales Municipio	Ciales Municipio
Cidra Municipio	Cidra Municipio
Coamo Municipio	Coamo Municipio
Comerio Municipio	Comerio Municipio
Corozal Municipio	Corozal Municipio
Culebra Municipio	Culebra Municipio
Dorado Municipio	Dorado Municipio
Fajardo Municipio	Fajardo Municipio
Florida Municipio	Florida Municipio
Guanica Municipio	Guanica Municipio
Guayama Municipio	Guayama Municipio
Guayanilla Municipio	Guayanilla Municipio
Gurabo Municipio	Gurabo Municipio
Hatillo Municipio	Hatillo Municipio
Hormigueros Municipio	Hormigueros Municipio
Humacao Municipio	Humacao Municipio
Isabela Municipio	Isabela Municipio
Jayuya Municipio	Jayuya Municipio
Juana Diaz Municipio	Juana Diaz Municipio
Juncos Municipio	Juncos Municipio
Lajas Municipio	Lajas Municipio
Lares Municipio	Lares Municipio
Las Marias Municipio	Las Marias Municipio
Las Piedras Municipio	Las Piedras Municipio
Loiza Municipio	Loiza Municipio
Luquillo Municipio	Luquillo Municipio
Manati Municipio	Manati Municipio
Maricao Municipio	Maricao Municipio
Maunabo Municipio	Maunabo Municipio
Mayaguez Municipio	Mayaguez Municipio
Moca Municipio	Moca Municipio
Morovis Municipio	Morovis Municipio
Naguabo Municipio	Naguabo Municipio
Naranjito Municipio	Naranjito Municipio
Orocovis Municipio	Orocovis Municipio
Patillas Municipio	Patillas Municipio
Penuelas Municipio	Penuelas Municipio
Ponce Municipio	Ponce Municipio
Quebradillas Municipio	Quebradillas Municipio
Rincon Municipio	Rincon Municipio
Rio Grande Municipio	Rio Grande Municipio
Sabana Grande Municipio.	Sabana Grande Municipio
Salinas Municipio	Salinas Municipio
San German Municipio	San German Municipio
San Juan Municipio	San Juan Municipio
San Lorenzo Municipio	San Lorenzo Municipio
San Sebastian Municipio.	San Sebastian Municipio
Santa Isabel Municipio	Santa Isabel Municipio
Toa Alta Municipio	Toa Alta Municipio
Toa Baja Municipio	Toa Baja Municipio
Utuado Municipio	Utuado Municipio
Vega Alta Municipio	Vega Alta Municipio
Vega Baja Municipio	Vega Baja Municipio
Vieques Municipio	Vieques Municipio
Villalba Municipio	Villalba Municipio
Yabucoa Municipio	Yabucoa Municipio
Yauco Municipio	Yauco Municipio
RHODE ISLAND:	
New Shoreham Town	New Shoreham Town
SOUTH CAROLINA:	
Allendale County	Allendale County
Bamberg County	Bamberg County
Barnwell County	Barnwell County
Chester County	Chester County
Clarendon County	Clarendon County
Dillon County	Dillon County
Georgetown County	Georgetown County
Balance of Horry County.	Horry County less Myrtle Beach City
Marion County	Marion County
Marlboro County	Marlboro County
McCormick County	McCormick County
North Charleston City	North Charleston City in Charleston County
Orangeburg County	Orangeburg County
Williamsburg County	Williamsburg County
SOUTH DAKOTA:	
Buffalo County	Buffalo County
Corson County	Corson County
Dewey County	Dewey County
Shannon County	Shannon County
TENNESSEE:	
Campbell County	Campbell County
Cannon County	Cannon County
Carroll County	Carroll County
Balance of Carter County.	Carter County less Johnson City
Claiborne County	Claiborne County
Cocke County	Cocke County
Cumberland County	Cumberland County
DeKalb County	DeKalb County
Decatur County	Decatur County
Fayette County	Fayette County
Fentress County	Fentress County
Gibson County	Gibson County
Giles County	Giles County
Grainger County	Grainger County
Greene County	Greene County
Grundy County	Grundy County
Hardeman County	Hardeman County
Hardin County	Hardin County
Haywood County	Haywood County
Henderson County	Henderson County
Henry County	Henry County
Houston County	Houston County
Humphreys County	Humphreys County
Jackson County	Jackson County
Johnson County	Johnson County
Lauderdale County	Lauderdale County
Lawrence County	Lawrence County
Lewis County	Lewis County
Macon County	Macon County
Marion County	Marion County
McNairy County	McNairy County
Meigs County	Meigs County
Monroe County	Monroe County
Morgan County	Morgan County
Overton County	Overton County
Pickett County	Pickett County
Polk County	Polk County
Rhea County	Rhea County
Scott County	Scott County
Sevier County	Sevier County
Unicoi County	Unicoi County
Van Buren County	Van Buren County
Warren County	Warren County
Wayne County	Wayne County
White County	White County
TEXAS:	
Abilene City	Abilene City in Jones County, Taylor County
Anderson County	Anderson County
Balance of Angelina County.	Angelina County less Lufkin City
Aransas County	Aransas County
Atascosa County	Atascosa County
Bastrop County	Bastrop County
Baytown City	Baytown City in Harris County
Beaumont City	Beaumont City in Jefferson County
Bee County	Bee County
Balance of Bell County	Bell County less Killeen City Temple City
Big Spring City	Big Spring City in Howard County
Balance of Bowie County.	Bowie County less Texarkana City Tex
Brazoria County	Brazoria County
Brooks County	Brooks County
Brown County	Brown County
Brownsville City	Brownsville City in Cameron County
Burleson County	Burleson County
Caldwell County	Caldwell County
Calhoun County	Calhoun County

Eligible labor surplus areas	Civil jurisdictions included
Balance of Cameron County.	Cameron County less Brownsville City; Harlingen City
Camp County	Camp County
Cass County	Cass County
Chambers County	Chambers County
Childress County	Childress County
Coleman County	Coleman County
Comanche County	Comanche County
Corpus Christi City	Corpus Christi City in Nueces County
Coryell County	Coryell County
Crockett County	Crockett County
Dallas City	Dallas City in Collin County; Dallas County; Denton County
Dawson County	Dawson County
Deaf Smith County	Deaf Smith County
Del Rio City	Del Rio City in Val Verde County
Denton City	Denton City in Denton County
Dimmit County	Dimmit County
Duval County	Duval County
Eastland County	Eastland County
Balance of Ector County.	Ector County less Odessa City
Edinburg City	Edinburg City in Hidalga County
Edwards County	Edwards County
El Paso City	El Paso City in El Paso County
Balance of El Paso County.	El Paso County less El Paso City
Ellis County	Ellis County
Fannin County	Fannin County
Franklin County	Franklin County
Freestone County	Freestone County
Frio County	Frio County
Ft. Worth City	Ft Worth City in Tarrant County
Gaines County	Gaines County
Galveston City	Galveston City in Galveston County
Balance of Galveston County.	Galveston County less Galveston City; Texas City
Garza County	Garza County
Balance of Grayson County.	Grayson County less Sherman City
Balance of Gregg County.	Gregg County less Longview City
Hall County	Hall County
Hardin County	Hardin County
Harlingen City	Harlingen City in Cameron County
Balance of Harrison County.	Harrison County less Longview City
Henderson County	Henderson County
Balance of Hidalgo County.	Hidalgo County less Edinburg City; McAllen City; Mission City
Hill County	Hill County
Hopkins County	Hopkins County
Houston City	Houston City in Fort Bend County; Harris County
Jasper County	Jasper County
Jim Hogg County	Jim Hogg County
Jim Wells County	Jim Wells County
Balance of Jones County.	Jones County less Abilene City
Killeen City	Kelleen City in Bell County
Kingsville City	Kingsville City in Kleberg County
Kinney County	Kinney County
La Salle County	La Salle County
Laredo City	Laredo City in Webb County
Leon County	Leon County
Liberty County	Liberty County
Live Oak County	Live Oak County
Longview City	Longview City in Gregg County; Harrison County
Loving County	Loving County
Marion County	Marion County
Matagorda County	Matagorda County
Maverick County	Maverick County
McAllen City	McAllen City in Hidalgo County
McCulloch County	McCulloch County
Milam County	Milam County
Mission City	Mission City in Hidalgo County
Mitchell County	Mitchell County
Morris County	Morris County
Nacogdoches City	Nacogdoches City in Nacogdoches County
Navarro County	Navarro County
Newton County	Newton County
Nolan County	Nolan County
Balance of Nueces County.	Nueces County less Corpus Christi City
Odessa City	Odessa City in Ector County
Orange City	Orange City in Orange County
Balance of Orange County.	Orange County less Orange City
Palo Pinto County	Palo Pinto County
Paris City	Paris City in Lamar County
Pasadena City	Pasadena City in Harris County
Pecos County	Pecos County
Polk County	Polk County
Port Arthur City	Port Arthur City in Jefferson County
Presidio County	Presidio County
Rains County	Rains County
Balance of Randall County.	Randall County less Amarillo City
Red River County	Red River County
Reeves County	Reeves County
Robertson County	Robertson County
Rusk County	Rusk County
Sabine County	Sabine County
San Antonio City	San Antonio City in Bexar County
San Marcos City	San Marcos City in Hays County
San Patricio County	San Patricio County
Schleicher County	Schleicher County
Shelby County	Shelby County
Balance of Smith County.	Smith County less Tyler City
Somervell County	Somervell County
Starr County	Starr County
Sutton County	Sutton County
Texarkana City Tex	Texarkana City Tex in Bowie County
Texas City	Texas City in Galveston County
Tutus County	Titus County
Tyler City	Tyler City in Smith County
Tyler County	Tyler County
Upshur County	Upshur County
Uvalde County	Uvalde County
Victoria City	Victoria City in Victoria County
Waco City	Waco City in McLennan County
Waller County	Waller County
Ward County	Ward County
Willacy County	Willacy County
Winkler County	Winkler County
Wood County	Wood County
Zapata County	Zapata County
Zavala County	Zavala County
UTAH:	
Carbon County	Carbon County
Duchesne County	Duchesne County
Emery County	Emery County
Garfield County	Garfield County
Grand County	Grand County
Juab County	Juab County
Morgan County	Morgan County
Ogden City	Ogden City in Weber County
Piute County	Piute County
San Juan County	San Juan County
Sanpete County	Sanpete County
Uintah County	Uintah County
Wasatch County	Wasatch County
Wayne County	Wayne County
VIRGINIA:	
Alleghany County	Alleghany County
Bath County	Bath County
Buchanan County	Buchanan County
Buena Vista City	Buena Vista City
Charlotte County	Charlotte County
Covington City	Covington City
Dickenson County	Dickenson County
Giles County	Giles County
Grayson County	Grayson County
Halifax County	Halifax County
Henry County	Henry County
Highland County	Highland County
Lancaster County	Lancaster County
Lee County	Lee County
Lunenburg County	Lunenburg County
Martinsville City	Martinsville City
Northampton County	Northampton County
Northumberland County.	Northumberland County
Norton City	Norton City
Page County	Page County
Pittsylvania County	Pittsylvania County
Portsmouth City	Portsmouth City
Prince Edward County	Prince Edward County
Pulaski County	Pulaski County
Russell County	Russell County
Smyth County	Smyth County
South Boston City	South Boston City
Surry County	Surry County
Tazewell County	Tazewell County
Westmoreland County	Westmoreland County
Wise County	Wise County
WASHINGTON:	
Adams County	Adams County
Bellingham City	Bellingham City in Whatcom County
Balance of Beton County.	Beton County less Kennewick City, Richland City
Chelan County	Chelan County
Clallam County	Clallam County
Columbia County	Columbia County
Balance of Cowlitz County.	Cowlitz County less Longview City
Douglas County	Douglas County
Ferry County	Ferry County
Franklin County	Franklin County
Grant County	Grant County
Grays Harbor County	Grays Harbor County
Kennewick City	Kennewick City in Benton County
Kittitas County	Kattitas County
Klickatat County	Klicktat County
Lewis County	Lewis County
Longview City	Longview City in Cowlitz County
Mason County	Mason County
Okanogan County	Okanogan County
Pacific County	Pacific County
Pend Oreille County	Pend Oreille County
Skagit County	Skagit County
Skamania County	Skamania County
Stevens County	Stevens County

Eligible labor surplus areas	Civil jurisdictions included
Tacoma City	Tacoma City in Pierce County
Vancouver City	Vancouver City in Clark County
Wahkiakum County	Wahkiakum County
Walla Walla City	Walla Walla City in Walla Walla County
Yakima City	Yakima City in Yakima County
Balance of Yakima County.	Yakima County less Yakima City
WEST VIRGINIA:	
Barbour County	Barbour County
Boone County	Boone County
Braxton County	Braxton County
Brooke County	Brooke County
Balance of Cabell County.	Cabell County less Huntington City
Calhoun County	Calhoun County
Clay County	Clay County
Doddrige County	Doddrige County
Fayette County	Fayette County
Gilmer County	Gilmer County
Grant County	Grant County
Greenbrier County	Greenbrier County
Hampshire County	Hampshire County
Hancock County	Hancock County
Hardy County	Hardy County
Harrison County	Harrison County
Jackson County	Jackson County
Balance of Kanawha County.	Kanawha County less Clarleston City
Lewis County	Lewis County
Lincoln County	Lincoln County
Logan County	Logan County
Marion County	Marion County
Balance of Marshall County.	Marshall County less Wheeling City
Mason County	Mason County
Mc Dowell County	Mc Dowell County
Mercer County	Mercer County
Mingo County	Mingo County
Monroe County	Monroe County
Nicholas County	Nicholas County
Balance of Ohio County.	Ohio County less Wheeling City
Parkersburg City	Parkersburg City in Wood County
Pleasants County	Pleasants County
Pocahontas County	Pocahontas County
Preston County	Preston County
Putnam County	Putnam County
Raleigh County	Raleigh County
Randolph County	Randolph County
Ritchie County	Ritchie County
Roane County	Roane County
Summers County	Summers County
Taylor County	Taylor County
Tucker County	Tucker County
Tyler County	Tyler County
Upshur County	Upshur County
Balance of Wayne County.	Wayne County less Huntington City
Webster County	Webster County
Wetzel County	Wetzel County
Wirt County	Wirt County
Balance of Wood County.	Wood County less Parkersburg City
Wyoming County	Wyoming County
WISCONSIN:	
Ashland County	Ashland County
Clark County	Clark County
Door County	Door County
Iron County	Iron County
Kenosha City	Kenosha City in Kenosha County
Menominee County	Menominee County
Rusk County	Rusk County
Sawyer County	Sawyer County
Taylor County	Taylor County
Washburn County	Washburn County
WYOMING:	
Big Horn County	Big Horn County
Campbell County	Campbell County
Carbon County	Carbon County
Casper City	Casper City in Natrona County
Converse County	Converse County
Fremont County	Fremont County
Lincoln County	Lincoln County
Platte County	Platte County
Sweetwater County	Sweetwater County
Uinta County	Uinta County
Weston County	Weston County

[FR Doc. 90-24751 Filed 10-18-90; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-90-146-C]

Clinchfield Coal Co. Petition for Modification of Application of Mandatory Safety Standard

Clinchfield Coal Company, P.O. Box 7, Dante, Virginia 24237, has filed a petition to modify the application of 30 CFR 75.1710-1 (canopies or cabs; self-propelled electric face equipment; installation requirements) to its Triple C No. 1 Mine (I.D. No. 44-06375) located in Dickenson County, Virginia. 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 approved canopies be installed on electric face equipment at certain minimum heights.

2. The height of the coal seam is irregular, ranging from 24 to 60 inches, and the haulage roadways are very uneven.

3. The installation of canopies on the shuttle cars and scoops used in the mine would cause roof supports to be dislodged, decrease the operator's visibility, and create discomfort to the operator, resulting in a diminution of safety.

4. For these reasons, petitioner requests a modification of 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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 12, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90-24752 Filed 10-18-90; 8:45 am]

BILLING CODE 4570-43-M

[Docket No. M-90-13-M]

Coggins/Continental Granite, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Coggins/Continental Granite, Inc., P.O. Box 250, Elberton, Georgia 30635, has filed a petition to modify the application of 30 CFR 56.14211 (blocking equipment in a raised position) to its Berkeley Quarry (I.D. No. 0900004) located in DeKalb County, Georgia; its Oglesby Quarry (I.D. No. 0900990) located in Elbert County, Georgia; and its Elberta Quarry (I.D. No. 0901052) located in Elbert County, Georgia. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statement follows:

1. The petition concerns the requirement that persons not work on top of, under, or work from a raised component of mobile equipment until the component has been blocked or mechanically secured to prevent accidental lowering. The equipment must also be blocked or secured to prevent rolling.

2. As an alternate method, the petitioner proposes to suspend the work platforms from cranes and derricks by attaching them to the load lines.

3. In support of this request, the petitioner states that:

(a) Miners have to periodically work on platforms eight feet wide and twelve to forty feet long, two to twelve feet above the quarry floor.

(b) Lowering the platform to five and a half feet below the top of the ledge would cause the angle of the cables to be very sharp and place the cables in the way of the workers.

(c) The placement of legs on the platform would not be feasible due to the varied heights involved and the uneven quarry floor.

4. The petitioner states that the proposed alternate method will provide the same degree of safety for the miners affected as that afforded 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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 11, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90–24753 Filed 10–18–90; 8:45 am]

BILLING CODE 4510–43–M

[Docket No. M–90–14–M]

Coggins/Continental Granite, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Coggins/Continental Granite, Inc., P.O. Box 250, Elberton, Georgia 30635, has filed a petition to modify the application of 30 CFR 56.14211 (blocking equipment in a raised position) to its Royalty Quarry (I.D. No. 0900028) located in Madison County, Georgia, and to its Millstone Quarry (I.D. No. 0900880) located in Oglethorpe County, Georgia. 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 persons not work on top of, under, or work from a raised component of mobile equipment until the component has been blocked or mechanically secured to prevent accidental lowering. The equipment must also be blocked or secured to prevent rolling.

