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Federal Register

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FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
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4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

MIAMI, FL

WHEN: April 18:
1st Session 9:00 am to 12 noon.
2nd Session 1:30 pm to 4:30 pm
WHERE: 51 Southwest First Avenue
Room 914
Miami, FL
RESERVATIONS: 1–800–347–1997

CHICAGO, IL

WHEN: April 25, at 9:00 am
WHERE: 219 S. Dearborn Street
Conference Room 1220
Chicago, IL
RESERVATIONS: 1–800–366–2998

WASHINGTON, DC

WHEN: May 23, at 9:00 am
WHERE: Office of the Federal Register
First Floor Conference Room
1100 L Street, NW, Washington, DC
RESERVATIONS: 202–523–5240 (voice); 202–523–5229 (TDD)

NOTE: There will be a sign language interpreter for hearing impaired persons at the May 23, Washington, DC briefing.

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Rules and Regulations

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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

Animal and Plant Health Inspection Service

7 CFR Part 352

[Docket No. 90-174]

Importation of Oranges, Tangerines, and Grapefruit From Sonora for Exportation

AGENCY: Animal and Plant Health Inspection Service, USDA

ACTION: Final rule.

SUMMARY: We are amending the Plant Quarantine Safeguard Regulations to allow oranges, tangerines, and grapefruit that may be imported into the United States from designated areas in Sonora, Mexico, without treatment for certain injurious insect pests to transit the United States for exportation without complying with the additional safeguards imposed under those regulations. Under the Fruits and Vegetables Regulations, these fruits may currently be imported for sale and distribution within the United States and are not subject to the plant quarantine safeguards. This action makes the Plant Quarantine Safeguard Regulations consistent with the Fruits and Vegetables Regulations by allowing transshipment of these untreated fruits through the United States for exportation, without additional safeguards. We are also making a technical correction.

EFFECTIVE DATE: April 29, 1991.

FOR FURTHER INFORMATION CONTACT: Mr. Frank E. 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 Plant Quarantine Safeguard Regulations contained in 7 CFR part 352 provide requirements applicable to most plants, plant products, and related articles, including oranges, tangerines, and grapefruit from Mexico, that are moved through the United States for export.

Section 352.30 provides specific requirements for untreated oranges, tangerines, and grapefruit from Mexico. These include requirements concerning permits, notice of arrival, origin and period of entry, inspections, safeguards, and additional conditions for movement overland and by water route.

In a proposed rule published in the **Federal Register** on June 14, 1990 (55 FR 24093-24094, Docket No. 88-023), we proposed to amend the Plant Quarantine Safeguard Regulations. The proposed rule would allow untreated oranges, tangerines, and grapefruits, from designated areas in Sonora, Mexico, to be imported through the United States ports for exportation in accordance with the applicable conditions of the Fruits and Vegetables Regulations (7 CFR 319.56 *et seq.*) and without the additional safeguards contained in the Plant Quarantine Safeguard Regulations (7 CFR part 352). We proposed this amendment because we had determined that there is no pest risk associated with untested oranges, tangerines, and grapefruits from the designated areas in Sonora.

Comments on the proposed rule were required to be received on or before August 13, 1990. We did not receive any comments. However, we are making editorial changes to clarify that the rule applies to certain transshipments of fruit from Mexico. Otherwise, based on the rationale set forth in the proposed rule and in this document, we are adopting the provisions of the proposed rule as a final rule without change.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this final 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.

Oranges, tangerines, and grapefruit, untreated for certain pests, may be imported from certain areas in Sonora into the United States for consumption. This final rule only affects certain Sonoran fruit that is brought into the United States for export to other countries. It is not anticipated that this final rule will have a notable effect on small U.S. entities that produce citrus for export since such citrus from Sonora can be imported into the United States under current regulations for exportation to other countries. In Fiscal Year 1988, the United States imported 470 metric tons of oranges from Sonora, Mexico. Data is not available on the portion of imported oranges that were exported; however, even if all of the Sonoran oranges were sent to the United States for exportation, they would represent less than 0.15% of U.S. orange export figures (396,542 metric tons).

According to the 1988 annual citrus report from Mexico City, Sonoran exports of fresh oranges to the United States rose from 25,000 boxes to 60,000 boxes the year after the Sonoran region was declared free of fruit flies. Despite this increase, the amount of oranges imported from Sonora, Mexico, continues to be an extremely small proportion of U.S. orange export figures In Fiscal Year 1989, the United States imported 499 metric tons of Sonoran oranges and in Fiscal Year 1990, 328 metric tons.

Comparable statistics for tangerines and grapefruit are not available. However, we believe that the volume of Sonoran tangerines and grapefruit imported into the United States for exportation is comparable to the amount of Sonoran oranges. Accordingly, this change in the Plant Quarantine Safeguard Regulations will not significantly influence the competitive position of small citrus producers in the United States who export their products vis-a-vis exporters of citrus from Sonora, Mexico.

Data collected from APHIS field officers indicate that the three or four

companies that import Sonoran oranges, tangerines, and grapefruit qualify as small businesses according to Small Business Administration standards. These businesses may realize a slight economic benefit under this final rule, because it will permit them to increase the number of shipments, probably no more than one or two shipments per company per year. Additionally, they may gain economically because their transportation costs may be reduced by utilizing various methods of shipment that may now be available to them.

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 7 CFR Part 352

Agricultural commodities, Customs duties and inspection, Imports, Plant disease, Plant pests, Plants (Agriculture), Postal Service, Quarantine, Transportation.

Accordingly, 7 CFR part 352 is amended as follows:

PART 352—PLANT QUARANTINE SAFEGUARD REGULATIONS

1. The authority citation for 7 CFR part 352 continues to read as follows:

Authority: 7 U.S.C. 149, 150bb, 150dd, 150ee, 150ff, 154, 159, 160, 162, and 2260; 31 U.S.C. 9701; and 7 CFR 2.17, 2.51, and 371.2(c).

§ 352.30 [Amended]

2. Section 352.30 is amended by redesignating paragraphs (e) and (f) as paragraphs (f) and (g), respectively, and by adding a new paragraph (e) to read as follows:

§ 352.30 Administrative instructions: Certain oranges, tangerines, and grapefruit from Mexico.

* * * * *

(e) *Untreated fruit from certain municipalities in Sonora, Mexico.* Oranges, tangerines, and grapefruit in transit to foreign countries may be imported from certain municipalities in Sonora, Mexico listed in § 319.56–2(h) of this chapter in accordance with the applicable conditions in subpart 319.56.

* * * * *

§ 352.30 [Amended]

3. In § 352.30, paragraph (f), the reference to "§ 319.56–2e" is revised to read "§ 319.56–2f".

Done in Washington, DC, this 25th day of March, 1991.

Robert Melland,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 91–7465 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–34–M

Agricultural Marketing Service

7 CFR Part 989

[FV–91–254IFR]

Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for the 1990–91 Crop Year for Natural (sun-dried) Seedless Raisins

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This interim final rule invites comments on the establishment of final free and reserve percentages for Natural (sun-dried) Seedless raisins from California's 1990 raisin crop production. These percentages are intended to stabilize supplies and prices and to help counter the destabilizing effects of the burdensome oversupply situation facing the raisin industry. This action was unanimously recommended by the Raisin Administrative Committee (Committee), which is responsible for local administration of the Federal marketing order regulating the handling of raisins produced from grapes grown in California.

DATES: Interim final rule effective March 29, 1991. Comments which are received by April 29, 1991 will be considered prior to any finalization of this interim final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposal. Comments must be sent in triplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, room 2525–S, P.O. Box 96456, Washington, DC 20090–6456. Comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Patricia A. Petrella, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, room 2525, South Building. P.O. Box 96456, Washington, DC 20090–6456; telephone: (202) 475–3920.

SUPPLEMENTARY INFORMATION: This interim final rule is issued under marketing agreement and Order No. 989 (7 CFR part 989), both as amended, regulating the handling of raisins produced from grapes grown in California, hereinafter referred to as the "order." The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the "Act."

This interim final rule has been reviewed by the U.S. Department of Agriculture (Department) in accordance with Departmental Regulation 1512–1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 25 handlers of California raisins who are subject to regulation under the raisin marketing order, and approximately 5,000 producers in the regulated area. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual receipts for the last three years of less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $3,500,000. A majority of producers and a minority of handlers of California raisins may be classified as small entities.

The order prescribes procedures for computing trade demands and preliminary and final percentages that establish the amount of raisins that can be marketed throughout the season. The

regulations apply to all handlers of California raisins. Raisins in the free percentage category may be shipped immediately to any market, while reserve raisins must be held by handlers in a reserve pool for the account of the Committee. Under the order, reserve raisins may be: Sold at a later date by the Committee to handlers for free use; used in diversion programs; exported to authorized countries; carried over as a hedge against a short crop the following year; or disposed of in other outlets noncompetitive with those for free percentage raisins. While this action may restrict the amount of raisins that enter domestic markets, final free and reserve percentages are intended to lessen the impact of the oversupply situation facing the industry and promote stronger marketing conditions, thus stabilizing prices and supplies and improving grower returns. In addition to the quantity of raisins released under the preliminary percentages and the final percentages, the order specifies methods to make available additional raisins to handlers by requiring sales of reserve pool raisins for use as free tonnage raisins under "10 plus 10" offers, and authorizing sales of reserve raisins under certain conditions.

The Department's "Guidelines for Fruit, Vegetable, and Specialty Crop Marketing Orders" specifies that 110 percent of recent years' sales should be made available to primary markets each season before recommendations for volume regulation are approved. This goal is met by the establishment of these final percentages which release 100 percent of the computed trade demands and the additional release of reserve raisins to handlers under "10 plus 10" offers. The "10 plus 10" offers are two simultaneous offers of reserve pool raisins which are made available to handlers each season. For each such offer, a quantity of raisins equal to 10 percent of the prior year's shipments is made available for free use.

Pursuant to § 989.54(a) of the order, the Committee met on August 14, 1990, to review shipment and inventory data, and other matters relating to the supplies of raisins of all varietal types. The Committee computed, using a formula prescribed in that paragraph, a trade demand for each varietal type for which a free tonnage percentage might be recommended. The trade demand is 90 percent of the prior year's shipments of free tonnage and reserve tonnage raisins sold for free use for each varietal type into all market outlets, adjusted by subtracting the carryin of each varietal type on August 1 of the current crop year and by adding to the trade demand the desirable carryout for each varietal type at the end of that crop year. The order prescribes that the desirable carryout for each varietal type shall be the shipments of free percentage raisins from the prior year during the months of August, September, and October. The inventory adjustments (difference between the carryins and desirable carryouts) used for computing the trade demand were 49,541 tons for Natural (sun-dried) Seedless raisins.

In accordance with these provisions, the Committee computed and announced a trade demand of 246,536 tons for Natural (sun-dried) Seedless raisins.

As required under § 989.54(b) of the order, the Committee met on October 4, 1990, and computed and announced preliminary crop estimates and preliminary free and reserve percentages for Natural (sun-dried) Seedless, Dipped Seedless, Oleate and Related Seedless, and Other Seedless raisins which released 85 percent of the trade demands since field prices had been established. The preliminary crop estimates and preliminary free and reserve percentages were as follows: 373,936 tons, and 56 percent free and 44 percent reserve for Natural (sun-dried) Seedless raisins; 12,137 tons, and 72 percent free and 28 percent reserve for Dipped Seedless raisins; 403 tons, and 51 percent free and 49 percent reserve for Oleate and Related Seedless; and 2,135 tons, and 52 percent free and 48 percent reserve for Other Seedless raisins.

On November 15, 1990, the Committee met and revised its marketing policy to modify the preliminary percentages for Dipped Seedless, Oleate and Related Seedless, and Other Seedless raisins to 100 percent free and 0 percent reserve. Thus, there are no volume percentage restrictions on other varietal types of California raisins because the available supplies are expected to meet the anticipated demand.

Pursuant to § 989.54(c), the Committee may adopt interim free and reserve percentages. Interim percentages may release less than the computed trade demand for each varietal type for which preliminary percentages have been computed and announced. Interim percentages for Natural (sun-dried) Seedless raisins of 68 percent free and 32 percent reserve were computed and announced on December 19, 1990. The interim percentages for Natural (sun-dried) Seedless raisins released 99.27 percent of the computed trade demand.

Under § 989.54(d) of the order, the Committee is required to recommend to the Secretary, no later than February 15 of each crop year, final free and reserve percentages which, when applied to the final production estimate of a varietal type, will tend to release the full trade demand for any varietal type for which preliminary or interim percentages have been computed and announced. By that time, the Committee has more information available, including its final crop estimate and other information, on which to base the determination of final free and reserve percentages.

The Committee's final estimate of 1990–91 production of Natural (sun-dried) Seedless raisins totaled 357,533 tons (which is 16,403 tons less than the preliminary estimate). Dividing the computed trade demand of 246,536 tons by its final estimate of production results in a final free percentage of 68.95 percent. The Committee rounded that free percentage to 69 percent which results in a final reserve percentage of 31 percent.

Based on available information, the Administrator of the AMS has determined that the issuance of this interim final rule will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant information presented, including the Committee's recommendations, and other information, it is found that this regulation, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined that upon good cause it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because: (1) The relevant provisions of this part require that the percentages designated herein for the 1990–91 crop year apply to all Natural (sun-dried) Seedless raisins acquired from the beginning of that crop year; (2) handlers are currently marketing 1990–91 crop raisins of the Natural (sun-dried) Seedless varietal type and this action must be taken promptly to achieve its purpose of making the full trade demand quantity computed by the Committee available to handlers; and (3) handlers are aware of this action, which was recommended by the Committee at an open meeting, and need no additional time to comply with these percentages.

List of Subjects in 7 CFR Part 989

Grapes, Marketing agreements, Raisins, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 989 is amended as follows:

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 989 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

2. Section 989.243 is added to Subpart-Supplementary Regulations to read as follows:

Note: This section will not appear in the annual Code of Federal Regulations.

§ 989.243 Final free and reserve percentages for the 1990–91 crop year.

The final percentages of standard Natural (sun-dried) Seedless raisin acquired by handlers during the crop year beginning on August 1, 1990, which shall be free tonnage and reserve tonnage, respectively, are designated as follows:

	Free percentage	Reserve percentage
Natural (sun-dried) Seedless	69	31

Dated: March 25, 1991.

William J. Doyle,

Associate Deputy Director, Fruit and Vegetable Division.

[FR Doc. 91–7468 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–02–M

Farmers Home Administration

7 CFR Part 1948

Intermediary Relending Program

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration is amending its regulations on the Intermediary Relending Program (IRP). This action is needed to correct problems that have been observed during initial implementation of the program. The revisions provide more specific requirements for security and clarify other miscellaneous requirements to allow loan processing to proceed more smoothly.

DATES:

Effective Date: This regulation is effective March 29, 1991.

Compliance Dates: Requirements must be met for all loans approved on or after March 29, 1991. Loans approved prior to March 29, 1991, may be closed under the regulations in effect when the loan was approved.

FOR FURTHER INFORMATION CONTACT: M. Wayne Stansbery, Business and Industry Loan Specialist, Farmers Home Administration, USDA, room 6327, South Agriculture Building, 14th and Independence Avenue SW., Washington, DC 20250, telephone (202) 475–3819.

SUPPLEMENTARY INFORMATION:

Classification

This proposed action has been reviewed under USDA procedures established in Departmental Regulation 1512–1, which implements Executive Order 12291, and has been determined to be non-major. The annual effect on the economy will be less than $100 million. There will be no significant increase in costs or prices for consumers, individual industries, organizations, governmental agencies, or geographic regions. There will be no significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of United States-based enterprises to compete in domestic or export markets.

Intergovernmental Review

This program is listed in the Catalog of Federal Domestic Assistance under number 10.439, "Intermediary Relending Program." It is subject to intergovernmental consultation in accordance with Executive Order 12372, and as stated in FmHA Instruction 1940–J, "Intergovernmental Review of Farmers Home Administration Programs and Activities."

Environmental Impact Statement

This action has been reviewed in accordance with FmHA Instruction 1940–G, "Environmental Program." FmHA has determined that this proposed action does not constitute a major Federal action significantly affecting the quality of the human environment, and in accordance with the National Environmental Policy Act of 1969, Public Law 91–190, an Environmental Impact Statement is not required.

Background

This regulatory package is an FmHA initiative to enhance the IRP through revisions based on experience with implementation of the program. The primary changes proposed include the following:

1. Requirements for fidelity bond coverage are clarified. The required bond coverage will be approximately the amount of an annual installment on the FmHA loan. Also, FmHA may require the intermediary to carry other insurance as appropriate.

2. More specific guidance is provided for security for IRP loans from FmHA. FmHA will take assignments on collateral pledged by ultimate recipients. However, the requirement for FmHA concurrence in the security the intermediary plans to take is removed. The assignments will normally not be filed unless FmHA determines it is necessary to protect the Government's interest. Intermediaries will retain the authority to manage the relending program as if there were no assignments, unless FmHA terminates that authority after an event of default.

Comments

This action was published as a proposed rule for public comment on June 5, 1990, in the **Federal Register** (55 FR 22920). No comments were received. No changes were made.

Lists of Subjects in 7 CFR Part 1948

Credit, Business and Industry, Economic Development.

Accordingly, FmHA amends title 7, chapter XVIII, part 1948 of the Code of Federal Regulations as follows:

PART 1948—RURAL DEVELOPMENT

1. The authority citation for part 1948 continues to read as follows:

Authority: 7 U.S.C. 1932 note; 5 U.S.C. 301; 7 CFR 2.23; 7 CFR 2.70.

Subpart C—Intermediary Relending Program (IRP)

§ 1948.103 [Amended]

2. Section 1948.103 is amended by removing paragraph (b)(1) and redesignating paragraphs (b)(2) and (b)(3) as paragraphs (b)(1) and (b)(2).

3. Section 1948.113 is amended by revising paragraphs (a) and (b) to read as follows:

§ 1948.113 Security.

(a) *Loans to intermediaries.* Unless otherwise approved by FmHA, security for the FmHA loan will be separate and apart from security for other loans for which the intermediary is either maker or payee. Security for all loans to intermediaries must be such that the repayment of the loan is reasonably assured, when considered along with the intermediary's financial condition, work plan, and management ability. It is the responsibility of the intermediary to make loans to ultimate recipients in such a manner that will fully protect the

interests of the intermediary and the Government.

(1) Security for such loans may include but is not limited to:

(i) Any realty, personalty, or intangibles capable of being mortgaged, pledged, or otherwise encumbered by the intermediary in favor of FmHA; and

(ii) Any realty, personalty, or intangibles capable of being mortgaged, pledged, or otherwise encumbered by an ultimate recipient in favor of FmHA.

(2) Security will normally consist of a lien on the IRP revolving fund. FmHA will obtain assignments of security pledged by ultimate recipients including an assignment of the promissory notes given by the ultimate recipients and take possession of the promissory notes. Normally, the assignments will not be filed in the public records. They will be held by FmHA and may be filed at the sole discretion of FmHA, if FmHA determines the filing is necessary to protect the Government's interest.

(b) *Loans from intermediaries to ultimate recipients.* Security requirements for loans from intermediaries to ultimate recipients will be negotiated between the intermediaries and ultimate recipients.

* * * * *

4. Section 1948.118 is amended by adding paragraphs (a)(7)(v) and (a)(8) and revising paragraph (b)(7) to read as follows:

§ 1948.118 Loan agreements between FmHA and the intermediary.

* * * * *

(a) * * *

(7) * * *

(v) Intermediaries will provide fidelity bond coverage for all persons who have access to intermediary funds. Coverage may be provided either for all individual positions or persons, or through "blanket" coverage providing protection for all appropriate employees and/or officials. FmHA may also require the intermediary to carry other appropriate insurance, such as public liability, workers compensation, and/or property damage.

(A) The amount of fidelity bond coverage required by FmHA will normally approximate the total annual debt service requirements for the FmHA loans.

(B) Form FmHA 440–24, "Position Fidelity Schedule Bond Declarations," may be used. Similar forms may be used if determined acceptable to FmHA. Other types of coverage may be considered acceptable if it is determined by FmHA that they fulfill essentially the same purpose as a fidelity bond.

(C) Applicants must provide evidence of adequate fidelity bond and other appropriate insurance coverage by loan closing. Adequate coverage in accordance with this section must then be maintained for the life of the loan. It is the responsibility of the intermediary and not that of FmHA to assure and provide evidence that adequate coverage is maintained. This may consist of a listing of policies and coverage amounts in annual reports required by paragraph (b)(4) of this section, or other documentation.

(8) *Authority to operate.* The loan agreement will provide that the intermediary has permission and authority to collect on all notes given to it, service all loans it makes, and manage the relending program as if FmHA had not taken assignments on security pledged by ultimate recipients. It is the responsibility of the intermediary to make and service loans to ultimate recipients in such a manner that will fully protect the interests of the intermediary and the Government. After an event of default by the intermediary, FmHA may terminate this permission and authority by providing the intermediary with written notice.

(b) * * *

(7) To secure the indebtedness by pledging its portfolio of investments derived from the proceeds of the loan award, including providing assignments to FmHA of security pledged by ultimate recipients including the promissory notes of ultimate recipients and transferring possession to FmHA of promissory notes given by ultimate recipients, and/or pledging its real and personal property, and other rights and interests as FmHA may require.

* * * * *

5. Section 1948.150 is revised to read as follows:

§ 1948.150 OMB Control Number.

The reporting and recordkeeping requirements contained in this regulation have been approved by the Office of Management and Budget and have been assigned OMB control number 0575–0130. Public reporting burden for this collection of information is estimated to vary from 1 to 120 hours per response, with an average of 12 hours per response including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, room 404–W, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB# 0575–0130), Washington, DC 20503.

Dated: March 12, 1991.

La Verne Ausman,

Administrator, Farmers Home Administration.

[FR Doc. 91–7363 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–07–M

FEDERAL RESERVE SYSTEM

12 CFR Part 216

[Regulation P; Docket No. R–0688]

Security Devices and Procedures

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board of Governors of the Federal Reserve System ("Board"), in coordination with the other federal bank supervisory agencies, has reviewed Regulation P—Security Devices and Procedures—and determined that it is appropriate to revise the regulation to reflect changes in the technology of security devices, and to implement changes made by the Financial Institutions Reform, Recovery and Enforcement Act of 1989 ("FIRREA"). The proposed revision was published for comment by the Board in April 1990. (55 FR 12850, April 6, 1990). The revision incorporates amendments made to the Bank Protection Act of 1968 by FIRREA and provides banks with the flexibility to avoid the technical obsolescence that occurred with the existing regulation.

DATES: This regulation is effective May 1, 1991; however, renewal of the recordkeeping requirement FR 4004 and discontinuance of the FR 4003 and FR 4005 reports, is effective March 31, 1991.

FOR FURTHER INFORMATION CONTACT: Elaine M. Boutilier, Senior Attorney (202/452–2418), Legal Division, or Thomas A. Durkin, Regulatory Planning and Review Director (202/452–2326), Office of the Secretary, Board of Governors of the Federal Reserve System, Washington, DC 20551. For the hearing impaired only, Telecommunication Device for the Deaf ("TDD"), Dorothea Thompson (202/452–3544).

SUPPLEMENTARY INFORMATION: The Bank Protection Act of 1968 requires the Federal financial institution supervisory agencies to establish minimum standards for bank security devices and procedures to discourage bank crime and to assist in the identification of persons who commit such crimes. 12 U.S.C. 1882. To implement this statute a

uniform regulation was adopted in 1969 by each of the supervisory agencies—Comptroller of the Currency, Federal Deposit Insurance Corporation, Federal Home Loan Bank Board (now known as the Office of Thrift Supervision), and the Board. With the exception of minor changes in 1973 and 1981, this regulation has not been modified since it was first adopted. The Board, along with the other federal financial institution supervisory agencies, requested comments on a proposed revision of this regulation last year. (55 FR 12850, April 6, 1990).

The Board received a total of 43 comments on the proposed changes to Regulation P. Twenty-nine of these comments were received from banks; five were received from manufacturers of security equipment; six were received from associations connected with banks (*e.g.*, trade associations); and three were received from Reserve Banks. The overall response to the changes was supportive: 32 of the comments expressed support for the revisions, while only 11 comments were not supportive. Four of the five equipment manufacturers opposed the changes, but twenty-five of the twenty-nine commenting banks were generally supportive. The primary objection of those opposing the changes was that the revised standards were too vague; in particular, some commenters opposed deletion of appendix A and appendix B. One of the trade associations opposed the deletion of these appendices because, in its view, small institutions have security officers that depend on these appendices for guidance.

Appendix A set forth specifications for security devices to be used in banks. The Board is deleting this appendix because it is too specific and has become obsolete. The Board believes that any standards that continue to reference specific security devices are also likely to become obsolete because technology is continuing to advance at a rapid pace. To avoid the necessity of constantly updating required security devices, the revised regulation requires each bank to designate a security officer to administer a written security program, which would require, at a minimum, that four specific security devices be installed, but leaves it to the discretion of the security officer to determine which additional security devices will best meet the needs of the program. In this way the security officer can choose the most up-to-date equipment that meets the requirements of his particular bank. Some commenters recommended referring to Underwriters Laboratory ("UL") approval or ANSI specifications as a substitute for appendix A. Because the level of risk varies from institution to institution, the Board does not believe it is appropriate to specify particular features of security devices as mandatory. Nevertheless, security officers would be expected to identify the level of risk to their institution and adopt an appropriate security program, taking into consideration applicable ANSI and UL standards.

Appendix B concerned proper employee conduct after a robbery. Although this appendix has been eliminated, the Board believes that training of employees should be included in a bank's security program and notes that several organizations offer training programs for bank employees and security officers.

Some letters that were generally supportive of the revision commented that the regulation was too narrow and should cover "white-collar crime" as well. Regulation P is promulgated in response to the Bank Protection Act, which is specifically intended to "discourage robberies, burglaries, and larcenies." While the Board agrees that white-collar crimes such as fraud and embezzlement are problems, these crimes are covered by other laws outside the scope of Regulation P.

The revised regulation establishes a minimum standard by requiring four specified security devices: A secure space for cash; a lighting system for illuminating the vault; an alarm system; and tamper resistant locks on exterior doors and windows. In addition, the proposed regulation establishes the contents of a security program, *e.g.*, procedures for opening and closing for business, for safekeeping of valuables, and for identifying persons committing crimes. These are the minimum procedures that should comprise a bank's security program. To assist banks in establishing their program, the regulation suggests certain factors to be considered when selecting additional security devices. In making these suggestions, the Board notes that in the 22 years since passage of the Bank Protection Act, trade associations and other vendors have produced security manuals and information designed for banks of various sizes.

To ensure that a bank's security program is reviewed on a regular basis for effectiveness, the regulation requires a report to be made by the security officer to the bank's board of directors at least annually. This changes the previous requirement, which was eliminated by FIRREA, that reports must be filed periodically with a bank's primary supervisory agency. Nevertheless, the annual reports to the board of directors should still contain information such as the status of employee training, the number of offenses against the bank, and the success of prosecution for such offenses.

When requesting comments on the proposed amendments to Regulation P, the Board also proposed elimination of three reports relating to recordkeeping and reporting requirements of the regulation: FR 4003 (Statement Regarding Security Devices That Do Not Meet the Minimum Requirements of Regulation P), FR 4004 (Written Security Program for State Member Banks as Required by Regulation P), and FR 4005 (Annual Statement of Compliance with the Bank Protection Act of 1968). Only two comments were received on this issue, and both supported the elimination of the reports. Because the revised regulation still requires a written security program, however, the Board has decided to discontinue only two of these reports—the FR 4003 and FR 4005 reports—effective on March 31, 1991. The FR 4004 report, a recordkeeping requirement, has not been discontinued, because banks are still required to maintain a written security program.[1] In accordance with section 3507 of the Paperwork Reduction Act of 1980, (44 U.S.C. 3507, and 5 CFR 1320.13), the discontinuance of the FR 4003 and FR 4005 reports has been reviewed and approved by the Board under Office of Management and Budget delegated authority after consideration of the comments received during the public comment period.

Renewal of FR 4004 is approved by the Board under delegated authority (5 CFR 1320.9) to be effective on March 31, 1991, which is less than 30 days from publication of this ruling. The Board finds good cause for an effective date less than 30 days from publication because the authority for the recordkeeping requirement expires on March 31, 1991, and a period of time without it would be disruptive to the institutions required to maintain such records. Furthermore, this is a continuation of an existing recordkeeping requirement, so an

[1] For purposes of the Paperwork Reduction Act, the recordkeeping requirement of this regulation for establishment of written security programs is described as follows: (1) *Report title:* Written Security Program for State Member Banks; (2) *Agency report number:* FR 4004; (3) *OMB Docket number:* 7100–0112; (4) *Frequency:* recordkeeping; (5) *Reporters:* State member banks; (6) *Annual reporting hours:* 513; (7) *Estimated average hours per response:* 0.5 per year; (8) *Number of respondents:* 1025. The information collection is mandatory (12 U.S.C. 1882(b)).

effective date with less than 30 days prior notice has no harmful effect on the institutions involved.

Regulatory Flexibility Act Analysis

Pursuant to section 605(b) of the Regulatory Flexibility Act (Pub. L. No. 96–354, 5 U.S.C. 601 *et seq.*), the Board certifies that this final rule will not have a significant economic impact on a substantial number of small entities. Small entities already were complying with the security standards established in the prior regulation, and this revision provides for more flexibility in devising security programs, which should help minimize the existing costs to the institutions. The amendment also deletes two of the three reports required by the government, which should ease the regulatory burden on small institutions.

List of Subjects in 12 CFR Part 216

Banks, Banking, Federal Reserve System, Reporting and recordkeeping requirements, Security measures, State member banks.

For the reasons set out in the preamble, title 12, part 216 of the Code of Federal Regulations is revised as follows:

PART 216—SECURITY PROCEDURES

Sec.
216.1 Authority, purpose, and scope.
216.2 Designation of security officer.
216.3 Security program.
216.4 Report.
216.5 Federal Reserve Banks.

Authority: 12 U.S.C. 1881–1884.

§ 216.1 Authority, purpose, and scope.

(a) This regulation is issued by the Board of Governors of the Federal Reserve System (the "Board") pursuant to section 3 of the Bank Protection Act of 1968 (12 U.S.C. 1882). It applies to Federal Reserve Banks and state banks that are members of the Federal Reserve System. It requires each bank to adopt appropriate security procedures to discourage robberies, burglaries, and larcenies, and to assist in the identification and prosecution of persons who commit such acts.

(b) It is the responsibility of the member bank's board of directors to comply with this regulation and ensure that a written security program for the bank's main office and branches is developed and implemented.

§ 216.2 Designation of security officer.

Upon becoming a member of the Federal Reserve System, a state bank's board of directors shall designate a security officer who shall have the authority, subject to the approval of the board of directors to develop, within a reasonable time, but no later than 180 days, and to administer a written security program for each banking office.

§ 216.3 Security program.

(a) *Contents of security program.* The security program shall:

(1) Establish procedures for opening and closing for business and for the safekeeping of all currency, negotiable securities, and similar valuables at all times;

(2) Establish procedures that will assist in identifying persons committing crimes against the institution and that will preserve evidence that may aid in their identification and prosecution. Such procedures may include, but are not limited to:

(i) Maintaining a camera that records activity in the banking office;

(ii) Using identification devices, such as prerecorded serial-numbered bills, or chemical and electronic devices; and

(iii) Retaining a record of any robbery, burglary, or larceny committeed against the bank;

(3) Provide for initial and periodic training of officers and employees in their responsibilities under the security program and in proper employee conduct during and after a burglary, robbery, or larceny; and

(4) Provide for selecting, testing, operating, and maintaining appropriate security devices, as specified in paragraph (b) of this section.

(b) *Security devices.* Each member bank shall have, at a minimum, the following security devices:

(1) A means of protecting cash and other liquid assets, such as a vault, safe, or other secure space;

(2) A lighting system for illuminating, during the hours of darkness, the area around the vault, if the vault is visible from outside the banking office;

(3) Tamper-resistent locks on exterior doors and exterior windows that may be opened;

(4) An alarm system or other appropriate device for promptly notifying the nearest responsible law enforcement officers of an attempted or perpetrated robbery or burglary; and

(5) Such other devices as the security officer determines to be appropriate, taking into consideration:

(i) The incidence of crimes against financial institutions in the area;

(ii) The amount of currency and other valuables exposed to robbery, burglary, or larcency;

(iii) The distance of the banking office from the nearest responsible law enforcement officers;'

(iv) The cost of the security devices;

(v) Other security measures in effect at the banking office; and

(vi) The physical characteristics of the structure of the banking office and its surroundings.

§ 216.4 Report.

The security officer for each member bank shall report at least annually to the bank's board of directors on the implementation, administration, and effectiveness of the security program.

§ 216.5 Federal Reserve Banks.

Each Reserve Bank shall develop and maintain a written security program for its main office and branches subject to review and approval of the Board.

By order of the Board of Governors of the Federal Reserve System, March 22, 1991.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 91–7320 Filed 3–28–91; 8:45 am]

BILLING CODE 6210–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 21 and 25

[Docket No. NM–52; Special Conditions No. 25–ANM–40]

Special Conditions: Modified Boeing Model 767–200 and –300 Series Airplanes; Installation of a Medical Oxygen System Utilizing Liquid Oxygen

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued to E-Systems for design of Civil Reserve Air Fleet aeromedical evacuation ship set kits used to modify Boeing Model 767–200 and –300 series airplanes. Removal of existing passenger seats and installation of the kit will result in these airplanes being equipped with an aeromedical evacuation interior that can accommodate up to 111 litter patients and their attendants. The aeromedical evacuation ship set kit includes an additional oxygen system, utilizing liquid oxygen for storage, that provides medical oxygen for the litter patients. The applicable regulations do not contain adequate or appropriate safety standards for the design and installation of liquid oxygen systems. These special conditions contain the additional safety standards which the Administrator considers necessary to ensure that the

design and installation of the liquid oxygen system is such that a level of safety equal to that intended by the applicable regulations is provided.