2. As an alternate method, the petitioner proposes to suspend the work platforms from cranes and derricks by attaching them to the load lines.

3. In support of this request, the petitioner states that:

(a) Miners have to periodically work on platforms eight feet wide and twelve to forty feet long, two to twelve feet above the quarry floor.

(b) Lowering the platform to five and a half feet below the top of the ledge would cause the angle of the cables to be very sharp and place the cables in the way of the workers.

(c) The placement of legs on the platforms would not be feasible due to the varied heights involved and the uneven quarry floor.

4. The petitioner states that the proposed alternate method will provide the same degree of safety for the miners affected as that afforded 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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 11, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90–24754 Filed 10–18–90; 8:45 am]

BILLING CODE 4510–43–M

[Docket No. M–90–148–C]

Consolidation Coal Co., Petition for Modification of Application of Mandatory Safety Standard

Consolidation Coal Company, Consol Plaza, Pittsburgh, Pennsylvania 15241–1421, has filed a petition to modify the application of 30 CFR 75.305 (weekly examinations for hazardous conditions) to its Osage No. 3 Mine (I.D. No. 46–01455) located in Monongalia County, Pennsylvania. 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 aircourses be examined in their entirety on a weekly basis by a certified person.

2. Due to roof falls and adverse conditions, certain areas of the mine cannot be safely traveled.

3. As an alternate method, petitioner proposes to establish monitoring stations at specific locations.

4. In support of this request, petitioner states that:

(a) Tests for methane and the quantity of air would be made by a certified person on a weekly basis and a record maintained in a book kept on the surface and made available for inspection.

(b) Monitoring stations and the approaches to such stations would at all times be maintained in safe condition.

5. Petitioner states that the proposed alternate method would at all times provide the same measure of protection to the miners as would be 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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 12, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90–24755 Filed 10–18–90; 8:45 am]

BILLING CODE 4510–43–M

[Docket No. M–90–12–M

Kosmos Cement Co.; Petition for Modification of Application of Mandatory Safety Standard

Kosmos Cement Company, Neville Island, Pittsburgh, Pennsylvania 15225, has filed a petition to modify the application of 30 CFR 56.14211 (blocking equipment in a raised position) to its Deckers Creek Mine (I.D. No. 3606078) located in Allegheny County, Pennsylvania. 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 equipment be blocked in a raised position.

2. The petitioner states that application of the standard would result in a diminution of safety for the following reasons:

(a) Employees must be lifted and lowered into areas that require maintenance, and the work basket cannot be rigidly attached to the hydraulic boom of the crane or attached to the boom with fixed cables.

(b) Employees would have to use a 55-foot extension ladder to enter some work areas.

(c) The petitioner proposes to use a hydraulic boom crane to lift and lower employees.

4. For these reasons, the petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office

of Standards, Regulatoins 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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 11, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90-24756 Filed 10-18-90; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-90-149-C]

Minton Hickory Coal Co., Inc., Petition for Modification of Application of Mandatory Safety Standard

Minton Hickory Coal Company, Inc., P.O. Box 922, Barbourville, Kentucky 40906, has filed a petition to modify the application of 30 CFR 75.313 (methane monitor) to its No. 5 Mine (I.D. No. 15-16962) located in Knox 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 a methane monitor be installed on electric face cutting equipment, continuous mining machines, longwall face equipment and loading machines. The monitor is required to be property maintained and frequently tested.

2. As an alternate method, petitioner proposes to use handheld continuous oxygen and methane monitors instead of methane monitors on three-wheel tractors as outlined in the petition.

3. In support of this request, petitioner states that:

(a) No methane has been detected in the mine;

(b) Each three-wheel tractor would be quipped with a handheld continous monitoring methane and oxygen detector and all persons would be trained in the use of the detector;

(c) Prior to allowing the coal loading tractor in the face area, a gas test would be performed to determine the methane concentration in the atmosphere.

(d) If one percent methane is detected, an audible alarm would sound. The tractor operator would manually deenergize the battery tractor immediately. Production would cease and would not resume until the methane level is lower than one percent.

4. 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 Variancnes, 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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 12, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90-24757 Filed 10-18-90; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-90-138-C]

Peabody Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Peabody Coal Company, P.O. Box 373, St. Louis, Missouri 63166, has filed a petition to modify the application of 30 CFR 75.1105 (housing of underground transformer stations, battery-charging stations, substations, compressor stations, shops, and permanent pumps) to its Marissa Mine (I.D. No. 11-02440) located in Washington County, Illinois; its Baldwin Mine (I.D. No. 11-01008) located in Randolph County, Illinois; and its Eagle No. 2 Mine (I.D. No. 11-00598) located in Gallatin County, Illinois. 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 air currents used to ventilate structures or areas enclosing electrical installations be coursed directly into the return.

2. Petitioner states that application of the standard would result in a diminution of safety for the following reasons:

(a) Airborne dust would be deposited in and on the electrical components of the transformers, causing arcing between components;

(b) Air velocities would be increased on track and belt entries; and

(c) Areas of unstable roof could fall, pushing out return stoppings and causing return air to be coursed over electrical installations.

3. As an alternate method, the petitioner proposes to use dry type, sheet steel enclosed electrical transformers equipped with safety equipment, installed in crosscuts adjacent to the track entry where they can be observed, maintained, and kept clean and dusted. Fire sensors would be placed above the transformers. Belt and track entries would not be used to ventilate the working sections.

4. For these reasons, the petitioner requests a modification of 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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 11, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90-24758 Filed 10-18-90; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-90-144-C]

Wolf-Creek Collieries Co.; Petition for Modification of Application of Mandatory Safety Standard

Wolf-Creek Collieries Company, Caller 802, Lovely, Kentucky 41231, has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its Mine No. 4, Longwall Panel J (I.D. No. 15-04020) located in Martin 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 trolley wires and trolley feeder wires, high-voltage cables and transformers not be located inby the last open crosscut and be kept at least 150 feet from pillar workings.

2. Petitioner wishes to amend existing petition M-89-138, which permits the use of high-voltage cables to supply power to permissible longwall face equipment in or inby the last open crosscut.

3. Petitioner states that the proposed changes would at all times guarantee no less than the same measure of protection for the workers.

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 November 19, 1990. Copies of the petition are available for inspection at that address.

Dated: October 11, 1990.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 90-24759 Filed 10-18-90; 8:45am]

BILLING CODE 4510-43-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Meeting of the Humanities Panel

AGENCY: National Endowment for the Humanities.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the provisions of the Federal Advisory Commitee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meetings of the Humanities Panel will be held at the Old Post Office, 1100 Pennsylvania Avenue, NW., Washington, DC 20506:

FOR FURTHER INFORMATION CONTACT: Stephen J. McCleary, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, DC 20506; telephone 202/786-0322.

SUPPLEMENTARY INFORMATION: The proposed meetings are for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. Because the proposed meetings will consider information that is likely to disclose: (1) Trade secrets and commercial or financial information obtained from a person and privileged or confidential; or (2) information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee meetings, dated January 15, 1978, I have determined that these meetings will be closed to the public pursuant to subsections (c) (4), and (6) of section 552b of title 5, United States Code.

1. *Date:* November 1-2, 1990
Time: 9:00 a.m. to 5:30 p.m.
Room: 430
Program: This meeting will review applications submitted to Public Humanities Projects program for the September 1990 deadline for the Division of General Programs, for projects beginning after April 1, 1991.

2. *Date:* November 1-2, 1990
Time: 8:30 a.m. to 5:30 p.m.
Room: 415
Program: This meeting will review applications submitted for Humanities Projects in Media, submitted to the Division of General Programs, for projects beginning after April 1, 1991.

3. *Date:* November 2, 1990
Time: 8:30 a.m. to 5:00 p.m.
Room: 315
Program: This meeting will review Texts/ Translations applications in Classics & Philosophy, submitted to the Division of Research Programs, for projects beginning after April 1, 1991.

4. *Date:* November 5, 1990
Time: 8:30 a.m. to 5:00 p.m.
Room: 316-2
Program: This meeting will review Texts/ Translations applications in American & African Studies, submitted to the Division of Research Programs, for projects beginning after April 1, 1990.

5. *Date:* November 6, 1990
Time: 9:00 a.m. to 5:30 p.m.
Room: 315
Program: This meeting will review applications, submited to the October 1 deadline in Higher Education in the Humanities Program, submited to the Division of Education Programs, for projects beginning after March 1, 1991.

6. *Date:* November 6-7, 1990
Time: 8:30 a.m. to 5:30 p.m.
Room: 415
Program: This meeting will review applications submitted for Humanities Projects in Media, submitted to the division of General Programs, for projects beginning after April 1, 1991.

7. *Date:* November 13, 1990
Time: 9:30 a.m. to 5:30 p.m.
Room: 315
Program: This meeting will review applications submitted to the October 1 deadline in the Higher Education in the Humanities Program, submitted to the Division of Education Programs, for projects beginning after March 1, 1991.

8. *Date:* November 14, 1990
Time: 9:00 a.m. to 5:30 p.m.
Room: 315
Program: This meeting will review applications submitted to the October 1 deadline in the Higher Education in the Humanities Program, submitted to the Division of Education Programs, for projects beginning after March 1, 1991.

9. *Date:* November 15-16, 1990
Time: 8:30 a.m. to 5:30 p.m.
Room: 415
Program: This meeting will review applications submitted for Humanities Projects in Media, submitted to the Division of General Programs, for projects beginning after April 1, 1991.

10. *Date:* November 16, 1990
Time: 9:00 a.m. to 5:30 p.m.
Room: 315
Program: This meeting will review applications submitted to the October 1 deadline in the Higher Education in the Humanities Program, submitted to the Division of Education Programs, for projects beginning after March 1, 1991.

11. *Date:* November 30, 1990
Time: 8:30 a.m. to 5:00 p.m.
Room: 415
Program: This meeting will review Exemplary applications submitted by state humanities councils to the Divsion of State Programs for projects beginning after February 1991.

Stepehen J. McCleary,

Advisory Committee, Management Officer.

[FR Doc. 90-24720 Filed 10-18-90; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION

Forms Submitted for OMB Review

In accordance with the Paperwork Reduction Act and OMB Guidelines, the National Science Foundation is posting this notice of information collection that will affect the public. Interested persons are invited to submit comments by October 31, 1990. Comments may be submitted to:

1. *Agency Clearance Officer:* Herman G. Fleming, (202) 357-9520. Written comments to: Reports Clearance Officer, Division of Personnel and Management, National Science Foundation, 1800 G St. NW., Washington, DC 20550.

2. *OMB Desk Officer:* Written comments to: Office of Information and Regulatory Affairs, ATTN: Dan Chenok, Desk Officer, OMB, 722 Jackson Place, Room 3208, NEOB, Washington, DC 20503.

Title: National Science Foundation Reviewer Background and Proposal Evaluation Process.

Affected Public: Individuals.

Reponses/Burden Hours: 15,000 responses to the background data sheets at 5 minutes per response; 130,000 proposal evaluations at 5 hours per evaluation.

Abstract: The National Science Foundation's scientists, engineers and other officials evaluate all proposals submitted to the agency. To assist them in the evaluation process, the Foundation obtains the advice of scientists, engineers and others who are specialists in the fields covered in the proposals. Assistance is obtained

through mail review and assembled panels.

Dated: October 15, 1990.

Herman G. Fleming,

NSF Clearance Officer.

[FR Doc. 90-24630 Filed 10-18-90; 8:45 am]

BILLING CODE 7555-01-M

Advisory Committee for Biological, Behavioral, and Social Sciences; Meeting

The National Science Foundation announces the following meeting:

Name: Advisory Committee for Biological, Behavioral, and Social Sciences (BBS).

Date and Time: November 8, 1990; 9 a.m. to 5 p.m.; November 9, 1990; 9 a.m. to 12 p.m.

Place: Room 1242-1243, National Science Foundation, 1800 G Street NW., Washington, DC 20550.

Type of Meeting: Open.

Contact Person: Dr. Mary E. Clutter, Assistant Director, Biological, Behavioral, and Social Sciences, (202) 357-9854, Room 506, National Science Foundation, Washington, DC 20550.

Summary of Minutes: May be obtained from the contact person.

Purpose of Advisory Committee: The Advisory Committee for BBS provides advice, recommendations, and oversight concerning major program emphases, directions, and goals for the research-related activities of the divisions that make up BBS.

Agenda: Briefing on the NSF/BBS FY 1991 Budget; discussion of directorate-wide priorities and activities.

Dated: October 15, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-24631 Filed 10-18-90; 8:45 am]

BILLING CODE 7555-01-M

Advisory Panel for Cell Biology Program; Meeting

The National Science Foundation announces the following meeting:

Name: Advisory Panel for Cell Biology Program.

Date and Time: November 5-7, 1990, 8:30 a.m. to 5 p.m.

Place: National Science Foundation, 1800 G Street NW., Washington, DC 20550.

Type of Meeting: Part Open—Closed 11/5-8:30 a.m. to 5 p.m.; Open 11/6-12 p.m. to 1:30 p.m.; Closed 11/7-8:30 a.m. to 5 p.m. All other times the meeting is closed.

Contact Person: Dr. Maryanna P. Henkart, Program Director, Cell Biology Program, Room 321, National Science Foundation, Washington, DC 20550.

Purpose of Advisory Panel: To provide advice and recommendations concerning support for research in Cell Biology.

Agenda: Open—General discussion of current status and future plans of the Cell Biology Program. Closed—To review and evaluate research proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of U.S.C. 552b(c), Government in the Sunshine Act.

Dated: October 15, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-24632 Filed 10-18-90; 8:45 am]

BILLING CODE 7555-01-M

Advisory Committee for Earth Sciences; Meeting

The National Science Foundation announces the following meeting:

Name: Advisory Committee for Earth Sciences.

Date: November 7-9, 1990.

Time: 8:30 a.m. to 5 p.m., November 7; 8:30 a.m. to 5 p.m., November 8; 8:30 a.m. to 5 p.m., November 9.

Place: The National Science Foundation, Room 543, 1800 G Street, NW., Washington, DC 20550.

Type of Meeting: Open—November 8—8:30 a.m. to 5 p.m.; November 9—8:30 a.m. to 5 p.m. Closed—November 7—8:30 a.m. to 5 p.m.

Contact Person: Dr. James F. Hays, Division Director, Division of Earth Sciences, Room 602, National Science Foundation, Washington, DC 20550. Telephone: (202) 357-7958.

Purpose of Meeting: To provide advice, recommendations, and oversight concerning support for research and research-related activities in the Earth Sciences.

Agenda: Closed—Oversight review of Continental Dynamics Program, including examination of proposals, reviewer comments, and other privileged material. Open—Review ACES resolutions; report on EAR role in Education and Human Resource programs; discuss EAR's response to Global Change programs, International decade of Natural Hazard Reduction and other environmental concerns; review the Continental Dynamics Program; discuss EAR response to NSF policy statement on Sharing of Research Materials, and general discussion.

Reason for Closing: The proposals being reviewed include information of proprietary or confidential nature, including technical information, financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

Dated: October 15, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-24633 Filed 10-18-90; 8:45 am]

BILLING CODE 7555-01-M

Meeting: Engineering Advisory Committee

The National Science Foundation announces the following meeting:

NAME: Advisory Committee for Engineering.

DATE AND TIME: November 7-8, 1990. 9 a.m.-5 p.m., November 7, 1990 (open). 8 a.m.-9 a.m., November 8, 1990 (closed). 9 a.m.-12 Noon, November 8, 1990 (open).

PLACE: National Science Foundation, 1800 "G" Street, NW., room 540, Washington, DC 20550.

TYPE OF MEETING: Partially closed.

CONTACT PERSON: Dr. William S. Butcher, Advisory Committee for Engineering, room 537, National Science Foundation, Washington, DC 20550, Telephone: (202) 357-9832.

MINUTES: Dr. William S. Butcher at the above address.

PURPOSE OF MEETING: To provide advice, recommendations, and counsel on major goals and policies pertaining to Engineering programs and activities.

REASON FOR CLOSING: The personnel matters being discussed include information of a personal nature where disclosure would constitute unwarranted invasions of personal privacy. These matters are within exemption 6 of U.S.C. 552b(c), Government in the Sunshine Act.

AUTHORITY TO CLOSE MEETING: The determination made on October 11, 1990 by the Acting Director of the National Science Foundation pursuant to the provisions of section 10(d) of Public Law 92-463.

AGENDA: *Thursday, November 8, 1990, room 540, 8 a.m. to 9 a.m.—Closed*

Discussion of personnel issues including candidates for vacancies.

Wednesday, November 7, 1990, room 540, 8:30 a.m. to 5 p.m., and Thursday, November 8, 1990, room 540, 9 a.m. to 12 Noon—Open

Discussion on issues, opportunities and future directions for the Engineering Directorate; discussion of Engineering Directorate budget situation as well as other items.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-24745 Filed 10-18-90; 8:45 am]

BILLING CODE 7555-01-M

Materials Research Advisory Committee; Meeting

The National Science Foundation announces the following meeting:

Name: Materials Research Advisory Committee (MRAC).

Place: Room 540, National Science Foundation, 1800 G Street, NW., Washington, DC 20550.

Date: Monday, November 5, and Tuesday, November 6, 1990.

Time: 8:30 a.m.–5 p.m. (Monday), 9 a.m.–5 p.m. (Tuesday).

Type of Meeting: Open.