DATES: The effective date of these special conditions is March 19, 1991. Comments must be received on or before May 13 1991.

ADDRESSES: Comments on these special conditions may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, Attn: Rules Docket (ANM-7), Docket No. NM-52, 1601 Lind Avenue SW., Renton, WA 98055-4056; or delivered in duplicate to the Office of the Assistant Chief Counsel at the above address. Comments must be marked: Docket No. NM-52. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: William Schroeder, FAA, Standardization Branch, ANM-113, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, WA 98055-4056; telephone (206) 227-2148.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA has determined that good cause exists for making these special conditions effective upon issuance; however, interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or special condition number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments submitted in response to this request must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM-52." The postcard will be date/time stamped, and returned to the commenter.

Background

On November 11, 1988, E-Systems applied for a supplemental type certificate to modify Boeing Model 767-200 and -300 series airplanes by removing the existing seats and installing a conversion kit that provides an interior for transportation of sick or wounded persons. The conversion kits are being developed to meet the needs of the United States Military Airlift Command Civil Reserve Air Fleet program involving quick conversion of U.S. civil air carrier passenger airplanes for transportation of sick and wounded personnel. The conversion kit includes a patient transport interior system (provisions for up to 111 litters), aeromedical operations system (60 cycle AC electric power supply and distribution system and two nurse stations including seat and desk), and an additional oxygen system (liquid oxygen dewars/converters, valves, evaporating coils, lines, regulators, indicators, fittings, etc.) utilizing liquid oxygen for storage. Approval of the performance of the medical oxygen system (flow rate, percent oxygen delivered, delivery temperature, etc.) is not included as part of the STC approval except that the system performance shall not result in any unsafe condition as related to the airplane. The proposed modification incorporates a novel or unusual design feature, in the form of an additional oxygen system, utilizing liquid oxygen, that provides medical oxygen for up to 111 litter patients. Existing applicable regulations in the Boeing Model 767-200 and -300 certification basis do not provide adequate or appropriate safety standards for the design and installation of liquid oxygen systems.

The Boeing Model 767 series airplanes are pressurized, 255 to 290-passenger, two pilot, air carrier transport-type airplanes having maximum brake release weights prior to takeoff of 300,000 to 380,000 pounds, maximum operating speeds of 360 knots (IAS), and maximum operating altitudes of 43,000 feet, all depending on the specific model series and airplane configuration. The airplanes are powered by two wing mounted turbofan engines, having a make and model depending on the specific model series and airplane configuration.

Supplemental Type Certification Basis

Under the provisions of § 21.115, subpart C, of the FAR, E-Systems must show that the altered Boeing Model 767 series airplanes meet the regulations incorporated by reference for that model series in Type Certificate No. A1NM, as specified in § 21.101(a), unless: (1) Otherwise specified by the Administrator; (2) compliance with later effective amendments is elected or required under § 21.101 (a) or (b); or (3) special conditions are prescribed by the Administrator.

As shown on Data Sheet A1NM, the type certification regulations incorporated by reference (original certification basis) for Boeing Model 767 series airplanes is part 25 of the FAR dated February 1, 1965, as amended by amendments 25-1 through 25-37, and all or portions of amendments 25-38 through 25-46, 25-49 and 25-54. Compliance has also been shown with the optional ice protection requirements of § 25.1419 of the FAR, and the ditching requirements in § 25.801 of the FAR.

If the Administrator finds that the applicable airworthiness regulations (i.e., part 25 plus any applicable amendments to part 25) do not contain adequate or appropriate safety standards for modified Boeing Model 767 series airplanes because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.101(b)(2) to establish a level of safety equivalent to that established in the regulations.

Special conditions, as appropriate, are issued in accordance with § 11.49 of the FAR after public notice, as required by §§ 11.28 and 11.29, and become part of the type certification basis in accordance with § 21.115(a).

Discussion

There are no specific regulations that address the design and installation of oxygen systems that utilize liquid oxygen. Existing requirements such as §§ 25.1309, 25.1441 (b) & (c), 25.1451, and 24.1453 in the Boeing Model 767-200 and -300 certification basis applicable to this Supplemental Type Certificate project provide some design standards appropriate for medical oxygen system installations. However, additional design standards for systems utilizing liquid oxygen are needed to supplement the existing applicable requirements. The large quantity of liquid oxygen involved in this installation and the unsafe conditions that can exist when the oxygen content of an enclosed area becomes too high because of system leaks, malfunction, or damage from external sources make it necessary to assure adequate safety standards are applied to the design and installation of the system in Boeing Model 767 series airplanes.

To ensure that a level of safety is achieved for Boeing Model 767 series airplanes, utilizing liquid oxygen as a storage medium, equivalent to that intended by the regulations incorporated by reference, special conditions are needed which require those oxygen systems to be designed and installed to

preclude or minimize the existence of unsafe conditions that can result from system leaks, malfunction, installation, or damage from external sources.

Liquid Oxygen Systems

Application by E-Systems for approval of liquid oxygen systems installed in transport airplanes and the unsafe conditions that can exist when the oxygen content of an enclosed area becomes too high because of system leaks, malfunction, installation or damage from external sources make development and application of appropriate additional design and installation standards necessary.

Conclusion

This action affects only certain unusual or novel design features on one model series of airplanes. It is not a rule of general applicability and affects only the applicant who applied to the FAA for approval of these features on the airplane.

These Special Conditions provide necessary additional safety standards for design and installation of a liquid oxygen system in Boeing Model 767 series airplanes called into service under the U.S. Military Airlift Command Civil Reserve Air Fleet program for the purpose of transporting sick and wounded military personnel. Recent developments in the Middle East have resulted in the U.S. Military Aircraft Command having an urgent need for approval of the conversion kits which include the medical oxygen system utilizing a liquid oxygen supply. For this reason and because a delay would not be in the national interest, the FAA has determined that it is impracticable to provide notice and that good cause exists for adopting these special conditions without notice. Therefore, these special conditions are issued for modification of Boeing Models 767 series airplanes and made effective upon issuance.

List of Subjects in 14 CFR Parts 21 and 25

Air transportation, Aircraft, Aviation safety, Safety.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 1344, 1348(c), 1352, 1354(a), 1355, 1421 through 1431, 1502, 1651(b)(2), 42 U.S.C. 1857f–10, 4321 et seq.; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983).

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued to E Systems as part of the supplemental type certification basis for civil reserve air fleet aeromedical evacuation ship set kits for modification of Boeing Model 767–200 and –300 series airplanes:

The liquid oxygen system must be designed and installed to ensure that no failure of the system, including a leak in any part of the medical oxygen system, would prevent continued safe flight and landing of the aircraft. In addition, the following design criteria apply with respect to these special conditions.

a. The liquid oxygen converter and other oxygen equipment shall not be installed in compartments where baggage, cargo or loose equipment is stored.

b. The liquid oxygen converter shall be located in the aircraft so as to minimize damage to the liquid oxygen converter due to an uncontained rotor or fan blade failure.

c. The pressure relief valves on the liquid oxygen converters shall be vented overboard through a drain at the bottom of the aircraft. There shall be no hydrocarbon filling or drain provisions forward, above or in proximity to the vent outlet.

d. The system installation shall include provisions to assure complete conversion of the liquid oxygen to gaseous oxygen.

e. Check valves shall be installed in systems where multiple converters are manifolded together so a leak in one converter will not allow leakage of oxygen from any other converter.

f. Oxygen lines shall consist of rigid tubing or flexible hoses. The rigid tubing shall be of aluminum alloy conforming to AMS 4071 or corrosion resistant annealed steel type 304. Flexible hoses shall be qualified for oxygen service and where applicable, cryogenic service.

g. Flexible hoses shall be used for the aircraft system connections to shock mounted converters where movement relative to the aircraft will occur.

h. Condensation from system components or lines shall be collected by drip pans, shields or other suitable collection means and drained overboard through a drain fitting separate from the liquid oxygen vent fitting.

i. Oxygen components and systems shall meet the requirements of § 25.1438(b) and be installed in accordance with the recommended practices of FAA Advisory Circular 43.13–1A, chapter 8, section 3, paragraph 363; chapter 10, section 1, paragraph 393, and Advisory Circular 43.13–2A, chapter 6, paragraph 86 through paragraph 89. The oxygen system components shall be electrically bonded to aircraft structure.

j. A means shall be provided to indicate system pressure and the quantity of liquid oxygen in the converters.

Issued in Renton, Washington, on March 19, 1991.

Darrell M. Pederson,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 91–7442 Filed 3–28–91; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 89–NM–263–AD; Amdt. 39–6926]

Airworthiness Directives; Boeing Model 707/720 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Boeing Model 707/720 series airplanes, which requires incorporation of certain structural modifications. This amendment is prompted by reports of recent incidents involving fatigue cracking and corrosion in transport category airplanes that are approaching or have exceeded their economic design life goal. These incidents jeopardized the airworthiness of the affected airplanes. These conditions, if not corrected, could result in a degradation in the structural capabilities of the affected airplanes. This action also reflects FAA's decision that long term continued operational safety should be assured by actual modification of the airframe rather than repetitive inspection.

DATES: Effective April 29, 1991. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 29, 1991.

ADDRESSES: 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. Shardul R. Panchal, Seattle Aircraft Certification Office, Airframe Branch, ANM–120S; telephone (206) 227–2780. 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 707/720 series airplanes, which requires incorporation of certain structural modifications, was published in the **Federal Register** on January 19, 1990 (55 FR 1831).

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

Two commenters stated that Boeing Document D6–54996, cited in the Notice as the appropriate service information source, is incomplete for the following reasons: (1) It does not include Section 4, "Structural Inspections", which is necessary to plan for airplane out-of-service time to accomplish the required maintenance tasks and to estimate the costs associated with the requirements of this AD; and (2) many of the bulletins referenced are outdated because they do not reference the most current repair kits and parts information. In response to these comments, the FAA notes that, subsequent to the issuance of the NPRM, the FAA reviewed and approved Boeing Document D6–54996, Revision B, dated December 11, 1990. This revision revises Section 3, "Structural Modification," to update the identified service bulletins and cite the latest revisions of each, which include references to the latest repair kits and parts information. The changes are merely clarifying and correcting in nature. The final rule has been revised to specify this revision of the Boeing Document as the appropriate service information source. Revision B of the Boeing Document also adds Section 4, "Structural Inspections;" and adds section 5, "Service Bulletin Reference Index." The FAA agrees with the commenters that section 4 may be helpful for overall planning purposes; however, the inspections therein are not made mandatory by this AD, although they may be the subject of future rulemaking.

The same commenters stated that this rule is both a major rule and a significant rule based on their cost estimates, which included costs of preparation and out-of-service time. The FAA disagrees. The cost associated with preparation and out-of-service down-time are historically not included as part of AD rulemaking actions. Further, the FAA has determined that the proposed compliance times provide adequate flexibility to plan and implement the mandatory structural modification program during periods of scheduled maintenance. The economic analysis paragraph, explains that these cost estimates do not include downtime, planning, set up, familiarization, or tool acquisition costs; only the direct cost to modify an airplane has been considered.

One commenter requested that the final rule be revised to include certain specific alternative methods of accomplishing the inspections, repairs, and/or modifications described in five service bulletins referenced in Boeing Document D6–54996. The FAA does not concur. The FAA has determined that the service bulletins and the modifications, as referenced in Boeing Document D6–54996, which are the recommendations of the 707/720 Structures Working Group, are appropriate in addressing the identified unsafe condition. Further, specific procedures unique to one operator can be handled on a case-by-case basis through the alternate means of compliance provision in paragraph B. of the final rule.

Paragraph A. of the final rule has been reformatted to explain the initial compliance time more clearly. This constitutes merely an editorial change.

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 previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the rule.

There are approximately 400 Model 707/720 series airplanes of the affected design in the worldwide fleet. It is estimated that 74 airplanes of U.S. registry will be affected by this AD within the initial threshold of 4 years. The cost to modify each airplane is estimated to be $1,040,000. This cost includes the price of modification kits, which is $380,000 per airplane, and the estimated number of manhours to accomplish the modifications, which is 16,500 manhours at $40 per manhour. It does not include the cost of downtime, planning, set up, familiarization, or tool acquisition costs. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $76,960,000 over the initial 4-year time period.

Additional airplanes will be affected as they accumulate time-in-service and reach the threshold for modification.

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 Rules 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, Incorporation by reference.

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 707/720 series airplanes, listed in Boeing Document No. D6–54996, Revision B, dated December 11, 1990, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent structural failure, accomplish the following:

A. Accomplish the structural modifications listed in Section 3 of Boeing Document No. D6–54996, "Aging Airplane Service Bulletin Structural Modification Program—Model 707/720," Revision B, dated December 11, 1990, at the earlier of the following times:

1. Prior to reaching the incorporation thresholds listed in the Boeing Document or within the next 4 years after the effective date of this AD, whichever occurs later; or

2. Prior to reaching the incorporation thresholds specified as calendar dates in the Boeing Document.

Note: The modifications required by this paragraph do not terminate the inspection requirements of any other AD unless that AD specifies that any such modification constitutes terminating action for the inspection requirements.

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, Northwest Mountain Region.

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.

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.

The modifications shall be done in accordance with Boeing Document No. D6-54996, "Aging Airplane Service Bulletin Structural Modification Program—Model 707/720," Revision B, dated December 11, 1990, which incorporates the following list of effective pages:

TABLE OF EFFECTIVE PAGES

Page number	Revision number	Date
Page a	Revision B	December 11, 1990.
Page b	Initial Release	November 7, 1989.
Pages c.1-d.5	Revision B	December 11, 1990.
Page e	Revision A	September 14, 1990.
Pages f-1.0.1	Initial Release	November 7, 1989.
Page 1.0.2	Revision B	December 11, 1990.
Pages 1.0.3-2.0.2	Initial Release	November 7, 1989.
Pages 3.0.1-3.1.8	Revision B	December 11, 1990.
Page 3.1.9	Initial Release	November 7, 1989.
Pages 3.1.10-3.4.1	Revision B	December 11, 1990.
Pages 3.4.2-3.6.1	Initial Release	November 7, 1989.
Pages 4.0.1-5.1.5	Revision A	September 14, 1990.
Pages 5.1.6-5.1.8	Revision B	December 11, 1990.
Pages 5.1.9-5.1.11	Revision A	September 14, 1990.

Boeing Document No. D6-54996, "Aging Airplane Service Bulletin Structural Modification Program—Model 707/720," was issued by The Boeing Company on November 7, 1989. The Boeing Company has made two revisions to the November 7, 1989, document: "Revision A" was issued on September 14, 1990, and "Revision B" was issued on December 11, 1990. The preceding Table of Effective Pages depicts the original and revised pages that have received incorporation by reference approval.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124. Copies may be inspected at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 1100 L Street SW., Room 8401, Washington, DC.

This amendment becomes effective April 29, 1991.

Issued in Renton, Washington, on February 26, 1991.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 91-7443 Filed 3-28-91; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 97

[Docket No. 26508; Amdt. No. 1448]

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, 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 March 15, 1991.

Thomas C. Accardi,

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:

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 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 May 30, 1991

Gulkana, AK—Gulkana, VOR RWY 14, Amdt. 6
Gulkana, AK—Gulkana, VOR RWY 32, Amdt. 6
Gulkana, AK—Gulkana, NDB-A, Orig., Cancelled
Gulkana, AK—Gulkana, NDB RWY 14, Orig.
Zephyrhills, FL—Zephyrhills Muni, NDB RWY 4, Orig.
Marietta, GA—Cobb County-McCollum Field, VOR/DME RWY 9, Orig.
Thomson, GA—Thomson-McDuffie County, NDB RWY 28, Amdt. 8
Lewiston, ID—Lewiston-Nez Perce County, ILS RWY 26, Amdt. 10
Kokomo, IN—Kokomo Muni, RNAV RWY 5, Amdt. 4
Valparaiso, IN—Porter County Muni, ILS RWY 27, Amdt. 2
Centerville, IA—Centerville Muni, NDB RWY 15, Amdt. 1
Centerville, IA—Centerville Muni, NDB RWY 33, Amdt. 1
Creston, IA—Creston Muni, NDB RWY 34, Orig.
Concordia, KS—Blosser Muni, NDB RWY 17, Amdt. 1
El Dorado, KS—Captain Jack Thomas/El Dorado, NDB RWY 4, Amdt. 2
Fort Scott, KS—Fort Scott Muni, NDB RWY 17, Amdt. 9
Pittsburg, KS—Atkinson Muni, NDB RWY 16, Amdt. 3
Wellington, KS—Wellington Muni, NDB RWY 17, Amdt. 4
Winfield Arkansas City, KS—Strother Field, NDB RWY 35, Amdt. 2
Winfield Arkansas City, KS—Strother Field, ILS RWY 35, Amdt. 2
Bardstown, KY—Samuels Field, VOR/DME RWY 2, Amdt. 2
Bardstown, KY—Samuels Field, NDB—A, Amdt. 4
Bowling Green, KY—Bowling Green-Warren County, VOR/DME RWY 21, Amdt. 5
Bowling Green, KY—Bowling Green-Warren County, VOR/RWY 3, Amdt. 12
Campbellsville, KY—Taylor County, NDB RWY 23, Amdt. 2
Campbellsville, KY—Taylor County, SDF RWY 23, Amdt. 1
Glasgow, KY—Glasgow Muni, VOR/DME RWY 7, Amdt. 4
Glasgow, KY—Glasgow Muni, NDB RWY 7, Amdt. 8
Glasgow, KY—Glasgow Muni, SDF RWY 7, Amdt. 7
Richmond, KY—Madison VOR/DME RNAV RWY 36, Amdt. 5
Richmond, KY—Madison VOR/DME RWY 18, Amdt. 4
Lexington, KY—Blue Grass, VOR-A, Amdt. 6
London, KY—London-Corbin Arpt-Magee Fld, VOR RWY 5, Amdt. 12
London, KY—London-Corbin Arpt-Magee Fld, VOR/DME 23, Amdt. 5
London, KY—London-Corbin Arpt-Magee Fld, VOR/DME RNAV RWY 5, Amdt. 3
Somerset, KY—Somerset-Pulaski County-J.T. Wilson Field, SDF RWY 4, Amdt. 4
Somerset, KY—Somerset-Pulaski County-J.T. Wilson Field, NDB RWY 4, Amdt. 4
Leonardtown, MD—St Marys County, VOR RWY 11, Amdt. 3
Leonardtown, MD—St Marys County, VOR RWY 19, Amdt. 4
Baltimore, MD—Baltimore-Washington Intl, VOR/DME RWY 22, Amdt. 8
Pittsfield, MA—Pittsfield Muni, NDB RWY 26, Amdt. 3
Cheboygan, MI—Cheboygan City-County, VOR RWY 9, Amdt. 6
Gaylord, MI—Otsego County, NDB RWY 9, Amdt. 9
Marshall, MI—Brooks Field, VOR RWY 28, Amdt. 12
Monroe, MI—Custer, VOR-A, Amdt. 2, Cancelled
Monroe, MI—Custer, VOR-B, Orig.
Monroe, MI—Custer, RNAV RWY 21, Amdt. 3
Mount Pleasant, MI—Mount Pleasant Muni, VOR RWY 27, Amdt. 13
Park Rapids, MN—Park Rapids Muni, MLS RWY 31 (Interim), Amdt. 3, Cancelled
Kaiser/Lake Ozark, MO—Lee C Fine Memorial, VOR RWY 3, Amdt. 5
Kaiser/Lake Ozark, MO—Lee C Fine Memorial, NDB RWY 21, Amdt. 6
Lebanon, MO—Floyd W Jones Lebanon, NDB RWY 36, Amdt. 4

Atlantic City, NJ—Atlantic City Muni/Bader Field, VOR RWY 11, Amdt. 3
Atlantic City, NJ—Atlantic City Muni/Bader Field, VOR–A, Amdt. 3
Belmar-Farmingdale, NJ—Allaire, SDF RWY 14, Amdt. 2, Cancelled
Blairstown, NJ—Blairstown, VOR RWY 25, Amdt. 1
Newark, NJ—Newark Intl, RNAV RWY 11, Amdt. 4 Cancelled
Toms River, NJ—Robert J. Miller Air Park, VOR RWY 24, Amdt. 3
Jackson, OH—James A Rhodes, VOR/DME–A, Amdt. 2
Van Wert, OH—Van Wert County, NDB RWY 9, Amdt. 1
Washington Court House, OH—Fayette County, NDB RWY 22, Amdt. 3
Woodsfield, OH—Monroe County, VOR/DME RWY 25, Amdt. 5
Allentown, PA—Allentown Queen City Muni, RNAV RWY 7, Orig., Cancelled
Philadelphia, PA—Philadelphia Intl, ILS RWY 17, Amdt. 4
Philadelphia, PA—Philadelphia Intl, Converging ILS RWY 9R, Amdt. 3
Philadelphia, PA—Philadelphia Intl, Converging ILS RWY 17, Amdt. 2
Pittsburgh, PA—Greater Pittsburgh Intl, VOR or TACAN RWY 28L/C, Amdt. 4
Pittsburgh, PA—Greater Pittsburgh Intl, ILS RWY 10R, Amdt. 6
North Kingstown, RI—Quonset State, VOR RWY 34, Amdt. 6
North Kingstown, RI—Quonset State, NDB RWY 16, Orig.
Pageland, SC—Pageland, NDB RWY 23, Orig.
Rutland, VT—Rutland State, LDA RWY 19, Amdt. 5
Milton, WV—Ona Airpark, VOR–A, Orig.
Parkersburg, WV—Wood County Airport Gill Robb Wilson Fld, VOR RWY 21, Amdt. 14
Parkersburg, WV—Wood County Airport Gill Robb Wilson Fld, ILS RWY 3, Amdt. 10
Point Pleasant, WV—Mason County, VOR/DME–A, Amdt. 3
Burlington, WI—Burlington Muni, VOR RWY 29, Amdt. 6
Mineral Point, WI—Iowa County, NDB RWY 22, Amdt. 4
Neillsville, WI—Neillsville Muni, NDB RWY 27, Amdt. 4
Stevens Point, WI—Stevens Point Muni, VOR/DME RWY 3, Amdt. 12
Stevens Point, WI—Stevens Point Muni, VOR RWY 21, Amdt. 16
Stevens Point, WI—Stevens Point Muni, VOR RWY 30, Amdt. 15

. . . Effective May 2, 1991

Devils Lake, ND—Devils Lake Muni, VOR RWY 13, Amdt. 8
Devils Lake, ND—Devils Lake Muni, VOR RWY 31, Amdt. 5
Devils Lake, ND—Devils Lake Muni, ILS/DME RWY 31, Amdt. 1

. . . Effective April 4, 1991

Fosston, MN—Fosston Muni, NDB RWY 34, Amdt. 1
Roseau, MN—Roseau Muni, VOR–A, Amdt. 7
Roseau, MN—Roseau Muni, VOR RWY 16, Amdt. 6
Thief River Falls, MN—Thief River Falls Regional, VOR RWY 13, Amdt. 8
Thief River Falls, MN—Thief River Falls Regional, VOR/DME RWY 13, Amdt. 2
Thief River Falls, MN—Thief River Falls Regional, VOR RWY 31, Amdt. 8
Thief River Falls, MN—Thief River Falls Regional, VOR/DME 31, Amdt. 3
Thief River Falls, MN—Thief River Falls Regional, VOR RWY 31, Amdt. 1
Thief River Falls, MN—Thief River Falls Regional, ILS RWY 31, Amdt. 2

. . . Effective March 13, 1991

Beeville, TX—Beeville Muni, VOR/DME RWY 12, Amdt. 5

. . . Effective March 12, 1991

Arlington, WA—Arlington Muni, LOC RWY 34, Amdt. 2
Arlington, WA—Arlington Muni, NDB RWY 34, Amdt.

. . . Effective March 7, 1991

Santa Barbara, CA—Santa Barbara Muni, VOR RWY 25, Amdt. 6

[FR Doc. 91–7444 Filed 3–28–91; 8:45 am]
BILLING CODE 4910–13–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A–1–FRL–3868–2; Docket No. AM022a DE]

Approval and Promulgation of Air Quality Implementation Plans; Delaware RACT for VOC Emissions From Automobile Surface Coating Operations

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On November 10, 1986 (51 FR 40828), the Environmental Protection Agency proposed approval of revisions to the Delaware Regulations Governing the Control of Air Pollution, Regulation No. XXIV, Control of Volatile Organic Compound Emissions, section 9, Surface Coating Operations. The headings of Tables I and I(a) of that regulation were proposed to be amended by deleting the word "yearly" from "yearly average." In addition, EPA proposed two new reasonably available control technology (RACT) emission standards for the zinc-rich primer and urethane chip-resistant primer used in automobile surface coating operations. During the comment period for the proposed rulemaking, the applicability of the proposed RACT emission standard for the urethane chip-resistant primer was questioned. No comments were received regarding the zinc-rich primer RACT emission standard or the deletion of the word "yearly" from Tables I and I(a). Today's action, therefore, will finalize approval of revisions to Regulation No. XXIV for the RACT emission standard for the zinc-rich primer and deletion of the word "yearly" from the headings of Tables I and I(a). The issues raised during the comment period regarding the urethane chip-resistant primer will be discussed in a separate rulemaking Notice and EPA is taking no further action on Delaware's request for approval of RACT for the urethane chip-resistant primer at this time. On December 28, 1989, EPA informed Delaware that separate rulemaking Notices would be prepared for each of the requests to approve these RACT emission standards. Although Delaware requested approval of these two RACT emission standards under one submittal letter, EPA has determined that the two emission standards are independent of one another. Therefore, conducting separate rulemaking actions for them does not raise the issue that led to the holding in *Bethlehem Steel* v. *EPA*, 742 F. 2nd (7th Circuit 1984).

EFFECTIVE DATE: April 29, 1991.

ADDRESSES: Copies of this amendment and the accompanying support documents are available during normal business hours at the following offices:

U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107, Attn: David L. Arnold.

Delaware Department of Natural Resources and Environmental Control, Air Resources Section, 89 Kings Highway, P.O. Box 1401, Dover, DE 19903, Attn: Robert R. French.

FOR FURTHER INFORMATION CONTACT: Ms. Cynthia H. Stahl, (215) 597–9337, at the Region III address above. The commercial and FTS numbers are the same.

SUPPLEMENTARY INFORMATION: On December 18, 1985, the State of Delaware submitted a request to amend Regulation No. XXIV, Control of Volatile Organic Compound Emissions, section 9, Surface Coating Operations. This amendment proposed revisions to Tables I and I(a), which list allowable Volatile Organic Compound (VOC) content limits for coatings in various surface coating categories.

Prior to this revision the heading for each table read "yearly average", while the footnotes to the tables clearly limit the compliance determination for automobile and light-duty truck coatings to the arithmetic average of all colors at any given time. To remove confusion, the revision deletes the word "yearly" from the heading of each table. This clarifies the existing standard, which permits averaging only for automobile and light-duty truck coatings, as footnoted in Tables I and I(a), at automobile assembly plants.

Automobile and light-duty truck coatings may be averaged within a coating category but not across categories. Both EPA and Delaware agree that all other surface coatings in these tables must comply individually with the applicable standard. This revision will affect the two automobile assembly plants in Delaware: Chrysler Corporation in Newark and General Motors in Wilmington.

In addition, a new RACT emission standard is approved for zinc-rich primer, listed under enamel coatings in Table I. Zinc-rich primer, also known as zinc-rich weld-through primer, is a self-defining term, and refers to a specialty coating used as a corrosion-resistant coating on those areas of vehicle bodies which are inaccessible for proper cleaning and painting after being welded or bolted into finished assemblies. The RACT emission standard for the zinc-rich weld-through primer is 4.0 lbs. VOC/gallon less water. The final compliance date is December 31, 1985. This coating, while in existence, was not considered at the time of the development of EPA's Control Techniques Guideline (CTG) for Automobile and Light-Duty Truck Surface Coating Operations. EPA has determined that this standard represents RACT for the zinc-rich weld-through primer. The technical support document for this amendment contains detailed information regarding the development of this RACT emission standard. Currently, only Chrysler Corporation in Newark is affected by the adoption of the standard for the zinc-rich weld-through primer as the General Motors-Wilmington plant is not using a zinc-rich primer at this time. No comments were received regarding the zinc-rich weld-through primer during the public comment period.

On May 26, 1988, EPA made an ozone SIP call in New Castle County, Delaware, where this Chrysler plant is located. A SIP call is a finding made by EPA under section 110(a)(2)(H) of the Clean Air Act that the State's plan for attainment and maintenance of the National Ambient Air Quality Standard (NAAQS) is substantially inadequate to attain and maintain that standard. The May 1988 SIP call for ozone requires Delaware to submit a new SIP demonstrating attainment and maintenance of the ozone NAAQS. Nothing in this Notice should be construed as Delaware's response to the SIP call or EPA's action pertaining to the SIP call. As part of the new ozone SIP planning, Delaware may choose to revisit this source to gain additional VOC emission reductions in order to demonstrate attainment and maintenance of the ozone NAAQS.

The changes to delete the word "yearly" affect Tables I and I(a) of Regulation No. XXIV. The word "yearly" is deleted from the table heading, "yearly average" in both Tables I and I(a). The new RACT emission standard for the zinc-rich weld-through primer is added under the enamel coatings category below the standard for final repair primer.

Final Action

EPA is approving revisions of the Delaware Regulations Governing the Control of Air Pollution, Regulation No. XXIV, Control of Volatile Organic Compound Emissions, section 9, Surface Coating Operations which delete the word "yearly" from the headings in Tables I and I(a) and adopt a new RACT standard for the zinc-rich weld-through primer. This approval action is based on a determination that these revisions are consistent with current EPA policy and that they comply with section 110 of the Clean Air Act.

This action has been classified as a Table 3 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225). The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review, of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 28, 1991. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later is proceedings to enforce its requirements (see section 307(b)(2)).

Nothing in this action, pertaining to the approval of the zinc-rich weld-through primer alternative RACT standard for Chrysler-Newark in Delaware, should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP should be considered separately in light of specific technical, economic and environmental factors, and in relation to relevant statutory and regulatory requirements.

List of Subjects in 40 CFR Part 52

Air pollution Control, Ozone, Reporting and recordkeeping requirements, Incorporation by reference.

Note: Incorporation by reference of the Implementation Plan for the State of Delaware was approved by the Director of the Federal Register on July 1, 1982.

Dated: November 19, 1990.

Edwin B. Erickson,

Regional Administrator.

Subpart I, Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is Amended as Follows:

PART 52—[AMENDED]

Subpart I—Delaware

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7642.

2. Section 52.420 is amended by adding paragraph (c)(42) to read as follows:

§ 52.420 Identification of plan.

* * * * *

(c) * * *

(42) Revisions to the State Implementation Plan submitted by the Delaware Department of Natural Resources and Environmental Control on December 12, 1985, pertaining to Delaware Regulation No. XXIV which includes an alternative RACT standard for the zinc-rich weld-through primer coating.

(i) Incorporation by reference.

(A) Letter from the Delaware Department of Natural Resources and Environmental Control dated December 12, 1985 submitting a revision to the Delaware State Implementation Plan, regarding changes to Regulation No. XXIV to remove the word "yearly" from Tables I and I(a) and to propose an alternative RACT standard for the zinc-rich primer coating.

(B) Those portions of Exhibit 13 of Order No. 85–A–5 amending Regulation No. XXIV by 1) deleting the word "yearly" in Tables I and I(a) and (2) adopting 4.0 as the Reasonably Available Control Technology (RACT) emission limit for Zinc-rich Primer used in automobile surface coating.

(ii) Additional materials.

(A) Remainder of the State submittal.

[FR Doc. 91–7457 Filed 3–28–91; 8:45 am]

BILLING CODE 6560–50–M

40 CFR Parts 60 and 61

[FRL-3917-7]

Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, Supplemental Delegation of Authority to South Carolina

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; delegation of authority.

SUMMARY: On December 10, 1990, the State of South Carolina requested delegation of authority for the implementation and enforcement of additional categories of Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP). EPA's review of South Carolina's laws, rules, and regulations showed them to be adequate for the implementation and enforcement of these federal standards, and the Agency made the delegation as requested.

EFFECTIVE DATE: The effective date of the delegation of authority is January 25, 1991.

ADDRESSES: Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection at EPA's Region IV Office, 345 Courtland Street, NE., Atlanta, Georgia 30365. All reports required pursuant to the newly delegated standards should not be submitted to the EPA Region IV office, but should instead be submitted to the following address: Mr. James A. Joy, III, P.E., Chief, Bureau of Air Quality Control, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201.

FOR FURTHER INFORMATION CONTACT: Beverly T. Hudson of the EPA Region IV Air Programs Branch, 345 Courtland Street, NE., Atlanta, Georgia 30365, telephone 404/347-2864 (FTS 257-2864).

SUPPLEMENTARY INFORMATION: Section 301, in conjunction with sections 110, 111(c)(1), and 112(d)(1) of the Clean Air Act authorize the Administrator to delegate his authority to implement and enforce the National Standards of Performance for New Sources and the National Emission Standards for Hazardous Air Pollutants, to any state which has submitted adequate implementation and enforcement procedures.