Contact Person: Dr. J. Narayan, Division Director, Division of Materials Research (DMR); room 408, National Science Foundation, Washington, DC 20550, Telephone: (202) 357-9794.

Minutes: May be obtained from the Contact Person, Dr. J. Narayan, at the above stated address.

Purpose of Committee: To provide advice and recommendations concerning support of materials research.

Agenda:

Monday, November 5, 1990

8:30 a.m. Introductory Remarks and Adoption of Minutes.
9 a.m. DMR Status Reports and Budget Briefing.
12 Noon. Working Lunch.
1 p.m. Discussion of Response to the NRC Materials Science and Engineering Study.
3:30 p.m. Meeting with Frederick Bernthal, Acting Director, NSF.
4 p.m. Discussion of Materials Synthesis and Processing Initiative.
5 p.m. Adjourn.

Tuesday, November 6, 1990

9 a.m. Meeting with Luther Williams, Assistant Director, Education and Human Resources.
10 a.m. Meeting with David Sanchez, Assistant Director, Mathematical and Physical Sciences.
11 a.m. Further Discussion on new DMR Initiatives.
12 Noon. Working Lunch.
1:30 p.m. Meeting with John White, Acting Deputy Director, NSF.
2:30 p.m. Further Discussion and Future MRAC Activities.
5 p.m. Adjourn.

Dated: October 15, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90–24634 Filed 10–18–90; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panels; Notice of Meetings

SUMMARY: In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting(s) to be held at 1800 G. Street, NW., Washington, DC 20550 (except where otherwise indicated).

SUPPLEMENTARY INFORMATION: The purpose of the meetings is to provide advice and recommendations to the National Science Foundation concerning the support of research, engineering, and science education. The agenda is to review and evaluate proposals as part of the selection process for awards. The entire meeting is closed to the public because the panels are reviewing proposals that include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b (c), the Government in the Sunshine Act.

CONTACT PERSON: M. Rebecca Winkler, Committee Management Officer, room 208, 357–7363.

Dated: October 15, 1990.

M. Rebecca Winkler,

Committee Management Officer.

Committee name	Agenda	Date(s)	Times	Room *
Special Emphasis Panel in Physics	Faculty Awards for Women	11/02/90	8:30 a.m.–5 p.m.	536

* At 1800 G Street, NW., Washington, DC.

[FR Doc. 90–24635 Filed 10–18–90;8:45 am]

BILLING CODE 7555–01–M

Sociology Advisory Panel; Meeting

The National Science Foundation announces the following meeting:

Name: Advisory Panel for Sociology.

Date/Time:

November 8, 1990, 8:30 to 5 p.m.

November 9, 1990, 8:30 to 5 p.m.

Place: Room 523, National Science Foundation, 1800 G Street, NW., Washington, DC 20550.

Type of Meeting: Part open—November 8, 1990; 9–10 a.m. Closed remainder.

Contact Persons: Dr. Murray Webster, Program Director for Sociology; Dr. Gwendolyn Lewis, Associate Program Director for Sociology; Telephone (202) 357–7802.

Purpose of Meeting: To provide advice and recommendations concerning research in Sociology.

Agenda: To review and evaluate research proposals and projects as part of the selection process for awards. (Closed) (Open)—General Discussion of current status and future plans of the Sociology Program.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b, Government in the Sunshine Act.

Dated: October 15, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90–24636 Filed 10–18–90; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–029]

Yankee Atomic Electric Co., Yankee Nuclear Power Station; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of a one-time exemption from the requirements of 10 CFR 55.59(c)(3)(i), Items A through L, to Yankee Atomic Electric Company (the licensee) for Yankee Nuclear Power Station (Yankee) located at the licensee's site near Rowe, Massachusetts.

Environmental Assessment

Identification of Proposed Action

By letter dated August 2, 1990, the Yankee Atomic Electric Company (the licensee) requested a one-time exemption from the requirement in 10 CFR 55.59(c)(3)(i)(A)–(L) to conduct annual simulator training of reactor operators and senior reactor operators on certain control manipulations. Simulator training of Yankee-Rowe licensed operators was last conducted on a non-plant specific simulator from September 1989 to October 1989. Yankee-Rowe anticipates having a plant specific simulator available for operator training on or about October 1, 1990. The required training would commence when the simulator is available, and the required training in control manipulations would be completed by

March 1, 1991. The exemption from the requirements of the regulations would therefore be for a period of five months.

Immediate compliance with the annual training requirement would entail all the licensed operators traveling to a non-plant specific simulator in Illinois and covering all twelve evolutions in a time span of 30 hours of simulator time for each crew. With the imminent arrival of the plant specific simulator, the licensee believes more effective and thorough training can be provided using the combination of control room based job performance measures, static simulator walkthroughs and, once it is available for training, the plant specific simulator.

Requiring the licensee's operators to travel to the non-plant specific simulator would result in the completion of the simulator training on time. However, since the quality of the training the operators would receive by performing the control manipulations on a plant specific simulator would be higher, it would be in the public interest to grant this exemption.

The staff has reviewed the licensee's request for exemption and finds that since a plant specific simulator will be available on site in the very near future, requiring the licensee to meet the annual requirement to perform the control manipulations of 10 CFR 55.59(c)(3)(i)(A)–(L) on a non-plant specific simulator would not enhance the protection of the environment and would result in an expenditure of licensee resources not required for public health and safety.

The staff also concludes that issuance of this exemption will not endanger life or property and will have no significant effect on the safety of the public or the plant.

The Need for the Proposed Action

The exemption is needed to allow the licensee to utilize its site-specific simulator for 1990 operator training requirements.

Environmental Impacts of the Proposed Action

The proposed action will have no incremental impact relative to current practice because the exemption will allow Yankee to conduct more effective training by using its site-specific simulator.

Alternative to the Proposed Action

It has been concluded that there is no measurable impact associated with the proposed exemption; any alternatives to the exemption will have either no environmental impact or greater environmental impact.

Alternative Use of Resources

This action does not involve the use of resources beyond the scope of resources used during normal plant operation.

Agencies and Persons Consulted

The Commission's staff reviewed the licensee's request that supports the proposed exemption. The staff did not consult other agencies or persons.

Finding of No Significant Impact

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

For further details with respect to this action, see the licensee's letter, dated August 2, 1990 which is available in the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555, and at the Greenfield Community College, 1 College Drive, Greenfield, Massachusetts 01301.

Dated at Rockville, Maryland, this 12th day of October 1990.

For the Nuclear Regulatory Commission

Richard H. Wessman,

Director, Project Directorate I–3, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 90–24715 Filed 10–18–90; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–220 AND 50–410]

Niagara Mohawk Power Corp; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Proposed No. Significant Hazards Consideration Determination and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR–63 and NPF–69 issued to the Niagara Mohawk Power Corporation (the licensee) for operation of the Nine Mile Point Nuclear Station Units 1 and 2, located in Oswego County, New York.

The proposed amendments would make changes to the Technical Specifications (TS) to reflect management changes due to the reorganization of the Niagara Mohawk Power Corporation (NMPC) Nuclear Division. They include revision to TS Sections 6.1, "Responsibility," 6.2, "Organization," 6.4, "Training," 6.5, "Review and Audit," 6.6, "Reportable Occurrence Action," 6.7, "Safety Limit Violation," 6.8 "Procedures" for Unit 1; "Procedures and Programs" for Unit 2 and 6.12 "High Radiation Areas."

The types of changes are generally characterized as follows. The former organization included Station Superintendents for Units 1 and 2 reporting to a General Superintendent. The General Superintendent reported to the Executive Vice President—Nuclear Operations. The revised organization retitles the Executive Vice President—Nuclear Operation to Executive Vice President—Nuclear, the Station Superintendent to Plant Manager, eliminates the General Superintendent position, and adds a position of Vice President—Nuclear Generation to whom the two Plant Managers report. Those reporting directly to the Plant Managers are now all designated as "manager" versus the previous "superintendent" or "supervisor" designation for some positions.

Certain responsibilities previously held by the General Superintendent have been reassigned to the Vice President—Nuclear Generation or to the Plant Managers. In particular, the Station (formerly "Site") Operations Review Committee (SORC) will now be chaired by and report to the Plant Manager. SORC will also be expanded to ten members for each unit. The same functional areas will continue to be represented on the SORC and several will be added to bring the total to ten members.

Certain responsibilities and designations previously assigned to the Executive Vice President—Nuclear Operations will now be assigned to the Vice President—Nuclear Generation.

The corporate safety review committee, the Safety Review and Audit Board (SRAB), composition is being changed to eliminate the Staff Engineer—Environmental since Unit 2 is no longer in the construction and initial startup phase.

Editorial changes to implement these types of changes to provide consistency with the Standard Technical Specifications and several other staff position title changes are also included.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the request for amendments 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 licensee has provided the following analysis in response to the above 3 standards.

Nine Mile Point—Unit 1

Standard 1: The proposed changes are intended to enhance the overall management capability and performance of Nine Mile Point Unit 1 by freeing up senior level people from administrative responsibilities. These changes also reflect Niagara Mohawk's intent to provide the highest level of management expertise and experience in the Nuclear Division and to assure that the goals of improved overall performance are achieved.

The proposed amendments do not involve a significant increase in the probability or consequences of an accident previously evaluated because the proposed changes are administrative in nature and do not affect plant operation.

Standard 2: The proposed amendments do not create the possibility of a new or different kind of accident than previously evaluated because the proposed changes are administrative in nature and no physical alterations of plant configuration or changes to setpoints or operating parameters are proposed.

Standard 3: The proposed amendments do not involve a significant reduction in a margin of safety because Niagara Mohawk, through its Quality Assurance programs, its commitment to maintain only qualified personnel in positions of responsibility, and other required controls, assures that safety functions will be performed at the high level of competence. Therefore, the proposed administrative changes to the Technical Specifications will not affect the margin of safety.

Nine Mile Point—2

Standard 1: The proposed changes are intended to enhance the overall management capability and performance of Nine Mile Point Unit 2 by freeing up senior level people from administrative responsibilities. These changes also reflect Niagara Mohawk's intent to provide the highest level of management expertise and experience in the Nuclear Division and to assure that the goals of improved overall performance are achieved.

The proposed amendments do not involve a significant increase in the probability or consequences of an accident previously evaluated because the proposed changes are administrative in nature and do not affect plant operation.

Standard 2: The proposed amendments do not create the possibility of a new or different kind of accident than previously evaluated because the proposed changes are administrative in nature and no physical alterations of plant configuration changes to setpoints or operating parameters are proposed.

Standard 3: The proposed amendments do not involve a significant reduction in a margin of safety because Niagara Mohawk, through its Quality Assurance programs, its commitment to maintain only qualified personnel in positions of responsibility, and other required controls, assures that safety functions will be performed at a high level of competence. Therefore, the proposed administrative changes to the Technical Specifications will not affect the margin of safety.

The staff has reviewed the licensee's no significant hazards determination and agrees with the licensee's analysis. Therefore, the staff proposes to determine that the application for amendments involve no significant hazards consideration.

Therefore, based on the above considerations, the Commission has made a proposed determination that the amendments request involve no significant hazards consideration.

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, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 19, 1990, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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. Request 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 located at Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126. 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 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 amendment 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 request for amendments involve no significant hazards consideration, the Commission may issue the amendments and make them effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

If a final determination is that the amendments involve a significant hazards consideration, any hearing held would take place before the issuance of any amendments.

Normally, the Commission will not issue the amendments 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 amendments involve no significant hazards consideration. The final determination will consider all public and State comments received. 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 Robert A. Capra: (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, D.C. 20555, and to Mr. Mark J. Wetterhahn, Esquire, Bishop, Cook, Purcell and Reynolds, 1400 L Street, NW., Washington, DC 20005–3502, 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).

For further details with respect to this action, see the applications for amendments dated September 21, 1990, as revised on October 4, 1990, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the Local Public Document Room located at the Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland, this 12th day of October 1990.

Robert E. Martin,

Senior Project Manager, Project Directorate I–1 Division of Reactor Projects—I/II Office of Nuclear Reactor Regulation

[FR Doc. 90–24713 Filed 10–18–90; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–315]

Indiana Michigan Power Co.; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–58, issued to the Indiana Michigan Power Company (the licensee), for operation of Donald C. Cook Nuclear Plant, Unit No. 1, located in Berrien County, Michigan.

The amendment would allow the licensee to use steam generator sleeves to repair defective steam generator tubes. The Technical Specifications currently require all defective steam generator tubes to be plugged and removed from service.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By November 19, 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 request for hearing and a 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 while 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 located at the Maude Preston, Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085. 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 shceduled 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 that 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 or a material issue of law on fact. Contentions shall be limited to matters within the scope of the amendment 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 satisifies 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.

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 Service Branch, or may be delivered to the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555, 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 Robert Pierson: 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 Gerald Charnoff, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

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 the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendments dated June 27, 1990, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555, and at the Maude Preston Palenske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085.

Dated at Rockville, Maryland, this 12th day of October 1990.

For the Nuclear Regulatory Commission

Robert Pierson,

Director, Project Directorate III–1, Division of Reactor Projects—III, IV, V & Special Projects, Office of Nuclear Reactor Regulation.

[FR Doc. 90–24714 Filed 10–18–90; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 72–10, 50–282/306]

Northern States Power Co.; Notice of Consideration of Issuance of a Meterials License for the Storage of Spent Fuel and Notice of Opportunity for a Hearing

The Nuclear Regulatory Commission (the Commission) is considering an application dated August 31, 1990, for a materials license, under the provisions of 10 CFR part 72, from Northern States Power Company (the applicant or NSP) to possess spent fuel and other radioactive materials associated with spent fuel storage in an independent spent fuel storage installation (ISFSI) located in the City of Red Wing, in Goodhue County, Minnesota. If granted, the license will authorize the applicant to store spent fuel from the Prairie Island Nuclear Generating Plant Units 1 and 2 in dry storage casks at an ISFSI to be constructed at the applicant's Prairie Island Nuclear Generating Plant stite (Operating Licenses DPR–2013 and 2014). Pursuant to the provisions of 10 CFR part 72, the term of the license for the ISFSI would be twenty (20) years.

Prior to issuance of the requested license, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The issuance of the materials license will not be approved until the Commission has reviewed the proposal and has concluded that approval of the license will not be inimical to the common defense and security and will not constitute an unreasonable risk to the health and safety of the public. The NRC will complete an environmental evaluation, in accordance with 10 CFR part 51, to determine if the preparation of an environmental impact statement is warranted or if an environmental assessment and Finding of No Significant Impact are appropriate. This action will be the subject of a subsequent notice in the **Federal Register.**

Pursuant to 10 CFR 2.105 and 2.1107, by November 19, 1990, the licensee may file a request for a hearing; 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 request for a hearing and a petition for leave to intervene with respect to the subject materials license in accordance with the provisions of 10 CFR 2.714. If a request for 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. In the event that no request for hearing or petition for leave to intervene is filed by the above date, the Commission may, upon satisfactory completion of all evaluations, issue the materials license without further prior notice.

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 that 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 a petition, without requesting leave of the Board up to 15 days prior to the holding of 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 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 relay 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. The 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 action 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.

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 Service 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 Richard E. Cunningham, Director, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards: 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 Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC, 20037, attorney for the applicant.

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 the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

The Commission hereby provides notice that this proceeding concerns an application for a license falling within the scope of section 134 of the Nuclear Waste Policy Act of 1982 (NWPA), 42 U.S.C. 10154. Under section 134 of NWPA, the Commission, at the request of any petitioner or any party to the proceeding, must use hybrid hearing procedures with respect to "any matter which the Commission determines to be in controversy among the parties." The hybrid procedures in section 134 provide for oral argument on matters in controversy, preceded by discovery under the Commission's rules, and the designation, following argument, of only those factual issues that involve a genuine and substantial dispute, together with any remaining questions of law, to be resolved in an adjudicatory hearing. Actual adjudicatory hearings are to be held on only those issues found to meet the criteria of section 134 and set for hearing after oral argument.

The Commission's rules implementing section 134 of the NWPA are found in 10 CFR part 2, subpart K, "Hybrid Hearing Procedures for Expansion of Spent Nuclear Fuel Capacity at Civilian Nuclear Power Reactors," (published at 50 FR 41662, October 15, 1985). Under those rules, any party to the proceeding may invoke the hybrid hearing procedures by filing with the presiding officer a written request for oral argument under 10 CFR 2.1109. To be timely, the request must be filed within ten (10) days of an order granting a request for hearing or petition to intervene. (As outlined above, the Commission's rules in 10 CFR part 2, subpart G, and § 2.714 in particular, continue to govern the filing of requests for a hearing or petitions to intervene, as well as the admission of contentions.) The presiding officer may grant an untimely request for oral argument only upon a showing of good cause by the requesting party for the failure to file on time and after providing the other parties an opportunity to respond to the untimely request. If the presiding officer grants a request for oral argument, and hearing held on the application shall be conducted in accordance with the hybrid hearing procedures. In essence, those procedures limit the time available for discovery and require that an oral

argument be held to determine whether any contentions must be resolved in an adjudicatory hearing. If no party to the proceeding requests oral argument, of if all untimely requests for oral argument are denied, then the usual procedures in 10 CFR part 2, subpart G apply.

For further details with respect to this action, see the application dated August 31, 1990, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room at the Technology & Science Department, Minnesapolis Public Library, 300 Nicollet Mall, Minneapolis, Minnesota 55401. The Commission's license and Safety Evaluation Report, when issued, may be inspected at the above locations.

Dated at Rockville, Maryland, this 12th day of October, 1990.

For the Nuclear Regulatory Commission

Charles J. Haughney,

Chief, Fuel Cycle Safety Branch, Division of Industrial and Medical Nuclear Safety Office of Nuclear Material Safety and Safeguards.

[FR Doc. 90–24716 Filed 10–18–90; 8:45 am]

BILLING CODE 7590–01–M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: Notice of correction of form number for the collection of information to the Office of Management and Budget for review and approval.

SUMMARY: In notice document 90–23529 on page 40974 in the issue of Friday, October 5, 1990, under "Summary of Proposal(s), Item (2) Form(s) submitted," correct R1–231–F to RL–231–F.

Dennis Eagan,

Clearance Officer.

[FR Doc. 90–24645 Filed 10–18–90; 8:45 am]

BILLING CODE 7905–01–M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area #2460]

California; Declaration of Disaster Loan Area

Mariposa County and the contiguous counties of Madera, Merced, Stanislaus, and Tuolumne in the State of California constitute a disaster area as a result of damages caused by wildfires which began on August 9 and continued through August 20, 1990. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on December 7, 1990 and for economic injury until the close of business on July 5, 1991 at the address listed below:

Disaster Area 4 Office, Small Business Administration, P.O. Box 13795, Sacramento, CA 95853–4795.

or other locally announced locations.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere	8.000
Homeowners without credit available elsewhere	4.000
Businesses with credit available elsewhere	8.000
Businesses and non-profit organizations without credit available elsewhere	4.000
Others (including non-profit organizations) with credit available elsewhere	9.250
For Economic Injury:	
Businesses and small agricultural cooperatives without credit available elsewhere	4.000

The number assigned to this disaster for physical damage is 246005 and for economic injury the number is 714500.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: October 5, 1990.

Susan Engeleiter,

Administrator.

[FR Doc. 90–24686 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Public Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Little Rock, public meeting scheduled for 10 a.m., on Tuesday, October 16, 1990, at the Capital Hotel, 111 W. Markham, Little Rock, Arkansas, has been canceled.

For further information, write or call Donald L. Libbey, District Director, U.S. Small Business Administration, 321 W. Capitol, Suite 601, Little Rock, Arkansas 72201, phone (501) 378–5871.

Dated: October 12, 1989

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24683 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region IX Advisory Council; Public Meeting

The U.S. Small Business Administration Region IX Advisory Council, located in the geographical area of Fresno, will hold a public meeting at 9 a.m. on Wednesday, November 7, 1990, at the Fresno District Office, 2719 N. Air Fresno Drive, Suite 107, Fresno, California, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Peter J. Bergin, District Director, U.S. Small Business Administration, 2719 N. Air Fresno Drive, Suite 107, Fresno, California 93727, phone (209) 487–5791.

Dated: October 12, 1990.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24684 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

REGION I Advisory Council; Public Meeting

The U.S. Small Business Administration Region I Advisory Council, located in the geographical area of Hartford, will hold a public meeting at 8:30 a.m. on Monday, November 26, 1990, at the Days Inn, 900 East Main Street, Meriden, Connecticut, to discuss such matters as may be presented by members, staff of the small Business Administration or others present.

For further information, write or call Michael P. McHale. District Director, U.S. Small Business Administration, 330 Main Street, Hartford, Connecticut 06106, telephone (203) 240–4670.

Dated: October 12, 1990.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24685 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Albuquerque, public meeting scheduled for 9 a.m., on Friday, October 26, 1990, at SBA Office, 625 Silver SW., Suite 320, Albuquerque, New Mexico, has been canceled.

For further information, write or call Tom W. Dowell, District Director, U.S. Small Business Administration, 625 Silver SW., Suite 320, Albuquerque, New Mexico 87102, phone (505) 766–1902 or FTS 474–1902.

Dated: October 12, 1990.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24676 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Oklahoma City, public meeting scheduled form 1 p.m. to 5 p.m., on Tuesday, October 23, 1990, at Metro Tech Conference Center, 1900 Springlake Drive, Oklahoma City, Oklahoma, has been canceled.

For further information, write or call Truman Branscum, District Director, U.S. Small Business Administration, 200 NW. 5th Street, suite 670, Oklahoma City, Oklahoma 73102, phone (405) 231–5237.

Dated: October 12, 1989.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24677 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Corpus Christi, public meeting scheduled for 1:30 p.m., on Tuesday, October 23, 1990, at U.S. Small Business Administration Office, 400 Mann Street, Suite 403, Corpus Christi, Texas, has been canceled.

For further information, write or call David Royal, Business Development Specialist, U.S. Small Business Administration, Government Plaza, 400 Mann Street, Suite 403, Corpus Christi, Texas 78401, phone (512) 888–3333.

Dated: October 12, 1989.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24678 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Houston, public meeting scheduled for 12 noon, on Tuesday, October 23, 1990, at the First City Financial Center, San Jacinto Room, 13th Floor, 1301 Fannin, Houston, Texas, has been canceled.

For further information, write or call Rodney M. Martin, District Director, U.S. Small Business Administration, 2525 Murworth, Suite 112, Houston, Texas 77054, phone (713) 660–4409.

Dated: October 12, 1989.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24679 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of San Antonio, public meeting scheduled for 9 a.m., on Thursday, November 1, 1990, at the North Star Executive Center, 7400 Blanco Road, Suite 200, San Antonio, Texas, has been canceled.

For further information, write or call Julio G. Perez, District Director, U.S. Small Business Administration, North Star Executive Center, 7400 Blanco Road, Suite 200, San Antonio, Texas 78216–4300, phone (512) 229–4501.

Dated: October 12, 1989.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24680 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Rio Grande Valley, public meeting scheduled for 1 p.m., on Tuesday, October 30, 1990, at the Rio Grande Valley Chamber of Commerce, FM 1015 & Expressway 83, Weslaco, Texas, has been canceled.

For further information, write or call Miguel A. Cavazos, Jr., District Director, U.S. Small Business Administration, 222 E. Van Buren, Suite 500, Harlingen, Texas 78550, phone (512) 427–8625.

Dated: October 12, 1989.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24681 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

Region VI Advisory Council; Cancellation of Meeting

The U.S. Small Business Administration Region VI Advisory Council, located in the geographical area of Dallas, public meeting scheduled for 9 a.m., on Thursday, November 15, 1990, at the Dallas/Fort Worth International Trade Resource Center, World Trade Center, 2050 Stemmons Freeway, Suite 150, Dallas, Texas, has been canceled.

For further information, write or call James S. Reed, District Director, U.S. Small Business Administration, 1100 Commerce Street, Room 3C36, Dallas, Texas 75242, phone (214) 767–0605.

Dated: October 12, 1989.

Veronica De Nardo,

Acting Director, Office of Advisory Councils.

[FR Doc. 90–24682 Filed 10–18–90; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

FAA Approval of Noise Compatibility Program; Burlington International Airport, Burlington, VT

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the City of Burlington, Vermont 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 non-federal responsibilities in Senate Report No. 96–52 (1980). On March 27, 1990, the FAA determined that the noise exposure maps, submitted by the City of Burlington, Vermont, under part 150, were in compliance with applicable requirements. On September 21, 1990, the Administrator approved the Burlington International (BTV) noise compatibility program. All 15 of the proposed program elements were approved.

EFFECTIVE DATE: The effective date of the FAA's approval of the BTV noise compatibility program is September 21, 1990.

FOR FURTHER INFORMATION CONTACT: John C. Silva, Federal Aviation Administration, New England Region, Airports Division, ANE–602, 12 New England Executive Park, Burlington, Massachusetts 01803, Telephone (617) 273–7060.

Documents reflecting this FAA action may be obtained from the same individual.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has

given its overall approval to the BTV noise compatibility program, effective September 21, 1990.

Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter 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 non-compatible land uses and prevention of additional non-compatible 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 Regulation (FAR), part 150 is a local program, not a federal program. The FAA does not substitute 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 non-compatible land uses around the airport and preventing the introduction of additional non-compatible 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 Administrator as prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibiity 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 or 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 under the Airport and Airway Improvement Act of 1982. Where Federal funding is sought, requests for project grants must be submitted to the FAA Regional Office in Burlington, Massachusetts.

The City of Burlington submitted to the FAA, on January 30, 1990 the noise exposure maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from July 1, 1987 to January 1990. The BTV noise exposure maps were determined by FAA to be in compliance with applicable requirements on March 27, 1990. Notice of this determination was published in the **Federal Register** on May 1, 1990.

The BTV study contains a proposed noise compatibility program comprised of actions designed for phase implementation by airport management and adjacent jurisdictions from the date of study completion to beyond the year 1993. 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 March 27, 1990, 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 a program within the 180-day period shall be deemed to be an approval of such a program.

The submitted program contained 15 proposed actions for noise mitigation 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 Administrator effective September 21, 1990. Approval was granted for all 15 specific program elements.

The 15 approved program elements include taxiway construction, terminal power installation, nighttime bi-directional runway use, noise abatement flight tracks, voluntary limits on training activity, voluntary limitation of multiple-aircraft military flights, voluntary military helicopter controls, monitoring and review, and various lands use measures which include land acquisition and relocation, soundproofing and related easement acquisition, airport zoning, easement acquisition for new development, and real estate disclosure.

FAA's determinations are set forth in detail in a Record of Approval endorsed by the Assistant Administrator on September 21, 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 office of the Director of Aviation, Burlington International Airport, Airport Drive, South Burlington, Vermont.

Issued in Burlington, Massachusetts on October 10, 1990.

Vincent A. Scarano,

Manager, Airports Division, New England Region.

FR Doc. 90-24801 Filed 10-18-90; 8:45 am]

BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA) Special Committee 167, Digital Avionics Software; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., appendix I), notice is hereby given for the Fourth meeting of RTCA Special Committee 167 on Digital Avionics Software held on November 7-9, 1990, in the software Productivity Consortium (SPC), 2214 Rock Hill Road, Herndon, VA 22070, Commencing at 9:30 a.m.

The agenda for this meeting is as follows: (1) Chairman's Remarks; (2) Approval of the Third Meeting's Minutes, RTCA Paper No. 191-90/SC167-25; (3) Review and Discuss EUROCAE WG-12 Activities; (4) Presentation and Panel Session on Formal Methods; (5) WG/SC-approved Position Paper Presentations; (6) WG5/SC5 Presentation of Software Change Categorization Issues; (7) Working Group Sessions; (8) SAE Avionics Subcommittee (Systems Development Standard Update); (9) Working Group Reports, (a) WG-1, Documentation Integration and Production, (b) WG-2 Systems Issues, (c) WG-3, Software Development, (d) WG-4, Software Verification, (e) WG-5, Configuration Management and Quality Assurance; (10) Review of New Issues identified by the Chairman, and Task Assignments Not Covered in Working Group Reports; (11) Other Business; (12) Date and place of next meeting.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, One McPherson Square, 1425 K Street, NW., Suite 500, Washington, DC 20005; (202) 682—0266. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on October 10, 1990.

Geoffrey R. McIntyre,

Designated Officer.

[FR Doc. 90–24802 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–13–M

Maritime Administration

[Docket No. S–871]

American Maritime Transport, Inc.; Applications for Amendments of Operating-Differential Subsidy Contracts for Fuel Subsidy

Notice is hereby given that American Maritime Transport, Inc., Aquarius Marine Company, Atlas Marine Company, Brookville Shipping Company, Chestnut Shipping Company, Margate Shipping Company, and Mormac Marine Transport, Inc., have applied for an adjustment to their respective operating-differential subsidy contracts to provide for a fuel subsidy, for voyages in foreign commerce commencing on or after January 1, 1990, in an amount equal to the excess of the cost of fuel needed to operate their vessels over the cost of fuel required for operation of vessels of foreign registry and flag with which they compete in foreign commerce.

The applicants indicate that the fuel subsidy for which applications are made is required to meet foreign-flag competition and to promote the foreign commerce of the United States and that the granting of the aid applied for is necessary to place the operations of the vessels on a parity with those of foreign competitors.

Any person, firm, or corporation having any interest in the applications for fuel subsidy may review them in the Office of and the Secretary, Maritime Administration, Room 7300, Nassif Building, 400 Seventh Street, SW., Washington, DC. Written comments concerning the applications must be filed with the Secretary, Maritime Administration by the close of business December 17, 1990.

The Maritime Subsidy Board, as a matter of discretion, will consider any comments submitted and take such action with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 20.804 Operating-Differential Subsidies (ODS))

By Order of the Maritime Subsidy Board.

Dated: October 16, 1990.

James E. Saari,

Secretary.

[FR Doc. 90–24717 Filed 10–18–90; 8:45 am]

BILLING CODE 4910–81–M

DEPARTMENT OF THE TREASURY

[No. 27–10]

Organization and Functions of the Office of the Assistant Secretary (Tax Policy)

Date: October 15, 1990.

1. *Purpose:* This directive describes the organization and functions of the Assistant Secretary (Tax Policy).

2. *The Assistant Secretary (Tax Policy)* reports through the Deputy Secretary to the Secretary and is responsible for the following functions.

a. Assists the Secretary and Deputy Secretary of the Treasury through the development and implementation of Federal tax policies and programs.

b. Provides official estimates of all government receipts for the President's budget, for fiscal policy decisions, and for Treasury cash management decisions.

c. Develops and reviews regulations and rulings to administer the tax code.

d. Negotiates tax treaties for the United States.

e. Provides economic and legal policy analysis for domestic and international tax policy decisions.

f. Prepares congressionally and Presidentially mandated reports of tax policy issues.

g. Analyzes and monitors class lives of business assets for depreciation purposes.

3. *Organization Structure.* Under the supervision of the Assistant Secretary are two Deputy Assistant Secretaries: Tax Policy and Tax Analysis. The structural organization and functions designed to accommodate the mission of the Office of the Assistant Secretary (Tax Policy) are as follows:

a. The Office of the Deputy Assistant Secretary (Tax Policy) serves as deputy to the Assistant Secretary in the conduct of the above functions and acts for the Assistant Secretary in that official's absence. The Tax Legislative Counsel, the International Tax Counsel, and the Benefits Tax Counsel provide counsel directly to the Assistant Secretary (Tax Policy) but are supervised by the General Counsel as part of the Department's Legal Division.

(1) The Office of the Tax Legislative Counsel is responsible for providing the Assistant Secretary (Tax Policy) with legal and policy analysis and assistance on matters of domestic taxation, including:

(a) Formulating the Administration's tax initiatives;

(b) Commenting on tax policy aspects of proposals and initiatives of other executive departments;

(c) Preparing testimony on domestic taxation issues for presentation before the congressional tax writing committees;

(d) Assisting congressional staff in drafting legislative language and preparing legislative history, including relevant committee reports;

(e) Assisting in the development of regulations, rulings, and other administrative guidance and advising the Assistant Secretary regarding any policy issues that arise as the regulations are developed; and

(f) Undertaking policy studies and serving on Treasury or interagency task forces on issues related to the Office's area of responsibility.

(2) The Office of the International Tax Counsel is responsible for providing the Assistant Secretary (Tax Policy) with legal and policy analysis and assistance on matters of international taxation, including:

(a) Developing recommendations for Treasury legislative initiatives and formulating of Treasury positions on other legislative proposals involving international taxation;

(b) Preparing testimony on international taxation issues for presentation before congressional tax writing committees;

(c) Overseeing the development of the policy aspects of all Internal Revenue Service administrative lawmaking pronouncements involving international tax issues, including rulings, regulations, and announcements;

(d) Conducting the Treasury's tax treaty and tax information exchange agreement program, including negotiating with foreign governments, supplying legal and policy input to the ratification process, and establishing general treaty policy;

(e) Participating in international meetings of government tax authorities; and

(f) Undertaking policy studies and serving on Treasury or interagency task

forces on issues related to the Office's areas of responsibility.

(3) The Office of the Benefits Tax Counsel is responsible for providing the Assistant Secretary (Tax Policy) with legal and policy analysis and assistance on matters relating to the taxation and regulation of employee benefits programs, both private and public, including:

(a) Formulating and reviewing legislative proposals relating to private and public employee benefits issues;

(b) Preparing testimony on private and public employee benefits issues for presentation before congressional tax writing committees;

(c) Overseeing policy aspects of Internal Revenue Service administrative guidance documents involving employee benefit issues, including rulings, regulations, and announcements;

(d) Commenting and advising on policy aspects of proposals and initiatives of other executive departments relating to private and public employee benefits issues;

(e) Undertaking policy studies and serving on Treasury or interagency task forces on issues related to the Office's areas of responsibility; and

(f) Assisting congressional staff in drafting legislative language and preparing legislative history, including committee reports, on private and public employee benefits issues.

b. The Office of the Deputy Assistant Secretary (Tax Analysis) serves as deputy to the Assistant Secretary (Tax Policy) in the conduct of the functions listed in paragraph 2, and provides economic analysis to facilitate the development, analysis, and implementation of tax policies and programs. Within this Office is the Office of Tax Analysis.

The Office of Tax Analysis is responsible for providing the Assistant Secretary (Tax Policy) with economic and policy analysis and assistance on matters of domestic and international taxation, including:

(1) Providing economic analyses of tax legislation and studying the effects of the existing tax law and alternative tax programs;

(2) Preparing testimony for Treasury officials, writing Presidentially and congressionally mandated reports, and serving on interagency task forces on issues related to the Office's areas of responsibility;

(3) Providing official Administration estimates of all current and future levels of Federal Government receipts for the President's Annual Budget and interim budget revisions, actual and proposed tax legislation, earmarked revenue allocated to various Federal trust funds, Treasury cash management decisions, and the Tax Expenditure Budget and working with the Office of the Assistant Secretary (Management) to estimate funding proposals for bureaus within the Treasury whose activities directly affect budget receipts;

(4) Assisting in the development and review of tax regulations and tax forms and overseeing the IRS Statistics of Income Division tax return studies;

(5) Participating in the Treasury's tax treaty and tax information exchange agreement program, and in international meetings of government tax authorities;

(6) Conducting specialized statistical and econometric studies of depreciation of assets and furnishing Treasury officials with analyses and recommendations regarding the assignment or revisions of asset classifications and class lives; and

(7) Assembling statistical and analytical information, data bases, models, and econometric and statistical techniques to analyze tax policy issues through the development and maintenance of large microdata files of tax returns, economic databases, and major simulation models for analyzing the economic effects of alternative tax proposals and tax systems.