On October 26, 1976, EPA initially delegated to the State of South Carolina, the authority to implement the NSPS and NESHAP. On December 10, 1990, South Carolina requested a delegation of authority for implementation and enforcement of the following recently promulgated or revised (denoted by R) NSPS and NESHAP categories found in 40 CFR part 60 and 61:

40 CFR Part 60

Subpart D Small Industrial—Commercial—Institutional Steam Generating Unit

40 CFR Part 61

Subpart M Asbestos

After a thorough review of the request, the Regional Administrator determined that such a delegation was appropriate for these source categories with the conditions set forth in the original delegation letter of October 26, 1976. South Carolina sources, subject to the requirements of subparts Dc and M, will now be under the jurisdiction of the State of South Carolina.

Action

Since review of the pertinent South Carolina laws, rules and regulations showed them to be adequate for the implementation and enforcement of the aforementioned categories of NSPS and NESHAP, I delegated to the State of South Carolina my authority for the source categories listed above on January 25, 1991.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

This notice is issued under the authority of sections 101, 110, 111, 112, and 301 of the Clean Air Act, as amended (42 U.S.C. 7401, 7410, 7411, 7412, and 7601).

List of Subjects in 40 CFR Parts 60 and 61

Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: March 4, 1991.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 91-7458 Filed 3-28-91; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 271

[FRL-3918-2]

Mississippi; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Mississippi has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). Mississippi's revisions consist of the provisions contained in non-HSWA Cluster III and non-HSWA Cluster V. The requirements for these clusters are listed in section B of this notice. The Environmental Protection Agency (EPA) has reviewed Mississippi's applications and has made a decision, subject to public review and comment, that Mississippi's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Mississippi's hazardous waste program revisions. Mississippi's applications for program revisions are available for public review and comment.

DATES: Final authorization for Mississippi's program revisions shall be effective May 28, 1991, unless EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Mississippi's program revision applications must be received by the close of business, April 29, 1991.

ADDRESSES: Copies of Mississippi's program revision applications are available during 8 a.m. to 4 p.m. at the following addresses for inspection and copying: Mississippi Department of Environmental Quality, 2380 Highway 80 West, Post Office Box 10385, Jackson, Mississippi 39209: (601) 961-5062; U.S. EPA Headquarters Library, PM 211A, 401 M Street SW., Washington, DC 20460; 202/283-5926; U.S. EPA Region IV, Library, 345 Courtland Street NE., Atlanta, Georgia 30365; 404/347-4216. Written comments should be sent to Narindar Kumer at the address listed below.

FOR FURTHER INFORMATION CONTACT: Narindar Kumer, Chief, State Programs Section, Waste Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365; (404) 347-2234.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under Section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98-616, November 8, 1984, hereinafter "HSWA") allows States to

revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under Section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR parts 260–268 and 124 and 270.

B. Mississippi

Mississippi initially received final authorization for its base RCRA program effective on June 27, 1984. Mississippi received authorization for revisions to its program on October 17, 1988 and October 9, 1990. On August 11, 1989 and March 14, 1990, Mississippi submitted program revision applications for additional program approvals. Today, Mississippi is seeking approval of its program revisions in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed Mississippi's applications, and has made an immediate final decision that Mississippi's hazardous waste program revisions satisfy all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Mississippi. The public may submit written comments on EPA's immediate final decision up until April 29, 1991.

Mississippi's applications for these program revisions are available for inspection and copying at the locations indicated in the "**ADDRESSES**" section of this notice.

On the effective date of final authorization, Mississippi will be authorized to carry out, in lieu of the Federal Program, those provisions of the State's program which are analogous to the following provisions of the Federal Program.

Federal Requirement	FR Reference	Federal Promulgation Date
Radioactive Mixed Waste.	51 FR 24504	July 3, 1986
Liability Coverage-Corporate Guarantee.	51 FR 25350	July 11, 1986
Standards for Hazardous Waste Storage and Treatment Tank Systems.	51 FR 25422	July 14, 1986
Correction to Listing of Commercial Chemical Products and Appendix VIII Constituents.	51 FR 28296	August 6, 1986
Standards for Hazardous Waste Storage and Treatment Tank Systems; Correction.	51 FR 29430	August 15, 1986
Listing of Spent Pickle Liquor Correction.	51 FR 33612	Sept. 22, 1986
Revised Manual SW-846; Amended Incorporation by Reference.	52 FR 8072	March 16, 1987
Closure/Post Closure Care for Interim Status Surface Impoundments.	52 FR 8704	March 19, 1987
Definition of Solid Waste; Technical Corrections.	52 FR 21306	June 5, 1987
Amendments to Part B Information Requirements for Land Disposal Facilities.	52 FR 23447	June 22, 1987
Identification and Listing of Hazardous Waste; Treatability Studies Sample Exemption.	53 FR 27290	July 19, 1988
Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities; Liability Coverage.	53 FR 33938	September 1, 1988
Hazardous Waste Management System; Standards for Hazardous Waste Storage and Treatment Tank Systems.	53 FR 34079	September 2, 1988
Identification and Listing of Hazardous Waste; and Designation, Reportable Quantities, and Notification.	53 FR 35412	September 13, 1988
Permit Modifications for Hazardous Waste Management Facilities.	53 FR 37912	September 28, 1988
Statistical Methods for Evaluating Groundwater Monitoring Data from Hazardous Waste Facilities.	53 FR 39720	October 11, 1988
Permit Modifications for Hazardous Waste Management Facilities.	53 FR 41649	October 24, 1988
Identification and Listing of Hazardous Waste; Removal of Iron Dextran from the List of Hazardous Wastes.	53 FR 43878	October 31, 1988
Identification and Listing of Hazardous Waste; Removal of Strontium Sulfide from the List of Hazardous Wastes.	53 FR 43881	October 31, 1988
Standards for Generators of Hazardous Waste; Manifest Renewal.	53 FR 45089	November 8, 1988

Mississippi incorporates the Federal regulations by reference; analogous State provisions to the Federal requirements listed above were adopted on April 25, 1988 by the Mississippi Commission on Environmental Quality and became effective May 25, 1988. A copy of these regulations are available at the Mississippi Department of Environmental Quality as indicated in the "**ADDRESSEES**" section of this notice.

EPA shall administer any RCRA hazardous waste permits, or portions of permits that contain conditions based upon the Federal program provisions for

which the State is applying for authorization and which were issued by EPA prior to the effective date of this authorization. EPA will suspend issuance of any further permits under the provisions for which the State is being authorized on the effective date of this authorization.

Mississippi is not authorized to operate the Federal program on Indian Lands. This authority remains with EPA unless provided otherwise in a future statute or regulation.

Approval of Mississippi's program revisions shall become effective in 60 days, unless an adverse comment pertaining to the State's revisions discussed in this notice is received by the end of the comment period. If an adverse comment is received, EPA will publish either (1) a withdrawal of this immediate final rule or (2) a notice containing a response to the comment which either affirms that the immediate final decision takes effect or reverses the decision.

C. Decision

I conclude that Mississippi's applications for program revisions meet all of the statutory and regulatory requirements established by RCRA. Accordingly, Mississippi is granted final authorization to operate its hazardous waste program as revised.

Mississippi now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program, subject to the limitations of its program revision application and previously approved authorities. Mississippi also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013 and 7003 of RCRA.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Mississippi's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended (42 U.S.C. 6912(a), 6926, 6974(b).

Dated: March 18, 1991.

Patrick M. Tobin

Acting Regional Administrator.

[FR Doc. 91-7461 Filed 3-28-91; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 6840

[UT-942-4214-10; UTU-65099]

Withdrawal of Public Land for Department of the Army, Corps of Engineers; Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws 70 acres of public land from surface entry and mining for a period of 20 years for the Department of the Army, Corps of Engineers, for defense purposes to protect a National Guard armory, organizational maintenance shop, small arms range, and a limited training area. The land has been and will remain open to the mineral leasing laws.

EFFECTIVE DATE: March 29, 1991.

FOR FURTHER INFORMATION CONTACT: Michael L. Barnes, Utah State Office, P.O. Box 45155, Salt Lake City, Utah 84145-0155, 801-539-4119.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, or entry under the general land laws, including the United States mining laws (30 U.S.C. ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Department of the Army, Corps of Engineers to protect National Guard facilities:

Salt Lake Meridian

T. 43 S., R. 15 W.,
Sec. 21, W½E½NW¼NW¼, W½NW¼NW¼, SW¼NW¼.

The area described contains 70 acres in Washington County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the land under lease, license, or permit, of governing the disposal of their mineral or vegetative resources other than those under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

Dated: March 25, 1991.

Dave O'Neal,

Assistant Secretary of the Interior.

[FR Doc. 91-7503 Filed 3-28-91; 8:45 am]

BILLING CODE 4310-DQ-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 15

[Gen. Docket No. 87-389; FCC 91-67]

Operation of Radio Frequency Devices Without an Individual License

AGENCY: Federal Communications Commission.

ACTION: Final rule; petitions for reconsideration.

SUMMARY: This action responds to four petitions for reconsideration of the First Report and Order in GEN Docket No. 87-389, 54 FR 17710, April 25, 1989, filed by the Computer and Business Equipment Manufacturers Association (CBEMA), NCR Corporation (NCR), STB Systems, Inc. (STB), and Texas Instruments, Inc. (TI). The petitioners object to several provisions in the Commission's regulations regarding digital devices. Most of the changes to the rules requested by the petitioners are being denied as these changes are beyond the scope of this rule making proceeding or lack merit. The Commission is amending §§ 2.806 and 15.31 of its rules and changing the title of § 15.35. The Commission also indicated that it will address international harmonization of the standards for digital devices in a forthcoming rule making proposal.

EFFECTIVE DATE: March 29, 1991.

FOR FURTHER INFORMATION CONTACT: John A. Reed, Office of Engineering and Technology, (202) 653–7313.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Memorandum, Opinion and Order in GEN Docket No. 87–389, FCC 91–67, adopted March 11, 1991, released March 26, 1991.

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 also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857–3800, 2100 M Street, NW., suite 140, Washington, DC 20037.

Summary of the Memorandum, Opinion and Order

1. In the First Report and Order in this proceeding, the Commission adopted a comprehensive revision of part 15 of its rules governing the operation of radio frequency devices without an individual license. In this Order, the Commission made several changes to the standards for digital devices and codified several former rule interpretations.

2. CBEMA and NCR request changes to the technical standards and the distance at which Class B personal computers and peripheral devices are measured. The petitioners indicate that the Commission should harmonize its standards on digital devices with the internationally-recognized standards specified by the International Special Committee on Radio Interference (CISPR). However, a general harmonization of the U.S. standards with the international standards for digital devices was not contemplated in this proceeding. We believe that it would be more appropriate to address such a conformance matter in a comprehensive action rather than make piece meal changes to portions of our rules. Accordingly, we plan to address these issues in a future proceeding.

3. In addition to the above, CBEMA requests changes to the following rule provisions: The requirement in § 2.909 that the importer of verified equipment is responsible for ensuring that the equipment complies with the rules; the requirement in § 2.948 that the description of the measurement facility contain a plot of site attenuation using a dipole antenna; the requirement in § 2.1043 that changes to equipment that effect the level of emissions be coordinated with the Commission prior to marketing; the requirement in § 15.15 that the adjustment of any controls readily accessible to the user not cause operation of the equipment in violation of the rules; the placement of measurement procedures in § 15.31 instead of in the separately published measurement procedures; and, the requirement in § 15.31(d) that test sites, other than open field test sites, be calibrated so that the measurement results correspond to what would be obtained from an open field site. CBEMA also requests the Commission to : Change the title of §15.35 for clarity; clarify the transition provisions in § 15.37; clarify that, for emissions above 1000 MHz, peak level measurements demonstrating compliance with the average limits negates the need to perform additional average measurements; republish the former part 15 rules side-by-side with the current rules; and, direct the Chief Engineer to be liberal in granting waivers of the five year limitation on the manufacture and importation of digital devices under the former rules. STB requests the Commission to amend § 2.1043 to permit it to change crystal oscillators without having to recertify the equipment, provided the oscillators operate below 108 MHz and the frequency is varied by not more than five percent of the fundamental frequency. TI requests that the Commission: (1) Amend § 2.806(a) of its marketing rules to permit Class B personal computers and peripheral devices to be marketed, but not delivered, prior to certification by the Commission; and, (2) clarify the provision in § 2.806(c)(2) that permits digital devices to be demonstrated at trade shows prior to authorization.

4. Most of the changes requested by the petitioners are beyond the scope of this rule making proceeding or lack merit. In these instances, the petitions are denied. The petitions are granted to the extent that the Commission is: (1) changing the title of § 1535; and , (2) amending § 15.31 to facilitate the measurement of part 15 devices at a greater distance than what is specified in the regulations and to indicate that the provisions contained in the measurement procedures published by the Commission and developed subsequent to the First Report and Order take precedence over the general criteria in § 15.31. The Commission is also providing clarification regarding: (1) The marketing of Class B personal computers and peripheral devices prior to Commission authorization; (2) the demonstration of Class B personal computers and peripheral devices at trade shows; and, (3) the use of peak measurements to show compliance with average emission limits.

5. In accordance with the above discussion and pursuant to the authority contained in sections 4(i), 301, 302 and 303 of the Communications Act of 1934, as amended, *it is ordered* that the Petitions for Reconsideration filed by the Computer and Business Equipment Manufacturers Association, NCR Corporation, STB Systems, Inc., and Texas Instruments, Inc. *are granted to* the extent indicated herein and in all other respectes *are denied.* In addition, *it is ordered* that parts 2 and 15 of the Commission's Rules and Regulations *are amended as* set forth below.

List of Subjects

47 CFR Part 2

Communications equipment.

47 CFR Part 15

Communications equipment, Computer technology.

Rule Changes

Title 47 of the Code of Federal Regulations, parts 2 and 15 are amended as follows:

PART 2—[AMENDED]

1. The authority citation for part 2 continues to read as follows:

Authority: Sec. 4, 302, 303, and 307 of the Communications Act of 1934, as amended, 47 U.S.C. 154, 302, 303, and 307, unless otherwise noted.

2. Section 2.806 is amended by revising paragraph (c)(2) to read as follows:

§ 2.806 Exemption for a digital device.

* * * * *

(c) * * *

(2) Any digital device may be operated for the purpose of demonstration at a trade show provided there is displayed a conspicuous notice that the device has not been tested for compliance.

* * * * *

PART 15—[AMENDED]

1. The authority citation for part 15 continues to read as follows:

Authority: Sec. 4, 302, 303, 304, and 307 of the Communication Act of 1934, as amended 47 U.S.C. Sections 154, 302, 303, 304, and 307.

2. Section 15.31 is amended by revising paragraphs (f)(1) and (f)(3) and adding a new paragraph (p), to read as follows:

§ 15.31 Measurement standards.

* * * * *

(f) * * *

(1) At frequencies equal to or above 30 MHz, measurements may be performed at a distance other than what is specified provided: Measurements are not made in the near field; and, it can be demonstrated that the signal levels needed to be measured at the distance employed can be detected by the measuring equipment. Measurement shall not be performed at a distance greater than 30 meters unless it can be further demonstrated that measurements at a distance of 30 meters or less are impracticable. When performing measurements at a distance other than what is specified, the results shall be extrapolated to the specified distance using a inverse linear-distance extrapolation factor (20 dB/decade).

* * * * *

(3) The applicant for a grant of certification shall specify the extrapolation method used in the application filed with the Commission. For equipment subject to notification or verification, this information shall be retained with the measurement data.

* * * * *

(p) In those cases where the provisions in this section conflict with the measurement procedures in paragraph (a) of this section and the procedures were implemented after June 23, 1989, the provisions contained in the measurement procedures shall take precedence.

3. Section 15.35 is amended by revising the section heading to read as follows:

§ 15.35 Measurement detector functions and bandwidths.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 91-7504 Filed 3-28-91; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[MM Docket No. 88-601; RM-6505]

Radio Broadcasting Services; Johannesburg, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 280B1 for Channel 280A at Johannesburg, California, and modifies the construction permit for Station KRAJ, Johannesburg, California, to specify operation on Channel 280B1. The reference coordinates for Channel 280B1 at Johannesburg, California, are 35-28-39 and 117-41-58. With this action, the proceeding is terminated.

EFFECTIVE DATE: May 9, 1991.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 88-601, adopted March 13, 1991, and released March 25, 1991. 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 contractors, Downtown Copy Center, (202) 452-1422, 1714 21st Street NW., Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

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

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments, is amended under California by removing Channel 280A and adding Channel 280B1 at Johannesburg.

Federal Communications Commission.

Andrew J. Rhodes,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 91-7505 Filed 3-28-91; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 652

[Docket No. 901187-1065]

Atlantic Surf Clam and Ocean Quahog Fisheries

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

ACTION: Notice of 1991 fishing quotas.

SUMMARY: NOAA issues a notice of final quotas for the surf clam and ocean quahog fisheries for 1991. These quotas were selected from a range defined as optimum yield (OY) for each fishery. The intended effect of this action is to establish allowable harvests of surf clams and ocean quahogs from the exclusive economic zone in 1991.

EFFECTIVE DATE: January 1, 1991, through December 31, 1991.

FOR FURTHER INFORMATION CONTACT: Jack Terrill (Resource Policy Analyst) 508-281-9252.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for the Atlantic Surf Clam and Ocean Quahog Fisheries (FMP) directs the Secretary of Commerce (Secretary), in consultation with the Mid-Atlantic Fishery Management Council (Council), to specify quotas for surf clams and ocean quahogs on an annual basis from within ranges that have been identified as OY for each fishery.

In specifying the quota values in this action, the Secretary considered the latest available stock assessments prepared by NMFS, data reported by harvesters and processors, and other relevant information concerning exploitable biomass and spawning biomass, fishing mortality rates, stock recruitment, projected effort and catches, and areas likely to be reopened to fishing. This information was presented in a written report prepared by the Council and adopted by the Regional Director, Northeast Region, NMFS. The Secretary has also received and taken into account specific recommendations from the Council.

The proposed 1991 quotas were published on November 15, 1990 (55 FR 47781), with a comment period concluding on December 10, 1990. The proposed quotas recommended by the Council were 2.85 million bushels for surf clams and 5.3 million bushels for ocean quahogs. The proposed surf clam quota was a reduction of 300,000 bushels from the 1990 quota level and the proposed ocean quahog quota maintained the 1990 quota level. In its recommendation to reduce the surf clam quota, the Council cited the closure of the Georges Bank area to fishing for surf clams and ocean quahogs due to the continued presence of paralytic shellfish poison (PSP) toxin.

Comments and Responses

Comments were submitted by Borden, Inc.; Eastern Shore Seafood Products, Inc., Sea Watch International, Ltd.; Shellfish Vessels, Inc.; and one individual. All commenters favored raising quotas to 3.15 million bushels for surf clams and 6.0 million bushels for ocean quahogs. The commenters cited the 1990 revised stock assessment for ocean quahogs that suggested the actual biomass is probably twice the earlier estimate. They stated that the quahog allocation of 5.3 million bushels has neither a scientific basis nor a

conservation rationale and fails to take into account the most recent scientific information, which is in violation of National Standard 2. (National Standard 2 states that "conservation and management measures shall be based on the best scientific information available.") The commenters also stated that the quota recommendations were adopted solely for economic purposes, which violates National Standard 5. (National Standard 5 states that "conservation and management measures shall, where practicable, promote efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.") They further commented that the surf clam quota recommendation was inconsistent with the management approach adopted in Amendment 8, which removed separate area quotas in favor of managing the resource as one unit.

The regulations at § 652.21(a)(1) state that, in order for the Secretary to set quotas different from those recommended by the Council, it must be shown that the recommendations violate the national standards and the objectives of the FMP. While the public comments received state that the quota recommendations violate National Standards 2 and 5, there is no strong basis to make this determination. Consistent with National Standard 2, the Council considered the most recent stock assessment information available for both species at the time its recommendations were made. Similarly, the Secretary has considered the most recent stock assessment information. This information was included in the Council document "1991 Optimum Yield, Domestic Annual Harvest, Domestic Annual Processing, Joint Venture Processing, and Total Allowable Level of Foreign Fishing Recommendations for Surf Clams and Ocean Quahog FMP." The document formed the basis for discussion and subsequent recommendations by the Statistical & Scientific Committee of the Council, the Surf Clam/Ocean Quahog Committee, and the Council.

In addition to being based on the best scientific information available, the quota recommendations were not adopted solely for economic purposes. The stock assessment information was modified by economic considerations consistent with the determination of OY on which the surf clam and ocean quahog quotas are based. Annual quotas for surf clams and ocean quahogs are a further refinement of OY, which is expressed as a range in the FMP. In addition, although the revised assessment methodology for ocean quahogs indicated a relatively robust ocean quahog resource, the Council recommended a conservative approach in setting quotas for ocean quahogs to ensure viability of this slow-growing and infrequent spawning resource and to avoid disruption of current market conditions.

In establishing the surf clam quota, the Council was required under § 652.21(a)((1)(vi) to take into account areas that were to be closed that year and areas that were to be reopened. The Council recommendation to reduce the surf clam quota is justified under this requirement despite the elimination of areal management by the implementation of Amendment 8.

Final Quotas

After consideration of the comments received and upon review of the best available biological information, the Secretary has determined the final quotas for the 1991 surf clam and ocean quahog fisheries. By establishing these quotas, the Secretary is basing the amounts on the most recent assessment information of the surf clam and ocean quahog stocks. Accordingly, the final quotas for the surf clam and ocean quahog fisheries for 1991 are:

1991 SURF CLAM/OCEAN QUAHOG QUOTAS

Fishery	1991 final quotas (in bushels)
Surf clam	2,850,000
Ocean quahog	5,300,000

Other Matters

This action is taken under authority of 50 CFR 652.21 and complies with E.O. 12291. The action is covered by the Regulatory Flexibility Act certification for Amendment 8 to the FMP that the authorizing regulations do not have a significant economic impact on a substantial number of small entities.

List of Subjects in 50 CFR Part 652

Fisheries, Recordkeeping and reporting requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 25, 1991.

Michael F. Tillman,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 91-7499 Filed 3-28-91; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 56, No. 61
Friday, March 29, 1991

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

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

7 CFR Part 1944

Section 502 Rural Housing Loan Policies, Procedures and Authorizations

AGENCY: Farmers Home Administration, USDA.

ACTION: Proposed rule.

SUMMARY: The Farmers Home Administration (FmHA) proposes to amend its regulation regarding rural area classification as set forth in section 715 of the Cranston-Gonzalez National Affordable Housing Act, which amended section 520, of the Housing Act of 1949. The intended effect of the action is to grandfather areas classified as a rural area prior to October 1, 1990, and determined not to be rural as a result of data received from or after the 1990 decennial census.

DATES: Comments must be received on or before April 29, 1991.

ADDRESSES: Submit written comments to the Office of the Chief, Regulations Analysis and Control Branch, Farmers Home Administration, U.S. Department of Agriculture, room 6348, South Agriculture Building, 14th and Independence SW., Washington, DC 20250. All written comments will be available for public inspection during regular work hours at the above address.

FOR FURTHER INFORMATION CONTACT: Neal A. Hayes, Jr., Senior Loan Officer, Home Ownership Branch, Single Family Housing Processing Division, FmHA USDA, room 5344, South Agriculture Building, Washington, DC 20250, Telephone: (202) 382–1488.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in Departmental Regulation 1512–1 which implements Executive Order 12291, and has been determined to be nonmajor because there is no substantial change from practices under existing rules that would have an annual effect on the economy of $100 million or more. There is no major increase in cost or prices for consumers, individual industries, Federal, State, or local government agencies or geographical regions, or significant adverse effects on competition, employment, productivity, innovation, or in the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

La Verne Ausman, Administrator of Farmers Home Administration, has determined that this action will not have a significant economic impact on a substantial number of small entities because the regulatory changes affect FmHA processing of section 502 loans and individual applicant eligibility for the program.

Environmental Impact Statement

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, "Environmental Program." It is the determination of FmHA that this proposed action does not constitute a major Federal Action significantly affecting the quality of the human environment, and in accordance with the National Environmental Policy Act of 1969, Public Law 91–190, an Environmental Impact Statement is not required.

Programs Affected

This program is listed in the catalog of Federal Domestic Assistance under No.10.410, Low Income Housing Loans (Section 502 Rural Housing Loans).

Intergovernmental Consultation

For the reason set forth in the final rule related Notice to 7 CFR part 3015, subpart V, 48 FR 29115, June 24, 1983, this program/activity is excluded from the scope of Executive Order 12372 which requires intergovernmental consultation with State and local officials.

List of Subjects in 7 CFR Part 1944

Home improvement, Loan programs—Housing and community development, Low and moderate income housing—Rental, Mobile homes, Mortgages, Rural housing and subsidies.

Therefore, chapter XVIII, title 7, Code of Federal Regulations is proposed to be amended as follows:

PART 1944—HOUSING

1. The authority citation for part 1944 continues to read as follows:

Authority: 42 U.S.C. 1480, 5 U.S.C. 301, 7 CFR 2.23, 7 CFR 2.70

Subpart A—Section 602 Rural Housing Loan Policies, Procedures, and Authorizations

2. Section 1944.10 is amended by adding paragraph (a)(3) to read as follows:

§ 1944.10 Rural area designation.

(a) * * *

(3) An area classified as a rural area prior to October 1, 1990, with a population exceeding 10,000, but not in excess of 25,000, which is rural in character, and has a serious lack of mortgage credit for lower and moderate-income families. This is effective through receipt of the decennial census data in the year 2000.

* * * * *

Dated: February 22, 1991.

La Verne Ausman,

Administrator, Farmers Home Administration.

[FR Doc. 91–7463 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–07–M

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

12 CFR Parts 545, 562, 563, 563c, and 571

[No. 90–3038]

RIN 1550–AA31

Accounting and Reporting Requirements

AGENCY: Office of Thrift Supervision, Treasury.

ACTION: Proposed rule.

SUMMARY: The Office of Thrift Supervision ("the Office") is proposing to amend its accounting regulations in order to implement sections 4(b) and 4(c) of the Home Owners' Loan Act of 1933 ("HOLA"), as amended by the Financial Institutions Reform, Recovery,

and Enforcement Act of 1989, Public Law No. 101–73, 103 Stat. 183. The proposed regulatory changes also re-designate existing accounting regulations codified at 12 CFR 545.113, 545.115, 563.172, 563.174, 563.175, and 563.233 as 12 CFR part 562 regulations. The re-designation only amends the above referenced regulations for obvious contradictions with other regulations and policies. The Office is planning a more substantive revision of the redesignated regulations in the near future.

DATES: Comments must be received on or before April 29, 1991.

ADDRESSES: Comments may be submitted to: Director, Information Services, Office of Communications, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552. Comments will be available for public inspection at the Office of Communications, Information Services Division, 1776 G Street NW., Street Level.

FOR FURTHER INFORMATION CONTACT: David H. Martens, Chief Accountant, OTS, (202) 906–5646, Arthur Lindo, Senior Accountant, (202) 906–5642, Supervision Policy; Deborah Dakin, Regulatory Counsel, (202) 906–6445, Regulations and Legislation Division, Gary Jeffers, Acting Chief Accountant, (202) 906–6457, Corporate and Securities Division, Office of Chief Counsel, Office of Thrift Supervision, 1700 G St. NW., Washington, DC 20552.

SUPPLEMENTARY INFORMATION: Historically, the Federal Home Loan Bank Board ("Board"), the predecessor to the Office, established various accounting and financial reporting requirements for savings associations. These requirements occasionally differed from generally accepted accounting principles ("GAAP") and when this occurred, such requirements were referred to as regulatory accounting practices. Regulatory accounting practices were often less stringent than GAAP.

The Competitive Equality Banking Act of 1987, Public Law No. 100–86, 101 Stat. 552, ("CEBA") amended HOLA to require the Board to prescribe uniformly applicable accounting standards to be used by all associations for the purpose of determining compliance with any rule or regulation of the Board to the same degree that GAAP is used to determine compliance with rules and regulations of the Federal banking agencies. (The term "Federal banking agencies" means the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation.)

To implement the statute, the Board promulgated 12 CFR 563.23–3, now 12 CFR 563.233, which required that all unaudited financial statements and financial reports submitted to the Office and Statements of Condition be prepared in accordance with GAAP. The regulation provided for a transition period to GAAP for (1) losses and gains on loans sold that were deferred pursuant to 12 CFR 563c.14; and (2) investments in shares of open-end management companies, as defined 12 CFR 566.10(g)(8), that were recorded at cost. These items were not required to be reported on a GAAP basis until January 1, 1994.

The Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Public Law No. 101–73, 103 Stat. 183 ("FIRREA"), amended section 4(b)(1) of HOLA to require the Director of the Office ("the Director") to prescribe, by regulation, uniform accounting and disclosure standards for savings associations, to be used to determine savings associations' compliance with all applicable regulations. Section 4(b)(2) requires that these uniform accounting standards for savings associations incorporate GAAP to the same degree that such principles are used to determine compliance with regulations prescribed by the Federal banking agencies. This requirement is comparable to the CEBA requirement. However, section 4(b)(3) allows the Director to, at any time, prescribe more stringent standards than required above if the Director determines that the more stringent standards are necessary to ensure the safe and sound operation of savings associations.

These standards are also subject to the basic requirement established by section 4(c) of HOLA that all regulations and policies of the Office be no less stringent than those established by the Comptroller of the Currency for national banks. Thus, the accounting rules applied by the Office to savings associations must, at a minimum, follow GAAP where GAAP is employed by the other federal banking agencies and is the referenced standard; may be more stringent than GAAP when the Director determines it is necessary for safety and soundness purposes; and must be at least as stringent as the uniform accounting standards applied to national banks by the Comptroller of the Currency.

In order to implement these standards, the proposed regulation adds two terms to the regulatory vernacular. The proposal defines "supervisory reports" as any financial report that the Office uses to determine compliance with its rules and regulations. Reports of Examination and the Thrift Financial Report are examples of supervisory reports. The proposal also defines "supervisory reporting requirements" as the uniform accounting standards prescribed for supervisory reports, and the safety and soundness determinations made by the Office or a savings association when such determinations have an affect on the association's regulatory capital.

The Office proposes to adopt four basic standards for supervisory reporting requirements. First, GAAP will be the supervisory reporting requirement when GAAP is the standard used by the Federal banking agencies unless the Director determines that a more stringent standard is appropriate, as noted below. Second, transactions must be reported and disclosed in accordance with their underlying economic substance and inherent risk, regardless of whether the form of a transaction might support a different treatment under GAAP. The supervisory reporting requirements required under these two standards will be at least as stringent as those applied by the Comptroller of the Currency to national banks. Third, the Director may prescribe additional supervisory reporting requirements, by regulation or by order, whenever the Director determines that such standards are necessary to ensure the safe and sound operation of savings associations. Fourth, to the extent that the Office or a savings association has made safety and soundness determinations that affect the association's regulatory capital, the association's supervisory reports must also reflect those determinations.

Supervisory reporting standards are applicable to all financial information in supervisory reports except for financial statements contained in securities filings submitted to the Office pursuant to the Securities Exchange Act of 1934 (the "1934 Act") of parts 563b, 563d, or 563g of the Office's regulations ("Securities filings"). Applicable federal securities laws and regulations require securities filings to comply with GAAP, and thus securities filings utilize the reporting requirements referenced in 12 CFR parts 563b, 563c, 563d, and 563g.

The uniform accounting standards and safety and soundness determinations used by the Federal banking agencies, including the Office of the Comptroller of the Currency, are referred to as those agencies' "regulatory reporting requirements" and are discussed in the instructions to the Federal Financial Institutions Examination Council's ("FFIEC") forms FFIEC 031, 032, 033, and 034: Consolidated Reports of Condition and

Income. These forms are collectively referred to as "the call report" and serve the same supervisory purpose as the Office's Thrift Financial Report. The regulatory reporting requirements used by the Federal banking agencies are also discussed in their respective examination policies, handbooks and other guidance, such as the Office of the Comptroller of the Currency's banking circulars and the Federal Deposit Insurance Corporation's memoranda to Regional Directors. The Office's supervisory reporting requirements are intended to focus upon the special supervisory, regulatory, and economic needs applicable to the regulation of insured institutions in a manner similar to the Federal banking agencies' regulatory reporting requirements.

Supervisory reporting requirements requiring the use of GAAP as the accounting treatment must apply the widely recognized definition of GAAP used by accounting professionals. GAAP accounting treatments contained in supervisory reports must achieve the fundamental goal of GAAP, that of assuring transactions are recorded and disclosed in accordance with their underlying economic substance rather than their form. Accounting treatments that do not clearly and usefully reflect, or that misrepresent the economic substance of a transaction will not be accepted in supervisory reports even if accounting literature or a range of practices exist that would support the accounting treatment for the apparent form of the transaction. Moreover, when accounting practice indicates a range of GAAP, for purposes of supervisory reporting requirements, the transactions must be reported in a conservative manner most consistent with the underlying economic substance and inherent risk of the transaction based on its specific facts and circumstances.

Supervisory reporting requirements may establish the accounting treatment that should be utilized when there is diversity in GAAP practice. In such cases, the Office's guidance must be followed for purposes of supervisory reporting. Additional supervisory reporting requirements prescribed by the Director for safety and soundness reasons will be documented and communicated to savings associations in regulations or orders. The implementation of supervisory reporting requirements will be a matter of supervisory judgment and implementation guidance will be issued in the Office's bulletins, examination handbooks and other guidance.

The Office encourages savings associations and their professional advisors to discuss unique and unusual situations with the Office's examination staff before undertaking transactions with the expectation that a particular supervisory reporting result will be accepted by the Office. A pre-filing conference can be useful in improving the mutual understanding of the transaction in question and in determining the acceptable reporting requirements. Furthermore, the filing of supervisory reports based on standards other than the supervisory reporting requirements may subject a savings association and its professional advisors to enforcement action.

The proposed regulation also changes the accounting standards for Statements of Condition. Statements of Condition should be prepared based on supervisory reporting requirements. They should contain a footnote indicating the savings association's regulatory capital requirements and the amount of regulatory capital that the savings association has available to meet its regulatory capital requirements. Regulatory capital requirements for savings associations are defined in 12 CFR 567.

Finally, the Office is proposing the consolidation and recodification of all accounting and reporting regulations for savings associations, except those for securities filings. Four sections of part 545, which pertains only to Federally chartered associations, are being removed and combined with similar sections in subchapter D—Regulations Affecting All Savings Associations. The Office is removing these sections and combining them with similar requirements found in subchapter D to avoid duplication and inconsistencies between the two sets of requirements. The Office is only amending the above referenced regulations for obvious contradictions with other regulations and policies. The Office is planning a substantive revision of the recodified regulations in the near future and is specifically requesting comments on the appropriateness and practicality of the recodified sections. The proposed part 562 would consolidate all accounting and reporting regulations for savings associations. The affected regulations are currently located at 12 CFR 545.111, 545.113, 545.114, 545.115, 563.46, 563.172, 563.173(f), 563.174, 563.175, 563.231, 563.233, 563.234, 563c.10, 563c.12, 563c.13, 563c.14, and 571.18.

The following is a section-by-section analysis showing how each regulation will be modified:

12 CFR 545.111—Adjustments to book value of assets.

This section will be eliminated since it is a duplication of 12 CFR 563.172. 12 CFR 563.172 will be recodified at 12 CFR 562.4.

12 CFR 545.113—Accounting records.

Paragraph (a)—This paragraph will be consolidated with 12 CFR 563.233(a) and recodified at 12 CFR 562.1(b)(1) and (b)(2).

Paragraph (b)—This paragraph will be consolidated with 12 CFR 563.233(b) and recodified at 12 CFR 562.1(b)(1).

12 CFR 545.114—Monthly reports.

This section will be eliminated since 12 CFR 545.113(a) instructs savings associations to use forms prescribed by the Office. 12 CFR 545.113(a) will be consolidated with 12 CFR 563.233(a) and recodified at 12 CFR 562.1(b)(1) and (b)(2).

12 CFR 545.115—Statement of condition.

This section will be amended to require footnote disclosure of the savings association's regulatory capital requirements and the amount of regulatory capital it has available to meet those requirements. This section will be consolidated with 12 CFR 563.233(d) and recodified at 12 CFR 562.3.

12 CFR 563.46—Charge-off of consumer credit classified as a loss.

This section will be eliminated since the accounting for loss allowances is explained in the instructions to supervisory reports filed with the Office and in the applicable GAAP literature.

12 CFR 563.172—Re-evaluation of assets; adjustment of book value; adjustment charges.

Paragraphs (a) and (c)—These paragraphs will be recodified at 12 CFR 562.4.

Paragraph (b)—This paragraph will be amended to eliminate the reference to the calculation of net realizable value. It will be recodified at 12 CFR 562.4.

12 CFR 563.173(f)—Forward commitments.

Paragraph (f)—This paragraph will be eliminated since accounting for commitment fees received for forward commitments is explained in the applicable GAAP literature.

12 CFR 563.174—Futures transactions.

This section will be amended for minor technical corrections and recodified at 12 CFR 562.5.

12 CFR 563.175—Financial options transactions.

This section will be amended for minor technical corrections and recodified at 12 CFR 562.6.

12 CFR 563.231—Premiums and discounts with respect to loans.

This section will be eliminated since accounting for loan premiums and discounts is explained in the applicable GAAP literature.

12 CFR 563.233—Accounting principles and procedures.

Paragraph (a)—This paragraph will be consolidated with 12 CFR 545.113 and recodified at 12 CFR 562.1(b)(1) and (b)(2).

Paragraph (b)—This paragraph will be recodified at 12 CFR 562.1(b)(4).

Paragraph (c)—This paragraph will be revised to eliminate the exceptions from GAAP reporting for the reporting of losses and gains on loans sold pursuant to 12 CFR 563c.14 and investments in open-end management companies, as defined in 12 CFR 566.1(g)(8) as of the date of the final rule instead of January 1, 1994. A provision will be added requiring savings association examinations and supervisory reports to comply with supervisory reporting requirements. It will be recodified at 12 CFR 562.1(b)(3), 562.2(a), (b)(1), and (b)(2).

Paragraph (d)—This paragraph will be revised to eliminate the exceptions from GAAP reporting for the reporting of losses and gains on loans sold pursuant to 12 CFR 563c.14 and investments in open-end management companies, as defined in 12 CFR 566.1(g)(8) as of the date of the final rule instead of January 1, 1994. A provision will be added requiring statements of condition to comply with supervisory reporting requirements. A provision will also be added requiring footnote disclosure of the savings association's regulatory capital requirements and the amount of regulatory capital it has available to meet those requirements rather than a full reconciliation to regulatory capital. It will be consolidated with 12 CFR 545.115 at end recodified at 12 CFR 562.3.

Paragraph (e)—This paragraph will be eliminated since the standards set forth in this regulation will not be delayed.

12 CFR 563.234—Accounting for troubled debt restructuring.

This section will be eliminated since accounting for Troubled Debt Restructurings is explained in the applicable GAAP literature.

12 CFR 563c.10—Use of accrual basis of accounting.

This section will be eliminated since accrual basis accounting is the required reporting basis under GAAP.

12 CFR 563c.12—Accounting for net income.

This section will be eliminated since definition of net income is explained in the applicable GAAP literature.

12 CFR 563c.13—Accounting for investment in service corporation.

This section will be eliminated since accounting for service corporations is explained in the applicable GAAP literature and reports to the Office.

12 CFR 563c.14—Accounting for gains and losses on the sale or other disposition of mortgage loans, redeemable ground-rent leases, and certain securities; matching the amortization of discounts and losses.

This section will be eliminated because the transition period for losses and gains on loans sold that were deferred pursuant to this regulation; and investments in shares of open-end management companies, as defined in regulation 12 CFR 523.10(g)(10), that were recorded at cost in 12 CFR 563.233 (c) and (d)—has been deleted.

12 CFR 571.18—Accounting for Troubled Debt Restructuring.

This section will be eliminated since accounting for Troubled Debt Restructuring is expained in the applicable GAAP literature.

Request for Comment

This Office is requesting comment from all interested parties on the items outlined and discussed in the preamble and the proposed rule. The Office is specifically requesting comment on the requirement that transactions be accounted for in accordance with their underlying economic substance.

Regulatory Flexibility Act Analysis

Pursuant to section 605(b) of the Regulatory Flexibility Act, the Office certifies that this proposed rule will not have a siginificant economic impact on a substantial number of small entities.

Executive Order 12291

The Office has determined that this proposed rule does not constitute a "major rule" and, therefore, will not require the preparation of a final regulatory impact analysis.

Paperwork Reduction Act Notice

The collection of information contained in this notice of proposed rulemaking has been submitted to the Office of Management and Budget ("OMB") for review in accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3504(h)). Comments on the information collections should be sent to the Office of Management and Budget, Paperwork Reduction Project 1550, Washington, DC, 20503, with copies to the Office of Thrift supervision at the address previously specified.

The information collections in this proposed regulation are in 12 CFR 562.1(b)(1), 562.4(a), 562.5(e) and (f), and 562.6(e) and (f). The requirements under all of the above sections, with the exception of 562.6(e) and (f), have been previously approved under OMB Control number 1550–0011. The Office has modified the existing burden hours for these sections and added 31,000 burden hours for the requirements contained in 12 CFR 562.6(e) and (f). The overall burden hours under OMB Control number 1550–0011 have increased to 836,500 from 675,768 annually.

Estimated number of record keepers: 2,400.

Estimated average annual burden hours per record keeper: 348 hours.

Estimated total annual recordkeeping burden: 836,500 hours.

Estimated recordkeeping retention period: 10 years.

This collection of information is required by the Office of Thrift Supervision to assure that financial results of savings association operations are presented in a useful and comprehensive manner for regulatory purposes. The likely respondents include savings associations, their professional advisors, and professional trade groups.

List of Subjects

12 CFR Part 545

Accounting, Consumer protection, Credit, Electronic funds transfers, Investments, Manufactured homes, Mortgages, Reporting and recordkeeping requirements, Savings associations.

12 CFR Part 562

Accounting, Reporting and recordkeeping requirements.

12 CFR Part 563

Accounting, Advertising, Crime, Currency, Flood insurance, Investments, Reporting and recordkeeping requirements, Savings associations, Securities, Surety Bonds.

12 CFR Part 563c

Accounting, Reporting and recordkeeping requirements, Savings associations, Securities.

12 CFR Part 571

Accounting, Conflicts of interest, Gold, Investments, Reporting and recordkeeping requirements, Savings associations.

Accordingly, the Office hereby proposes to amend parts 545, 562, 563, 563c, and 571, subchapter D, chapter V, title 12, Code of Federal Regulations, as set forth below:

SUBCHAPTER C—REGULATIONS FOR FEDERAL SAVINGS ASSOCIATIONS

PART 545—[AMENDED]

1. The authority citation for part 545 continues to read as follows:

Authority: Sec. 3, as added by sec. 301, 103 Stat. 278 (12 U.S.C. 1462a); sec. 4, as added by sec. 301, 103 Stat. 280 (12 U.S.C. 1463); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464) sec. 18, 64 Stat. 891, as amended by sec. 221, 103 Stat. 267 (12 U.S.C. 1828).

§§ 545.111, 545.113–545.115 [Removed]

2. Sections 545.111, and 545.113–545.115 are removed.

SUBCHAPTER D—REGULATIONS APPLICABLE TO ALL SAVINGS ASSOCIATIONS

PART 563—[AMENDED]

3. The authority citation for part 563 continues to read as follows:

Authority: Sec. 2, 48 Stat. 128, as amended (12 U.S.C. 1462); sec. 3, as added by sec. 301, 103 Stat. 278 (12 U.S.C. 1462a); sec. 4, as added by sec. 301, 103 Stat. 280 (12 U.S.C. 1463); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); sec. 10, as added by sec. 301, 103 Stat. 318 (12 U.S.C. 1467a); sec. 11, as added by sec. 301, 103 Stat. 342 (12 U.S.C. 1468); sec. 18, 64 Stat. 891, as amended by sec. 321, 103 Stat. 267 (12 U.S.C. 1828); sec. 1204, 101 Stat. 662 (12 U.S.C. 3806); sec. 202, 87 Stat. 982, as amended (42 U.S.C. 4106).

§§ 563.46, 563.172, 563.174, 563.175, 563.231–563.234 [Removed]

§ 563.173 [Amended]

4. Sections 563.46, 563.172, 563.173(f), 563.174, 563.175, and Subpart H of Part 563 (§§ 563.231 through 563.234) are removed.

PART 563c—[AMENDED]

5. The authority citation for part 563c continues to read as follows:

Authority: Sec. 3, as added by sec. 301, 103 Stat. 278 (12 U.S.C. 1462a); sec. 4, as added by sec. 301, 103 Stat. 280 (12 U.S.C. 1463); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); sec. 3(b), 12–14, 23, 48 Stat. 882, 892, 894–895, 901, as amended (15 U.S.C. 78c(b), m, n, w.).

§§ 563c.10–563c.14 [Removed]

6. Subpart B (§§ 563c.10 through 563c.14) is removed and reserved.

PART 571—[AMENDED]

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

Authority: Sec. 552, 80 Stat. 383, as amended (5 U.S.C. 552); sec. 559, 80 Stat. 388, as amended (5 U.S.C. 559); sec. 3, as added by sec. 301, 103 Stat. 278 (12 U.S.C. 1462a); sec. 4, as added by sec. 301, 103 Stat. 280 (12 U.S.C. 1463); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464).

§ 571.18 [Removed]

8. Section 571.18 is removed.

9. Part 562 is added to read as follows:

PART 562—ACCOUNTING AND REPORTING STANDARDS

Sec.

562.1 Accounting and reporting requirements.
562.2 Supervisory reports.
562.3 Statements of condition.
562.4 Evaluation of assets and adjustment of book value.
562.5 Futures transactions.
562.6 Financial options transactions.

Authority: Sec. 4, as added by sec. 301, 103 Stat. 280 (12 U.S.C. 1463).

§ 562.1 Accounting and reporting requirements.

(a) *Authority and scope.* This rule is issued by the Office of Thrift Supervision (the "Office") pursuant to section 4(b) and 4(c) of the Home Owners' Loan Act ("HOLA"), as amended by the Financial Institutions Reform Recovery and Enforcement Act of 1989. It applies to all savings associations regulated by the Office.

(b) *Records and reports—General—*(1) *Records retention.* Each savings association shall maintain a complete record of its business transactions and general accounting records of such business transactions that support and are readily reconcilable to any financial reports submitted to the Office and financial reports prepared in accordance with GAAP. These records shall be maintained at the savings association's home office, or at a branch or service office located within 100 miles of the home office. The savings association may not transfer the general accounting or control records or the maintenance thereof from any of its offices to another, unless its board of directors has:

(i) By resolution authorized the transfer or maintenance; and

(ii) Sent a certified copy of the resolution to the Regional Director of its district.

Any savings association that determines to maintain any of its records by means of data processing services shall so notify the Regional Director, in writing, at least 90 days before such maintenance begins. Notification shall include identification of the records and the location at which they will be maintained. Any contract, agreement, or arrangement under which data processing services are to be performed shall expressly provide that the records maintained by such services shall at all times be available for examination and audit. Each savings association shall close its books at least quarterly or more frequently as designated by its board of directors. The date of the savings association's annual closing shall be not less than fifteen days or more than three months and fifteen days before its annual meeting.

(2) *Reports.* For purposes of examination by and financial reports to the Office and compliance with this subchapter, all savings associations shall use such forms and follow such standards and reporting requirements as the Office may require by regulation or otherwise.

§ 562.2 Supervisory reports.

(a) *Definition and scope.* A supervisory report is any financial report that the Office uses or prepares to determine compliance with its rules and regulations and to evaluate the condition and safe and sound operation of savings associations. Reports of Examination and the Thrift Financial Report are examples of supervisory reports. This section applies to all supervisory reports submitted to the Office by a savings association or prepared by the Office, except for financial statements contained in securities filings submitted to the Office pursuant to the Securities and Exchange Act of 1934 or part 563b, 563d, or 563g of this chapter.

(b) *Supervisory reporting requirements—*(1) *General.* The uniform accounting standards and safety and soundness determinations that affect a particular association's regulatory capital are referred to as "supervisory reporting requirements." Supervisory reporting requirements shall, at a minimum:

(i) Incorporate generally accepted accounting principles ("GAAP") whenever GAAP is the referenced standard for supervisory reports to the Federal banking agencies; provided, however, that notwithstanding the treatment of a transaction under GAAP, transactions shall be reported in the manner that best reflects their underlying economic substance and inherent risk;

(ii) Incorporate any additional regulations or orders that the Director may prescribe, as necessary to ensure

the safe and sound operation of savings associations; and

(iii) Incorporate safety and soundness determinations made by the Office or a savings association when such determinations have an affect on the association's regulatory capital.

(2) *Restatement.* If the Office determines that a savings association's supervisory reports do not conform to supervisory reporting requirements, the association shall restate its reports in accordance with the directions of the Office.

§ 562.3 Statements of condition.

(a) *General.* Each savings association, within thirty days after the end of its fiscal year, must:

(1) Publish a statement of condition in any English language newspaper of general circulation in the county in which the association's home office is located; and

(2) Make available for public inspection at its home office and each branch office a copy of such statement of condition.

A statement of condition is a formal statement of a savings association's assets, liabilities, and capital as of the end of its most recent fiscal year.

(b) *Format.* The information set forth in a Statement of Condition shall be presented in accordance with supervisory reporting requirements, as defined in § 562.2(b) of this subchapter. They shall include in body type in the body of the statement the following language: "The Federal Deposit Insurance Corporation ("FDIC"), an agency of the United States Government, insures all depositors up to $100,000 in accordance with the rules and regulations of the FDIC." The statement of condition shall include instructions on how to obtain a copy of the annual audited financial statements. In addition, it shall contain a footnote indicating the savings association's regulatory capital requirements and the amount of regulatory capital that the savings association has available to meet those requirements. Regulatory capital requirements for savings associations are defined in 12 CFR part 567. The footnote shall include the following language: "This statement has been prepared in accordance with the supervisory reporting requirements of the Office of Thrift Supervision (OTS). Tangible, Core, and Total Capital are the elements of regulatory capital determined under such reporting requirements. Regulatory capital is the basis by which the OTS determines whether a savings association is insolvent and whether a savings association is meeting its regulatory capital requirements."

§ 562.4 Evaluation of assets and adjustment of book value.

(a) *Evaluation of real estate owned.* A savings association shall appraise each parcel of real estate owned at the earlier of in-substance foreclosure or at the time of the savings association's acquisition of such property, and at such time thereafter as dictated by prudent management policy. The Regional Director or his designee may require subsequent appraisals if, in their judgment, an appraisal is necessary under the particular circumstances. The foregoing requirement shall not apply to any parcel of real estate that is sold and reacquired less than 12 months subsequent to the most recent appraisal made pursuant to this paragraph (a). A dated, signed copy of each report of appraisal made pursuant to any provisions of this paragraph (a) shall be retained in the savings association's records.

(b) *Evaluation of Loans and other assets.* In connection with each examination of a savings association, the Office's examiner shall make evaluations of the savings association's or service corporation's assets (exclusive of insured or guaranteed loans) as the examiner believes advisable.

(c) *Adjustment of book value.* If the evaluation of assets by a savings association or otherwise, as ordered by this Office, discloses that an asset of a savings association or service corporation is overvalued on its books, such savings association shall, at the direction of the Regional Director, make an adjustment to the book value of such asset, and, unless otherwise directed by the Regional Director, such adjustment shall be made by establishing and maintaining a specific reserve in an amount equal to the overvaluation. When an appraisal is required and made in connection with any evaluation of assets, the Regional Director shall have the final authority to approve or reject any or all appraisals or valuations related thereto.

§ 562.5 Futures transactions.

(a) *Definitions.* As used in this section, the definitions in paragraphs (a)(1) through (a)(6) of this section apply unless the context otherwise requires.

(1) *Forward commitment.* The term "forward commitment" means a written commitment to make, purchase or issue mortgage loans or mortgage related securities at a price and on or before a date specified in the commitment.

(2) *Financial futures transaction.* The term "financial futures transaction" means the purchase or sale of a financial futures contract.

(3) *Long position.* The term "long position" means the purchase of a financial futures contract to take delivery of a financial instrument.

(4) *Mortgage-related securities.* The term "mortgage-related securities" means securities based on and backed by mortgages, including mortgage-backed securities guaranteed by the Government National Mortgage Association ("GNMAs"), Mortgage Participation Certificates of the Federal Home Loan Mortgage Corporation, and similar obligations issued by the savings association or in which the savings association is authorized to invest.

(5) *Offset.* The term "offset" means to cancel an obligation to make or take delivery of securities under a financial instrument under a financial futures contract. A futures contract to purchase a financial instrument is offset by a futures contract to sell a financial instument of the same type for the same delivery month. A futures contract to sell a financial instrument is offset by a futures contract to purchase a financial instrument of the same type for the same delivery month.

(6) *Short position.* The term "short position" means the holding of a financial futures contract to make delivery of a financial instrument.

(b) *Permitted transactions.* To the extent that it has legal power to do so, a savings association may engage in interest-rate futures transactions to reduce its net interest-rate risk exposure as provided in this paragraph (b). For purposes of this section, net interest-rate risk exposure is the volatility in a savings association's earnings or the market value of its portfolio equity that can arise from the mismatching of the effective maturities of assets, liabilities, and off-balance sheet contracts. A savings association may enter into short positions that are appropriate for reducing its net interest-rate risk exposure. A savings association may enter into long positions, other than those that offset short positions, only under the conditions in paragraphs (b)(1) and (b)(2) of this section.

(1) The futures position must be matched against a firm forward commitment to sell mortgages not yet originated or to issue mortgage-related securities to be based on mortgages not yet originated. For purposes of this paragraph (b), a firm forward commitment is a written commitment obligating the seller to make delivery, and the buyer to take delivery, of

mortgage loans not yet originated or mortgage-related securities to be based on mortgages not yet originated, at a price and on or before a date specified in the commitment.

(2) The futures position may be entered into and maintained only to the extent that the savings association's firm forward commitments exceed 10 percent of long-term assets with fixed interest rates. For purposes of this section, long-term assets are those having remaining terms to maturity in excess of five years.

(c) *Authorized contracts.* A savings association may engage in interest-rate futures transactions using any interest-rate futures contracts designated by the Commodity Futures Trading Commission and based upon a financial instrument in which the savings association has authority to invest in or to issue.

(d) *Board of directors' authorization.* Prior to engaging in interest-rate futures transactions, a savings association's board of directors must authorize such activity. In authorizing futures trading, the board of directors shall consider any plan to engage in financial futures transactions, shall endorse specific written policies, and shall require the establishment of internal control procedures. Policy objectives must be specific enough to outline permissible contract strategies, taking into account price and yield correlations between assets and liabilities and the financial futures contracts with which they are matched; the relationship of the strategies to the savings association's operations; and how such strategies reduce the savings association's net interest-rate risk exposure. Internal control procedures shall include, at a minimum, periodic reports to management, segregation of duties and internal review procedures. In addition, the minutes of the meeting of the board of directors shall set forth the duties, responsibilities and limits of authority of such personnel. The board of directors shall review the position limit, all outstanding contract positions, and the unrealized gains and losses on those positions at each regular meeting of the board.

(e) *Notification.* A savings association engaging in financial futures transactions shall notify its Regional Director that it is engaging in such transactions. The savings association shall report its gross outstanding long and short financial futures positions to the Office.

(f) *Records retention.* A savings association engaging in financial futures transactions shall maintain records of such transactions sufficient to document how the transactions reduce the net interest-rate risk exposure of the savings association in accordance with the requirements of paragraphs (f)(1) through (f)(3).

(1) *Contract register.* The savings association shall maintain a contract register adequate to identify and control all financial futures contracts and including, at a minimum, the type and amount of each contract, the maturity date of each contract, the cost of each contract, the dollar amount and description of the asset or the liability with which the futures contract is matched, and the date and manner in which a contract is closed out. Such register shall be prepared in a manner sufficient to indicate at any time the savings association's total outstanding long and short financial futures positions.

(2) *Other documentation.* The savings association shall maintain, as part of the documentation of its financial futures strategy, a schedule of the assets and the liabilities for which net interest-rate risk exposure is being reduced and the purpose of each contract entered into.

(3) *Period covered.* The records designated in this paragraph (f) shall be maintained for all futures transactions closed-out during the preceding ten years.

§ 562.6 Financial options transactions.

(a) *Definitions.* As used in this section, the definitions in paragraphs (a)(1) through (a)(13) of this section apply unless the context otherwise requires.

(1) *Call.* The term "call" means an option which gives the holder the right to purchase a financial instrument at a specified price on or before the expiration date of the contract.

(2) *Deliverable instrument.* The term "deliverable instrument" means a financial instrument whose terms satisfy the requirements for fulfilling delivery obligations of an option.

(3) *Effective exercise price.* The term "effective exercise price" means the yield equivalent price of an instrument whose coupon rate differs from the standard instrument specified in this option.

(4) *Financial options contract.* The term "financial options contract" means an agreement (other than an optional delivery forward commitment contract to purchase and sell mortgages or mortgage-backed securities when used as part of the mortgage loan origination process) to make or take delivery of a financial instrument upon demand by the holder of the contract at any time prior to the expiration date specified in the agreement, under terms and conditions established either by:

(i) A board of trade designated as a contract market for the trading of option contracts by the Commodity Futures Trading Commission ("CFTC") or a national securities exchange registered with the Securities Exchange Commission ("SEC"); or

(ii) The savings association and a "permissible counterparty," as defined in paragraph (a)(13) of this section, that are counterparties in an over-the-counter option transaction [other than an over-the-counter commodity option transaction subject to the jurisdiction of the CFTC that is not otherwise authorized under the Commodity Exchange Act and the regualtions thereunder].

(5) *Financial options transaction.* The term "financial options transaction" means the purchase or sale of a financial options contract.

(6) *Immediate exercise value.* The term "immediate exercise value" means the market value gained by exercising an option with the lowest cost deliverable instrument at its effective exercise price compared to purchasing (or selling) an identical instrument with the same coupon rate in the cash market.

(7) *Long position.* The term "long position" means the holding of a financial options contract with the option to make or take delivery of a financial instrument.

(8) *Option commitment fee.* The term "option commitment fee" means the option premium minus the immediate exercise value of the option.

(9) *Option premium.* The term "option premium" means the price paid or received for establishing an option position.

(10) *Put.* The term "put" means an option which gives the holder the right to sell a financial instrument at a price on or before the expiration date specified in the financial options contract.

(11) *Short position.* The term "short position" means a commitment through a financial options contract to stand ready during the term of the contract to make or take delivery of a financial instrument.

(12) *Primary dealer in government securities.* The term "primary dealer in government securities" means any member of the Association of Primary Dealers in United States Government Securities and any parent, subsidiary, or affiliated entity of such primary dealer. Provided, that the member guarantees (to the satisfaction of the Office) the over-the-counter financial options

transactions between its parent, subsidiary, or affiliated entity with a savings association, and Provided further, that the parent, subsidiary, or affiliated entity is substantially engaged in similar activities.

(13) *Permissible counterparty.* The term "permissible counterparty" means any entity that is:

(i) A primary dealer as defined in paragraph (a)(12) of this section;

(ii) A bank subject to the regulation and supervision of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, or the Board of Governors of the Federal Reserve System and that is in compliance with applicable regulatory capital requirements;

(iii) A savings association that is subject to the regulation and supervision of the Office and is in compliance with applicable regulatory capital requirements;

(iv) A broker or dealer registered with the Securities and Exchange Commission ("SEC") and subject to regulation and supervision by a Registered Securities Association (registered pursuant to section 15A of the Securities and Exchange Act of 1934) ("Exchange Act") or a National Securities Exchange (registered pursuant to sections 6 and 19(a) of the Exchange Act) and that is in compliance with applicable capital requirements;

(v) A government securities broker or dealer registered with the SEC that is subject to examination and supervision by a Registered Securities Association (registered pursuant to section 15A of the Exchange Act) or National Securities Exchange (registered pursuant to sections 6 and 19(a) of the Exchange Act) and that is in compliance with applicable capital requirements;

(vi) A futures commission merchant registered with CFTC and that is in compliance with applicable capital requirements;

(vii) The Federal Home Loan Banks;

(viii) The Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, or the Government National Mortgage Association; or

(ix) Any other entity that the Office, upon application, determines to be adequately regulated, capitalized, and audited or examined such that acting as a counterparty in an over-the-counter options transaction with a savings association would not entail substantial credits risks for the association. The Office delegates the authority to consider and approve such applications to the Senior Deputy Director for Supervision (Operations), with the concurrence of the Chief Counsel, or their respective designees.

(b) *Permitted transactions.* To the extent that it has legal power to do so, a savings association may engage in financial options transactions as provided in paragraphs (b)(1) and (b)(2) of this section.

(1) *Long positions.* A savings association may enter into long positions without numerical limit.

(2) *Short position.* A savings association may enter into short positions without numerical limit. A savings association may enter into short put options to the extent that the aggregate amount of its short put options and forward commitments to purchase securities does not exceed the limitations set forth in § 563.173(c)(2) of this part.

(c) *Authorized contracts.* A savings association may engage in financial options transactions using any financial options contract either:

(1) Designated by the CFTC or approved by the SEC; or

(2) Entered into with a "permissible counterparty" (as defined in paragraph (a)(13) of this section) and based upon a financial instrument that the savings association has authority to invest in or to issue.

(d) *Board of directors' authorization.* Prior to engaging in financial options transactions, a savings association's board of directors must authorize such activity. In authorizing options, the board of directors shall consider any plan to engage in writing or purchasing financial options contracts, shall endorse specific written policies, and shall require the establishment of internal control procedures. For options positions that will be matched with cash or forward market positions, policy objectives must be specific enough to outline permissible options contract strategies, taking into account price and yield correlations between assets or liabilities and the financial options contracts; the relationship of the strategies to the savings association's operations; the rationale for the ratio of the value of options positions to the value of the matched cash market positions; and how the options strategy reduces the savings association's interest-rate risk exposure. For unmatched option positions, policy objectives must specify the relationship of the strategy to the savings association's operations. Prudent business judgment shall be exercised by participating savings associations engaging in financial options transactions in order to maintain a safe and sound financial position. Internal control procedures shall include, at a minimum, periodic reports to management, segregation of duties and internal review procedures. In addition, the minutes of the meeting of the board of directors shall set forth limits applicable to financial options transactions, identify personnel authorized to engage in financial options transactions, and set forth the duties, responsibilities and limits of authority of such personnel. The board of directors shall review the position limit, all outstanding options contract positions, and the unrealized gains or losses on those positions at each regular meeting of the board.

(e) *Notification, reporting and approval.* (1) A savings association shall notify the Regional Director of the region in which its principal office is located immediately following authorization of its board of directors to engage in financial options transactions. The savings association shall report its outstanding positions together with the total unrealized gain or loss from such positions to the Office; and

(2) A savings association shall not engage in over-the-counter financial option transactions with any permissible counterparty unless such counterparty agrees to notify the Regional Director of the region in which the principal office of the savings assoication is located immediately following the entering into such transaction. A savings association shall not continue to engage in over-the-counter financial options transactions with any permissible counterparty that has failed to so notify the appropriate Regional Director with respect to previous over-the-counter financial option transactions with that savings association. Notwithstanding the foregoing, no savings association shall engage in a long over-the-counter financial option transaction with a specific permissible counterparty, without obtaining the prior approval of its Regional Director, whenever the aggregate exercise value of all long over-the-counter financial option positions with the counterparty exceeds the limitations contained in § 563.93(b)(1) of this part. A Regional Director may approve any financial option transaction whenever it determines that such transaction does not subject the SAIF to undue risk. In making such determinations, the Regional Director shall consider:

(i) The creditworthiness of the specific counterparty;

(ii) The savings association's experience with such counterparty and with transacting in financial option and futures contracts generally;

(iii) The nature of the subject contracts (e.g., matched or unmatched); and

(iv) Any other circumstances deemed relevant by the Regional Director. An application to enter into a financial option transaction under this paragraph (e)(2) shall be deemed approved if the Regional Director does not deny such application within 10 calendar days from the date the application was filed.

(f) *Records retention.* A savings association engaging in financial option transactions shall maintain records of such transactions in accordance with the requirements of paragraphs (f)(1) through (f)(3) of this section.

(1) *Contract register.* The savings association shall maintain a contract register adequate to identify and control all financial options contracts and sufficient to indicate at any time the amounts of financial options contracts required to be reported on its monthly report. At a minimum, the register shall list the type, amount, expiration date and the cost of or income from each contract.

(2) *Other documentation.* The savings association shall maintain as part of the documentation of its financial options strategy a schedule of any cash market or forward commitment position with which the option is matched and the purpose of each contract.

(3) *Period covered.* The records designated in this paragraph (f) shall be maintained for all financial options closed out during the preceding ten years.

(g) *Accounting*—(1) *Purchase or sale.* Upon initial purchase or sale of a financial options contract, a memorandum entry of the information specified in paragraph (f)(1) of this section shall be made and appropriate margin accounts shall be established;

(2) *Option Commitment fee.* (i) The option commitment fee paid for a long position or received from the sale of a short put option shall be amortized to income or expense over the term of the option, except as provided in paragraph (g)(3)(ii) of this section; or

(ii) The option commitment fee received from the sale of a matched short call option shall be deferred until the option position is terminated. The option commitment fee received from the sale of an unmatched short call option shall be amortized to income over the term of the option;

(3) *Options contracts.* (i) Gains or losses on options contracts that are matched with assets or liabilites carried at the lower of cost or market value or carried at market value shall be considered in determining the market value of the asset or liability;

(ii) Options positions that are matched with assets or liabilities carried at cost or to be carried at cost shall be accounted for as follows:

(A) If a commitment fee will be or has been received with respect to the matched asset, the option commitment fee shall be treated as an adjustment of such fee. The adjusted commitment fee shall then be treated as a fee paid or received in connection with the matched asset;

(B) If a commitment fee has not been received with respect to a matched asset, the optin commitment fee (except if received for the sale of a short call option) shall be amortized to income or expense over the commitment period by the straight-line method;

(C) Any resulting gain or loss from an option position (except from a short call option) shall be treated as a discount or premium on the matched asset or liability;

(D) Any resulting gain or loss from a short call option position shall be recognized as income or expense upon termination of the option position; and/or

(E) In the event that an option position is not matched with a cash-market or forward-commitment position or if the cash-market or forward-commitment position with which an option is matched is sold or will not occur, the option shall be marked to market; or

(iii) The immediate exercise value of short puts and other unmatched option positions shall be carried at their current market value.

Dated: December 12, 1990.

By the Office of Thrift Supervision.

Timothy Ryan,

Director.

[FR Doc. 91-7304 Filed 3-28-91; 8:45 am]

BILLING CODE 6720-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Ch. I

[Summary Notice No. PR-91-8]

Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for rulemaking received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for rulemaking (14 CFR part 11), this notice contains a summary of certain petitions requesting the initiation of rulemaking procedures for the amendment of specified provisions of the Federal Aviation Regulations and of denials or withdrawals of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before July 1, 1991.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Council, Attn: Rules Docket (AGC-10), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-10), room 915G, FAA Headquarters Building (FOB-10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Ida Klepper, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-9688.

This notice is published pursuant to paragraphs (b) and (f) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC, on March 25, 1991.

Deborah Swank,

Acting Manager, Program Management Staff, Office of the Chief Counsel.