4. *References.* a. Treasury Order (TO) 111–01, "Issues of Tax Policy," dated March 16, 1981.

b. TO 101–05, "Reporting Relationships and Supervision of Officials, Offices and Bureaus, Delegation of Certain Authority, and Order of Succession in the Department of the Treasury."

c. Treasury Directive (TD) 18–02, "Authority to Approve Internal Revenue Regulations," dated September 4, 1986.

5. *Cancellation.* TD 27–10, "Organization and Functions of the Office of the Assistant Secretary (Tax Policy)," dated September 20, 1989, is superceded.

6. *Office of Primary Interest.* Office of the Assistant Secretry (Tax Policy).

Kenneth W. Gideon,

Assistant Secretary (Tax Policy).

[FR Doc. 90–24807 Filed 10–18–90; 8:45 am]

BILLING CODE 4810–25–M

Office of Thrift Supervision

Notice of Appointment of Conservator; International Federal Savings and Loan 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 International Federal Savings and Loan Association, North Miami Beach, Florida on October 12, 1990.

Dated: October 15, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–24637 Filed 10–18–90; 8:45 am]

BILLING CODE 6720–01–M

Replacement of Conservator With a Receiver Golden Triangle 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 Golden Triangle Savings and Loan Association, Bridge City, Texas, with the Resolution Trust Corporation as sole Receiver for the Association on October 12, 1990.

Dated: October 15, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–24638 Filed 10–18–90; 8:45 am]

BILLING CODE 6720–01–M

Appointment of Receiver; International Savings and Loan Association

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 International Savings and Loan Association, North Miami Beach, Florida on October 12, 1990.

Dated: October 15, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90–24639 Filed 10–18–90; 8:45 am]

BILLING CODE 6720–01–M

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; Proposed Amendment of Systems Notice New Routine Use Statements

Notice, is hereby given that the Department of Veterans Affairs (VA) is considering adding two new routine use statements to the systems of records entitled, "General Personnel Records (Title 38)–VA" (76VA05] set forth at 53 FR 27258–27262, July 19, 1988, and the following 16 systems of records which are contained in "Privacy Act Issuances, 1987 Compilation, Volume V" on the pages initiated:

02VA135 Applicants for Employment Under Title 38, U.S.C.-VA on page 766 and amended at 54 FR 53031–53033, December 26, 1989.

08VA05 Employee Medical File System Records (Title 38)–VA on page 769 and amended at 53 FR 19085–19089, May 26, 1988.

09VA05 Employee Unfair Labor Practice Charges and Complaints, Negotiated Agreement Grievances and Arbitrations-VA on pages 769 and 770.

11VA51 Investigation Reports of Persons Allegedly Involved in Irregularities Concerning VA Laws, Regulations, Etc.-VA on pages 770–772.

13VA047 Individuals Submitting Invoices/Vouchers For Payment-VA on pages 772 and 773 and amended at 55 FR 37604–37605, September 12, 1990.

14VA135 Individuals Serving on a Fee Basis or Without Compensation (Consultants, Attendings, Others) Personnel Records-VA on pages 773 and 774.

23VA136 Patient Fee Basis Medical and Pharmacy Records-VA on pages 779 and 780.

24VA136 Patient Medical Records-VA on pages 780–782 and amended at 53 FR 49818, December 9, 1988, 55 FR 5112–5113, February 13, 1990, and 55 FR 37604–37605, September 12, 1990.

27VA047 Personnel and Accounting Pay System-VA on pages 782–784.

28VA119 Personnel Registration Under Controlled Substance Act-VA on page 784.

29VA11 Physician, Dentist and Supervisory Nurse Professional Standards Board Action File-VA on pages 784 and 785.

32VA00 Veteran, Employee and Citizen Health Care Facility Investigation Records-VA on pages 786 and 787.

34VA11 Veteran, Patient, Employee, and Volunteer Research and Development Project Records-VA on pages 787 and 788.

63VA05 Grievance Records-VA on pages 814 and 815

66VA53 Inspector General Complaint Center Records-VA on pages 816–818.

73VA14 Health Professional Scholarship Program-VA on pages 821 and 822.

The Health Care Quality Improvement Act of 1986 (Title IV of Public Law 99–660] set forth requirements for private sector health care facilities and organizations to report to the Secretary of the Department of Health and Human Services (HHS) adverse actions taken against physicians and licensed health care practitioners, Reports on medical malpractice, sanctions taken by State Licensing Boards, and reduction of clinical privileges following peer review are to be reported to the National Practitioner Data Bank operated by a private contractor (The Unisys Corporation) on behalf of the Secretary.

Congressional concern regarding the quality of medical care available to citizens gave rise to the legislation. Concerned with the increasing incidence of medical malpractice, coupled with the ability of incompetent practitioners to move from one state to another, Congress suggested that appropriate peer review processes and a national repository of practitioner specific information would improve the quality of medical care within the United States. Hospitals and other health care organizations will be required to access the Bank at the time of hiring and reprivileging health care practitioners.

Information to be maintained in the Bank includes malpractice payments and settlements made on behalf of all physicians, dentists and licensed health care practitioners, State licensing Board actions taken against practitioners, and peer review actions taken by health care entities which adversely affect a practitioner's clinical privileges or professional society membership. Reportable incidents include questions of professional competence and conduct, as well as voluntary licensure surrenders and voluntary privilege surrenders in lieu of investigation.

Participation in the reporting provisions of Public L. 99–660 is not binding on VA. However, through a Memorandum of Understanding with the Secretary of HHS, the Secretary of Veterans Affairs may apply the requirements to VA physicians, health care practitioners, applicants for employment and health care facilities. VA participation will include accessing the Bank at the time of hiring and clinical privileging/reprivileging health care practitioners and other times as deemed necessary by VA and to report payments for medical malpractice claims and decisions that adversely affect clinical privileges for more than 30 days.

The professional performance history of VA personnel or other relevant information is contained in several VA Privacy Act systems of records. Two routine uses are being proposed for all systems of records that contain information which the Department may wish to disclose to the Bank.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed routine uses to the Secretary, Department of Veterans Affairs (271A), 810 Vermont Avenue NW., Washington, DC 20420. All relevant material received before November 19, 1990, will be considered. All written comments received will be available for public inspection only in Room 132 of the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays) until November 28, 1990.

If no public comment is received during the 30-day review period allowed for public comment or unless otherwise published in the **Federal Register** by VA, the routine uses in the systems are effective November 19, 1990.

Approved: October 10, 1990.

Edward Derwinski,

Secretary of Veterans Affairs.

Notice of System of Records

1. In the system identified as 02VA135, "Applicants for Employment Under Title 38, U.S.C.–VA" appearing on page 766 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," and amended at 54 FR 53031–53033, December 26, 1989, the following routine uses are added:

02VA135

SYSTEM NAME:

Applicants for Employment Under Title 38, U.S.C.–VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

18. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the

time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

19. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

2. In the system identified as 08VA05, "Employee Medical File System Records (Title 38)–VA" appearing on page 769 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," and amended at 53 FR 19085–19089, May 26, 1988, the following routine uses are added:

08VA05

SYSTEM NAME:

Employee Medical File System Records (Title 38)–VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

25. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

26. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

3. In the system identified as 09VA05, "Employee Unfair Labor Practice Charges and Complaints, Negotiated Agreement Grievances and Arbitrations-VA" appearing on pages 769 and 770 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

09VA05

SYSTEM NAME:

Employee Unfair Labor Practice Charges and Complaints, Negotiated Agreement Grievances and Arbitrations-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

6. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

7. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a'" judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

4. In the system identified as 11VA51, "Investigation Reports of Persons Allegedly Involved in Irregularities Concerning VA Laws, Regulations, Etc.-VA" appearing on pages 770–772 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

11VA51

SYSTEM NAME:

Investigation Reports of Persons Allegedly Involved in Irregularities Concerning VA Law, Regulations, Etc.-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * *

13. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

14. Relevant information from this system of records may be disclosed to

the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement [or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

5. In the system identified as l3VA047, "Individuals Submitting Invoices/ Vouchers for Payment-VA" appearing on pages 772 and 773 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," and amended at 55 FR 37604, September 12, 1990, the following routine uses are added:

13VAO47

SYSTEM NAME:

Individuals Submitting Invoices/ Vouchers for Payment-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

11. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

12. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

6. In the system identified as l4VAl35,"Individuals Serving on a Fee Basis or Without Compensation (Consultants, Attendings, Others) Personnel Records-VA" appearing on pages 773 and 774 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

14VA135

SYSTEM NAME:

Individuals Serving on a Fee Basis or Without Compensation (Consultants, Attendings, Others) Personnel Records-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

8. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

9. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

7. In the system identified as 23VA136, "Patient Fee Basis Medical and Pharmacy Records-VA" appearing on pages 779 and 780 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

23VA136

SYSTEM NAME:

Patient Fee Basis Medical and Pharmacy Records-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * *

10. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

11. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for

improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

8. In the system identified as 24VA136, "Patient Medical Records-VA" appearing on pages 780–782 of the Federal Register publication, "Privacy Act Issuances, 1987 Compilation, Volume V," and amended at 53 FR 49818, December 9, 1988, 55 FR 5112–5113, February 13, 1990, and 55 FR 37604–37605, September 12, 1990, the following routine uses are added:

24VA136

SYSTEM NAME:

Patient Medical Records-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

31. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

32. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

9. In the system identified as 27VA047, "Personnel and Accounting Pay System-VA" appearing on pages 782–784 of the Federal Register publication. "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

27VA047

SYSTEM NAME:

Personnel and Accounting Pay System-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

23. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

24. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

10. In the system identified as 28VA119, "Personnel Registration Under Controlled Substance Act-VA" appearing on page 784 of the Federal Register publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

28VA119

SYSTEM NAME:

Personnel Registration Under Controlled Substance Act-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

7. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

8. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

11. In the system identified as 29VA11, "Physician, Dentist and Supervisory Nurse Professional Standards Board

Action File-VA" appearing on pages 784 and 785 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

29VA11

SYSTEM NAME:

Physician, Dentist and Supervisory Nurse Professional Standards Board Action File-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

8. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as determined necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

9. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

12. In the system identified as 32VA00, "Veteran, Employee and Citizen Health Care Facility Investigation Records-VA" appearing on pages 786 and 787 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

32VA00

SYSTEM NAME:

Veteran, Employee and Citizen Health Care Facility Investigation Records-VA.

* * * * *

11VA51

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

12. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

13. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, '(2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

13. In the system identified as 34VAl1,"Veteran, Patient, Employee, and Volunteer Research and Development Project Records-VA" appearing on pages 787 and 788 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

34VAll

SYSTEM NAME:

Veteran, Patient, Employee, and Volunteer Research and Development Project Records-VA.

* * * * *

ROUTINE USES OF RECORDS MANITAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSE OF SUCH USES:

* * * * *

10. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

11. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, througha peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (I) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice& action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

14. In the system identified as 63VA05, "Grievance Records-VA" appearing on pages 814 and 815 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

63VA05

SYSTEM NAME:

Grievance Records—VA.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

12. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA hiring, privileging/reprivileging, retention or termination of the applicant or employee.

13. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medica1 malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

15. In the system identified as 66VA53, "Inspector General Complaint Center Records-VA" appearing on pages 816–818 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

66VA53

SYSTEM NAME:

Inspector General Complaint Center Records-VA

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

9. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

10. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) on any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

16. In the system identified as 73VAl4, "Health Professional Scholarship Program-VA" appearing on pages 821 and 822 of the **Federal Register** publication, "Privacy Act Issuances, 1987 Compilation, Volume V," the following routine uses are added:

73VA14
System Name:

Health Professional Scholarship Program-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

11. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

12. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances, through a peer review process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (l) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

17. In the system identified as 76VA05, "General Personnel Records (Title 38)-VA" set forth at 53 FR 27258–27262, July 19, 1988, the following routine uses are added:

76VA05

SYSTEM NAME:

General Personnel Records (Title 38)-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

* * * * *

38. Identifying information in this system, including name, address, social security number and other information as is reasonably necessary to identify such individual, may be disclosed to the National Practitioner Data Bank at the time of hiring and/or clinical privileging/reprivileging of health care practitioners, and other times as deemed necessary by VA, in order for VA to obtain information relevant to a Department decision concerning the hiring, privileging/reprivileging, retention or termination of the applicant or employee.

39. Relevant information from this system of records may be disclosed to the National Practitioner Data Bank or to a State or local government licensing board which maintains records concerning the issuance, retention or revocation of licenses, certifications, or registrations necessary to practice an occupation, profession or specialty when under the following circumstances through a peer review

process that is undertaken pursuant to VA policy, negligence, professional incompetence, responsibility for improper care, and/or professional misconduct has been assigned to a physician or licensed or certified health care practitioner: (1) On any payment in settlement (or partial settlement) of, or in satisfaction of a judgment in, a medical malpractice action or claim; or, (2) on any final decision that adversely affects the clinical privileges of a physician or practitioner for a period of more than 30 days. These records may also be disclosed as part of a computer matching program to accomplish these purposes.

[FR Doc. 90–24687 Filed 10–18–90; 8:45 am]

BILLING CODE 8320–01–M

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; Amendment of System Notice

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

Notice is hereby given that the Department of Veterans Affairs (VA) is considering revising routine use 29 in the system of records entitled Compensation, Pension, Education and Rehabilitation Records—VA (58 VA 21/22) as set forth in **Federal Register** publication, "Privacy Act Issuances," 1987 Compilation, Volume V, page 810. Routine use 29 would be revised by adding provisions to allow the release of relevant information (including changes in disability ratings) to Federal agencies for the review of administrative tort claims and potential tort claims filed under the Federal Tort Claims Act, 28 U.S.C. 2672, the Military Claims Act, 10 U.S.C. 2733 and other similar claims statutes.

Frequently, we receive requests for information from other Federal agencies investigating administrative tort claims or potential claims under the Federal Tort Claims Act or a similar statute. The information is usually contained in VA medical records or C-files We believe it appropriate to honor these agency requests for information.

Information contained in C-files is germane to a number of issues raised in administrative tort claims, including prior employment and income, number of marriages and dependents, and educational history of the veteran and dependents. Information in the C-file may also show that the veteran or survivors of a deceased veteran are receiving compensation or pension for the same injury or death that is the subject of the claim. The courts have held that the United States is entitled to a credit against tort damages for VA benefits paid and to be paid so as to prevent a double recovery from the government. See *Brooks* v. *United States,* 337 U.S. 49 (1949); *Johnson* v. *United States,* 510 F. Supp. 1039 (D. Montana 19810; aff'd in part, 704 F. 2d 1431 (9th Cir. 1983) (active duty serviceman's tort award reduced by past and future VA compensation calculated at over $1.4 million).

Because agencies investigate and settle tort claims under claims statutes other than the Federal Tort Claims Act; *e.g.,* the Military Claims Act, and investigate potential claims events as well as filed claims, it would also seem appropriate to include these in the routine use in order to permit disclosure.

VA has determined that release of information under the circumstances described above is a necessary and proper use of information in this system of records and that a specific routine use for transfer of this information is appropriate. The proposed revision to routine use 29 also restates with nonsubstantive changes the information currently in routine use 29 which provides that any information in this system may be disclosed to the United States Department of Justice or United States Attorneys in order for the foregoing parties to prosecute or defend litigation involving or pertaining to the United States.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amended routine use statements to the Secretary of Veterans Affairs (271A), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420. All relevant material received before November 19, 1990, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays) until November 19, 1990.

If no public comment is received during the 30 day review period allowed for public comment or unless otherwise published in the **Federal Register** by the Department of Veterans Affairs, the amendments to 58 VA 21/22 included herein are effective November 19, 1990.

Approved: October 10, 1990.

Edward Derwinski,

Secretary of Veterans Affairs.

Notice of Amendment to System of Records

Routine use 29 in the system of records identified as 58 VA 21/22, "Compensation, Pension, Education and Rehabilitation records—VA" as set forth in **Federal Register** publication, Privacy Act Issuances," 1987 Compilation, Volume V, page 810, is revised to read as follows:

58 VA 21/22

SYSTEM NAME:

Compensation, Pension, Education and Rehabilitation Records—VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THEIR PURPOSES OF SUCH USES:

* * * * *

29. Any relevant information (including changes in disability ratings) may be disclosed to the Department of Justice and United States Attorneys in the defense or prosecution of litigation involving the United States, and to Federal agencies upon their request in connection with review of administrative tort claims and potential tort claims filed under the Federal Tort Claims Act, 28 U.S.C. 2672, the Military Claims Act, 10 U.S.C. 2733, and other similar claims statutes.

* * * * *

[FR Doc. 90–24688 Filed 10–18–90; 8:45 am]

BILLING CODE 8320–01–M

Sunshine Act Meetings

Federal Register
Vol. 55, No. 203
Friday, October 19, 1990

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).

FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS

TIME AND DATE: 10:00 a.m., Wednesday, October 24, 1990.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting; for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: October 16, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-24852 Filed 10-16-90; 4:24 pm]

BILLING CODE 6210-01-M

SECURITIES AND EXCHANGE COMMISSION

Agency Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of October 15, 1990.

A closed meeting will be held on Tuesday, October 16, 1990, at 2:30 p.m.

The Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or hsi designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at a closed meeting.