Petitions for Rulemaking

Docket No.: 26500
Petitioner: Air Line Pilots Association
Regulations Affected: 14 CFR part 121, Appendix I
Description of Petition: To amend the "Anti-drug Program for Personnel Engaged in Specified Aviation Activities" to eliminate the provisions for random testing of flight crewmembers.
Petitioner's Reason for the Request: The petitioner believes that current Department of Transportation drug testing program data confirms that there is no significant degree of drug

use in the aviation industry, shows negligible evidence of any flight crewmember employee drug use, and demonstrates that the level of drug abuse in the general population is not echoed in the airlines' workforce.

[FR Doc. 91-7441 Filed 3-28-91; 8:45 am]
BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM91-8-000]

Qualifying Certain Tight Formation Gas for Tax Credit; Proposed Rulemaking

Issued March 20, 1991.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is proposing to amend its regulations to carry out Congress' intent in restoring the tax credit for gas from newly drilled tight formation wells. In this notice, the Commission proposes to establish maximum allowable production rates for natural gas produced from tight formations whose average depth exceeds 15,000 feet, so that gas from such formations may qualify for the tax credit. The Commission also proposes to permit jurisdictional agencies to designate as a tight formation a formation that (1) does not meet the permeability standard for tight formations (but meets the production rate standards) if the jurisdictional agency shows that the tax credit (or the incentive price for wells spudded before May 13, 1990) is necessary to provide reasonable incentives to produce natural gas from that formation, or (2) was previously authorized to be developed by infill drilling if, in the jurisdictional agency's judgment, the formation cannot be developed without the tax credit (or incentive price for wells spudded before May 13, 1990).

DATES: An original and 14 copies of the written comments on this proposed rule must be filed with the Commission by April 29, 1991.

ADDRESSES: All filings should be addressed to the Secretary, Federal Energy Regulatory Commission, 825 North Capitol St. NE., Washington, DC 20426, and should refer to Docket No. RM91-8-000.

FOR FURTHER INFORMATION CONTACT: Darrell Blakeway, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, (202) 208-0224.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in room 3308, 941 North Capitol Street NE., Washington, DC.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397. To access CIPS, set your communications software to use 300, 1200 or 2400 baud, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this notice of proposed rulemaking will be available on CIPS for 30 days from the date of issuance. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in room 3308, 941 North Capitol Street NE., Washington, DC 20426.

I. Introduction

As part of the Revenue Reconciliation Act of 1990,[1] signed into law by the President on November 5, 1990, the tax credit for nonconventional fuels under Section 29 of the International Revenue Code was extended for two years to continue to provide an incentive to develop nonconventional fuels. The tax credit was also reinstated for one nonconventional fuel for which it had previously lapsed—gas from newly drilled wells in tight formations—by revising the tax code so that tight formation gas is eligible for the tax credit even if the price for tight formation gas is no longer regulated.

The Federal Energy Regulatory Commission (Commission) is proposing three minor amendments to the Commission's regulations to carry out Congress' intent in restoring the tax credit for gas produced from newly drilled tight formation wells. The Commission is proposing to establish maximum allowable production rates for natural gas produced from tight formation whose average depth exceeds 15,000 feet.[2] In addition, the Commission is proposing to permit jurisdictional agencies to designate as a tight formation a formation that (1) does not meet the Commission's permeability standard for tight formations (but meets the production rate standards), if the jurisdiction agency can show that the tax credit (or the incentive price for the wells spudded before May 13, 1990) is necessary to provide reasonable incentives to produce natural gas from that formation, or (2) was previously authorized to be developed by infill drilling if the jurisdiction agency's judgment is that the formation subject to infill drilling cannot be developed without the tax credit (or incentive price for wells spudded before May 13, 1990). These proposed amendments would enable natural gas produced from tight formations of average depths below 15,000 feet, natural gas produced from formations which do not meet the Commission's permeability standard for tight formations, and natural gas produced from formations subject to previously infill drilling orders to qualify for the tax credit. The proposed amendments do not affect the price at which tight formation gas may lawfully be sold.

II. Background

Under Section 29 of the Internal Revenue Code, qualified nonconventional fuels are eligible for a production credit that is equal to $3 per barrel or the Btu barrel-of-oil equivalent (adjusted for inflation). Qualified fuels include (1) oil produced from shale and tar sands, (2) gas produced from geopressured brine, Devonian shale, coal seams, tight formations, or biomass, and (3) liquid, gaseous, or solid synthetic fuels produced from coal (including lignite), including such fuels when used as feedstocks. Prior to amendment by the Revenue Reconciliation Act of 1990, the production credit was available for qualified fuels produced from a well drilled, or a facility placed in service, before January 1, 1991, and sold before January 1, 2001. Under the 1990 Act, the credit was extended for two years to fuels produced from a well drilled, or a facility placed in service, before January 1, 1993, and sold before January 1, 2003.

In addition, before amendment by the 1990 Act, the tax credit for gas produced from tight formations was only available if the price of the gas was regulated by the United States with a maximum lawful price of at least 150 percent of the applicable ceiling price under section 103 of the Natural Gas Policy Act of 1978

[1] Section 11501, Public Law No. 101-508, 104 Stat. 1388-479.

[2] The average depth referred to means the average depth to the top of the formation.

(NGPA).[3] Section 107(c)(5) of the NGPA authorized the Commission to prescribe maximum lawful prices that exceeded the otherwise applicable ceiling prices for the first sale of "high-cost" natural gas produced under such other conditions as the Commission determines to present extraordinary risks or costs. In Order No. 99, issued August 15, 1980, the Commission, acting under NGPA section 107(c)(5), authorized a ceiling price of 200 percent of the maximum lawful price under NGPA section 103 for gas produced from qualified tight formations.[4] The incentive price was not provided for gas from tight formations below 15,000 feet, because ceiling prices for gas from below such depths had been previously removed under NGPA section 121(b).[5]

All tight formation gas that qualified for the NGPA section 107(c)(5) incentive ceiling price established by Order No. 99 qualified for the tax credit. However, by 1990 a substantial portion of the tight formation gas had been deregulated and, accordingly, no longer qualified for the tax credit. Under the Natural Gas Wellhead Decontrol Act of 1989,[6] natural gas that was not subject to a first sale contract on the date of enactment was immediately deregulated. Gas sold under contract that expire or are terminated, or which the parties renegotiate to provide that maximum lawful prices no longer apply, is also deregulated. Gas from newly spudded wells will be deregulated on May 15, 1991, and all remaining wellhead price controls will be removed on January 1, 1993. In Order No. 523, the Commission amended its regulations to reflect the provisions of the Decontrol Act, and noted that producers may voluntarily file applications for well category determinations for any NGPA category, including high-cost gas, until January 1, 1993, when section 503 of the NGPA is repealed. The Commission stated that it would continue to process such applications for well category determinations until that date in order to allow producers to obtain tax credits that are dependent upon such determinations, even if the gas has been otherwise decontrolled.

In addition, in Order No. 519, issued February 12, 1990, the Commission terminated the incentive ceiling price for sales of tight formation natural gas produced from wells spudded or recompleted after May 12, 1990.[7] The Commission concluded that since most natural gas had already been decontrolled, or was being sold at levels beneath the applicable ceiling price, the incentive ceiling prices for tight formation gas were no longer necessary to stimulate new production of such gas, and that commitment of new money by producers in reliance on the incentive ceiling price was no longer in the public interest.[8] Thus, the tax credit for gas from tight formations, which was dependent on the existence of a regulated price, lapsed for tight formation gas from wells spudded or recompleted after May 12, 1990, or for which the price has been deregulated under the Decontrol Act.

The 1990 Act allows such deregulated gas nevertheless to qualify for the tax credit by making it available for gas from tight formations that was committed or dedicated to interstate commerce (as defined in the NGPA) as of April 20, 1977, or produced after December 31, 1990, from a well drilled after the date of enactment.[9] The requirement that the price of the gas be regulated was deleted.

III. Discussion

Section 271.703 of the regulations provides that a formation must meet three guidelines to qualify as a tight formation: a permeability standard, a maximum production rate, and an oil production limit. One of these guidelines—the maximum stabilized production rate in § 271.703(c)(2)(i)(B)—is tied to the average depth of a formation. Because gas below 15,000 feet was deregulated on November 1, 1979, the Commission only established maximum stabilized production rates for formations whose average depth did not exceed that depth. Any gas from below that depth, having no ceiling price, could not therefore qualify for an incentive price. However, since newly drilled wells that produce gas from tight formations below 15,000 feet are now eligible for the tax credit, the Commission proposes to amend § 271.703(c)(2)(i)(B) to establish maximum allowable production rates for formation below that depth.[10] The highest maximum stabilized production rate proposed is for completions at 19,500 feet and deeper. The Commission does not believe there is any need to establish higher rates for production from lower depths, because very little gas is found below 20,000 feet, and the maximum allowable production rate for completions at 19,500 feet is an adequate measure of tight formation production rates from lower depths.

The second proposed change involves § 271.703)c)(2)(ii) of the Commission's regulations. That section currently provides that a jurisdictional agency may designate as a tight formation a formation that meets the maximum allowable production rates for gas and oil, but does not meet the permeability standard of 0.1 millidarcy or less, if the jurisdictional agency shows that the formation exhibits low permeability characteristics, and the tight formation incentive price is necessary to provide reasonable incentives to produce natural gas from that formation. Since there is no longer a tight formation incentive price for gas from wells drilled or recompleted after May 12, 1990, or tight formation gas that has been deregulated under the Decontrol Act, the Commission proposes to amend this regulation to provide that jurisdictional agencies may designate a formation with permeability in excess of the 0.1 millidarcy standard as a tight formation, if it otherwise qualifies as a tight formation, and the tax credit (or the incentive ceiling price for wells spudded before May 13, 1990) is needed to develop the formation.

Some formations with permeability in excess of 0.1 millidarcy, which may be designated tight formations on the ground that the tax credit is needed to develop the formation, may include wells that were spudded before May 13, 1990. The Commission is requesting

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[3] 15 U.S.C. 3301–3342 (1988). However, the credit is not available unless the gas was sold at a lawful price determined without regard to the provisions of NGPA Section 107. (Internal Revenue Code Section 29(e)). Thus, a producer can utilize the tight formation incentive price by collecting a price in excess of the otherwise applicable maximum, or the tax credit, but not both.

[4] Regulations Covering High-Cost Natural Gas Produced From Tight Formations, 45 FR 56034 (Aug. 22, 1980), FERC Stats. & Regs. [Regulations Preambles 1977–1981] ¶ 30,183.

[5] Section 121(b) of the NGPA provided that on the effective date of the Commission's incremental pricing regulations under section 201 of the NGPA, the ceiling prices for section 107 high-cost gas would no longer apply, except to categories of gas under section 107(c)(5). Incremental price regulations became effective November 1, 1979. *See* Interim Rules Defining and Deregulating Certain High-Cost Natural Gas, 44 FR 61950 (Oct. 29, 1979), FERC Stats. & Regs. [Regulations Preambles 1977–1981] ¶ 30,094 at p. 30,691.

[6] Public Law No. 101–60, July 26, 1989, 103 Stat. 157 (1989).

[7] Limitation of Incentive Price for High-Cost Gas to Commodity Values, 55 FR 6367 (Feb. 23, 1990), FERC Stats. & Regs., Regulations Preambles ¶–30,879.

[8] *Id.* at p. 31,668.

[9] The Revenue Reconciliation Act of 1990 was signed by the President on November 5, 1990. However, the Conference Report states that gas qualifies for the tax credit if produced from a well drilled after December 31, 1990.

[10] The formula used to establish maximum stabilized production rates below 15,000 feet is the same as that used in Order No. 99 to establish such rates for production fro above 15,000 feet. Regulations Covering High-Cost Natural Gas Produced from Tight Formations, 45 FR 56034 (Aug. 22, 1980), FERC Stats. & Regs. [Regulations Preambles 1977–1981]

comments on the appropriate treatment of gas from such wells. A jurisdictional agency may determine that a field qualifies as a tight formation based on a showing that the tax credit is necessary to warrant further development, without considering whether the incentive price is necessary to provide reasonable incentives for production. In such circumstances, should any producer in that field be entitled to collect the tight formation incentive price for gas for wells in that formation spudded before May 13, 1990, based solely on the finding that the tax credit is necessary to warrant further development? Alternatively, should separate procedures be established to consider whether the tight formation incentive price (as opposed to the tax credit) is necessary to provide reasonable incentives to produce natural gas from those wells?

The third proposed change involves § 271.703(c)(2)(i)(D) of the Commission's regulations. This section currently requires a jurisdictional agency to exclude a formation, or portion thereof, that is subject to a prior infill drilling order from determination as a tight formation if the jurisdictional agency's judgment is that the formation subject to infill drilling can be developed without the incentive price. The Commission proposes to amend this section to refer to the tax credit for the same reasons given for amending § 271.703(c)(2)(ii).

III. Written Comment Procedure

The Commission invites all interested persons to submit written data, views, and other information concerning the proposals in this Notice of Proposed Rulemaking. All comments in response to this Notice should be submitted to the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, and should refer to Docket No. RM91–8–000. An original and fourteen copies should be filed with the Commission within 30 days after publication of this Notice in the Federal Register.

Written comments will be placed in the Commission's public files and will be available for inspection in the Commission's Public Reference Room, 941 North Capitol Street NE., Washington, DC, during regular business hours.

IV. Administrative Findings

A. Regulatory Flexibility Act Statement

The Regulatory Flexibility Act (RFA) [11] requires the Commission to describe the impact that a proposed rule would have on small entities or to certify that the rule will not have a significant economic impact on a substantial number of small entities.[12] The Commission is not required to make an analysis if a proposed rule will not have such an impact.[13]

In general, the economic impact of a proposed rule is not "significant" within the meaning of the RFA if the impact on small entities is expected to be beneficial.[14] The proposed rule will enable certain natural gas producers that may qualify as small entities to qualify for tax credits. The Commission believes this impact is beneficial and, therefore, certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities.[15]

B. Environmental Review

The Commission is not preparing an environmental assessment or environmental impact statement in this proceeding because the proposed amendments do not substantially change the effect of the regulations being amended. The proposed amendments provide procedures for carrying out the intent of Congress in reinstating the tax credit for gas produced from new wells in tight formations, but would have no significant effect on the human environment.[16]

C. Information Collection Statement

The Office of Management and Budget's (OMB) regulations require OMB to approve certain information collection requirements imposed by agency rule.[17] In Order No. 523, *supra*, the Commission stated that it would continue to process applications for well category determinations through December 31, 1992, so that producers could qualify for tax credits. This proposal will not increase the regulatory burden under existing regulations on producers seeking to qualify tight formations of natural gas to be eligible for tax credits. The Commission, however, is notifying OMB of its actions in this notice of proposed rulemaking.

List of Subjects in 18 CFR Part 271

Continental shelf, Natural gas, Price controls, Reporting and recordkeeping requirements.

In consideration of the foregoing, the Commission proposes to amend part 271, chapter I, title 18, *Code of Federal Regulations*, as set forth below.

By direction of the Commission.

Lois D. Cashell,

Secretary.

PART 271—CEILING PRICES

1. The authroity citation for part 271 is revised to read as follows:

Authority: 15 U.S.C. 717–717w; 42 U.S.C. 7101–7352; E.O. 12009, 3 CFR, 1978 Comp., p 142; 15 U.S.C. 3301–3432.

2. In § 271.703, paragraphs (c)(2)(i)(B), (c)(2)(i)(D), and (c)(2)(ii) are revised to read as follows:

§ 271.703 Tight formations.

* * * * *

(c) * * *

(2) * * *

(i) * * *

(B) The stabilized production rate, against atmospheric pressure, of wells completed for production in the formation, without stimulation, is not expected to exceed the production rate determined in accordance with the following table:

If the average depth to the top of the formation (in feet)		The maximum allowable production rate (in thousand cubic feet per day) may not exceed—
Exceeds—	But does not exceed—	
0	1,000	44
1,000	1,500	51

[11] 5U.S.C. 601–12 (1988).

[12] The Act defines a "small entity" as a small business, a small not-for-profit enterprise, or a small government jurisdiction. 5 U.S.C. 601(b) (1988). A "small business" is defined by reference to section 3 of the Small Business Act as an enterprise "which is independently owned and operated and which is not dominant in its field of operation." 15 U.S.C. 6.32(a) (1988).

[13] 5 U.S.C. 605(b) (1988).

[14] *Mid-Tex Electric Cooperative, Inc.* v. *FERC*, 773 F.2d 327, 340–43 (DC Cir. 1985).

[15] 5 U.S.C. 605(n) (1988).

[16] Section 380.4(a)(2)(ii) of the Commission's regulations categorically exempt from environmental review Commission proposals for promulgation of rules that are clarifying, corrective, or procedural, or that do not substantially change the effect of regulations being amended. *See also*, § 380.2(a) for the definition of "categorical exclusion."

[17] 5 CFR 1320.13 (1990).

If the average depth to the top of the formation (in feet)		The maximum allowable production rate (in thousand cubic feet per day) may not exceed—
Exceeds—	But does not exceed—	
1,500	2,000	59
2,000	2,500	68
2,500	3,000	79
3,000	3,500	91
3,500	4,000	105
4,000	4,500	122
4,500	5,000	141
5,000	5,500	163
5,500	6,000	188
6,000	6,500	217
6,500	7,000	251
7,000	7,500	290
7,500	8,000	336
8,000	8,500	388
8,500	9,000	449
9,000	9,500	519
9,500	10,000	600
10,000	10,500	693
10,500	11,000	802
11,000	11,500	927
11,500	12,000	1,071
12,000	12,500	1,238
12,500	13,000	1,432
13,000	13,500	1,655
13,500	14,000	1,913
14,000	14,500	2,212
14,500	15,000	2,557
15,000	15,500	2,956
15,500	16,000	3,417
16,000	16,500	3,950
16,500	17,000	4,567
17,000	17,500	5,279
17,500	18,000	6,103
18,000	18,500	7,055
18,500	19,000	8,156
19,000	19,500	9,429
19,500 +		10,900

* * * * *

(D) If the formation or any portion thereof was authorized to be developed by infill drilling prior to the date of determination and the jurisdictional agency has information which in its judgment indicates that such formation or portion subject to infill drilling can be developed absent the tax credit under section 29 of the Internal Revenue Code (or incentive price established in paragraph (a) of this section for wells spudded before May 13, 1990), then the jurisdictional agency shall not include such formation or portion thereof in its determination.

(ii) The jurisdictional agency may designate as a tight formation any formation that meets the guidelines contained in paragraphs (c)(2)(i)(B) and (c)(2)(i)(C) of this section, but does not meet the guideline contained in paragraph (c)(2)(i)(A) of this section, if the jurisdictional agency makes an adequate showing that the formation exhibits low permeability characteristics, and that eligibility for a tax credit under section 29 of the Internal Revenue Code (or the incentive ceiling price for wells spudded before May 13, 1990) is necessary to provide reasonable incentives for production of the natural gas from the determined formation due to the extraordinary costs associated with such production.

* * * * *

[FR Doc. 91-7296 Filed 3-28-91; 8:45 am]
BILLING CODE 6717-01-M

POSTAL SERVICE

39 CFR Part 111

Nonmailability of Deceptive Solicitations

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: The Postal Service proposes to amend its regulations to implement the Deceptive Mailings Prevention Act of 1990, Public Law No. 101-524 (November 6, 1990). Effective May 5, 1991, the Act makes solicitations by nongovernmental entities, which imply a Federal Government connection, approval, or endorsement they do not actually have, nonmailable unless they are contained in certain publications or display prescribed disclaimers.

DATES: Comments must be received on or before April 29, 1991.

ADDRESSES: Written comments on the proposal should be sent to the Assistant General Counsel, Consumer Protection Division, Law Department, U.S. Postal Service, 475 L'Enfant Plaza West SW., Washington, DC 20260-1144. Copies of all written comments received will be available for inspection and photocopying between 9 a.m. and 4 p.m. each business day, in room 6347, Postal Service Headquarters, 475 L'Enfant Plaza West, SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. John F. Ventresco, (202) 268-3085.

SUPPLEMENTARY INFORMATION: The Deceptive Mailings Prevention Act of 1990 (Pub. L. No. 101-524, November 6, 1990) adds new subsections (f) and (g) to section 3001 of title 39, United States Code, and makes them applicable to matter deposited for mailing and delivery on or after 180 days after enactment—i.e., on or after May 5, 1991. The new subsections deal with any solicitation by a nongovernmental entity containing terms or symbols that reasonably could be interpreted or construed as implying a Federal Government connection, approval, or endorsement. If the soliciting entity does not have such connection, approval, or

endorsement, the solicitation is nonmailable unless it: (1) Is contained in a publication the addressee has ordered, and is not on behalf of the publishers; or (2) displays prescribed disclaimers, both on its envelope or outside cover or wrapper, and on the face of the solicitation itself.

The Act authorizes the Postal Service to regulate the manner of displaying the prescribed disclaimers to ensure that they are conspicuous and legible. In addition, it amends section 3005(a) of title 39, United States Code, to make the mailing of solicitations which are nonmailable under section 3001(f) or (g) actionable as a false-representation scheme, and *prima facie* evidence to support the Postal Service's issuing the remedial orders authorized by section 3005(a).

Although exempt by 39 U.S.C. 410(a) from the provisions of the Administrative Procedure Act regarding proposed rulemaking, 5 U.S.C. 553(b), and 553(c), the Postal Service invites public comment on the following proposed revision of part 123 of the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.1

List of Subjects in 39 CFR Part 111

Postal Service.

PART 111—[AMENDED]

1. The authority citation for part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001–3011, 3201–3219, 3403–3406, 3621, 5001.

2. Redesignate Domestic Mail Manual 123.42, 123.43, and 123.44 as 123.43, 123.44, and 123.45, and insert the following before them:

Part 123—Nonmailable Matter—Written, Printed, and Graphic

123.42 Solicitations Deceptively Implying Federal Connection, Approval, or Endorsement (39 U.S.C. 3001(f) and 3001(g); 39 U.S.C. 3005).

123.421 Prohibited Solicitations.

A solicitation by a nongovernmental entity that contains any term or symbol—including, but not limited to, a seal, insignia, or trade or brand name—that could reasonably be construed or interpreted as implying any federal government connection, approval, or endorsement is nonmailable unless it conforms to §§ 123.422a, 123.422b, or 123.422c. A nonconforming solicitation constitutes *prima facie* evidence of violation of 39 U.S.C. 3005. Compliance with §§ 123.422a, 123.422b, or 123.422c will not avoid violation of 39 U.S.C. 3005 if the solicitation or accompanying information misrepresents a material fact such as the nature, value, quantity, quality, or efficacy of the products or services offered for sale, or of the activities of an organization asking for information or monetary contributions.

123.422 Permitted Solicitations.

A solicitation by a nongovernmental entity containing any term or symbol that could reasonably be construed or interpreted as implying federal government connection, approval, or endorsement is mailable if it meets at least one of the three following conditions.

a. The solicitation is by a nongovernmental entity that actually has the federal government connection, approval, or endorsement reasonably inferable from the solicitation's terms or symbols.

b. The solicitation appears in a publication for which the addressee has paid or promised to pay a consideration or which the addressee has otherwise indicated he or she desires to receive, and the solicitation is not on behalf of the publisher of the publication.

c. The solicitation displays the notice required by § 123.422c(1) on the envelope or outside cover or wrapper in which the solicitation is mailed, and one of the two notices required by § 123.422c(2) on the contents. These notices must be printed in boldface capital letters of a color prominently contrasting with the background against which they appear. "Color prominently contrasting" excludes any color or intensity that ordinary photocopying cannot reproduce legibly. The color, which can include black, must be at least as vivid as any other color on the face of the solicitation and its envelope, or outside cover or wrapper. The required wording, type size and style, and placement for the notices are as follows:

(1) *On the Envelope, Cover, or Wrapper.* The face of the envelope or outside cover or wrapper must bear the notice: THIS IS NOT A GOVERNMENT DOCUMENT. The letters for printing this notice must be as large, bold, and conspicuous as any other letters on the face of such envelope, cover, or wrapper, but never smaller than 12-point type. The notice must appear in the upper right quadrant, below the postage stamp or other postage indicia and above the address, and it must be surrounded by a clear space not less than ¼ inch wide (see Exhibit 123.422c(1)).

(2) *On the Contents.* The solicitation mailed within the envelope, cover, or wrapper must bear at the outset on its face one of these two headline notices, depending on its purpose as indicated in parentheses: (a) THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT (for the purchase of or payment for a product or service); (b) THIS ORGANIZATION HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT (for information or the contribution of funds or membership fees). The letters for printing these notices must be as large, bold, and conspicuous as any other letters on the face of the solicitation, but never smaller than 30-point type. The notice must be surrounded by a clear space at least ½ inch wide. The notice must not be preceded, followed, or surrounded by words, symbols, or other matter that reduces its conspicuousness or introduces, modifies, qualifies, or explains the prescribed text, such as "Notice Required by Law" (see Exhibit 123.422c(2)). The notice must not, by folding or any other device, be rendered unintelligible or less prominent than any other information on the face of the solicitation.

An appropriate amendment to 39 CFR 111.3 to reflect these changes will be published if the proposal is adopted.

Stanley F. Mires,

Assistant General Counsel, Legislative Division.

BILLING CODE 7710-12-M

EXAMPLE

F.B.I.
P.O. Box 0000
Washington, DC 12345-6789

POSTAGE

THIS IS NOT A
GOVERNMENT DOCUMENT

MR E Z MARK
1 MAIN STREET
ANYTOWN XX 98765-4321

Exhibit 123.422c(1)

Note: Not drawn to scale.

EXAMPLE

F.B.I.
P.O. Box 0000
Washington, DC 12345-6789

THIS PRODUCT OR SERVICE HAS NOT BEEN APPROVED OR ENDORSED BY THE FEDERAL GOVERNMENT, AND THIS OFFER IS NOT BEING MADE BY AN AGENCY OF THE FEDERAL GOVERNMENT.

Dear Mr. Mark:

Here is a truly incredible offer which a person of your astuteness will not want to pass up. Our company, Fascinating Business Incorporated, publishes a monthly report of little-known business information, to which you can now subscribe at the low, low annual rate of only etc.

Exhibit 123.422c(2)

Note: Not drawn to scale.

[FR Doc. 91-7405 Filed 3-28-91; 8:45 am]
BILLING CODE 7710-12-C

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; Inquiry

AGENCY: Federal Maritime Commission.

ACTION: Notice of availability of Second Interim Report.

SUMMARY: The Federal Maritime Commission's Second Interim Report affirms that it will not issue ATFI batch filing software to the public, but reiterates that the previously issued Transaction Set (Batch Filing Guide) is all that is necessary for firms to develop their own software. A tentative schedule for certification of such software is announced.

DATES: Availability of Second Interim Report on March 29, 1991.

ADDRESSES: Obtain Second Interim Report from: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L. Street NW., Washington, DC 20573.

FOR FURTHER INFORMATION CONTACT: John Robert Ewers, Bureau of Administration, Federal Maritime Commission, 1100 L Street NW., Washington, DC 20573, (202) 523-5866.

SUPPLEMENTARY INFORMATION: On August 1, 1990 (55 FR 31199), the Federal Maritime Commission ("FMC") issued an ATFI Notice of Inquiry, requesting public comment on some of the basic features being considered for ATFI. On December 26, 1990, after consideration of the comments received, the Commission issued an Interim Report with an appended ATFI Batch Filing Guide (Transaction Set). On March 25, 1991, the Commission issued a Second Interim Report which responds to concerns of commercial Electronic Tariff Filers, affirms that the Commission will not furnish batch filing software, and reiterates that the Batch Filing Guide is all that is necessary for any firm to begin development of its own software. The Second Interim Report also establishes a tentative schedule for certification of such privately developed batch filing software, the window for which will begin in early November 1991 and extend into early 1992, when ATFI goes into full-scale operation.

Joseph C. Polking,

Secretary.

[FR Doc. 91-7390 Filed 3-28-91; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

[CC Docket No. 91-64 FCC No. 91-71]

Proposal Revising Current Long Distance, Carrier Selection Rules

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This action proposed new rules to verify customer orders to switch long distance carriers. The rules would require long distance carriers to secure written authorization, electronic authorization, or third party (separate from the telemarketing organization) oral verification from a customer before implementing a change in the customer's chosen carrier. In effect, the intent of the proposal is an effort to seek comment on the issues and to ensure that the public is adequately protected from unauthorized changes.

DATES: Comments must be filed on or before May 1, 1991 and reply comments on or before May 31, 1991.

ADDRESSES: Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Pat McQuie Nagle, tel: 202-632-6917.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking in CC Docket No. 91-64, FCC 91-71, adopted March 14, 1991, and released March 25, 1991. This document requests comments on the Commission's proposal for revised rules for verifying customers orders to switch long distance carriers. The Commission seeks comment regarding whether these procedures will be adequate to protect consumers from unauthorized switches in their long distance service; and whether the Commission should adopt all or only certain portions of the procedures described in proposals made by AT&T and MCI. The Commission is also requesting comment regarding the effect of revised verification procedures on its current requirement that the long distance carriers pay all change charges associated with changes which the customer disputes if the long distance carriers cannot produce a letter of agency; and whether the procedures set forth in appendix A of the Commission's Notice of Proposed Rulemaking, or alternative procedures, should apply to customer-owned payphones. The Commission further seeks comment whether the various alternatives proposed by NARUC and other parties who have presented comments in this rulemaking, or any other alternatives, would be preferable to the three verification methods identified above. Finally, comment is invited on the cost of implementation of these procedures and whether these procedures would impose undue burdens on long distance carriers. The full text of this Commission proposal is available for inpsection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. The complete text of this proposal may also be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452-1422, 1114 21st Street, NW., Washington, DC 20036.

Paperwork Reduction

The proposal contained herein has been analyzed with respect to the Paperwork Reduction Act of 1980 and found not to impose new or modified information collection requirements on the public.

Regulatory Flexibility Act

As required by section 603 of the Regulatory Flexibility Act, the Commission has prepared an Initial Regulatory Flexibility Analyses (IRFA) of the expected impact on small entities of the proposals suggested in this document. The IRFA is set forth in section V. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the Notice, but they must have a separate and distinct heading designating them as responses to the Initial Regulatory Flexibility Analysis. The Secretary shall send a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act. Public Law No. 96-354, 94 Stat. 1164, 5 U.S.C. 601 *et seq* (1981).

Ex Parte Rules—Non-Restricted Proceeding

This is a non-restricted notice and comment rulemaking proceeding. Written and/or oral *ex parte* presentations are permitted, except during the Sunshine Agenda period, providing they are disclosed as provided in Commission rules. See generally, 47 CFR 1.1202, 1.1203, and 1.1206(a).

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 91-7507 Filed 3-28-91; 8:45 am]

BILLING CODE 6712-01-M

Notices

Federal Register
Vol. 56, No. 61
Friday, March 29, 1991

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

Agricultural Marketing Service

[CS-91-008]

Plant Variety Protection Advisory Board Subcommittee on Long Range Planning; Open Meeting

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Long Range Planning Subcommittee of the Plant Variety Protection Advisory Board.

DATES: Wednesday and Thursday, April 10 and 11, 1991, 8:30 a.m. to 4 p.m., open to the public.

ADDRESSES: The meeting will be held in the National Agricultural Library Building, Conference Room 500 (Fifth Floor), Beltsville, Maryland.

FOR FURTHER INFORMATION CONTACT: Dr. Kenneth H. Evans, Executive Secretary, Plant Variety Protection Advisory Board, Room 500, National Agricultural Library Building, Beltsville, Maryland 20705 (301/344–2518).

SUPPLEMENTARY INFORMATION: Pursuant to the provisions of sec. 10(a) of the Federal Advisory Committee Act (Pub. L. 92–463), this notice is given concerning a meeting of the Long Range Planning Subcommittee of the Plant Variety Protection Advisory Board. The agenda for the meeting will include discussions of long range projections and strategies relating to the Plant Variety Protection Office as follows: (1) Applications, (2) staffing, (3) budget needs, (4) projected funding, and (5) other related topics.

The meeting is open to the public. Persons, other than members, who wish to address the Subcommittee at the meeting should contact Dr. Kenneth Evans at the above address and telephone number, prior to the meeting. Written statements may be submitted to the Subcommittee prior to or at the meeting.

Done at Washington, DC, on March 25, 1991.

Daniel Haley,

Administrator.

[FR Doc. 91–7467 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–02–M

Agricultural Stabilization and Conservation Service

List of Warehouses and Availability of List of Cancellations and/or Terminations

AGENCY: Agricultural Stabilization and Conservation Service, USDA.

ACTION: Notice of publication of list of warehouses licensed Under the U.S. Warehouse Act and availability of list of cancellations and/or terminations occurring during Calendar Year 1990.

Notice is hereby given that the Agricultural Stabilization and Conservation Service has published a list of warehouses licensed under the U.S. Warehouse Act (7 U.S.C. 241 *et seq.*) as of December 31, 1990, as required by section 26 of that Act (7 U.S.C. 266). Also available is a list of cancellations and/or terminations that occurred during calendar year 1990. A copy of the list of warehouses as of December 31, 1990, will be distributed to all licensed warehousemen. Other interested parties may obtain a copy of either list from: Mrs. Judy Fry, Agricultural Stabilization and Conservation Service, Licensing Authority Division, U.S. Department of Agriculture, P.O. Box 2415, room 5962, South Agriculture Bldg., Washington, DC 20013, Telephone: 202–447–3822.

Signed at Washington, DC, March 26, 1991.

Keith D. Bjerke,

Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 91–7464 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–05–M

Animal and Plant Health Inspection Service

[Docket No. 91–012]

U.S. Veterinary Biological Product and Establishment Licenses, and U.S. Veterinary Biological Product Permits Issued, Suspended, Revoked or Terminated

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public of the issuance, suspensing, revocation, or termination of veterinary biological product and establishment licenses and veterinary biological product permits by the Animal and Plant Health Inspection Service during the month of December 1990. These actions are taken in accordance with the regulations issued pursuant to the Virus-Serum-Toxin Act.