Commissioner Lochner, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, October 16, 1990, at 2:30 p.m., will be:

Institution of injunctive actions.
Institution of administrative proceedings of an enforcement nature.
Formal order of investigation.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Daniel Gray at (202) 272-2300.

Dated: October 16, 1990.

Jonathan G. Katz,

Secretary.

[FR Doc. 90-24932 Filed 10-17-90; 2:46 pm]

BILLING CODE 8010-01-M

TENNESSEE VALLEY AUTHORITY

[Meeting No. 1434]

TIME AND DATE: 10 a.m. (EDT), October 23, 1990.

PLACE: TVA Knoxville Office Complex, 400 West Summit Hill Drive, Knoxville, Tennessee.

STATUS: Open.

AGENDA: Approval of minutes of meeting held on September 19, 1990.

ACTION ITEMS:

New Business

A—Budget and Financing

A1. Authority to Write Off Uncollectible Account Receivable.

B—Purchase Awards

B1. Purchase Contract with Combustion Engineering, Inc., for Replacement Boiler Waterwall Panels for Widows Creek Power Plant.

B2. Coal Purchase for Allen, Colbert, Shawnee, and Widows Creek Power Plants (Requisition 22).

C—Power

C1. Arrangements with Associated Electric Cooperative, Inc.

C2. Interconnection Agreement with Nantahala Power and Light Company.

E—Real Property Transactions

E1. Deed Modification Affecting Approximately 0.01 Acre of Chickamauga Reservoir Land in Hamilton County, Tennessee.

F—Unclassified

F1. Contract with B&W Nuclear Service Company for Services Associated with Bellefonte Nuclear Plant.

F2. Filing of Condemnation Cases.

F3. Approval to Issue Suspension and Debarment Procedures.

F4. Supplement No. 4 to Personal Services Contract No. TV-77633A with Law Engineering, Incorporated.

F5. Personal Services Contract No. TV-76847T with Manpower Temporary Services.

INFORMATION ITEMS:

1. TVA Contribution to the TVA Retirement System for Fiscal Year 1991.
2. Contract with Systems Engineering Solutions, Inc., for Automatic Data Processing Equipment Support Services (Proposal YD-95404C).
3. Performance Increases for Employees on the Manager and Specialist Salary Schedule and Revisions to the Pay Rates for Excluded Positions.
4. Sale of Old Post Office Property in Chattanooga, Tennessee.
5. Increase Contract Amount with ABB Power T&D Company for Purchase of Transformers (Contract 90NLB-74678B).

CONTACT PERSON FOR MORE INFORMATION: Alan Carmichael, Manager, Media Relations, or a member of his staff can respond to requests for information about this meeting. Call (615) 632-6000, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 479-4412.

Dated: October 16, 1990.

William L. Osteen, Jr.,

Associate General Counsel and Assistant Secretary.

[FR Doc. 90-24881 Filed 10-17-90; 10:54 am]

BILLING CODE 8120-02-M

federal register

Friday
October 19, 1990

Part II

The President

Proclamation 6207—Veterans Day, 1990

Executive Order 12731—Principles of Ethical Conduct for Government Officers and Employees

Part II

The President

Federal Register
Vol. 55, No. 203
Friday, October 19, 1990

Presidential Documents

Title 3—

The President

Proclamation 6207 of October 17, 1990

Veterans Day, 1990

By the President of the United States of America

A Proclamation

The Bible tells us that no greater love has a man than this: to lay down his life for a friend. Our Nation's military veterans are brave and selfless individuals who, when duty called, were willing to put themselves in harm's way to defend the lives and liberty of others. Each November 11, we pause with solemn pride and heartfelt gratitude to honor this special group of Americans. The sacrifices they have made for our sake—and, indeed, for the sake of millions of freedom-loving men and women around the world—can never be forgotten. Their abiding patriotism and enduring devotion to the ideals on which the United States is founded can never fail to inspire us.

This Nation's veterans have made their stand for freedom and democratic ideals from the Argonne Forest to the windswept Aleutian Islands, from the searing deserts of North Africa to the steep hills and dense jungles of Southeast Asia. Some have defended the cause of individual liberty and self-government in more recent conflicts and less remote places, such as Grenada and Panama. They have seen comrades-in-arms fall on the field of battle, giving "the last full measure of devotion" for our country and the vision of freedom and justice we hold dear. They, too, have suffered and sacrificed, carrying on the light of liberty with efforts that have been equally selfless and heroic.

It is fitting that we pause on the anniversary of "Armistice Day," a day of peace and celebration, to honor America's veterans and to express our gratitude for their courage and sacrifice. World War I, which ended with the signing of the Armistice on November 11, 1918, did not, as millions of people hoped, prove to be "The War to End All Wars." Nevertheless, we know that our world is safer, freer, and more peaceful today thanks to the vigilance and resolve of our Armed Forces. Indeed, our Nation's veterans have helped to bring peace and freedom to regions of the world that once suffered under the shadow of hostility and oppression. The triumph of democratic ideals in Eastern Europe and other parts of the world provides powerful evidence that their sacrifices were not made in vain.

Although the dramatic social and political changes we have witnessed around the world during the past year provide a resounding affirmation of the ideals our veterans have fought to uphold, current events in the Persian Gulf region underscore the need for continued strength and vigilance on the part of free nations. As veterans have so often reminded us, eternal vigilance is, indeed, the price of liberty. These great heroes who have left their own "footprints on the sands of time" know that preparedness deters aggression, and they understand the important task before those American service men and women now keeping watch along the sands and off the shores of Saudi Arabia.

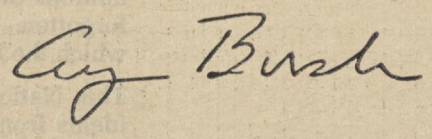
On this Veterans Day, mindful of President Wilson's call to honor our Nation's war heroes with a 2-minute interval of silence at 11:00 a.m. on November 11, 1919, let us pause to remember and pray for all those men and women who have since served in the United States Armed Forces. Through special services, programs, and ceremonies held in their honor on this day, let us affirm that their singular contributions to our country are cherished and remembered.

Let us also strive, each and every day of the year, to ensure that ours remains a land worthy of the great love our veterans have shown for it.

In order that we may pay due tribute to those who have served in our Armed Forces, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor America's veterans.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim Sunday, November 11, 1990, as Veterans Day. I urge all Americans to honor our veterans through appropriate public ceremonies and private prayers. I also call upon Federal, State, and local government officials to display the flag of the United States and to encourage and participate in patriotic activities in their communities. I invite civic and fraternal organizations, churches, schools, businesses, unions, and the media to support this national observance with suitable commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of October, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fifteenth.



[FR Doc. 90-25003
Filed 10-18-90; 10:42 am]
Billing code 3195-01-M

Presidential Documents

Executive Order 12731 of October 17, 1990

Principles of Ethical Conduct for Government Officers and Employees

By virtue of the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish fair and exacting standards of ethical conduct for all executive branch employees, it is hereby ordered that Executive Order 12674 of April 12, 1989, is henceforth modified to read as follows:

"EXECUTIVE ORDER

"_____

"PRINCIPLES OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

"By virtue of the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish fair and exacting standards of ethical conduct for all executive branch employees, it is hereby ordered as follows:

"Part I—Principles of Ethical Conduct

"Section 101. *Principles of Ethical Conduct.* To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this order:

"(a) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.

"(b) Employees shall not hold financial interests that conflict with the conscientious performance of duty.

"(c) Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.

"(d) An employee shall not, except pursuant to such reasonable exceptions as are provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.

"(e) Employees shall put forth honest effort in the performance of their duties.

"(f) Employees shall make no unauthorized commitments or promises of any kind purporting to bind the Government.

"(g) Employees shall not use public office for private gain.

"(h) Employees shall act impartially and not give preferential treatment to any private organization or individual.

"(i) Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.

"(j) Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.

"(k) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

"(l) Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.

"(m) Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

"(n) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.

"**Sec. 102.** *Limitations on Outside Earned Income.*

"(a) No employee who is appointed by the President to a full-time noncareer position in the executive branch (including full-time noncareer employees in the White House Office, the Office of Policy Development, and the Office of Cabinet Affairs), shall receive any earned income for any outside employment or activity performed during that Presidential appointment.

"(b) The prohibition set forth in subsection (a) shall not apply to any full-time noncareer employees employed pursuant to 3 U.S.C. 105 and 3 U.S.C. 107(a) at salaries below the minimum rate of basic pay then paid for GS–9 of the General Schedule. Any outside employment must comply with relevant agency standards of conduct, including any requirements for approval of outside employment.

"Part II—Office of Government Ethics Authority

"**Sec. 201.** *The Office of Government Ethics.* The Office of Government Ethics shall be responsible for administering this order by:

"(a) Promulgating, in consultation with the Attorney General and the Office of Personnel Management, regulations that establish a single, comprehensive, and clear set of executive-branch standards of conduct that shall be objective, reasonable, and enforceable.

"(b) Developing, disseminating, and periodically updating an ethics manual for employees of the executive branch describing the applicable statutes, rules, decisions, and policies.

"(c) Promulgating, with the concurrence of the Attorney General, regulations interpreting the provisions of the post-employment statute, section 207 of title 18, United States Code; the general conflict-of-interest statute, section 208 of title 18, United States Code; and the statute prohibiting supplementation of salaries, section 209 of title 18, United States Code.

"(d) Promulgating, in consultation with the Attorney General and the Office of Personnel Management, regulations establishing a system of nonpublic (confidential) financial disclosure by executive branch employees to complement the system of public disclosure under the Ethics in Government Act of 1978. Such regulations shall include criteria to guide agencies in determining which employees shall submit these reports.

"(e) Ensuring that any implementing regulations issued by agencies under this order are consistent with and promulgated in accordance with this order.

"**Sec. 202.** *Executive Office of the Presdent.* In that the agencies within the Executive Office of the President (EOP) currently exercise functions that are

not distinct and separate from each other within the meaning and for the purposes of section 207(e) of title 18, United States Code, those agencies shall be treated as one agency under section 207(c) of title 18, United States Code.

"Part III—Agency Responsibilities

"Sec. 301. *Agency Responsibilities.* Each agency head is directed to:

"(a) Supplement, as necessary and appropriate, the comprehensive executive branch-wide regulations of the Office of Government Ethics, with regulations of special applicability to the particular functions and activities of that agency. Any supplementary agency regulations shall be prepared as addenda to the branch-wide regulations and promulgated jointly with the Office of Government Ethics, at the agency's expense, for inclusion in Title 5 of the Code of Federal Regulations.

"(b) Ensure the review by all employees of this order and regulations promulgated pursuant to the order.

"(c) Coordinate with the Office of Government Ethics in developing annual agency ethics training plans. Such training shall include mandatory annual briefings on ethics and standards of conduct for all employees appointed by the President, all employees in the Executive Office of the President, all officials required to file public or nonpublic financial disclosure reports, all employees who are contracting officers and procurement officials, and any other employees designated by the agency head.

"(d) Where practicable, consult formally or informally with the Office of Government Ethics prior to granting any exemption under section 208 of title 18, United States Code, and provide the Director of the Office of Government Ethics a copy of any exemption granted.

"(e) Ensure that the rank, responsibilities, authority, staffing, and resources of the Designated Agency Ethics Official are sufficient to ensure the effectiveness of the agency ethics program. Support should include the provision of a separate budget line item for ethics activities, where practicable.

"Part IV—Delegations of Authority

"Sec. 401. *Delegations to Agency Heads.* Except in the case of the head of an agency, the authority of the President under sections 203(d), 205(e), and 208(b) of title 18, United States Code, to grant exemptions or approvals to individuals, is delegated to the head of the agency in which an individual requiring an exemption or approval is employed or to which the individual (or the committee, commission, board, or similar group employing the individual) is attached for purposes of administration.

"Sec. 402. *Delegations to the Counsel to the President.*

"(a) Except as provided in section 401, the authority of the President under sections 203(d), 205(e), and 208(b) of title 18, United States Code, to grant exemptions or approvals for Presidential appointees to committees, commissions, boards, or similar groups established by the President is delegated to the Counsel to the President.

"(b) The authority of the President under sections 203(d), 205(e), and 208(b) of title 18, United States Code, to grant exemptions or approvals for individuals appointed pursuant to 3 U.S.C. 105 and 3 U.S.C. 107(a), is delegated to the Counsel to the President.

"Sec. 403. *Delegation Regarding Civil Service.* The Office of Personnel Management and the Office of Government Ethics, as appropriate, are delegated the authority vested in the President by 5 U.S.C. 7301 to establish general regulations for the implementation of this Executive order.

"Part V—General Provisions

"Sec. 501. *Revocations.* The following Executive orders are hereby revoked:

"(a) Executive Order No. 11222 of May 8, 1965.

"(b) Executive Order No. 12565 of September 25, 1986.

"Sec. 502. *Savings Provision.*

"(a) All actions already taken by the President or by his delegates concerning matters affected by this order and in force when this order is issued, including any regulations issued under Executive Order 11222, Executive Order 12565, or statutory authority, shall, except as they are irreconcilable with the provisions of this order or terminate by operation of law or by Presidential action, remain in effect until properly amended, modified, or revoked pursuant to the authority conferred by this order or any regulations promulgated under this order. Notwithstanding anything in section 102 of this order, employees may carry out preexisting contractual obligations entered into before April 12, 1989.

"(b) Financial reports filed in confidence (pursuant to the authority of Executive Order No. 11222, 5 C.F.R. Part 735, and individual agency regulations) shall continue to be held in confidence.

"Sec. 503. *Definitions.* For purposes of this order, the term:

"(a) 'Contracting officers and procurement officials' means all such officers and officials as defined in the Office of Federal Procurement Policy Act Amendments of 1988.

"(b) 'Employee' means any officer or employee of an agency, including a special Government employee.

"(c) 'Agency' means any executive agency as defined in 5 U.S.C. 105, including any executive department as defined in 5 U.S.C. 101, Government corporation as defined in 5 U.S.C. 103, or an independent establishment in the executive branch as defined in 5 U.S.C. 104 (other than the General Accounting Office), and the United States Postal Service and Postal Rate Commission.

"(d) 'Head of an agency' means, in the case of an agency headed by more than one person, the chair or comparable member of such agency.

"(e) 'Special Government employee' means a special Government employee as defined in 18 U.S.C. 202(a).

"Sec. 504. *Judicial Review.* This order is intended only to improve the internal management of the executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.".

George Bush

THE WHITE HOUSE,
October 17, 1990.

[FR Doc. 90-25002
Filed 10-18-90; 10:41 am]
Billing code 3195-01-M

Reader Aids

Federal Register

Vol. 55, No. 203

Friday, October 19, 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 hearing impaired	523-5229

FEDERAL REGISTER PAGES AND DATES, OCTOBER

39911-40150.....1
40151-40374.....2
40375-40644.....3
40645-40786.....4
40787-41050.....5
41051-41176.....9
41177-41328.....10
41329-41484.....11
41485-41656.....12
41657-41822.....15
41823-41978.....16
41979-42178.....17
42179-42344.....18
42345-42550.....19

CFR PARTS AFFECTED DURING OCTOBER

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:
6188.....40365
6189.....40367
6190.....40369
6191.....40371
6192.....40785
6193.....41041
6194.....41043
6195.....41045
6196.....41329
6197.....41331
6198.....41485
6199.....41651
6200.....41657
6201.....41819
6202.....41821
6203.....41921
6204.....41923
6205.....41925
6206.....42345
6207.....42545

Executive Orders:
12002 (See EO 12730).....40373
12131 (See EO 12730).....40373
12214 (See EO 12730).....40373
12674 (Modified by EO 12731).....42547
12730.....40373
12731.....42547

Administrative Orders:
Orders:
October 15, 1990.....41977
Presidential Determinations:
No. 91-3 of Oct. 12, 1990.....41979

5 CFR

550.....41177
841.....41178
870.....41178
871.....41178
872.....41178
873.....41178
890.....41178
1204.....39911
1205.....39911
1631.....41051

Proposed Rules:
300.....42389
330.....42389
2412.....40188

7 CFR

1.....41179, 42347
6.....41487
29.....40645
58.....39911
210.....41502
301.....40375, 41981-41983
319.....42349
354.....41057
401.....40787
415.....40788
723.....39913
724.....39913
725.....39913
726.....39913
905.....41659
910.....40789, 41661
920.....42179
948.....41179
955.....41823
958.....41663
981.....41824
1030.....41333
1079.....41181, 41504
1106.....41827
1137.....41060
1530.....41487
Ch. XVI.....41170
Ch. XVII.....41170
1765.....41170
1772.....42182
1924.....41828
1933.....41828
1944.....40376, 41828
1950.....40645

Proposed Rules:
47.....41094
401.....40841
433.....40842
800.....40136
910.....42200
944.....42391
966.....41195
984.....41694
1046.....40670
1930.....39982
1944.....39982

8 CFR

103.....41987
214.....41987

9 CFR

11.....41989
77.....40995
78.....41505, 41994, 42353
97.....41057
151.....40260
202.....41183

Proposed Rules:
101.....42392
102.....42392

10 CFR

55.....41334
420.....41322
430.....42162

440.....41322
455.....41322
465.....41322
Proposed Rules:
13.....40997
50.....41095

11 CFR

100.....40376
102.....40377
104.....40376, 40377
106.....40377
114.....40376
116.....40376
9003.....40377
9007.....40377
9033.....40377
9035.....40377
9038.....40377
Proposed Rules:
109.....40397
110.....41100
114.....40397

12 CFR

3.....41171
210.....40791
226.....42148
265.....41184
327.....40814
613.....41309, 42303
614.....41309, 42303
615.....41309, 42183, 42303
616.....41309, 42303
618.....41309, 42303
619.....41309, 42303
931.....41995
933.....41995
936.....41995
938.....41995
940.....41995
941.....41995
942.....41995
944.....41995
1400.....41185
Proposed Rules:
3.....40843, 42017
208.....42022
211.....40190
225.....42022
226.....42026
265.....40190