FOR FURTHER INFORMATION CONTACT: Joan Montgomery, Program Assistant, Veterinary Biologies, Biotechnology, Biologies, and Environmental Protection, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, room 838, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782 (301) 436–4873.

SUPPLEMENTARY INFORMATION: The regulations in 9 CFR part 102, "Licenses For Biological Products," require that every person who prepares certain biological products that are subject to the Virus-Serum-Toxin Act (21 U.S.C. 151 *et seq.*) shall hold an unexpired, unsuspended, and unrevoked U.S. Veterinary Biological Product License. The regulations set forth the procedures for applying for a license, the criteria for determining whether a license shall be issued, and the form of the license.

Pursuant to the regulations, the Animal and Plant Health Inspection Service (APHIS) issued the following U.S. Veterinary Biological Product Licenses during the month of December 1990:

Product license code	Date issued	Product	Establishment	Establishment license No.
44E7.20	12-10-90	Bovine Rhinotracheitis-Virus Diarrhea-Paraninfluenza-Respiratory [3] Syncytial Virus Vaccine-Haemophilus Somnus Bacterin, Killed Virus.	American Home Products Corporation	112
A045.02	12-18-90	Avian Reovirus, Killed Virus, For Further Manufacture	Maine Biologfical Laboratories, Inc.	240
A235.15	12-18-90	Bronchitis Virus, Mass. and Ark. Types, Killed Virus, For Further Manufacture.	Maine Biological Laboratories, Inc.	240
A275.10	12-18-90	Bursal Disease Virus, Killed Virus, For Further Manufacture	Maine Biological Laboratories, Inc.	240
A705.11	12-18-90	Newcastle Disease Virus, BI Type, LaSota Strain, Killed Virus, For Further Manfuacture.	Maine Biological Laboratories, Inc.	240
1559.20	12-18-90	Feline Leukemia-Rhinotracheitis-Calici-Paneukopenia-Chlamydia Psititaci Vaccine, Killed Virus and Chlamydia.	American Home Products Corporation	112
1585.20	12-18-90	Chlamydia Psittaci Vaccine, Killed Chlamydia	American Home Products Corporation	112
16E5.20	12-18-90	Feline Rhinotracheitis-Calici-Panleukopenia-Chlamydia Psittaci Vaccine, Killed Virus and Chlamydia.	American Home Products Corporation	112
17E1.20	12-18-90	Hemorrhagic Enteritis Vaccine, Live Virus	Tri Bio Laboratories, Inc.	275
2772.03	12-18-90	Moraxella Bovis Bacterin	Schering-Plough Animal Health Corporation	165A
17M1.20	12-18-90	Marble Spleen Disease Vaccine, Live Virus	Tri Bio Laboratories, Inc.	275

The regulations in 9 CFR part 102 also require that each person who prepares biological products that are subject to the Virus-Serum-Toxin Act (21 U.S.C. 151 *et seq.*) shall hold a U.S. Veterinary Biologics Establishment License. The regulations set forth the procedures for applying for a license, the criteria for determining whether a license shall be issued, and the form of the license. No U.S. Veterinary Biologics Establishment Licenses were issued during December 1990.

The regulations in 9 CFR part 104, "Permits for Biological Products," require that each person importing biological products shall hold an unexpired, unsuspended, and unrevoked U.S. Veterinary Biological Product Permit. The regulations set forth the procedures for applying for a permit, the criteria for determining whether a permit shall be issued, and the form of the permit. No U.S. Veterinary Biological Product Permits were issued during December 1990.

The regulations in 9 CFR parts 102 and 105 also contain provisions concerning the suspension, revocation, and termination of U.S. Veterinary Biological Product Licenses, U.S. Veterinary Biologics Establishment Licenses, and U.S. Veterinary Biological Product Permits. No U.S. Veterinary Biological Product Licenses, U.S. Veterinary Biologics Establishment Licenses, or U.S. Veterinary Biological Product Permits were suspended, revoked, or terminated during December 1990.

Done in Washington, DC, this 25 day of March 1991.

Robert Melland,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 91-7466 Filed 3-28-91; 8:45 am]

BILLING CODE 3410-34-M

Federal Crop Insurance Corporation

[Docket No. 3358-L/RCD-90-4]

Request for Comments on Projected Market Prices

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Notice to extend comment period.

SUMMARY: The Federal Crop Insurance Corporation (FCIC) publishes this notice to advise all interested parties that it is extending the comment period on Notice RCD-90-4, published in the **Federal Register** on Tuesday, February 19, 1991, at 56 FR 6620. The original end of the comment period was March 15, 1991. FCIC has determined to extend the comment period until April 15, 1991, in order to provide additional time for those interested parties who have expressed a desire for such extension.

Notice No. RCD-90-4, published at 56 FR 6620, solicits comments and suggestions on the methodology used to establish a "projected market price" that will permit crop insurance agents to calculate and quote coverage levels, and premiums, in terms of dollars per acre, not to exceed maximums imposed by law.

FOR FURTHER INFORMATION CONTACT: Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, DC 20250, telephone (202) 447-3325.

Written comments in response to this extended notice should be identified at the top of the first page with the number "RCD-90-4" and should be sent not later than April 15, 1991, to Peter F. Cole at the above address.

All written comments received pursuant to this notice will be available for public inspection and copying in room 4090, South Building, U.S. Department of Agriculture. Washington, DC 20250, during regular business hours, Monday through Friday.

Done in Washington, DC on March 15, 1991.

James E. Cason,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 91-7450 Filed 3-28-91; 8:45 am]

BILLING CODE 3410-08-M

[Docket No. 3360-L/A&US-91-2]

Request for Comments on Ratemaking Methodology

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Notice to extend comment period.

SUMMARY: The Federal Crop Insurance Corporation (FCIC) publishes this notice to advise all interested parties that it is extending the comment period on Notice AMC-91-2, published in the **Federal Register** on Friday, February 15, 1991, at 56 FR 6367. The original end of the comment period was March 15, 1991. FCIC has determined to extend the comment period until April 15, 1991, in order to provide additional time for those interested parties who have expressed a desire for such extension.

Notice No. AMC-91-2, published at 56 FR 6367, solicits comments and suggestions for improvement regarding the present methodology with respect to ratemaking for crop insurance purposes.

FOR FURTHER INFORMATION CONTACT: Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, DC 20250, telephone (202) 447-3325.

Written comments in reponse to this extended notice should be identified at the top of the first page with the number

"AMC–91–2" and should be sent not later than April 15, 1991, to Peter F. Cole at the above address.

All written comments received pursuant to this notice will be available for public inspection and copying in room 4090, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, during regular business hours, Monday through Friday.

Done in Washington, DC on March 15, 1991.

James E. Cason,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 91–7451 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–08–M

[Docket No. 3359–L/AMC–91–1]

Request for Comments on Criteria and Methodology for Reinsured Companies Rating System

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Notice to extend comment period.

SUMMARY: The Federal Crop Insurance Corporation (FCIC) publishes this notice to advise all interested parties that it is extending the comment period on Notice AMC–91–1, published in the **Federal Register** on Friday, February 15, 1991, at 56 FR 6368. The original end of the comment period was March 15, 1991. FCIC has determined to extend the comment period until April 15, 1991, in order to provide additional time for those interested parties who have expressed a desire for such extension.

Notice No. AMC–91–1, published at 56 FR 6368, solicits comments and suggestions for establishing criteria and methodology that may be used to measure a company's ability to meet successfully its sales and service responsibilities.

FOR FURTHER INFORMATION CONTACT: Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, DC 20250, telephone (202) 447–3325.

Written comments in response to this extended notice should be identified at the top of the first page with the number "AMC–91–1" and should be sent not later than April 15, 1991, to Peter F. Cole at the above address.

All written comments received pursuant to this notice will be available for public inspection and copying in room 4090, South Building, U.S. Department of Agriculture, Washington, DC 20250, during regular business hours, Monday through Friday.

Done in Washington, DC on March 15, 1991.

James E. Cason,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 91–7449 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–08–M

Forest Service

Day & Dunning Timber Sales and Other Projects, Malheur National Forest, Grant County, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Forest Service, USDA, will prepare an environmental impact statement (EIS) for a Forest Service proposal to implement the Day and Dunning timber sales and other resource management projects. The specific projects include: (1) Harvest of timber; (2) development of associated road systems; and (3) other projects related to riparian enhancement and wildlife habitat enhancement.

The proposal is located approximately 16 air miles north west of John Day, Oregon, in the Fox, Dunning and Mill Creek drainages of the Long Creek Ranger District, Malheur National Forest. The Fox Creek roadless area lies within the analysis area. Projects would be implemented in accordance with direction in the Forest Plan.

The agency gives notice that the environmental analysis process, directed by the National Environmental Policy Act (NEPA), is underway. Interested and potentially affected persons, Indian tribes, along with local, State, and other Federal agencies, are invited to participate and contribute to the environmental analysis. The Malheur National Forest invites written input regarding the issues specific to the Proposed Actions.

DATES: Written input concerning issues with this proposed action must be filed by May 15, 1991.

ADDRESSES: Submit written input to District Ranger, Long Creek Ranger District, 528 E. Main Street, John Day, Oregon 97845.

FOR FURTHER INFORMATION: Direct questions about the proposed action and EIS to John Shoberg, District Ranger, Long Creek Ranger District, 528 E. Main St., John Day, Oregon 97845 [Telephone: (503) 575–2110].

SUPPLEMENTARY INFORMATION: The Forest Service proposal is to implement management direction and projects identified in the Forest Plan. This project EIS will be tiered to the Forest Plan, which provides goals, objectives, standards and guidelines for the various activities and land allocations on the Forest. The proposed action is derived from elements in the Forest Plan Ten Year Activity Schedule (appendix A).

Proposed Timber Sales and Associated Roads include: (a) Day Timber Sale would harvest approximately 5,973 thousand board feet (MBF) from approximately 678 acres. Ten (10.0) miles of new road construction would be required to access the timber. Proposed harvest methods and estimated harvest volumes include: (1) Seed Tree harvest, 351 acres, 3,583 MBF; (2) Shelterwood harvest, 138 acres, 1,434 MBF; (3) Partial Removal harvest 189 acres, 956 MBF. Skyline and tractor yarding systems would be used to harvest the timber. The timber sale is scheduled for offering in Fiscal Year 1992. Stands proposed for harvest are located within sections 2, 10–16, 21–24; Township 11 South; Range 30 East; and within sections 6–8, 16–20, 29, and 30; Township 11 South; Range 31 East (Willamette Meridian).

(b) Dunning Timber Sale would harvest approximately 8,027 thousand board feet (MBF) from approximately 610 acres. To access the timber, seven (7.0) miles of new road construction would be required. Proposed harvest methods and estimated harvest volumes include: (1) Seed Tree harvest, 375 acres, 4,890 MBF; (2) Shelterwood harvest, 166 acres, 2,510 MBF; (3) Partial Removal harvest, 69 acres, 627 MBF. Skyline and tractor yarding systems would be used to harvest the timber. The timber sale is scheduled for offering in Fiscal Year 1992. Stands proposed for harvest are located within section 24; Township 10 South; Range 29 East; and sections 19–21, 25–30, 34–36; Township 10 South; Range 30 East; and section 31; Township 10 South; Range 31 East: and sections 1, 2, 11, 12; Township 11 South; Range 30 East; and sections 6, 7; Township 11 South; Range 31 East; (Willamette Meridian).

Public input and internal agency scoping will be used to determine significant issues with the proposed action. These issues will in turn be used to develop alternatives to the proposed action. The No Action Alternative will be analyzed.

The Forest Service is seeking input from individuals, Indian tribes, organizations, and local, State, and Federal agencies who may be interested in or affected by the proposed action. Other avenues for public participation are public meetings and commenting to the draft EIS.

Public meetings will be scheduled periodically during the preparation of the draft EIS. Meetings will be announced through mailings and through notices in local newspapers. Notices of public meetings will also be published in the Legal Notices section of the *Blue Mountain Eagle*, John Day, Oregon.

A mailing list has been compiled for the analysis. Interested individuals and agencies may have their names added to this list at any time by submitting a request to Carol Cushing, Timber Management Planner, Long Creek Ranger District, 528 E. Main St., John Day, Oregon, 97845.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review and commenting by June, 1992. At that time EPA will publish a Notice of Availability of the draft EIS in the **Federal Register**. The comment period on this draft EIS will be 45 days from the date the EPA publishes the Notice of Availability in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel*, 803 F.2d. 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc.* v. *Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980).

Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewer may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the NEPA at 40 CFR 1503.3 in addressing these points).

After the 45 day comment period ends on the draft EIS, the comments will be analyzed and considered by the Forest Service in preparing the final EIS. The final EIS is scheduled to be completed by September, 1992. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal.

The responsible official is Mark Boche, Forest Supervisor, Malheur National Forest, 137 N. Dayton Street, John Day, Oregon 97845. As the responsible official he will decide which, if any, of the proposed actions or Alternatives will be implemented. The decision and rationale for the decision will be documented in the Record of Decision. That decision will be subject to appeal under Forest Service Appeal Regulations at 36 CFR 217.

Dated: March 18, 1991.

Michael J. Cavin,

Acting Forest Supervisor.

[FR Doc. 91-7426 Filed 3-28-91; 8:45 am]

BILLING CODE 3410-11-M

Big Bend Timber Sale, Umpqua National Forest, Douglas and Lane Counties, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Forest Service, USDA, will prepare an environmental impact statement (EIS) for the Big Bend Timber Sale. The proposed project will tier to the 1990 Umpqua National Forest Land and Resource Management Plan which provides the overall guidance for management of the area and the proposed projects over the next ten years. The proposed timber sale is within a planning area which is located approximately 46 miles east of Roseburg, Oregon in the upper end of the Steamboat Creek drainage. A portion of this planning area also falls within the Bulldog Rock roadless area. The agency invites written comments on the scope of this project. In addition, the agency gives notice of this analysis so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the scope and implementation of this proposal must be received by April 25, 1991.

ADDRESSES: Submit written comments and suggestions concerning the scope of the analysis to Ned Davis, District Ranger, North Umpqua Ranger District, 18782 North Umpqua Highway, Glide, Oregon 97443.

FOR FURTHER INFORMATION CONTACT: Questions and comments about this EIS should be directed to Nancy Reinhart, Interdisciplinary Team Leader, North Umpqua Ranger District, 18782 North Umpqua Highway, Glide, Oregon 97443; phone (503) 496-3532.

SUPPLEMENTARY INFORMATION: The purpose of the Forest Service proposal is to implement management direction and projects identified in the Forest Plan. The proposed action will be tiered to the Forest Plan, which provides goals, objectives, standards and guidelines for the various activities and land allocations on the forest.

The proposed action is to harvest 14.1 million board feet of timber (249 acres) and construct 4.1 miles of road. All units would be skyline logged except one unit which would use helicopter yarding. A combination of both shelterwood and clearcut with reserve trees would be the silvicultural prescriptions applied.

The Big Bend Timber Sale is scheduled for offering in fiscal year 1993 and is proposed within a planning area which includes all or portions of sections 19, 20, 29, 30, 31, 32, T.24S., R.3E., sections 24, 25, 26, 35, 36, T.24S., R.2E., and sections 2, 3, T.25S., R.2E., Willamette Meridian, Douglas and Lane Counties, Oregon.

The major preliminary issues identified to date include:

1. Potential impacts to big game habitat (winter and summer range).
2. Potential impacts to fisheries habitat by increases in temperature, sedimentation and peak streamflows, and mass wasting of unstable soils.
3. Potential impacts to unique wildlife habitat.
4. Potential impacts to the character of the Bulldog Rock roadless area.
5. Potential impacts to federally-listed and sensitive plant and animal species.
6. Potential impacts to wildlife by fragmenting large continuous areas of natural vegetation.

A range of project alternatives will be considered including a no action alternative. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in (1) the amount and location of acres considered for treatment, (2) the amount of roads constructed for access,

(3) the silvicultural and post-harvest treatments prescribed, and (4) the number, type and location of other integrated resource projects.

The 1990 Umpqua National Forest Land and Resource Management Plan allocated the planning area into Management Areas 10, 11 and 12. Management Area 10 emphasizes timber production on a cost efficient and sustainable basis. Management Area 11 emphasizes big game winter range. Management Area 12 (which overlaps Management Areas 10 and 11) provides additional emphasis on fisheries values consistent with the 1984 amendment to the Wild and Scenic Rivers Act. Timber harvest and road construction activities are allowed within these Management Areas.

Public participation will be especially important at several points during the analysis. The Forest Service will be seeking information, comments, and assistance from Federal, State and local agencies, tribes and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. The scoping process includes:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Elimination of insignificant issues or those which have been covered by a relevant previous environmental process.
4. Exploration of additional alternatives based on the issues identified during the scoping process.
5. Identification of potential environmental effects of the proposed action and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

An open house will be held on April 4 from 2 p.m. to 8 p.m. at the North Umpqua Ranger Station to allow review of the information gathered to date.

Licenses and permits required to implement the proposed action are already held by the Forest Service who is the lead agency for this project.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review of July 1991. At that time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. EPA will publish a notice of availability of the draft EIS in the **Federal Register.**

The comment period on the draft EIS will be 45 days from the date the EPA notice appears in the **Federal Register.** It is very important that those interested in the management of the Umpqua National Forest participate at that time.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* versus *NRDC,* 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* versus *Hodel,* 803 f.2d 1016, 1022 (9th Cir, 1986) and *Wisconsin Hertages, Inc.* versus *Harris,* 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points).

The final EIS is scheduled to be completed by February 1992. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. The Forest Supervisor, Umpqua National Forest, is the responsible official. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations (36 CFR 217).

Dated: March 15, 1991.

Claude C. McLean,

Acting Forest Supervisor.

[FR Doc. 91-7428 Filed 3-28-91; 8:45 am]

BILLING CODE 3410-11-M

Canton Timber Sales, Umpqua National Forest, Lane County, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Forest Service, USDA, will prepare an environmental impact statement (EIS) for the Canton Timber Sales. The proposed project will tier to the 1990 Umpqua National Forest Land and Resource Management Plan which provides the overall guidance for management of the area and the proposed projects over the next ten years. The proposed timber sales are within a planning area which is located approximately 46 miles east of Roseburg, Oregon in the upper end of the Steamboat Creek drainage. A portion of this planning area also falls within the Canton Creek roadless area. The agency invites written comments on the scope of this project. In addition, the agency gives notice of this analysis so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the scope and implementation of this proposal must be received by April 25, 1991.

ADDRESSES: Submit written comments and suggestions concerning the scope of the analysis to Ned Davis, District Ranger, North Umpqua Ranger District, 18782 North Umpqua Highway, Glide, Oregon 97443.

FOR FURTHER INFORMATION CONTACT: Questions and comments about this EIS should be directed to Ed Malmsten, Interdisciplinary team leader, North Umpqua Ranger District, 18782 North Umpqua Highway, Glide, Oregon 97443; phone (503) 496-3532.

SUPPLEMENTARY INFORMATION: The purpose of the Forest Service proposal is to implement management direction and projects identified in the Forest Plan. The proposed action will be tiered to the Forest Plan, which provides goals, objectives, standards and guidelines for the various activities and land allocations on the forest.

The proposed action is to harvest 23.9 million board feet of timber (671 acres) and construct 8.1 miles of road. It is anticipated that this volume would be administratively divided into two

separate timber sales. All units would be skyline logged. A combination of both overstory removal and clearcut with reserve trees would be the silvicultural prescriptions applied.

The Canton Timber Sales are scheduled for offering in fiscal year 1994 and are located in all or portions of sections 32, 33, 34, 36, T.23S., R.1E., sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, T.24S., R.1E., and sections 6, 7, 8, 17, 18, T.24S., R.2E., Willamette Meridian, Lane County, Oregon.

The major preliminary issues identified to date include:

1. Potential impacts to big game habitat (winter and summer range).
2. Potential impacts to fisheries habitat by temperature, sedimentation and peak streamflows and mass wasting of unstable soils.
3. Potential impacts to longterm site productivity.
4. Potential impacts to the character of the Canton Creek roadless area.
5. Potential impacts to federally-listed and sensitive plant and animal species.
6. Potential impacts to wildlife by fragmenting large contiguous areas of natural vegetation.
7. Potential impacts to both the Bohemia and the Canton trails.

A range of project alternatives will be considered including a no action alternative. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in (1) the amount and location of acres considered for treatment, (2) the amount of roads constructed for access, (3) the silvicultural and post-harvest treatments prescribed, and (4) the number, type and location of other integrated resource projects.

The 1990 Umpqua National Forest Land and Resource Management Plan allocated the planning area into Management Areas 10, 11 and 12. Management Area 10 emphasizes timber production on a cost efficient and sustainable basis. Management Area 11 emphasizes big game winter range. Management Area 12 (which overlaps Management Areas 10 and 11) provides additional emphasis on fisheries values consistent with the 1984 amendment to the Wild and Scenic Rivers Act. Timber harvest and road construction activities are allowed within these Management Areas.

Public participation will be especially important at several points during the analysis. The Forest Service will be seeking information, comments, and assistance from Federal, State and local agencies, tribes and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. The scoping process includes:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Elimination of insignificant issues or those which have been covered by a relevant previous environmental process.
4. Exploration of additional alternatives based on the issues identified during the scoping process.
5. Identification of potential environmental effects of the proposed action and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

An open house will be held on April 4, from 2:00 p.m. to 8 p.m. at the North Umpqua Ranger Station to allow review of the information gathered to date.

Licenses and permits required to implement the proposed action are already held by the Forest Service who is the lead agency for this project.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by July 1991. At that time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. EPA will publish a notice of availability of the draft EIS in the **Federal Register**.

The comment period on the draft EIS will be 45 days from the date the EPA notice appears in the **Federal Register**. It is very important that those interested in the management of the Umpqua National Forest participate at that time.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel*, 803 F.2d 1016, 1022 (9th Cir, 1986) and *Wisconsin Hertages, Inc.* v. *Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points).

The final EIS is scheduled to be completed by February 1992. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. The Forest Supervisor, Umpqua National Forest, is the responsible official. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations (36 CFR 217).

Dated: March 15, 1991.

Claude C. McLean,

Acting Forest Supervisor.

[FR Doc. 91–7429 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–11–M

Donna Timber Sale, Umpqua National Forest, Lane County, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Forest Service, USDA, will prepare an environmental impact statement (EIS) for the Donna Timber Sale. The proposed project will tier to the 1990 Umpqua National Forest Land and Resource Management Plan which provides the overall guidance for management of the area and the proposed projects over the next ten years. The proposed timber sale is within the Brice Creek drainage approximately 25 miles southeast of Cottage Grove, Oregon. Portions of the analysis area are within the Fairview roadless area. The agency invites written comments on the scope of this project. In addition, the agency gives notice of this analysis so that interested

and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the scope and implementation of this proposal must be received by April 22, 1991.

ADDRESSES: Submit written comments and suggestions concerning the scope of the analysis to Jim Wieman, District Ranger, Cottage Grove Ranger District, P.O. Box 38, Cottage Grove, Oregon 97424.

FOR FURTHER INFORMATION CONTACT: Questions and comments about this EIS should be directed to Dan Torrence, Forester, Cottage Grove Ranger District, P.O. Box 38, Cottage Grove, Oregon 97424; phone (503) 942–5591.

SUPPLEMENTARY INFORMATION: The purpose of the Forest Service proposal is to evaluate specific projects to determine feasibility and environmental effects as directed in the Forest Plan.

The Donna Timber Sale is scheduled for offering in fiscal year 1991. The analysis area includes all or portions of sections 8, 9, 16, 17, 18, 19 and 20, T.22S., R.1E., Willamette Meridian, Lane County, Oregon.

The major preliminary issues identified are:

1. Potential impacts to significant stands of old-growth.
2. Potential impacts to visual quality.
3. Level of timber harvest compatible with other resource opportunities.
4. Potential impacts to threatened, endangered, and sensitive plant and animal species.
5. Potential impacts to the character of the Fairview roadless area.

A range of project alternatives, including a no action alternative, will be considered. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in (1) the amount and location of acres considered for treatment, (2) the amount of roads constructed for access, (3) the silvicultural and post-harvest treatments provided, and (4) the number, type and location of other integrated resource projects.

The 1990 Umpqua National Forest Land and Resource Management Plan allocated the analysis area to Management Area 10, primarily devoted to producing timber on a cost-efficient, sustainable basis.

The Forest Service will be seeking information, comments, and assistance from Federal, State and local agencies, tribes and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. The scoping process includes:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Elimination of insignificant issues or those which have been covered by a relevant previous environmental process.
4. Exploration of additional alternatives based on the issues identified during the scoping process.
5. Identification of potential environmental effects of the proposed action and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

Public meetings will be held at the Cottage Grove Ranger Station to allow review of the information gathered.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by June 1991. At that time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. EPA will publish a notice of availability of the draft EIS in the **Federal Register.** The comment period on the draft EIS will be 45 days from the date the EPA notice appears in the **Federal Register.**

At this early stage, the Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NDRC* 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel,* 803 f. 2d 1016 (9th Cir., 1986) and *Wisconsin Hertages, Inc.* v. *Harris,* 490 F. Supp. 1334, 1338 (E.D. Wis., 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.)

The final EIS is scheduled to be completed by September 1991. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. The Forest Supervisor, Umpqua National Forest, is the responsible official. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be the subject to Forest Service appeal regulations (36 CFR 217).

Dated: March 19, 1991.

Clause C. McClean,

Acting Forest Supervisor.

[FR Doc. 91–7430 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–11–M

Inch Timber Sale, Umpqua National Forest, Lane County, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Forest Service, USDA, will prepare an environmental impact statement (EIS) for the Inch Timber Sale. The proposed project will tier to the 1990 Umpqua National Forest Land and Resource Management Plan which provides the overall guidance for management of the area and the proposed projects over the next ten years. The proposed timber sale is within the Brice Creek drainage approximately 25 miles southeast of Cottage Grove, Oregon. Portions of the analysis area are within the Fairview roadless area. The agency invites written comments on the scope of this project. In addition, the agency gives notice of this analysis so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the scope and implementation of this proposal must be received by April 22, 1991.

ADDRESSES: Submit written comments and suggestions concerning the scope of the analysis to Jim Wieman, District Ranger, Cottage Grove Ranger District,

P.O. Box 38, Cottage Grove, Oregon 97424.

FOR FURTHER INFORMATION CONTACT: Questions and comments about this EIS should be directed to Dan Torrence, Forester, Cottage Grove Ranger District, P.O. Box 38, Cottage Grove, Oregon 97424; phone (503) 942–5591.

SUPPLEMENTARY INFORMATION: The purpose of the Forest Service proposal is to evaluate specific projects to determine feasibility and environmental effects as directed in the Forest Plan.

The Inch Timber Sale is scheduled for offering in fiscal year 1992. The analysis area includes all or portions of sections 19, 20, 28, 29, 32 and 33, T.22S., R.1E., Willamette Meridian, Lane County, Oregon.

The major preliminary issues identified are:

1. Potential impacts to water quality in Brice Creek.
2. Cultural resource and Visual resource concerns near Crawfish Creek.
3. Ability of the area to contribute commensurate share to allowable sale quantity.
4. Potential impacts to threatened, endangered, and sensitive plant and animal species.
5. Potential impacts to the character of the Fairview roadless area.

A range of project alternatives, including a no action alternative, will be considered. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in (1) the amount and location of acres considered for treatment, (2) the amount of roads constructed for access, (3) the silvicultural and post-harvest treatments prescribed, and (4) the number, type and location of other integrated resource projects.

The 1990 Umpqua National Forest Land and Resource Management Plan allocated the analysis area to Management Area 10, primarily devoted to producing timber on a cost-efficient, sustainable basis.

The Forest Service will be seeking information, comments, and assistance from Federal, State and local agencies, tribes and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. The scoping process includes:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Elimination of insignificant issues or those which have been covered by a relevant previous environmental process.
4. Exploration of additional alternatives based on the issues identified during the scoping process.
5. Identification of potential environmental effects of the proposed action and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

Public meetings will be held at the Cottage Grove Ranger Station to allow review of the information gathered.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by September, 1991. At that time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. EPA will publish a notice of availability of the draft EIS in the **Federal Register.** The comment period on the draft EIS will be 45 days from the date the EPA notice appears in the **Federal Register.**

At this early stage, the Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* versus *NDRC,* 435 U.S. 519, 533 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* versus *Hodel,* 803 F. 2d 1016 (9th Cir, 1986) and *Wisconsin Hertages, Inc.* versus *Harris,* 490 F. Supp. 1334, 1338 (E.D. Wis., 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.)

The final EIS is scheduled to be completed by December, 1991. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. The Forest Supervisor, Umpqua National Forest, is the responsible official. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations (36 CFR 217).

Dated: March 19, 1991.

Claude C. McLean,

Acting Forest Supervisor.

[FR Doc. 91–7431 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–11–M

West Cat Timber Sale, Umpqua National Forest, Lane County, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Forest Service, USDA, will prepare an environmental impact statement (EIS) for the West Cat Timber Sale. The proposed project will tier to the 1990 Umpqua National Forest Land and Resource Management Plan which provides the overall guidance for management of the area and the proposed projects over the next ten years. The proposed timber sale is within the Brice Creek drainage approximately 30 miles southeast of Cottage Grove, Oregon. Portions of the analysis area are within the Fairview roadless area. The agency invites written comments on the scope of this project. In addition, the agency gives notice of this analysis so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the scope and implementation of this proposal must be received by April 22, 1991.

ADDRESSES: Submit written comments and suggestions concerning the scope of the analysis to Jim Wieman, District Ranger, Cottage Grove Ranger District, P.O. Box 38, Cottage Grove, Oregon 97424.

FOR FURTHER INFORMATION CONTACT: Questions and comments about this EIS should be directed to Dan Torrence, Forester, Cottage Grove Ranger District,

P.O. Box 38, Cottage Grove, Oregon 97424; phone (503) 942–5591.

SUPPLEMENTARY INFORMATION: The purpose of the Forest Service proposal is to evaluate specific projects to determine feasibility and environmental effects as directed in the Forest Plan.

The West Cat Timber Sale is scheduled for offering in fiscal year 1991. The analysis area includes all or portions of sections 27, 28, 33 and 34, T.22S., R.1E., Willamette Meridian, Lane County, Oregon.

The major preliminary issues identified are:

1. Contribution to the district allowable sale quantity.
2. Potential impacts to the Knott Trail and Adams Mountain Way Trail.
3. Road access to minimize risk of landslides.
4. Potential impacts to threatened, endangered, and sensitive plant and animal species.
5. Potential impacts to the character of the Fairview roadless area.

A range of project alternatives, including a no action alternative, will be considered. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in (1) the amount and location of acres considered for treatment, (2) the amount of roads constructed for access, (3) the silvicultural and post-harvest treatments prescribed, and (4) the number, type and location of other integrated resource projects.

The 1990 Umpqua National Forest Land and Resource Management Plan allocated the analysis area to Management Area 10, primarily devoted to producing timber on a cost-efficient, sustainable basis; and Management Area 13 (which overlaps Management Area 10), which emphasizes exploration, development, extraction and production of mineral resources.

The Forest Service will be seeking information, comments, and assistance from Federal, State and local agencies, tribes and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. The scoping process includes:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Elimination of insignificant issues or those which have been covered by a relevant previous environmental process.
4. Exploration of additional alternatives based on the issues identified during the scoping process.
5. Identification of potential environmental effects of the proposed action and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

Public meetings will be held at the Cottage Grove Ranger Station to allow review of the information gathered.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by June, 1991. At that time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. EPA will publish a notice of availability of the draft EIS in the **Federal Register.**

At this early stage, the Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NDRC,* 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel,* 803 f. 2d 1016 (9th Cir, 1986) and *Wisconsin Hertages, Inc* v. *Harris,* 490 F. Supp. 1334, 1338 (E.D. Wis., 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.)

The final EIS is scheduled to be completed by September, 1991. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. The Forest Supervisor, Umpqua National Forest, is the responsible official. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations (36 CFR 217).

Dated: March 19, 1991.

Claude C. McLean,

Acting Forest Supervisor.

[FR Doc. 91–7431 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–11–M

Walton Ridge Timber Sale, Umpqua National Forest, Lane County, Oregon

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Notice is hereby given that the Forest Service, USDA, will prepare an environmental impact statement (EIS) for the Walton Ridge Timber Sale. The proposed project will tier to the 1990 Umpqua National Forest Land and Resource Management Plan which provides the overall guidance for management of the area and the proposed projects over the next ten years. The proposed timber sale is within the Sharps Creek drainage approximately 30 miles southeast of Cottage Grove, Oregon. Portions of the analysis area are within the Fairview roadless area. The agency invites written comments on the scope of this project. In addition, the agency gives notice of this analysis so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the scope and implementation of this proposal must be received by April 22, 1991.

ADDRESSES: Submit written comments and suggestions concerning the scope of the analysis to Jim Wieman, District Ranger, Cottage Grove Ranger District, P.O. Box 38, Cottage Grove, Oregon 97424.

FOR FURTHER INFORMATION CONTACT: Questions and comments about this EIS should be directed to Dan Torrence, Forester, Cottage Grove Ranger District, P.O. Box 38, Cottage Grove, Oregon 97424; phone (503) 942–5591.

SUPPLEMENTARY INFORMATION: The purpose of the Forest Service proposal is to evaluate specific projects to determine feasibility and environmental effects as directed in the Forest Plan.

The Walton Ridge Timber Sale is scheduled for offering in fiscal year 1991. The analysis area includes all or

portions of section, 5, 6, 7, 8, 17, 18, T.23S., R.1E., and section 12, T.23S., R.1W., Willamette Meridian, Lane County, Oregon.

The major preliminary issues identified are:

1. Suitability of soils within the analysis area.
2. Compatibility of harvest units to existing landscape pattern.
3. Potential impacts to threatened, endangered, and sensitive plant and animal species.
4. Potential impacts to the character of the Fairview roadless area.

A range of project alternatives, including a no action alternative, will be considered. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in: (1) The amount and location of acres considered for treatment, (2) the amount of roads constructed for access, (3) the silvicultural and post-harvest treatments prescribed, and (4) the number, type and location of other integrated resource projects.

The 1990 Umpqua National Forest Land Resource Management Plan allocated the analysis area to Management Area 10, primarily devoted to producing timber on a cost-efficient, sustainable basis; Management Area 11, primarily managed to provide big game winter range habitat and timber production; and Management Area 13 (which overlaps Management Area 10 and 11), which emphasizes exploration, development, extraction, and production of mineral resources.

The Forest Service will be seeking information, comments, and assistance from Federal, State and local agencies, tribes and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. The scoping process includes:

1. Identification of potential issues.
2. Identification of issues to be analyzed in depth.
3. Elimination of insignificant issues or those which have been covered by a relevant previous environmental process.
4. Exploration of additional alternatives based on the issues identified during the scoping process.
5. Identification of potential environmental effects of the proposed action and alternatives (i.e. direct, indirect, and cumulative effects and connected actions).

Public meetings will be held to the Cottage Grove Ranger Station to allow review of the information gathered.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by September, 1991. At that time, copies of the draft EIS will be distributed to interested and affected agencies, organizations, and members of the public for their review and comment. EPA will publish a notice of availability of the draft EIS in the **Federal Register.** The comment period on the draft EIS will be 45 days from the date the EPA notice appears in the **Federal Register.**

At this early stage, the Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts the agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NDRC,* 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel,* 803 f. 2d 1016 (9th Cir, 1986) and *Wisconsin Hertages, Inc* v. *Harris,* 490 F. Supp. 1334, 1338 (E.D. Wis., 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.)

The final EIS is scheduled to be completed by December, 1991. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. The Forest Supervisor, Umpqua National Forest, is the responsible official. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulations (36 CFR 217).

Dated: March 19, 1991.

Claude C. McLean,

Acting Forest Supervisor.

[FR Doc. 91-7433 Filed 3-28-91; 8:45 am]

BILLING CODE 3410-11-M

Withrow Timber Sale Timber Sale, Wenatchee National Forest, Yakima County, Washington

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Forest Service, USDA, will prepare an environmental impact statement (EIS) to analyze and disclose the environmental impacts of a site specific Forest Service proposal to harvest and regenerate timber, and construct associated roads on the Withrow timber sale. The proposed projects will be in compliance with the March 1990, Wenatchee National Forest Land and Resource Management Plan (Forest Plan), which provides the overall guidance for management of the area including a schedule of proposed activities for the next ten years. The proposed projects lie within the planning area bounded by Blue Slide, Discovery Creek, Divide Ridge, and the South Fork of the Tieton River on the Naches Ranger District. This planning area is part of the Blue Slide Roadless area described in Appendix C of the Forest Plan Environmental Impact Statement. Implementation of the proposed project will begin in fiscal year 1991. The Wenatchee National Forest invites written comments and suggestions on the scope of the analysis. In addition, the agency gives notice of the environmental analysis and decision making process occurring on this proposal so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the management of this project area should be received by May 1, 1991.

ADDRESSES: Submit written comments and suggestions concerns the management of this area within the scope of this analysis to Don Rotell, District Ranger, Naches Ranger District, 10061 Highway 12, Naches, Washington, 98937.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed project work and EIS should be directed to Keith Hole, Timber Management

Assistant, Naches Ranger District, 10061 Highway 12, Naches, Washington, 98937; telephone (509) 653–2205.

SUPPLEMENTARY INFORMATION: The site specific proposal includes harvesting 5.5 MMBF of timber (net green) from 235 acres and constructing 5.8 miles of roads on the Withrow timber sale. The planning area being analyzed for the project is approximately 4,975 acres. The proposal and other associated projects, include site preparation, tree planting and precommercial thinning will be evaluated in a draft EIS.

Tentative issues that have been identified include: (1) Timber harvest and road construction in the Blue Slide roadless area, (2) road construction and retention of cover adjacent to big game feeding areas, (3) fragmentation of old growth habitat, and (4) loss of spotted owl habitat.

A range of project alternatives will be considered including a no action alternative. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in: (1) Amount and location of acres considered for treatment, (2) the amount of roads constructed for access, (3) the silvicultural and post-harvest treatments prescribed, and (4) the number, type and location of other integrated resource projects.

The proposal addressed through the Draft EIS will tier to The Plan. The Forest Plan provides the overall guidance (Goals, Objectives, Standards and Guidelines, and Management Area direction) in achieving the desired future condition for this area.

Approximately 50 percent of the potentially affected area is classified as General Forest (GF) and 50 percent of the area is in Scenic Travel—Partial Retention (ST–2). It is directly adjacent to areas classified as Old Growth I (OG–I), Special Interest Area (SI–2), and Unroaded Motorized 4X4 (RE 2b).

Public participation will be especially important at several points during the analysis. The Forest Service will be seeking information, comments, and assistance from other Federal, State, Indian tribes and local agencies, potential purchasers and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. Scoping and analysis for this project will begin in April 1991. The scoping process includes:

1. Identifying potential issues.
2. Identifying issues to be analyzed in depth.
3. Eliminating insignificant issues, issues covered by previous environmental review, and issues not within the scope of this decision.
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.)
6. Determining potential cooperating agencies and task assignments.

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by June, 1991. At that time the EPA will publish a notice of availability of the Draft EIS is the **Federal Register.** The comment period on the Draft EIS will be 45 days from the date the EPA publishes the notice of availability in the **Federal Register.**

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts and agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NRDC,* 435 U.S. 519, 533 (1978). Also, environmental objections that could be raised at the Draft EIS stage but that are not raised until after completing of the Final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel,* 803 f. 2d 1016, 1022 (9th Cir, 1986) and *Wisconsin Heritages, Inc.* v. *Harris,* 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comment 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 EIS. To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the Draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the Draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points).

After the comment period ends on the draft EIS, the coments will be analyzed and considered by the Forest Service in preparing the final EIS. The final EIS is scheduled to be completed by September 1991. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. Sonny O'Neal, Forest Supervisor, Wenatchee National Forest is the responsible official. As the responsible official he will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal Regulations (36 CFR 217).

Dated: March 21, 1991.

Sonny J. O'Neal,

Forest Supervisor.

[FR Doc. 91–7432 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–11–M

County Timber Sale, Wenatchee National Forest, Yakima and Kittitas Counties, WA

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Forest Service, USDA, will prepare an environmental impact statement (EIS) to analyze and disclose the environmental impacts of a site specific proposal to harvest and regenerate timber, and construct associated roads on the County timber sale. The proposed projects will be in compliance with the March 1990, Wenatchee Forest Land and Resource Management Plan (Forest Plan) which provides the overall guidance for management of the area including a schedule of proposed activities for the next ten years. The proposed projects are located in the Middle Fork of the Little Naches and County Creek drainages on the Naches Ranger District. This planning area is part of the Norse Peak roadless area described in appendix C of the Forest Plan Environmental Impact Statement. Implementation of the proposed project will begin in fiscal year 1992.

The Wenatchee National Forest invites written comments and suggestions on the scope of the analysis. In addition, the agency gives notice of the environmental analysis and decision making process occurring on this proposal so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the management of this project area should be received by May 10, 1991.

ADDRESSES: Submit written comments and suggestions concerning the management of this area within the scope of this analysis to Don Rotell, District Ranger, Naches Ranger District, 10061 Highway 12, Naches, Washington 98937.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed project work and EIS should be directed to Keith Hole, Timber Management Assistant, Naches Ranger District, 10061 Highway 12, Naches, Washington 98937; telephone (509) 653–2205.

SUPPLEMENTARY INFORMATION: The Forest Service site specific proposal includes harvesting 7.9MMBF of timber (net green) from 203 acres of land and constructing 2.7 miles of road on the County timber sale. The planning area being analyzed for the project is approximately 3,780 acres. The proposal and other associated projects, including site preparation, tree planting, and precommercial thinning will be evaluated in a draft EIS.

Tentative issues that have been identified include: (1) Timber harvest and road construction in the Norse Peak roadless area, (2) effects of timber harvest and road construction on visually sensitive areas, (3) cumulative effects of timber harvest and road construction on water quality and fish habitat, (4) fragmentation of old growth and big game habitat, and (5) loss of suitable spotted owl habitat.

A range of project alternatives will be considered including a No Action alternative. The issues gathered through scoping will be used to formulate action alternatives. The action alternatives will vary in (1) amount and location of acres considered for treatment, (2) the amount of roads constructed for access, (3) the silvicultural and post-harvest treatments prescribed, and (4) the number, type, and location of other integrated resource projects.

The proposal addressed through the Draft EIS will tier to the Forest Plan. The Forest Plan provides the overall guidance (Goals, Objectives, Standards and Guidelines, and Management Area direction) in achieving the desired future condition for this area.

Approximately 60 percent of the potentially affected area is classified as General Forest (GF); 20 percent of the area is in Scenic Travel—Partial Retention (ST–2); 15 percent is in Mature Habitat (OG–2); and 5 percent is classified as Special Interest Area (SI–2) and Riparian-Aquatic Habitat Protection Zone (EW–2).

Public participation will be especially important at several points during the analysis. The Forest Service will be seeking information, comments, and assistance from other Federal, State, tribal and local agencies, potential purchasers and other individuals or organizations who may be interested in or affected by the proposed actions. This information will be used in preparation of the draft EIS. Scoping and analysis for this project will begin in April 1991. The scoping process includes:

1. Identifying potential issues.
2. Identifying issues to be analyzed in depth.
3. Eliminating insignificant issues, issues covered by previous environmental review, and issues not within the scope of this decision.
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.)
6. Determining potential cooperating agencies and task assignments.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by August 1991. At that time the EPA will publish a notice of availability of the draft EIS in the **Federal Register**. The comment period on the Draft EIS will be 45 days from the date the EPA publishes the notice of availability in the **Federal Register**.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NRDC*, 435 U.S.C. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel*, 803 f. 2d 1016, 1022 (9th Cir., 1986) and *Wisconsin Heritages, Inc.* v. *Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so 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 EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points).

After the comment period ends on the draft EIS, the comments will be analyzed and considered by the Forest Service in preparing the final EIS. The final EIS is scheduled to be completed by November 1991. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. Sonny O'Neal, Forest Supervisor, Wenatchee National Forest, is the responsible official. As the responsible official he will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service appeal regulation (36 CFR 217).

Dated: March 21, 1991.

Sonny J. O'Neal,

Forest Supervisor.

[FR Doc. 91–7427 Filed 3–28–91; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF COMMERCE

Bureau of the Census

Census Advisory Committee (CAC) of the American Economic Association (AEA), the CAC of the American Marketing Association (AMA), the CAC of the American Statistical Association (ASA), and the CAC on Population Statistics; Public Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463 as amended by Pub. L. 94–409), we are giving notice of a joint meeting followed by separate and jointly held (described below) meetings of the CAC of the AEA CAC of the AMA, CAC of the ASA, and CAC on Population Statistics. The joint meeting will convene on April 25–26,

1991 at the Old Colony Inn, 625 First Street, Alexandria, Virginia 22313.

The CAC of the AEA is composed of nine members appointed by the president of the AEA. It advises the Director, Bureau of the Census, on technical matters, accuracy levels, and conceptual problems concerning economic surveys and censuses; reviews major aspects of the Census Bureau's programs; and advises on the role of analysis within the Census Bureau.

The CAC of the AMA is composed of nine members appointed by the president of the AMA. It advises the Director, Bureau of the Census, regarding the statistics that will help in marketing the Nation's products and services and on ways to make the statistics the most useful to users.

The CAC of the ASA is composed of 12 members appointed by the president of the ASA. It advises the Director, Bureau of the Census, on the Census Bureau's programs as a whole and on their various parts; considers priority issues in the planning of censuses and surveys; examines guiding principles; advises on questions of policy and procedures; and responds to Census Bureau requests for opinions concerning its operations.

The CAC on Population Statistics is composed of four members appointed by the Secretary of Commerce and five members appointed by the President of the Population Association of America from the membership of that Association. The CAC on Population Statistics advises the Director, Bureau of the Census, on current programs and on plans for the decennial census of population.

The agenda for the April 25 combined meeting that will begin at 8:30 a.m. and end at 10:40 a.m. is:(1) Introductory remarks by the Director, Bureau of the Census; (2) economic and agriculture censuses update; (3) 1990 census update; (4) early findings from the 1990 census; (5) task force planning for the year 2000 census; and (6) Census Bureau activities with the Soviet Union and Eastern Europe.

The agendas for the four committees in their separate and jointly held meetings that will begin at 11 a.m. and adjourn at 5:45 p.m. on April 25 are as follows:

The CAC of the AEA: (1) Census Bureau respones to recommendations and activities of special interest to the CAC of the AEA, (2) improving and integrating Survey of Income and Program Participation and Current Population Survey income statistics (joint with the CAC on Population Statistics), (3) improving communication with respondents (joint with the CAC of the AMA), (4) inventory models and aggregation: an investigation with company level M3 data, and (5) FY 1992 Presidential initiatives (joint with the CACs of the AMA and the ASA).

The CAC of the AMA: (1) Census Bureau responses to recommendations and activities of special interest to the CAC of the AMA, (2) issues for Year 2000 census planning, (3) improving communication with respondents (joint with the CAC of the AEA), (4) improving and integrating Survey of Income and Program Participation and Current Population Survey income statistics (joint with the CAC of the ASA), and (5) FY 1992 Presidential initiatives (joint with the CACs of the AEA and the ASA).

The CAC of the ASA: (1) Census Bureau responses to recommendations and activities of special interest to the CAC of the ASA, (2) issues in statistical practice, (3) issues for Year 2000 census planning (joint with the CAC on Population Statistics), (4) improving and integrating Survey of Income and Program Participation and Current Population Survey income statistics (joint with the CAC of the AMA), and (5) FY 1992 Presidental initiatives (joint with the CACs of the AEA and the AMA).

The CAC on Population Statistics: (1) Census Bureau responses to recommendations and activities of special interest to the CAC on Population Statistics, (2) improving and integrating Survey of Income and Program Participation and Current Population Survey income statistics (joint with the CAC of the AEA), (3) issues for Year 2000 census planning (joint with the CAC of the ASA), (4) metropolitan area concepts, and (5) enhancing committee involvement in the Census Bureaus demographic research.

The agendas for the April 26 meetings that will begin at 8:45 a.m. and adjourn at 1 p.m. are:

The CAC of the AEA: (1) Development of the Annual Capital Expenditure Survey (joint with the CAC of the AMA), (2) proposed nonresidential building construction price index pilot (joint with the CAC of the ASA), (3) development and discussion of recommendations, and (4) closing session including (a) continued committee and staff discussions, (b) plans and suggested agenda for next meeting, and (c) comments by outside observers.

The CAC of the AMA: (1) Development of the Annual Capital Expenditure Survey (joint with the CAC of the AEA), (2) professional skills development program (joint with the CAC on Population statistics, (3) development and discussion of recommendations, and (4) closing session including (a) continued committee and staff discussions, (b) plans and suggested agenda for next meeting, and (c) comments by outside observers.

The CAC of the ASA: (1) Innovation in demographic surveys (joint with the CAC on Population Statistics), (2) proposed nonresidential building construction price index pilot (joint with the CAC of the AEA), (3) development and discussion of recommendations, and (4) closing session including (a) continued committee and staff discussions, (b) plans and suggested agenda for next meeting, and (c) comments by outside observers.

The CAC on Population Statistics: (1) Innovation in demographic surveys (joint with the CAC of the ASA), (2) professional skills development program (joint with the CAC of the AMA), (3) development and discussion of recommendations, and (4) closing session including (a) Continued committee and staff discussions, (b) plans and suggested agenda for next meeting, and (c) comments by outside observers.

All meetings are open to the public, and a brief period is set aside on April 26 for public comment and questions. Those persons with extensive questions or statements must submit them in writing to the Census Bureau Committee Liaison Officer at least 3 days before the meeting

Persons wishing additional information regarding these meetings or who wish to submit written statements may contact the Committee Liaison Officer, Mrs. Phyllis Van Tassel, room 2423, Federal Building 3, Suitland, Maryland. (Mailing address: Washington, DC 20233). Telephone: (301) 763–5410

Dated: March 25, 1991.

Barbara Everitt Bryant,

Director, Bureau of the Census.

[FR Doc. 91–7490 Filed 3–28–91; 8:45 am]

BILLING CODE 3510–07–M

Bureau of Export Administration

[Docket No. 910358–1058]

Foreign Availability Assessment: Numerical Control Units

AGENCY: Office of Foreign Availability, Bureau of Export Administration, Commerce.

ACTION: Notice of initiation of an assessment and request for comments.

SUMMARY: The Office of Foreign Availability (OFA) is providing notice that it initiated an assessment of foreign availability of 5-axis numerical control units to the controlled countries. OFA will assess foreign availability under part 791 of the Export Administration Regulations (EAR). OFA is seeking public comments on the foreign availability of these items worldwide.

DATES: The period for submission of information will close April 29, 1991.

ADDRESSES: Submit information relating to this foreign availability assessment to: Steven C. Goldman, Office of Foreign Availability, Bureau of Export Administration, U.S. Department of Commerce, room SB–097, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230.

The public record concerning this notice will be maintained in the Bureau of Export Administration's Freedom of Information Record Inspection Facility, room 4518, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Andy Wan, Office of Foreign Availability, Department of Commerce, Washington, DC 20230, telephone: (202) 377–4890.

SUPPLEMENTARY INFORMATION: Although the Export Administration Act (EAA) expired on September 30, 1990, the President, invoking the International Emergency Economic Powers Act, continued in effect the provisions 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 (15 CFR part 730 *et seq.*) establishes procedures and criteria for determining the foreign availability of goods and technology whose export is controlled for national security reasons. OFA is publishing this notice pursuant to § 791.7 of the EAR.

On January 14, 1991, OFA accepted for filing a foreign availability submission pursuant to § 791.4 of the EAR relating to the decontrol of numerical control units capable of controlling five (5) interpolating axis in a simultaneously coordinated motion for contouring control, commonly known as 5-axis numerical control, to controlled countries. These items are controlled for national security reasons under paragraph (a)(1) Export Control Commodity Number (ECCN) 1091A of the Commodity Control List (CCL) (15 CFR 799.1, Supp. 1): "Numerical control" units, "numerically controlled" machine tools, components specially designed parts and sub-assemblies, "specially designed software" and technical data.

Upon acceptance of the submission, OFA initiated a foreign availability assessment of the item. By June 14, 1991, the Department intends to submit for publication in the **Federal Register** its determination of the foreign availability of the item.

To assist OFA in assessing such foreign availability, any person may submit relevant information to OFA at the above address. The following information would be especially useful:

—Product names and model designations of the U.S. and non-U.S. items;
—Names and locations of non-U.S. sources;
—Key performance elements, attributes, and characteristics of the items on which quality comparisons may be made;
—Non-U.S. sources' production quantities and/or sales of any allegedly comparable item;
—An estimate of market demand and the potential economic impact of the control on the U.S. item;
—Extent to which any allegedly comparable item is based on U.S. technology;
—Product names, model designations, and value of U.S. controlled parts and components incorporated in any allegedly comparable item; and
—Information supporting the proposition that the foreign item is in fact available to the country or countries for which foreign availability is alleged.

Evidence supporting such relevant information may include, but is not limited to: Foreign manufacturers' catalogs, brochures, or operations or maintenance manuals; articles from reputable trade publications; photographs; and depositions based upon eyewitness accounts. Supplement No. 1 to part 791 of the EAR provides additional examples of evidence that would be helpful to the investigation.

OFA will also accept comments or information accompanied by a request that part or all of the material be treated confidentially because of its proprietary nature or for any other reason. The information for which confidential treatment is requested should be submitted to OFA separately from any non-confidential information submitted. The top of each page should be marked with the term "Confidential Information." OFA either will accept the submission in confidence or, if the submission fails to meet the standards for confidential treatment, return it. A non-confidential summary must accompany such submissions of confidential information. The summary will be made available for public inspection.

Information OFA accepts as privileged under section (b) (3) or (4) of the Freedom of Information Act (5 U.S.C. 552) will be kept confidential and will not be available for public inspection, except as authorized by law. Communications from agencies of the United States Government and foreign governments will not be made available for public inspection.

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

The public record of information received in response to this notice will be maintained in the Bureau of Export Administration's Freedom of Information Records Inspection Facility, room 4525, Department of Commerce, 14th Street and Pennsylvania Avenue NW., Washington, DC 20230. Records in this facility, including written public comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in part 4 of title 15 of the Code of Federal Regulations.

Information about the inspection and copying of records at the facility may be obtained from Margaret Cornejo, Bureau of Export Administration, Freedom of Information Officer, at the above address or by calling (202) 377–2593.

Because of the strict statutory time limitations in which Commerce must make its determination, the period for submission of relevant information will close April 29, 1991. The Department will consider all information received before the close of the comment period in developing the assessment. Information received after the end of the period will be considered if possible, but its consideration cannot be assured. Accordingly, the Department encourages persons who wish to provide information related to this foreign availability submission to do so at the earliest possible time to permit the Department the fullest consideration of the information.

Dated: March 29, 1991.

Michael P. Galvin,

Assistant Secretary for Export Administration.

[FR Doc. 91-7500 Filed 3-28-91; 8:45 am]

BILLING CODE 3510-DT-M

International Trade Administration

[A-357-804]

Preliminary Determination of Sales at Less Than Fair Value: Silicon Metal from Argentina

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We preliminarily determine that imports of silicon metal from Argentina are being, or are likely to be, sold in the United States at less than fair value. We have notified the International Trade Commission (ITC) of our determination and have directed the Customs Service to suspend liquidation of all entries of silicon metal from Argentina, as described in the "Suspension of Liquidation" section of this notice. If this investigation proceeds normally, we will make a final determination by June 5, 1991.

EFFECTIVE DATE: March 29, 1991.

FOR FURTHER INFORMATION CONTACT: James Terpstra or James Maeder, 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) 377-3965 or (202) 377-4929, respectively.

SUPPLEMENTARY INFORMATION:

Preliminary Determination

We preliminarily determine that imports of silicon metal from Argentina 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 margin is shown in the "Suspension of Liquidation" section of this notice. The statutory deadline for the final determination is June 5, 1991.

Case History

Since the publication of our notice of initiation (initiating investigations on imports of silicon metal from Argentina, Brazil, and the People's Republic of China (PRC)) on September 20, 1990, (55 FR 38716), the following events have occurred.

On October 17, 1990, the ITC published its preliminary determination that there is a reasonable indication that an industry in the United States is being materially injured by reason of imports from Argentina, Brazil and the PRC of silicon metal that are alleged to be sold in the United States at less than fair value (55 FR 42079).

On October 17, 1990, the Department presented its questionnaire to Electrometalurgica Andina, S.A.I.C. (Andina). During the period of investigation (POI), Andina accounted for 100 percent of exports of silicon metal to the United States. The response to section A of the questionnaire was due on November 5, 1990, and the remaining sections were due on November 19, 1990. At Andina's request, we extended the response deadline for section A of the questionnaire to November 19, 1990, and for sections B and C to December 10, 1990. We received the responses to sections A, B, and C of the questionnaire on their respective extended due dates. On December 18, 1990, the Department presented a deficiency letter to Andina. The response to the deficiency letter was due on January 1, 1991. At Andina's request, we extended the deficiency response deadline to January 11, 1991. We received the response to the deficiency letter on its extended due date. On January 24, 1991, we received comments from petitioners on the questionnaire responses and the deficiency response submitted by Andina.

On October 19, 1990, Silarsa, S.A. (Silarsa) filed a timely request for exclusion from the antidumping duty order, should one be issued in this investigation, pursuant to 19 CFR 353.14. Silarsa based its request on the fact that it (1) is a new producer of silicon metal; (2) had only begun production in September 1990, the month following the filing of the petition; and (3) had not yet made any sales to either the U.S. or home markets.

On October 26, 1990, and March 29, 1991, petitioners filed comments in opposition to Silarsa's request. Petitioners argued that, as a new exporter, Silarsa is not eligible to invoke 19 CFR 353.14 and, therefore, does not qualify for exclusion. Further, petitioners argue that the Department should apply the "All Others" Rate to Silarsa.

On November 5 and 19, 1990, Silarsa submitted a voluntary response to our questionnaire, indicating that it had no sales to either the U.S. or home markets during the POI. Silarsa submitted additional comments in support of its exclusion request on November 21, 1990, and February 21, 1991. In addition, we held several meetings with representatives of Silarsa and petitioners between January 25 and March 15, 1991, to discuss Silarsa's exclusion request.

On December 17, 1990, petitioners alleged that Andina was selling silicon metal in the home market at prices below the cost of production (COP). On January 4, 1991, we received Andina's comments regarding petitioners' COP allegation. On January 10, 1991, the Department rejected the COP allegation with regard to Andina because of (1) methodological inconsistencies in calculating COP and the home market prices; (2) failure to use available company-specific data; and, (3) use of inappropriate data for determining certain component costs in the COP. At petitioners' request, Department representatives met with counsel for petitioners on January 23, 1991, to discuss the Department's January 10, 1991, decision. On February 5, 1991, petitioners submitted a revised cost allegation, addressing the above-referenced problems. Based on this revised allegation, we initiated a cost investigation of Andina.

On January 4, 1991, petitioners requested that the Department postpone the preliminary determination until 210 days after the date upon which the petition was filed. On January 11, 1991, Silarsa submitted comments arguing that the Department reject this request. We granted petitioners' request for postponement and postponed the preliminary determination until March 22, 1991, in accordance with section 733(c)(1)(A) of the Act (56 FR 5980, February 14, 1991).

On January 18, 1991, the Aluminum Smelting and Refining Company, Inc. (ASRC), Timco, and the Aluminum Recycling Association (ARA), interested parties in this investigation, challenged petitioner's standing to file on behalf to the domestic producers of the like product. For a discussion of this issue, see the "Scope of Investigation" section of this notice.

On February 15, 1991, we presented section D of the Department's questionnaire to Andina. The response to section D was due on March 8, 1991. On February 20, 1991, Andina requested an extension of time to respond to Section D of the questionnaire. On February 21, 1991, we extended the response deadline for section D to March 15, 1991. We received the response to section D of the questionnaire on its extended due date.

Scope of Investigation

The merchandise covered by this investigation is silicon metal containing at least 96.00 but less than 99.99 percent of silicon by weight. Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the *Harmonized Tariff Schedule* (HTS) as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTS) is not subject to this investigation. Because this investigation is not limited to silicon metal used as an alloying agent or in the chemical industry, we have deleted the sentence regarding the uses for silicon metal from the scope of this investigation. The HTS numbers are provided for convenience and customs purposes. The written description remains dispositive.

On January 29, 1991, petitioners requested that the scope of this investigation be defined to encompass all imports of silicon metal, other than semiconductor grade silicon metal, including silicon metal containing less than 96 percent silicon. We preliminarily determine not to expand the scope of this investigation. We do not have adequate evidence on the record that would compel us to conclude that a substance containing less than 96.00 percent silicon is considered silicon metal. We invite comments concerning this issue from all interested parties in this investigation.

Period of Investigation

The POI is March 1, 1990, through August 31, 1990.

Such or Similar Comparisons

We established one such or similar category of merchandise, consisting of silicon metal, in accordance with section 771(16) of the Act. Comparisons were made on the basis of the following grade classifications: (1) Chemical grade, having a silicon content from 98.50 through 99.98 percent and an iron content from 0.00 through 0.65 percent; (2) primary-aluminum grade, having a silicon content from 98.50 through 99.98 percent and an iron content from 0.66 through 1.00 percent; (3) secondary-aluminum grade, having a silicon content from 98.00 through 98.49 percent; and (4) other, with a silicon content from 96.00 through 97.99 percent.

We found sales of identical merchandise in the home market with which to compare to all sales in the United States.

Standing

In its letter of January 18, 1991, the ASRC, Timco, and the ARA challenged petitioners' standing to file on behalf of the domestic producers of the like product. This challenge was based on their assertions that (1) silicon metal with a silicon content of between 96 and 97.49 percent, and silicon metal having a silicon content of between 97.50 but less than 99.99 percent, are different like products, and (2) petitioners do not produce silicon metal in the 96 to 97.49 percent range. However, the ITC has preliminary determined that there is one like product, which includes all of the merchandise defined by the scope of this investigation. Moreover, the ASRC, Timco, and the ARA neither challenge the fact that petitioners produce silicon metal in the higher range, nor assert that they are themselves members of the U.S. industry producing silicon metal. Accordingly, we preliminary determine that petitioners have standing to file on behalf of the domestic industry in this investigation.

Critical Circumstances

Petitioner alleges that "critical circumstances" exist with respect to imports of silicon metal from Argentina. 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 of 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.

In determining knowledge of dumping, we normally consider either an outstanding antidumping order in the United States or elsewhere on the subject merchandise, or margins of 25 percent or more, as being sufficient to impute knowledge of dumping under section 733(e)(1)(A). (*See, e.g., Final Determination 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*, 56 FR 241, January 3, 1991). Since there are no outstanding antidumping orders on silicon metal from Argentina, and the preliminarily determined dumping margin is less than 25 percent, we cannot impute knowledge of dumping under section 733(e)(1)(A). Therefore, in accordance with section 733(e)(1)(A), we preliminarily determine that critical circumstances do not exist with respect to imports of the subject merchandise from Argentina.

Exclusion Request

Silarsa contends that the Antidumping Code supports the granting of an exclusion in this case. Specifically, given that it has not yet sold or exported any silicon metal to the United States, it argues that the ITA cannot determine that Silarsa is selling at less than fair value, nor can the ITC determine that the U.S. industry is being injured by Silarsa. As such, Silarsa asserts that it cannot be included in any affirmative determination. We disagree.

While the specific facts underlying Silarsa's request may appear unique (*i.e.*, Silarsa had not yet begun production when the petition in this case was filed), we are unable to grant Silarsa's exclusion request. In accordance with 19 CFR 353.14, exclusion of a particular exporter is possible only if that exporter can demonstrate that it is not dumping. That is, if a company is to be excluded from an order (a very significant action given that once excluded, it would not be subject to any future administrative review), the company must certify that it will not dump in the future and establish a "track record" indicating that its pricing practices during the POI would not have resulted in sales at less than fair value. Silarsa cannot satisfy this requirement. The Department's antidumping determinations are not limited only to those exporters who are respondents in an investigation; rather, our determinations cover all exports of the specified merchandise from the country subject to an investigation, regardless of whether particular exporters had sales during the POI. Accordingly, we preliminarily determine that Silarsa will not be excluded from the determination.

Furthermore, we cannot assign Silarsa a zero deposit rate because Silarsa's position, once it begins exporting to the United States, will be identical to that of a new shipper of the subject merchandise. Accordingly, Silarsa is subject to the "All Others" rate, as

would be any new shipper of the subject merchandise from Argentina. This is consistent with the Department's long-standing practice. Given the competitive conditions in both the home and U.S. markets, the Department is justified in concluding that Silarsa, which made no sales during the POI, would price similarly to Andina, the producer that had. Absent actual sales by Silarsa, assigning it the "All Others" rate based on the data of the other Argentine company that has been preliminarily found to sell at less than fair value is the only action supported by the facts developed in this investigation.

If an antidumping duty order is issued in this investigation, Silarsa will have an opportunity to request an administrative review under section 751 of the Act. If its entries are found to be priced at fair value, no duties will be assessed and any deposits of estimated antidumping duties it is required to make will be refunded with interest.

Fair Value Comparisons

To determine whether sales of silicon metal from Argentina to the United States were made at less than fair value, we compared the United States price (USP) to the foreign market value (FMV), as specified in the "United States Price" and "Foreign Market Value" sections of this notice.

United States Price

We based the USP on purchase price, in accordance with section 772(b) of the Act, because all sales were made directly to unrelated parties prior to importation into the United States.

We calculated purchase price based on packed, f.o.b. prices to unrelated customers in the United States. We made deductions, where appropriate, for foreign inland freight, labor at port, customs fees, and Argentine export duties, in accordance with section 772(d)(2) of the Act. Because of inconsistencies found in the response, we recalculated Argentine export duties using the duty rates specified in Argentine Government Resolution 100/89, included in Andina's January 11, 1991, submission. Finally, we increased purchase price for taxes rebated and taxes uncollected by reason of exportation, in accordance with section 772(d)(1) of the Act.

Foreign Market Value

We determined that sales in the home market were the most appropriate basis for calculating FMV because the home market was viable, pursuant to section 773(a)(1) of the Act.

We calculated FMV based on the unpacked, ex-factory prices denominated in U.S. dollars to unrelated customers in Argentina. These prices appear on the customer invoices. According to Andina, prices are converted to australes on each invoice, according to the date and time the invoice is produced. Furthermore, according to the response, the australe invoice price is then adjusted on the date of payment to account for the effect of hyperinflation between the date of invoicing and date of payment. Such adjusted prices were not reported in the response. For this reason, we have used the reported U.S. dollar price as best information available. We added U.S. packing costs to the home market price, in accordance with section 773(a)(1) of the Act.

Because all comparisons involved purchase price sales, we made a circumstance of sale adjustement for differences in credit expenses, in accordance with 19 CFR 353.56. We recalculated credit using interest rates available to Andina during the POI for borrowings in foreign currencies.

We made an upward adjustment to the tax-exclusive home market prices for the taxes we computed for the USP.