13 CFR

107.....40356
120.....40151
122.....41996
Proposed Rules:
121.....40847

14 CFR

13.....41415
25.....41415, 41785
39.....39954–39957, 40152, 40159, 40817, 40819, 41185, 41186, 41309, 41335, 41336, 41507–41515, 41849–41851, 42149, 42342, 42354–42358
61.....40262, 41415
63.....40262
65.....40262
71.....40160, 40378, 40821, 40823, 41852–41855, 42359–42362
73.....42363
75.....42364
91.....40360, 40758
93.....40758
97.....42365–42367
108.....40262
121.....40262
135.....40262
Proposed Rules:
Ch. I.....40191, 41200, 41862
21.....40851
23.....40598, 40755, 40851
27.....41000
29.....41000
39.....40191–40198, 40853, 40855, 41196–41198, 41341–41345, 41862, 42393–42398
71.....40041, 40200, 40398, 41544, 41785, 42399–42401

15 CFR

770.....40823, 40825
771.....40825, 40827
774.....40825
778.....40825
779.....40825
785.....40825
786.....40825
787.....40825
791.....40825
799.....40825
2011.....40646
2013.....40646

16 CFR

305.....40161
Proposed Rules:
Ch. II.....42402
1500.....42202
1700.....40856

17 CFR

3.....41061
171.....41061
200.....41188
239.....40162
Proposed Rules:
270.....41100

18 CFR

284.....40828
381.....41996
Proposed Rules:
401.....42206

19 CFR

Ch. I.....40162, 41785
201.....40378

20 CFR

416.....42148
Proposed Rules:
401.....41200

21 CFR

333.....40379
341.....40381
448.....40379
522.....40653
Proposed Rules:
101.....41106
155.....41346
356.....41170

24 CFR

200.....41016
201.....40168
203.....40168, 40830, 41016
221.....41016
222.....41016
226.....41016
234.....40168, 41016
235.....41016
251.....41312
252.....41312
255.....41312
888.....40044
Proposed Rules:
200.....40399

25 CFR

61.....41516
Proposed Rules:
20.....42406

26 CFR

1.....41310, 41664, 41665, 42003
43.....41519
47.....41519
602.....41665, 42003
Proposed Rules:
1.....40401, 40402, 40870, 40875, 41310, 41695
43.....41545, 41546

28 CFR

0.....40654
2.....42184
551.....40354

29 CFR

510.....39958
1926.....42306
2610.....41686
2619.....41688
2622.....41686
2644.....41689
2676.....41689
Proposed Rules:
29.....41348
1910.....40676, 42406
1926.....40676

30 CFR

Proposed Rules:
7.....40124
18.....40124
57.....40124
75.....40124
800.....40996
904.....40677, 41864
918.....42207
946.....40678

31 CFR

317.....39959
321.....39959
535.....40830
Proposed Rules:
103.....41696

32 CFR

199.....42368
775.....39960
806b.....42370
Proposed Rules:
199.....41107
811.....41348

33 CFR

100.....39961, 41075, 41076
110.....40383
117.....39962–39964, 42185, 42370–42372
165.....39965, 39966, 40169, 40383, 41076, 41078, 41690, 42006, 42373,–42374
334.....41522
Proposed Rules:
100.....41108
110.....39985, 41109
117.....41110, 42408
165.....39986, 41110
325.....41354

38 CFR

21.....42186
Proposed Rules:
21.....42208

34 CFR

682.....40120
Proposed Rules:
200.....41112
668.....40148
770.....42152

36 CFR

79.....41639
Proposed Rules:
7.....40679
217.....41357

38 CFR

17.....40169
21.....40170
36.....40654
Proposed Rules:
36.....40682

39 CFR

111.....40657
Proposed Rules:
111.....40560

40 CFR

52.....40658, 40831, 40996, 41523, 41691, 42187
60.....40170
61.....40834
248.....40384
249.....40384
250.....40384
252.....40384
253.....40384
261.....40834
Proposed Rules:
51.....41546
52.....40201, 40202, 40403, 40687, 40875, 41204, 41553
60.....40879
141.....40205, 42409
142.....42409
144.....40404
145.....40404
146.....40404
147.....40404
148.....40404
180.....40206
185.....40206
186.....40206
260.....40206, 40881
261.....40206, 40881
262.....40206, 40881
263.....40881
264.....40206, 40881

265.....40206, 40881
266.....40881
268.....40881
270.....40206, 40881
271.....40206, 40881
414.....42332

41 CFR

Ch. 101, Apps. A and B.....41525
101-47.....41189
301-1.....41525
301-3.....41525
301-7.....41525
301-8.....41525
301-11.....41525
301-12.....41525
301-14.....41525
302-1.....41525
302-2.....41525
302-5.....41525
302-6.....41525

Proposed Rules:

50-202.....41555

42 CFR

Proposed Rules:

57.....41865
60.....40140

43 CFR

Public Land Orders:

6786.....40996
6803.....41189
6804.....41855

Proposed Rules:

426.....40687

44 CFR

64.....41079
65.....41082, 41083
67.....41084, 42006, 42303
82.....42188
83.....42188

Proposed Rules:

15.....42216
67.....41113

45 CFR

Proposed Rules:

612.....42413
613.....42413
1180.....41360
1235.....42218
1355.....42416
1356.....42416
1357.....42416

46 CFR

16.....40178
25.....39967
38.....41916
50.....39968
54.....41916
56.....39968
61.....39968
64.....40755
91.....40260
98.....40755, 41916
151.....41916
502.....42193
510.....42193
580.....40996
581.....40966

Proposed Rules:

550.....42416
580.....40996, 42416
581.....40996, 42416

47 CFR

61.....42375
65.....42375
69.....42375
73.....39969, 39970, 40390, 40391, 40837, 40839, 41086-41088, 41337, 41338, 41692, 41693, 42011-42015, 42194-42196
80.....40179

Proposed Rules:

1.....41117
2.....40888, 42028
36.....42220
64.....42028
68.....42028
73.....41361, 41704, 41705, 42029-42031, 42222
97.....40688

48 CFR

52.....40392
53.....39970
219.....39970
237.....39970
247.....39970
252.....39970
306.....42196
316.....42196
332.....42196
333.....42196
352.....42196
503.....39972
504.....39972
505.....39972
515.....39972
552.....39972, 42416
701.....39975
734.....39975
737.....39975
752.....39975
970.....41538

Proposed Rules:

9.....41434
27.....41788
52.....41788
245.....42222
552.....42416
752.....41238
950.....40210
952.....40210
970.....40210
1515.....40689
1552.....40689

49 CFR

1.....40661
27.....40762
37.....40762
106.....39977
107.....39977
171.....39977
172.....39977
173.....39977
175.....39977
177.....39977
178.....39977
179.....39977
387.....40633
571.....41190
594.....40634
665.....41174
835.....41540
1039.....41338
1048.....42198
1201.....42015

Proposed Rules:

387.....40691
391.....41028
394.....41705
544.....41241
552.....41117, 42031
571.....40404, 41309, 41556, 41561
1201.....40890

50 CFR

20.....40392, 41644
217.....40839
227.....41088, 41092
264.....41856
646.....40181, 40394
652.....40840
656.....40181
661.....40677, 40668, 41542
663.....41192
672.....40185, 40186, 41191, 41339
675.....41191, 41543, 42198, 42387

Proposed Rules:

14.....41708
17.....39988, 39989, 40890, 41244-41248, 41718-41725, 42223
216.....40693
611.....41570
646.....40260, 41170

LIST OF PUBLIC LAWS

Last List October 18, 1990

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with "P L U S" (Public Laws Update Service) on 523-6641. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone 202-275-3030).

H.R. 5641/Pub. L. 101-428

Capitol Police Retirement Act. (Oct. 15, 1990; 104 Stat. 928; 3 pages) Price: $1.00

S. 647/Pub. L. 101-429

Securities Enforcement Remedies and Penny Stock Reform Act of 1990. (Oct. 15, 1990; 104 Stat. 931; 28 pages) Price: $1.00

S. 1230/Pub. L. 101-430

To authorize the acquisition of additional lands for inclusion in the Knife River Indian Villages National Historic Site, and for other purposes. (Oct. 15, 1990; 104 Stat. 959; 1 page) Price: $1.00

S. 1974/Pub. L. 101-431

Television Decoder Circuitry Act of 1990. (Oct. 15, 1990; 104 Stat. 960; 3 pages) Price: $1.00

H.R. 3657/Pub. L. 101-432

Market Reform Act of 1990. (Oct. 16, 1990; 104 Stat. 963; 15 pages) Price: $1.00

S. 1511/Pub. L. 101-433

Older Workers Benefit Protection Act. (Oct. 16, 1990; 104 Stat. 978; 7 pages) Price: $1.00

H.R. 435/Pub. L. 101-434

To amend the Appalachian Regional Development Act of 1965 to include Columbiana County, Ohio, as part of the Appalachian region. (Oct. 17, 1990; 104 Stat. 985; 1 page) Price: $1.00

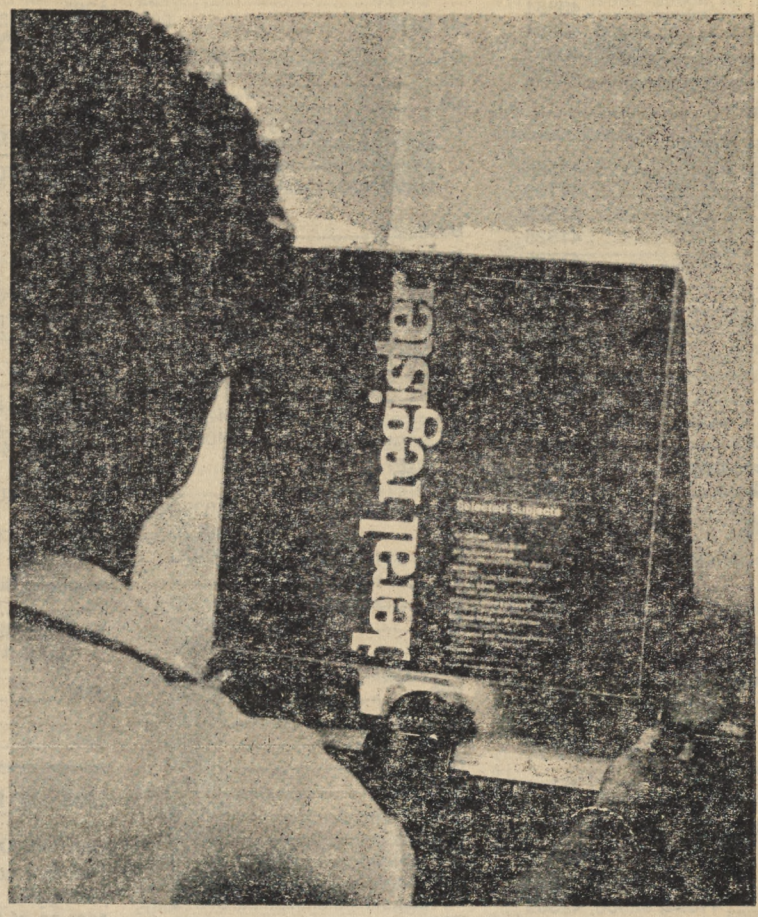
Microfiche Editions Available...

Federal Register

The Federal Register is published daily in 24x microfiche format and mailed to subscribers the following day via first class mail. As part of a microfiche Federal Register subscription, the LSA (List of CFR Sections Affected) and the Cumulative Federal Register Index are mailed monthly.

Code of Federal Regulations

The Code of Federal Regulations, comprising approximately 196 volumes and revised at least once a year on a quarterly basis, is published in 24x microfiche format and the current year's volumes are mailed to subscribers as issued.



Microfiche Subscription Prices:

Federal Register:

One year: $195
Six months: $97.50

Code of Federal Regulations:

Current year (as issued): $188

Superintendent of Documents Subscriptions Order Form

Order Processing Code:
*** 6462**

Charge your order. It's easy! MasterCard VISA

Charge orders may be telephoned to the GPO order desk at (202) 783-3238 from 8:00 a.m. to 4:00 p.m. eastern time, Monday–Friday (except holidays)

☐ **YES,** please send me the following indicated subscriptions:

24x MICROFICHE FORMAT:

____ **Federal Register:** ____ One year: $195 ____ Six months: $97.50

____ **Code of Federal Regulations:** ____ Current year: $188

1. The total cost of my order is $_____ . All prices include regular domestic postage and handling and are subject to change. International customers please add 25%.

Please Type or Print

2. _____
(Company or personal name)

_____
(Additional address/attention line)

_____
(Street address)

_____
(City, State, ZIP Code)

(_____)
(Daytime phone including area code)

3. Please choose method of payment:

☐ Check payable to the Superintendent of Documents
☐ GPO Deposit Account ☐☐☐☐☐☐☐-☐
☐ VISA or MasterCard Account
☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

_____
(Credit card expiration date)

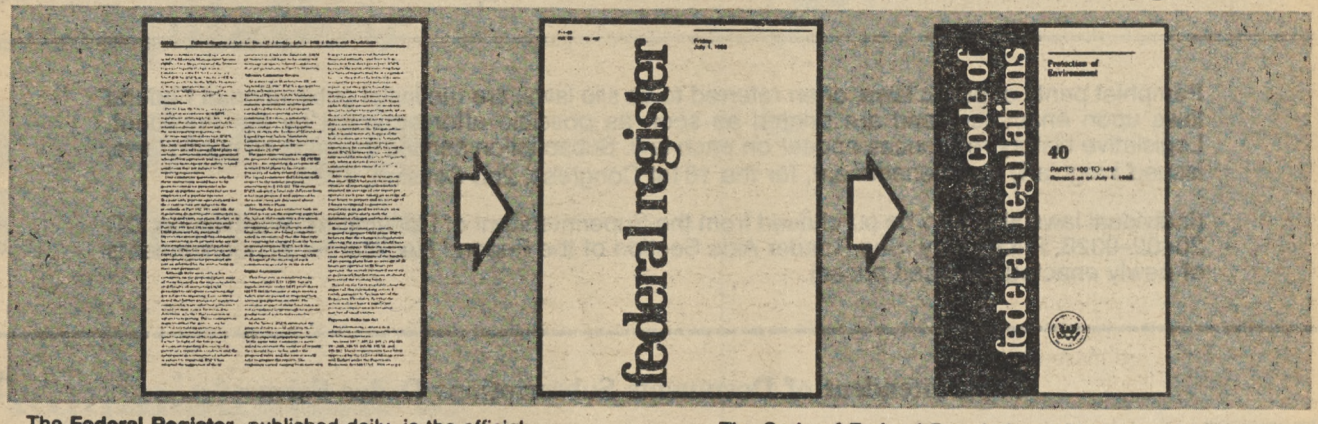
Thank you for your order!

_____
(Signature)

4. Mail To: Superintendent of Documents, Government Printing Office, Washington, D.C. 20402-9371 (Rev. 2/90)

The Federal Register

Regulations appear as agency documents which are published daily in the **Federal Register** and codified annually in the **Code of Federal Regulations**



The **Federal Register**, published daily, is the official publication for notifying the public of proposed and final regulations. It is the tool for you to use to participate in the rulemaking process by commenting on the proposed regulations. And it keeps you up to date on the Federal regulations currently in effect.

Mailed monthly as part of a **Federal Register** subscription are: the LSA (List of CFR Sections Affected) which leads users of the **Code of Federal Regulations** to amendatory actions published in the daily **Federal Register**; and the cumulative **Federal Register Index.**

The **Code of Federal Regulations** (CFR) comprising approximately 196 volumes contains the annual codification of the final regulations printed in the **Federal Register**. Each of the 50 titles is updated annually.

Individual copies are separately priced. A price list of current **CFR** volumes appears both in the **Federal Register** each Monday and the monthly **LSA** (List of **CFR** Sections Affected). Price inquiries may be made to the Superintendent of Documents, or the Office of the Federal Register.

Superintendent of Documents Subscription Order Form

Order Processing Code:
***6463**

Charge your order. It's easy!

MasterCard VISA

Charge orders may be telephoned to the GPO order desk at (202) 783-3238 from 8:00 a.m. to 4:00 p.m eastern time, Monday-Friday (except holidays)

☐ **YES,** please send me the following indicated subscriptions:

- **Federal Register**
  - **Paper:**
    ___$340 for one year
    ___$170 for six-months
  - **24 x Microfiche Format:**
    ___$195 for one year
    ___$97.50 for six-months
  - **Magnetic tape:**
    ___$37,500 for one year
    ___$18,750 for six-months

- **Code of Federal Regulations**
  - **Paper**
    ___$620 for one year
  - **24 x Microfiche Format:**
    ___$188 for one year
  - **Magnetic tape:**
    ___$21,750 for one year

1. The total cost of my order is $_____. All prices include regular domestic postage and handling and are subject to change. International customers please add 25%.

Please Type or Print

2. _____
(Company or personal name)

_____
(Additional address/attention line)

_____
(Street address)

_____
(City, State, ZIP Code)

(_____) _____
(Daytime phone including area code)

3. **Please choose method of payment:**
☐ Check payable to the Superintendent of Documents
☐ GPO Deposit Account ☐☐☐☐☐☐☐-☐
☐ VISA or MasterCard Account
☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

_____
(Credit card expiration date)

Thank you for your order!

_____
(Signature)

(Rev. 2/90)

4. **Mail To:** Superintendent of Documents, Government Printing Office, Washington, D.C. 20402-9371

Public Laws

are now available for the 101st Congress, 2nd Session, 1990

Pamphlet prints of public laws, often referred to as slip laws, are the initial publication of Federal laws upon enactment and are printed as soon as possible after approval by the President. Legislative history references appear on each law. Subscription service includes all public laws, issued irregularly upon enactment, for the 101st Congress, 2nd Session, 1990.

(Individual laws also may be purchased from the Superintendent of Documents, Washington, DC 20402-9328. Prices vary. See Reader Aids Section of the Federal Register for announcements of newly enacted laws and prices).

Superintendent of Documents Subscriptions Order Form

Order Processing Code:
*6216

Charge your order. It's easy!

☐ **YES,** please send me _____ subscriptions to **PUBLIC LAWS** for the 101st Congress, 2nd Session, 1990 for $107 per subscription.

1. The total cost of my order is $_____. All prices include regular domestic postage and handling and are subject to change. International customers please add 25%.

Please Type or Print

2. _____
(Company or personal name)

_____
(Additional address/attention line)

_____
(Street address)

_____
(City, State, ZIP Code)

(_____) _____
(Daytime phone including area code)

3. **Please choose method of payment:**
☐ Check payable to the Superintendent of Documents
☐ GPO Deposit Account ☐☐☐☐☐☐☐-☐
☐ VISA or MasterCard Account
☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

_____
(Credit card expiration date)

Thank you for your order!

_____
(Signature)

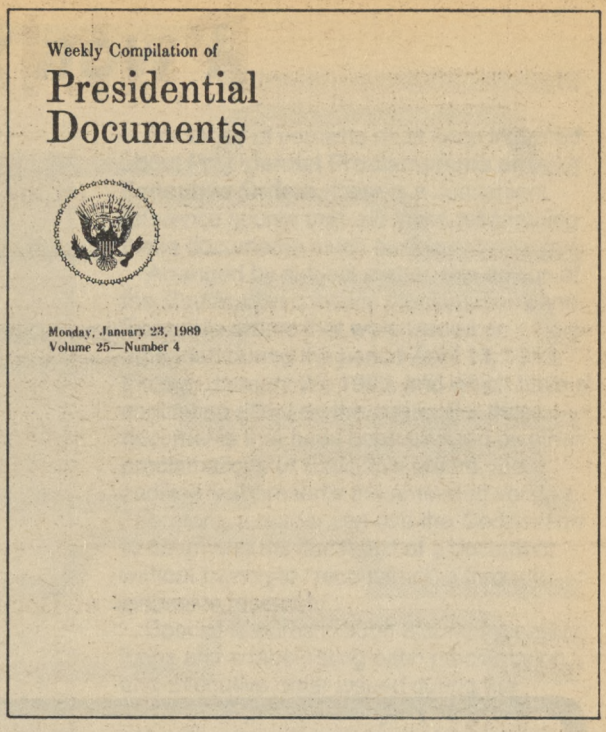
1/90

4. **Mail To:** Superintendent of Documents, Government Printing Office, Washington, D.C. 20402-9371

The authentic text behind the news . . .

The Weekly Compilation of **Presidential Documents**

Administration of George Bush



This unique service provides up-to-date information on Presidential policies and announcements. It contains the full text of the President's public speeches, statements, messages to Congress, news conferences, personnel appointments and nominations, and other Presidential materials released by the White House.

The Weekly Compilation carries a Monday dateline and covers materials released during the preceding week. Each issue contains an Index of Contents and a Cumulative Index to Prior Issues.

Separate indexes are published periodically. Other features include lists of acts approved by the President, nominations submitted to the Senate, a checklist of White House press releases, and a digest of other Presidential activities and White House announcements.

Published by the Office of the Federal Register, National Archives and Records Administration.

Superintendent of Documents Subscriptions Order Form

Order Processing Code:
***6466**

Charge your order. It's easy!

MasterCard VISA

Charge orders may be telephoned to the GPO order desk at (202) 783-3238 from 8:00 a.m. to 4:00 p.m eastern time, Monday-Friday (except holidays)

☐ **YES,** please enter my subscription for one year to the **WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS (PD)** so I can keep up to date on Presidential activities.

☐ $96.00 First Class ☐ $55.00 Regular Mail

1. The total cost of my order is $_____ All prices include regular domestic postage and handling and are subject to change. International customers please add 25%.

Please Type or Print

2. _____
(Company or personal name)

_____
(Additional address/attention line)

_____
(Street address)

_____
(City, State, ZIP Code)

(_____) _____
(Daytime phone including area code)

3. Please choose method of payment:

☐ Check payable to the Superintendent of Documents

☐ GPO Deposit Account ☐☐☐☐☐☐☐–☐

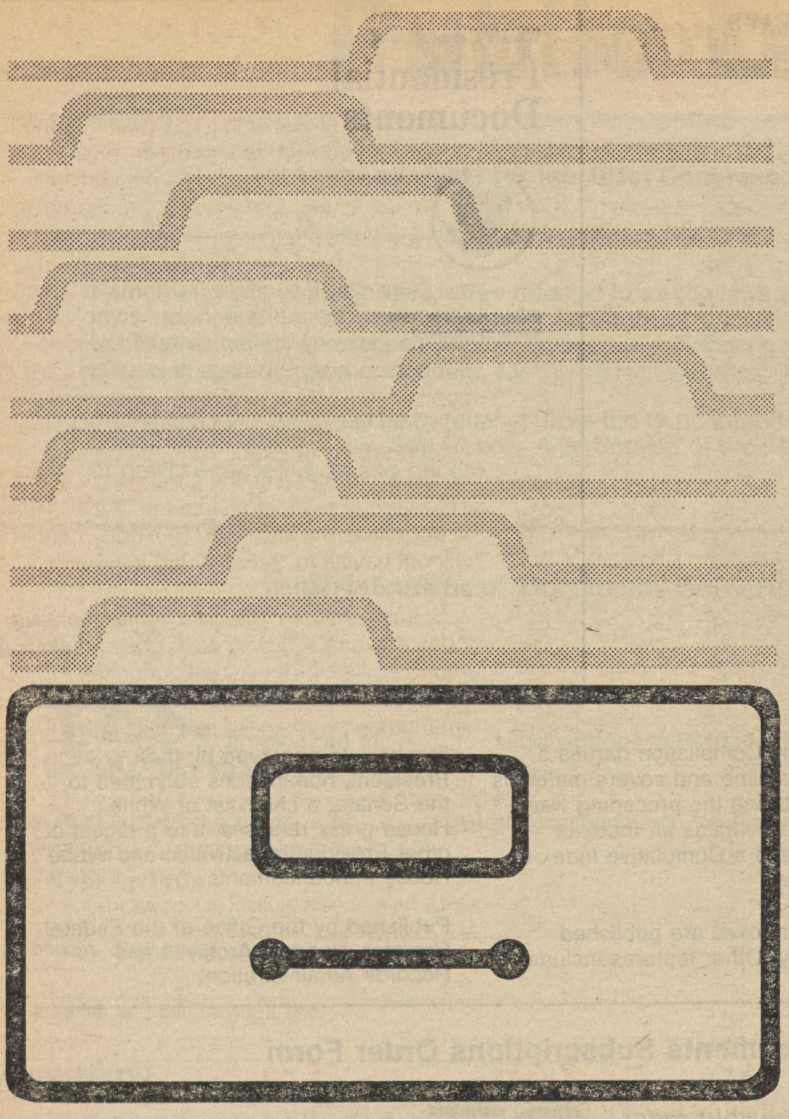
☐ VISA or MasterCard Account

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

_____ ***Thank you for your order!***
(Credit card expiration date)

_____
(Signature) (Rev. 1-20-89)

4. Mail To: Superintendent of Documents, Government Printing Office, Washington, D.C. 20402-9371



Guide to Record Retention Requirements

in the Code of Federal Regulations (CFR)

GUIDE: Revised January 1, 1989
SUPPLEMENT: Revised January 1, 1990

The GUIDE and the SUPPLEMENT should be used together. This useful reference tool, compiled from agency regulations, is designed to assist anyone with Federal recordkeeping obligations.

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.

The GUIDE is formatted and numbered to parallel the CODE OF FEDERAL REGULATIONS (CFR) for uniformity of citation and easy reference to the source document.

Compiled by the Office of the Federal Register, National Archives and Records Administration.

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402–9325.

Superintendent of Documents Publication Order Form

Order Processing Code: ***6788**

Charge your order. It's easy! MasterCard VISA

To fax your orders and inquiries. 202-275-0019

☐ **YES,** please send me the following indicated publication:

_____copies of the 1989 GUIDE TO RECORD RETENTION REQUIREMENTS IN THE CFR S/N 069–000–00020–7 at $12.00 each.

_____copies of the 1990 SUPPLEMENT TO THE GUIDE, S/N 069–000–00025–8 at $1.50 each.

1. The total cost of my order is $_____ (International customers please add 25%). All prices include regular domestic postage and handling and are good through 8/90. After this date, please call Order and Information Desk at 202–783–3238 to verify prices.

Please Type or Print

2. _____
(Company or personal name)

_____
(Additional address/attention line)

_____
(Street address)

_____
(City, State, ZIP Code)

(_____)_____
(Daytime phone including area code)

3. Please choose method of payment:

☐ Check payable to the Superintendent of Documents

☐ GPO Deposit Account ☐☐☐☐☐☐☐–☐

☐ VISA or MasterCard Account

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

_____
(Credit card expiration date)

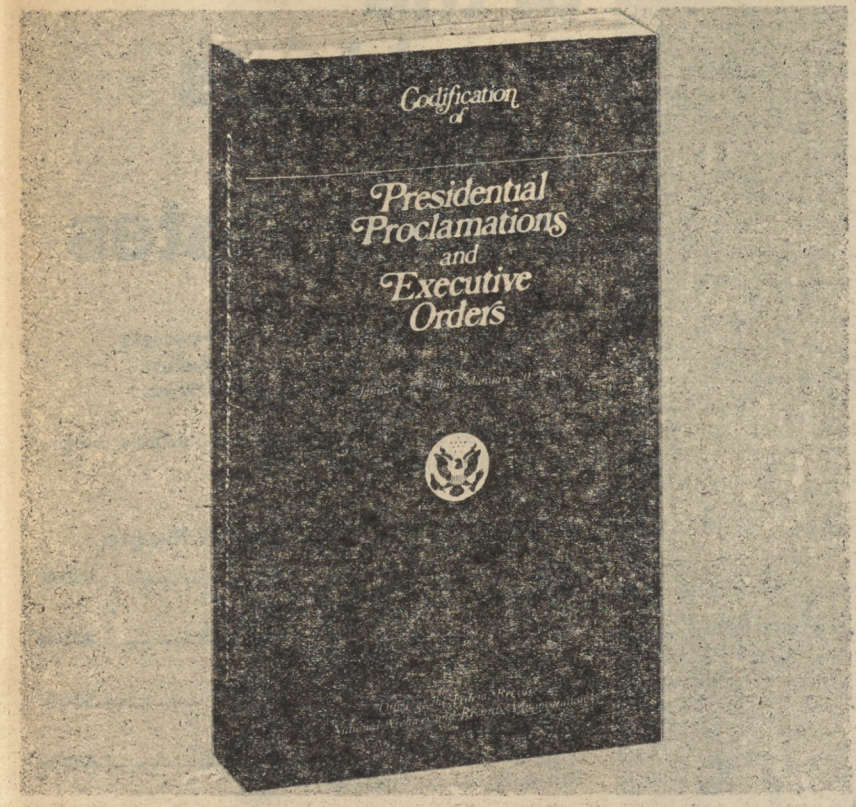
Thank you for your order!

_____
(Signature)

2 90

4. Mail To: Superintendent of Documents, Government Printing Office, Washington, DC 20402–9325

New edition .... Order now !



For those of you who must keep informed about **Presidential Proclamations and Executive Orders,** there is a convenient reference source that will make researching these documents much easier.

Arranged by subject matter, this edition of the *Codification* contains proclamations and Executive orders that were issued or amended during the period April 13, 1945, through January 20, 1989, and which have a continuing effect on the public. For those documents that have been affected by other proclamations or Executive orders, the codified text presents the amended version. Therefore, a reader can use the *Codification* to determine the latest text of a document without having to "reconstruct" it through extensive research.

Special features include a comprehensive index and a table listing each proclamation and Executive order issued during the 1945–1989 period—along with any amendments—an indication of its current status, and, where applicable, its location in this volume.

Published by the Office of the Federal Register, National Archives and Records Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402–9325

Order Processing Code:
***6661**

Superintendent of Documents **Publications** Order Form

P3

Charge your order. It's easy!

MasterCard VISA

To fax your orders and inquiries—(202) 275-0019

☐ **YES,** please send me the following indicated publication:

_____ copies of the CODIFICATION OF PRESIDENTIAL PROCLAMATIONS AND EXECUTIVE ORDERS, S/N 069-000-00018-5 at $32.00 each.

The total cost of my order is $_____. (International customers please add 25%.) Prices include regular domestic postage and handling and are good through 1/90. After this date, please call Order and Information Desk at 202-783-3238 to verify prices.

_____
(Company or personal name) (Please type or print)

_____
(Additional address/attention line)

_____
(Street address)

_____
(City, State, ZIP Code)

(_____) _____
(Daytime phone including area code)

Please Choose Method of Payment:

☐ Check payable to the Superintendent of Documents

☐ GPO Deposit Account ☐☐☐☐☐☐☐☐-☐

☐ VISA or MasterCard Account

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

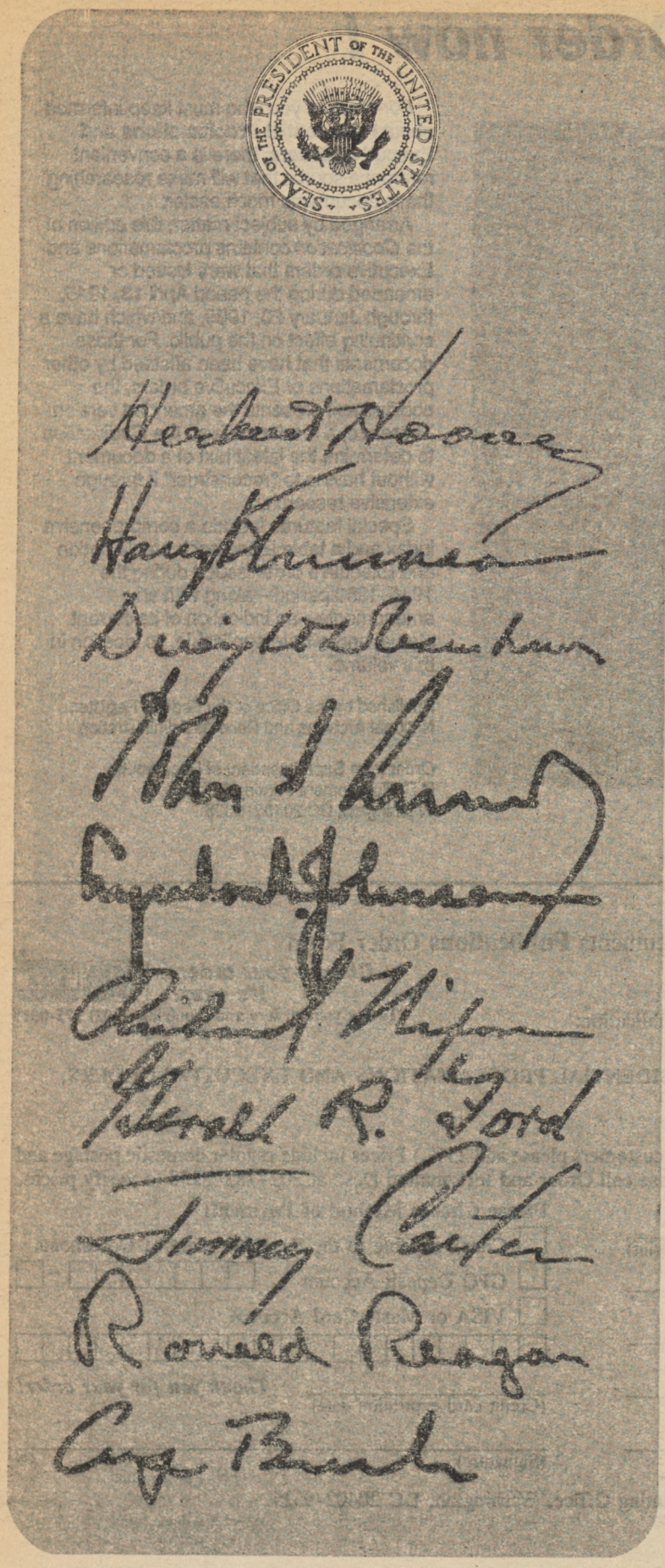
_____
(Credit card expiration date)

Thank you for your order!

_____
(Signature)

7-89

Mail To: Superintendent of Documents, Government Printing Office, Washington, DC 20402-9325



Public Papers of the Presidents of the United States

Annual volumes containing the public messages and statements, news conferences, and other selected papers released by the White House.

Volumes for the following years are available; other volumes not listed are out of print.

Jimmy Carter

1978
(Book I) $24.00

1979
(Book I) $24.00

1979
(Book II) $24.00

1980–81
(Book I) $21.00

1980–81
(Book II) $22.00

1980–81
(Book III) $24.00

Ronald Reagan

1981 ..... $25.00

1982
(Book II) $25.00

1983
(Book I) $31.00

1983
(Book II) $32.00

1984
(Book I) $36.00

1984
(Book II) $36.00

1985
(Book I) $34.00

1985
(Book II) $30.00

1986
(Book I) $37.00

1986
(Book II) $35.00

1987
(Book I) $33.00

1987
(Book II) $35.00

1988
(Book I) $39.00

George Bush

1989
(Book I) $38.00

Published by the Office of the Federal Register, National Archives and Records Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washingon, D.C. 20402–9325.

(Rev 9–4–90)