Verification

As provided in section 776(b) of the Act, we will verify all information used in reaching the final determination in this investigation.

Suspension of Liquidation

In accordance with section 733(d)(1) of the Act, we are directing the Customs Service to suspend liquidation of all entries of silicon metal from Argentina, 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 Customs Service shall require a cash deposit or posting of a bond equal to 2.16 percent on all entries of silicon metal from Argentina. The suspension of liquidation will remain in effect until further notice.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. In addition, we are making available to the ITC all nonprivileged and nonproprietary information relating to this investigation. 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 determination is 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 this preliminary determination or 45 days after our final determination.

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 May 13, 1991, and rebuttal briefs no later than May 20, 1991. 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 1:30 p.m. on May 22, 1991, 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.

This determination is published pursuant to section 733(f) of the Act (19 U.S.C. 1673b(f)) and 19 CFR 353.15(a)(4).

Dated: March 22, 1991.

Eric L. Garfinkel,

Assistant Secretary for Import Administration.

[FR Doc. 91-7501 Filed 3-28-91; 8:45 am]

BILLING CODE 3510-DS-M

[A-351-806]

Preliminary Determination of Sales at Less Than Fair Value: Silicon Metal from Brazil

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: We preliminarily determine that imports of silicon metal from Brazil are being, or are likely to be, sold in the United States at less than fair value. We

have notified the International Trade Commission (ITC) of our determination and have directed the Customs Service to suspend liquidation of all entries of silicon metal from Brazil, as described in the "Suspension of Liquidation" section of this notice. If this investigation proceeds normally, we will make a final determination by June 5, 1991.

EFFECTIVE DATE: March 29, 1991.

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 Determination

We preliminarily determine that imports of silicon metal from Brazil 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 determination is June 5, 1991.

Case History

Since the publication of our notice of initiation (initiating investigations on imports of silicon metal from Argentina, Brazil, and the People's Republic of China (PRC) on September 20, 1990 (55 FR 38716), the following events have occurred.

On October 17, 1990, the ITC published its preliminary determination that there is a reasonable indication that an industry in the United States is being materially injured by reason of imports from Argentina, Brazil and the PRC of silicon metal that are alleged to be sold in the United States at less than fair value (55 FR 42079).

On October 17, 1990, the Department presented its questionnaire to Camargo Correa Metais, S.A. (CCM) and Companhia Brasileira Carbureto de Calcio (CBCC). During the period of investigation (POI), these companies accounted for over 60 percent of the total quantity of exports of silicon metal to the United States. The response to section A of the questionnaire was due on October 31, 1990, and the remaining sections were due on November 14, 1990. At CCM and CBCC's request, we extended the response deadline for section A of the questionnaire to November 6, 1990, and for sections B and C to November 21, 1990. We received CCM's responses to sections A, B, and C of the questionnaire, and CBCC's response to sections B and C, on their respective extended due dates. On November 7, 1990, we received CBCC's section A questionnaire respeonse as well as voluntary responses from the Eletrometalurgia S.A. (Rima), Eletroila S.A. (Eletroila), and Companhia Ferroligas Minas Gerais (Minasligas). We received Rima, Eletroila, and Minasligas' responses to sections B and C of the questionnaire on November 23, 1990. On December 7, 1990, we sent deficiency letters to CBCC, Rima, Eletroila, and Minasligas based on their responses to sections A, B, and C of the questionnaire. The responses to the deficiency letters were due on December 21, 1990. We received responses to the deficiency letters from CBCC, Rima, Minasligas, and Eletroila on December 24, 1990.

On February 5, 1991, we issued second deficiency letters to CBCC, Rima, Eletroila, and Minasligas. The deficiency responses were due on February 12, 1991. On February 12, 1991, we received extension requests on behalf of CBCC, Rima, Eletroila, and Minasligas. On February 15, 1991, we received deficiency responses from CBCC, Rima, Minasligas, and Eletroila.

On December 17, 1990, we received allegations of sales below the cost of production (COP) with regard to all five Brazilian respondents. On December 19 and 27, 1990 we received CCM's comments regarding petitioners' COP allegations. On December 20 and 28, 1990, we received CBCC's Rima's, Eletroila's, and Minasligas' comments regarding petitioners' COP allegations. On January 10, 1991, the Department rejected the COP allegations with regard to CCM, Rima, and Eletroila because of (1) methodological inconsistencies in calculating COP and the home market price; (2) failure to use available company-specific data; and (3) use of inappropriate data for determining certain component costs in the COP. On January 14, 1991, we presented section D of the questionnaire to CBCC and Minasligas. The responses to Section D of the questionnaire were due on February 4, 1991. At petitioners' request, Department representatives met with counsel for petitioners on January 18, 1991, to discuss the Department's January 10, 1991, decisions. CBCC and Minasligas requested that we extend the February 4, 1991, response deadline for section D of the questionnaire to March 1, 1991. We extended the deadline to February 11, 1991. CBCC and Minasligas submitted their responses to section D of the questionnaire by the extended deadline. On February 5, 1991, petitioners submitted revised COP allegations. Based on the revised allegations, we decided to initiate cost investigations of CCM, Rima, and Eletroila and, on February 15, 1991, we presented section D of the Department's questionnaire to these companies. The responses to section D of the questionnaire were due on March 8, 1991.

On January 4, 1991, petitioners requested that the Depratment postpone the preliminary determination until 210 days after the date upon which the petition was filed. We granted petitioners' request and postponed the preliminary determination until March 22, 1991, in accordance with section 733(c)(1)(A) of the Act (56 FR 5980, February 14, 1991).

By letter dated January 18, 1991, the Aluminum Smelting and Refining Company, Inc. (ASRC), Timco, and the Aluminum Recycling Association (ARA), interested parties in this investigation, challenged petitioner's standing to file on behalf of the domestic producers of the like product. For a discussion of this issue, see the "Scope of Investigation" section of this notice.

On March 1, 1991, we received petitioners' comments on CBCC's and Minasligas' responses to section D of the questionnaire. On March 1, 1991, we also received petitioners' comments on the questionnaire responses of CBCC, Rima, Eletroila, and Minasligas. CCM submitted its response to section D of the questionnaire by the original deadline of March 8, 1991. At the request of Rima and Eletroila, the deadline for the responses to section D of the questionnaire was extended to March 15, 1991. We received Eletroila's response on March 14, and Rima's response on March 15, 1991.

Scope of Investigation

The merchandise covered by this investigation is silicon metal containing at least 96.00 but less than 99.99 percent of silicon by weight. Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the *Harmonized Tariff Schedule* (HTS) as a chemical product, but is commonly referred to as a metal. Semiconductors-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTS) is not subject to this investigation. Given that this investigation is not limited to silicon metal used as an alloying agent or in the chemical industry, we have deleted the sentence regarding the uses for silicon metal from the scope of this investigation. The HTS numbers are

provided for convenience and customs purposes. The written description remains dispositive.

On January 29, 1991, petitioners requested that the scope of this investigation be defined to encompass all imports of silicon metal, other than semiconductor grade silicon metal, including silicon metal containing less than 96 percent silicon. We preliminarily determine not to expand the scope of this investigation. We do not have adequate evidence on the record that would lead us to conclude that a substance containing less than 96.00 percent silicon is considered silicon metal. We invite comments concerning this issue from all interested parties in this investigation.

Period of Investigation

The period of investigation (POI) is March 1, 1990, through August 31, 1990.

Such or Similar Comparisons

We established one such or similar category of merchandise, consisting of silicon metal, in accordance with section 771(16) of the Act. Comparisons were made on the basis of the following grade classifications: (1) chemical grade, having a silicon content from 98.50 through 99.98 percent and an iron content from 0.00 through 0.65 percent; (2) primary-aluminum grade, having a silicon content from 98.50 through 99.98 percent and an iron content from 0.66 through 1.00 percent; (3) secondary-aluminum grade, having a silicon content from 98.00 through 98.49 percent; and (4) other, with a silicon content from 96.00 through 97.99 percent.

For CCM, we found sales of identical merchandise in the home market with which to compare all sales in the United States. As explained in the "Foreign Market Value" section of this notice, for comparison with all of CBCC's sales in the United States, we used either sales of identical merchandise in the home market or constructed value.

Standing

In its letter of January 18, 1991, the ASRC, Timco, and the ARA challenged petitioners' standing to file on behalf of the domestic producers of the like product. This challenge is based on their assertions that (1) silicon metal with a silicon content of between 96 and 97.49 percent, and silicon metal having a silicon content of between 97.50 but less than 99.99 percent, are different like products, and (2) petitioners do not produce silicon metal in the 96 to 97.49 percent range. The ITC has preliminarily determined that there is one like product, which includes all of the merchandise defined by the scope of this investigation. Moreover, the ASRC, Timco, and the ARA neither challenge the fact that petitioners produce silicon metal in the higher range, nor assert that they are themselves members of the U.S. industry producing silicon metal. Accordingly, we preliminarily determine that petitioners have standing to file on behalf of the domestic industry in this investigation.

Critical Circumstances

Petitioner alleges that "critical circumstances" exist with respect to imports of the silicon metal from Brazil. 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 of 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.

In determining knowledge of dumping, we normally consider either an outstanding antidumping order in the United States or elsewhere on the subject merchandise, or margins of 25 percent or more sufficient to impute knowledge of dumping under section 733(e)(1)(A) of the Act. (*See, e.g., Final Determination 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*, 56 FR 241, January 3, 1991).

As regards CCM, since there are no outstanding antidumping orders on silicon metal from Brazil, and the preliminarily-determined dumping margin is less than 25 percent, we cannot impute knowledge of dumping under section 733(e)(1)(A) of the Act. Therefore, in accordance with section 733(e)(1)(A) of the Act, we preliminarily determine that, for CCM, critical circumstances do not exist with respect to imports of silicon metal from Brazil. For CBCC, because the preliminarily-determined dumping margin exceeds 25 percent, in accordance with section 733(e)(1)(A)(ii), we determine that knowledge of dumping existed for silicon metal from Brazil.

For CBCC, in determining whether there have been massive imports of silicon metal, we relied upon the company-specific export data submitted by CBCC. Pursuant to 19 CFR 353.16(g), we compared the export volume for the three-month period beginning with the month the petition was filed (the comparison period) with the three-month period prior to the filing of the petition (the base period). The comparison period, running from August through October, represents the months from the beginning of the investigation until the most recent month for which export data was submitted. The Department considers the comparison period because it is the period immediately prior to a preliminary determination in which exporters of the subject merchandise could take advantage of their knowledge of the antidumping investigation to increase exports to the United States without being subject to antidumping duties. (*See, e.g., Final Determination of Sales at Less than Fair Value, Certain Internal-Combustion, Industrial Forklift Trucks from Japan*, 53 FR 12552, April 15, 1988.)

Based on our analysis of the exports of silicon metal submitted by CBCC, we have preliminarily found that exports of silicon metal by CBCC have increased by at least 15 percent. Therefore, in accordance with 19 CFR 353.16(f)(2), we find that exports by CBCC have been massive over a relatively short period of time.

We also examined CBCC's export data to ensure that the increase in imports did not simply reflect seasonal trends. The seasonal data did not indicate any seasonal increases in shipments.

Because the preliminarily determined dumping margin for CBCC is sufficient to impute knowledge of dumping, and because imports have been massive, in accordance with sections 733(e)(1)(A)(ii) and 733(e)(1)(B) of the Act, we find that critical circumstances exist with respect to exports of silicon metal by CBCC.

Based on our analysis of the cumulative export data for silicon metal submitted by both CCM and CBCC, we preliminarily find that cumulative exports of silicon metal by CCM and CBCC have not increased. Therefore, in accordance with 19 CFR 353.16(f)(2), we find that exports by all producers/manufacturers/exporters other than CBCC have not been massive over a relatively short period of time. As a

result, we preliminarily find that critical circumstances do not exist with respect to exports of silicon metal by all producers/manufacturers/exporters other than CBCC.

Voluntary Respondents

The voluntary responses submitted by three companies, Rima, Eletroila, and Minasligas, contain numerous deficiencies, even after we provided two opportunities for the companies to correct the data in their submissions. In particular, none of the voluntary respondents documented the interest rate used to calculate U.S. credit expenses or even reported the interest rate used. Moreover, none of the voluntary respondents broke down material and labor costs for packing as we had requested and, except for Rima, the packing amounts that were reported varied greatly between the U.S. and home markets even though the same packing method reportedly was used in both markets. All of the voluntary respondents also failed to include replacement costs for the COP as requested. In addition, numerous other deficiencies remain unresolved in each of the voluntary responses. The outstanding deficiencies in the three voluntary responses are of such magnitude that the voluntary responses could not be used for the preliminary determination unless we resorted to the considerable use of best information available (BIA).

It has been our consistent practice to impose rigid standards of completeness for responses submitted by voluntary respondents. Furthermore, in recent cases, we have accepted and used voluntary responses in our preliminary determinations, and subsequently varified those responses, only when the responses were substantially free from deficiencies (*see, e.g., Preliminary Determination of Sales at Less Than Fair Value: Gray Portland Cement and Clinker from Mexico* (55 FR 13817, April 12, 1990), and *Preliminary Determination of Sales at Less Than Fair Value: Certain Granite Products from Spain* (53 FR 6023, February 29, 1988)). As noted above, the three voluntary responses in this case are replete with deficiencies. Therefore, we are not considering the voluntary responses by Rima, Minasligas, and Eletroila in our preliminary determination and will not do so in our final determination. As a result, these companies will be assigned the "all others" rate.

Fair Value Comparisons

To determine whether sales of silicon metal from Brazil to the United States were made at less than fair value, we compared the United States price (USP) to the foreign market value (FMV), as specified in the "United States Price" and "Foreign Market Value" sections of this notice.

United States Price

A. CCM

We based the USP on purchase price, in accordance with section 772(b) of the Act, because all sales by the exporter were made directly to unrelated parties prior to importation into the United States. We calculated purchase price for CCM based on packed, C&F prices to unrelated customers in the United States. We made deductions, where appropriate, for foreign inland freight, foreign handling, and foreign inland insurance, in accordance with section 772(d)(2) of the Act. Although the terms of sale were C&F, CCM reported that charges for ocean freight were not included in the gross unit price. We increased purchase price for taxes rebated and taxes uncollected by reason of exportation, in accordance with section 772(d)(1) of the Act.

In its response, CCM converted the prices, charges and adjustments per gross ton of silicon metal into amounts per ton of pure silicon. It did this by dividing the gross ton amounts by the percentage silicon per gross ton of silicon metal. CCM argues that silicon metal will command a price that is directly related to its pure silicon content. The Department has seen no evidence that would lead it to conclude that prices are established in accordance with the specific silicon content per gross ton of silicon metal. No other party in this or the other concurrent silicon metal investigations has indicated that prices are established on the basis of pure silicon content. Therefore, for purposes of the preliminary determination, we have converted all of CCM's reported prices, charges, and adjustments to amounts per gross ton of silicon metal.

B. CBCC

We calculated purchase price for DBCC based on packed, C & F prices to unrelated customers in the United States. We made deductions, where appropriate, for foreign inland freight, foreign inland insurance, ocean freight, brokerage wharfage, handling, stevedoring, and Brazilian export duties in accordance with section 772(d)(2) of the Act. When USP was compared to home market prices, we increased purchase price for taxes rebated and taxes uncollected by reason of exportation in accordance with section 772(d)(1) of the Act.

Foreign Market Value

In accordance with section 773(a) of the Act, we calculated FMV based on home market sales or constructed value (CV).

In order to determine whether there were sufficient sales of silicon metal in the home market to serve as the basis for calculating FMV, we compared the volume of home market sales of the such or similar category (i.e., all silicon metal) to the aggregate volume of third country sales, in accordance with section 773(a)(1) of the Act. For both CCM and CBCC, the volume of home market sales was greater than five percent of the aggregate volume of third country sales. Therefore, for both CCM and CBCC, we determined that home market sales constitute a viable basis for calculating FMV in accordance with 19 CFR 353.48.

Petitioner alleged that both CCM and CBCC were selling in the home market at prices below the COP. Based on petitioners' allegations, we requested and received data on the production costs of both CCM and CBCC. Because we requested CCM's cost data later than we requested cost data from CBCC, CCM's cost data were not submitted in time to be considered for the preliminary determination. However, CCM's submitted cost data will be examined at verification and may be used for our final determination. CBCC's cost data are being considered for purposes of the preliminary determination.

We determined Brazil's economy to be hyperinflationary. In order to eliminate the distortive effect of inflation, we calculated separate weighted average FMBs for each month for which home market sales were reported. (*See, e.g., Final Determination of Sales at Less Than Fair Value: Industrial Nitrocellulose from Brazil,* 55 FR 23120, June 6, 1990).

A. CCM

We calculated FMV for CCM based on packed, ex-factory prices to unrelated customers in Brazil. We deducted home market packing costs and added U.S. packing costs, in accordance with section 773(a)(1)(B) of the Act.

In its response, CCM converted the prices, charges and adjustments per gross ton of silicon metal into amounts per ton of pure silicon. For the reasons outlined in the "United States Price" section of this notice, we have converted these back to amounts per gross ton of silicon metal.

Because all comparisons involved purchase price sales, we made a circumstance of sale adjustment for differences in credit expenses, in accordance with 19 CFR 353.56. To calculate imputed home market credit expense for a portion of its home market sales, CCM used as an interest rate the inflation rate during the month preceding the month of the sale, plus an interest premium. CCM used these rates, arguing that the economy was particularly hyperinflationary at the time and short-term borrowings were unavailable. However, Department officials conducting the concurrent countervailing duty investigation of silicon metal from Brazil have verified that certain inflation-adjusted interest rates used by Brazilian banks were in effect during the POI. Therefore, for purposes of the preliminary determination, we recalculated home market credit expenses using these monthly-average interest rates.

We also recalculated U.S. credit expenses using as the credit period the time between the date of payment and date of shipment and an average of the interest rates in effect during the POI, as reported in CCM's response.

Furthermore, we deducted the taxes included in the home market price and added the taxes we computed for the USP. In addition, where appropriate, we made further adjustments to FMV for differences in physical characteristics of the merchandise, in accordance with 19 CFR 353.57.

B. CBCC

In order to determine whether home market sales were above the COP, we calculated the COP on the basis of CBCC's cost of materials, labor, other fabrication costs, general expenses, and packing. We relied on the COP data submitted by CBCC except in the following instance where the costs were not appropriately quantified or valued. As CBCC did not provide information on the methodology used to determine its submitted general and administrative expenses (G&A), we used BIA for calculating G&A. As BIA, we used information from CBCC's financial statements.

It should be noted that the Department used the finance costs as reflected on CBCC's financial statement. However, the Department usually relies on the consolidated financial statements of the parent company to determine the interest expense related to manufacturing the product. For the final determination, the Department may consider an alternative methodology to the methodology used for the preliminary determination.

We found that all sales in the home market were made at prices above the COP. However, for only one month for which home market sales were reported was there a U.S. sale in the same month. For this one month we calculated FMB based on the packed, ex-factory price to an unrelated customer in Brazil. For comparisons with U.S. sales in all other months, we used constructed value as the basis for determining FMV in accordance with section 773(e)(1) of the Act because there were no home market sales in the same month.

When FMV was based on home market prices, as set forth above, we added a reported surcharge for sales of silicon metal made in small quantities.

Because of the broad range of packing costs reported for the same packing method, and because of CBCC's failure to explain these wide variations, we cannot rely on CBCC's reported packing costs. Therefore, as BIA, we have used the packing costs reported in the public version of the CCM's questionnaire response (BIA packing). We deducted the BIA packing costs described above and added the BIA packing costs described in the "United States Price" section of this notice. Because all price-to-price comparisons involved purchase price sales, we made circumstance of sale adjustments, where appropriate, for differences in credit expenses, where appropriate, for differences in credit expenses, in accordance with 19 CFR 353.56(a). We did not allow CBCC's claim for technical services because CBCC did not submit sufficient information to support its claim. Finally, we made an upward adjustment to the tax-exclusive home market prices to account for the tax which would have been paid on the U.S. sales had they been sales in the home market.

When FMV was based on constructed value, as set forth above, we calculated constructed value in accordance with section 773(e)(1) of the Act. Constructed value includes materials, fabrication, general expenses, profit, and BIA packing. We used the following as the basis for calculating constructed value:

(1) The actual general expenses because these amounts exceed the statutory ten percent minimum of materials and fabrication, in accordance with section 773(e)(1)(B)(i) of the Act; and

(2) The actual profit on home market sales because it exceeds the statutory minimum eight percent of COP in accordance with section 773(e)(1)(B)(ii) of the Act.

We used CBCC's submitted monthly costs adjusted for payment terms. We used BIA for calculating G&A as CBCC did not provide information on the methodology used to determine its submitted G&A. We did not adjust interest expense to that which was reflected on the parent company's financial statement as there was insufficient information to determine the appropriateness of this amount. However, the Department may adjust the financial expenses in the final determination depending on the results of verification.

In addition, we added the BIA packing costs described in the "United States Price" section of this notice. We also made circumstance of sale adjustments, where appropriate, for differences in credit expenses, in accordance with 19 CFR 353.56(a). We did not, however, make a circumstance of sale adjustment for technical services because CBCC did not explain the basis for its claim or provide any requested information.

Currency Conversion

No certified rates of exchange, as furnished by the Federal Reserve Bank of New York, were available for the POI. In place of the official certified rates, we used the daily official exchange rates for Brazil published by the Bank of Brazil.

Verification

As provided in section 776(b) of the Act, we will verify all information used in making our final determination.

Suspension of Liquidation

In accordance with section 733(e)(2) of the Act, we are directing the Customs Service to suspend liquidation of entries of silicon metal exported from Brazil by CBCC, as defined in the "Scope of Investigation" section of this notice, that are entered, or withdrawn from warehouses, for consumption, on or after the date which is 90 days prior to the date of publication of this notice in the **Federal Register**.

In accordance with section 733(d)(1) of the Act, for CCM and all other producers/manufacturers/exporters, we are directing the Customs Service to suspend liquidation of entries of silicon metal exported from Brazil by CCM, 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 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.

Producer/ manufacturer/exporter	Weighted-average margin percentage	Critical circumstances
Companhia Brasileira Carbureto de Calcio (CBCC)	37.08	Yes.
Camargo Correa Metais, S.A. (CCM)	23.38	No.
All others	28.90	No.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. In addition, we are making available to the ITC all nonprivileged and nonproprietary information relating to this investigation. 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 determination is 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 this preliminary determination or 45 days after our final determination.

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 May 14, 1991, and rebuttal briefs no later than May 21, 1991. 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 1:30 p.m. on May 23, 1991, 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.

This determination is published pursuant to section 733(f) of the Act (19 U.S.C. 1673b(f)).

Dated: March 22, 1991.

Eric I. Garfinkel,

Assistant Secretary for Import Administration.

[FR Doc. 91–7502 Filed 3–28–91; 8:45 am]

BILLING CODE 3510–DS–M

National Institute of Standards and Technology

[Docket No. 90769–0288]

RIN 0693–AA62

Approval of Federal Information Processing Standards Publication 161, Electronic Data Interchange (EDI)

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: The purpose of this notice is to announce that the Secretary of Commerce has approved a new standard, which will be published as FIPS Publication 161, Electronic Data Interchange (EDI).

SUMMARY: On September 18, 1989, and July 10, 1990, notices were published in the **Federal Register** (54 FR 38424 and 55 FR 28274, respectively) that a Federal Information Processing Standard for Electronic Data Interchange (EDI) was being proposed for Federal use.

The written comments submitted by interested parties and other material available to the Department relevant to this standard were reviewed by NIST. On the basis of this review, NIST recommended that the Secretary approve the standard as a Federal Information Processing Standards Publication, and prepared a detailed justification document for the Secretary's review in support of that recommendation.

The detailed justification document which was presented to the Secretary is part of the public record and is available for inspection and copying in the Department's Central Reference and Records Inspection Facility, room 6020, Herbert C. Hoover Building, 14th Street between Pennsylvania and Constitution Avenues, NW., Washington, DC 20230.

This FIPS contains two sections: (1) An announcement section, which provides information concerning the applicability, implementation, and maintenance of the standard; and (2) a specifications section which deals with the technical requirements of the standard. Only the announcement section of the standard is provided in this notice. See address below for obtaining the specifications section.

EFFECTIVE DATE: This standard is effective September 30, 1991.

ADDRESSES: Interested parties may purchase copies of this standard from the National Technical Information Service (NTIS). Specific ordering information from NTIS for this standard is set out in the Where to Obtain Copies Section of the announcement section of the standard.

Documents defining both the X12 and EDIFACT families of standards are available from the Data Interchange Standards Association (DISA), or from a contractor named by DISA. DISA serves as the secretariat for ASC X12 and the North American EDIFACT Board (NAEB), and its address and phone number are as follows: 1800 Diagonal Road, suite 355, Alexandria, VA 22314; (703) 548–7005.

FOR FURTHER INFORMATION CONTACT: Mr. Roy G. Saltman, National Institute of Standards and Technology, Gaithersburg, MD 20899, telephone (301) 975–3376, FAX (301) 948–1784.

Dated: March 22, 1991.

John W. Lyons,

Director.

Federal Information Processing Standards Publication 161

Announcing the Standard for Electronic Data Interchange (EDI)

Federal Information Processing Standards Publications (FIPS PUBS) are issued by the National Institute of Standards and Technology after approval by the Secretary of Commerce pursuant to Section 111(d) of the Federal Property and Administrative Services Act of 1949 as amended by the Computer Security Act of 1987, Public Law 100–235.

1. Name of Standard. Electronic Data Interchange (EDI) (FIPS PUB 161).

2. Category of Standard. Software Standard, Electronic Data Interchange.

3. Explanation. This publication announces the adoption, as a Federal Information Processing Standard, of recognized national and international standards for EDI. In EDI, data that would be traditionally conveyed on paper documents are transmitted or communicated electronically according to established rules and formats. The data that are associated with each type of functional document, such as a purchase order or invoice, are transmitted together as an electronic message. The formatted data may be transmitted from originator to recipient via telecommunications or physically transported on electronic storage media.

EDI typically implies a sequence of messages between two parties, for

example, buyer and seller, either of whom may serve as originator or recipient. Messages from buyer to seller could include, for example, the data necessary for request for quotation (RFQ), purchase order, receiving advice, and payment advice; messages from seller to buyer could similarly include the data for response to RFQ, purchase order acknowledgment, shipping notice, and invoice.

Implementation of EDI requires the use of a family of interrelated standards. The family must include standards for types of messages (also called "transaction sets"), and for transmission envelopes, data elements, and short sequences of data segments elements called data segments. A message or transaction set standard defines the sequence of data that constitute that message or transaction set. The data segment directory lists all data segments, and defines the identifier and sequence of data elements constituting each. The data element dictionary provides the specifications of all data elements. Transmission envelopes provide control information about the included messages to the carrying and receiving systems.

The standardization of message formats, and of data segments and elements within the messages, makes possible the assembling, disassembling, and processing of the messages by computer.

This FIPS PUB adopts, with specific conditions, the families of standards known as X12 and EDIFACT. This FIPS PUB does not mandate the implementation of EDI systems within the Federal Government; rather it requires the use of X12 or EDIFACT, subject to the conditions specified below, when Federal departments or agencies implement EDI systems. The X12 and EDIFACT standards have been developed respectively by Accredited Standards Committee X12 on Electronic Data Interchange (ASC X12), accredited by the American National Standards Institute, and by the United Nations Economic Commission for Europe—Working Party (Four) on Facilitation of International Trade Procedures (UN/ECE/WP.4). Technical input from the United States in the development of EDIFACT is through the North American EDIFACT Board (NAEB) which is a standing task group of ASC X12.

4. Approving Authority. Secretary of Commerce.

5. Maintenance Agency. U.S. Department of Commerce, National Institute of Standards and Technology (NIST), Computer Systems Laboratory.

6. Cross Index and Related Documents.

6.1 Cross Index.

* FIPS PUB 146, Government Open Systems Interconnection Profile (GOSIP), August, 1988.

* FIPS PUB 113, Computer Data Authentication, May, 1985.

* FIPS PUB 65, Guideline for Automated Data Processing Risk Analysis, August, 1979.

* FIPS PUB 46–1, Data Encryption Standard, January, 1988.

6.2 Related Documents.

* NIST Special Publication 500–177, Stable Implementation Agreements for Open Systems Interconnection Protocols, Version 3, December, 1989.

* CCITT Recommendation X.400—1984, Message Handling Systems: System Model—Service Elements, and related documents of this series. (The CITT Recommendations are available from Omnicom, Vienna, VA; phone: 703–281–1135).

* CCITT Recommendation X.400—1988, Message Handling, System and Service Overview, and related documents of this series.

7. Objectives. The primary objectives of this standard are:

a. To promote the achievement of the benefits of EDI: reduced paperwork, fewer transcription errors, faster response time for procurement and customer needs, reduced inventory requirements, and more timely payment of vendors;

b. To ease the interchange of data sent via EDI by the use of standards for data formats and transmission envelopes;

c. To minimize the cost of EDI implementation by preventing duplication of effort.

8. Applicability.

8.1 Conditions of Application. This standard is applicable to the interchange of data on a particular subject, between a Federal agency and another organization (which may be another Federal agency), if (1) the data are to be transmitted electronically, and (2) X12 transaction sets or EDIFACT messages meeting the data requirements of the Federal agency for the subject of the interchange have been developed and approved under the conditions set forth in this FIPS PUB.

8.2 Use of GOSIP. FIBS PUB 146 (GOSIP) specifies a set of open systems interconnection (OSI) protocols for computer networking that are intended for acquisition and use by Federal agencies. The use of those protocols to transmit EDI documents is a planned addition to GOSIP requirements and will be included in a future version of the GOSIP standard. EDI transmission via telecommunications shall use those OSI protocols to transmit EDI documents at such time when GOSIP has been revised to include protocols for EDI.

In the interim, Federal agencies may (but are not required to) transfer EDI documents using Message Handling Systems (MHS) implementations built in conformance with the CCITT 1984 Recommendations. See section 7.12.5 of the NIST Stable Implementation Agreements for Open Systems Interconnection Protocols, Version 3, for the recommended procedures.

8.3 Subject Matter. Primary applicability of this FIPS PUB on EDI is to business information exchanged by trading partners with extensions to government concerns, as that is the subject matter of current X12 and EDIFACT standards and development activities. Business information encompasses the entire range of information associated with commercial, financial, and industrial transactions, and with field unit supply. Examples of applications (not necessarily the subject of current standards) are:

a. Vendor search and selection: price/sale catalogs, bids, proposals, requests for quotations, notices of contract solicitation, debarment data, trading partner profiles;

b. Contract award: Notices of award, purchase orders, purchase order acknowledgments, purchase order changes;

c. Product data: Specifications, manufacturing instructions, reports of test results, safety data;

d. Shipping, forwarding, and receiving: Shipping manifests, bills of lading, shipping status reports, receiving reports;

e. Customs: Tariff filings, customs declarations;

f. Payment information: Invoices, remittance advices, payment status inquiries, payment acknowledgments;

g. Inventory control: Stock level reports, resupply requests, warehouse activity reports;

h. Maintenance: Service schedules and activity, warranty data:

i. Tax-related data: Tax information and filings:

j. Insurance-related data: Claims submitted, claims approved.

8.4 Additional applicability. This standard also is applicable to the electronic interchange of formatted data, between a Federal agency and another organization, concerning (1) a type of subject matter undergoing standardization for which no X12 or EDIFACT standards have yet been approved or for which the current standards fail to meet agency requirements, or of (2) a type of subject

matter that ASC X12 or UN/ECE/WP.4 have not yet considered for standardization. For the immediate future, the latter includes subject matter such as environmental or natural resource status; criminal justice; administrative, demographic, economic, educational, or health statistics; Government facility status; etc.

8.4.1. Federal agencies deciding to employ electronic interchange of data for case (1) above (standards available or under development but not meeting agency requirements) shall explicitly submit their requirements for X12 and EDIFACT standardization, either directly to ASC X12 or NAEB (contact Manager, Standards Maintenance, Data Interchange Standards Association, see Subsection 9.1 for address and phone), or through the auspices of NIST.

8.4.2. Agencies deciding to employ electronic interchange of data for case (2) above (subject matter not yet considered for standardization) are encouraged to submit their requirements for standardization and to use current X12 and/or EDIFACT standards to the extent possible. Use of X12 or EDIFACT should achieve the benefits of standard envelope processing protocols, and standard data elements, segments, and procedural rules and guidelines. Agencies so doing would then be in a better position to adopt the appropriate X12 or EDIFACT standards, should such be considered and approved at a later date.

9. Specifications. Documents are available that define the standard X12 transaction sets and EDIFACT messages as well as the underlying standards for both families. Developments are continuing in both families of standards.

9.1 Source of Documents. Documents defining both the X12 and EDIFACT families of standards are available from the Data Interchange Standards Association (DISA), or from a contractor named by DISA. DISA serves as the secretariat for ASC X12 and the NAEB, and its address and phone number are as follows:

Address: 1800 Diagonal Road—suite 355, Alexandria, VA 22314, Phone: (703) 548–7005

9.2 X12 Documents.

Underlying standards for X12 include:

X12.3 Data Element Dictionary
X12.5 Interchange Control Structure
X12.6 Application Control Structure
X12.22 Data Segment Directory

X12 transaction sets include the following (not a complete list); additional transaction sets are continually being identified, developed, and submitted for standardization:

X12.1 Purchase Order (850)
X12.2 Invoice (810)
X12.4 Payment Order/Remittance Advice (820)
X12.7 Request For Quotation (840)
X12.8 Response To Request For Quotation (843)
X12.9 Purchase Order Acknowledgement (855)
X12.10 Ship Notice/Manifest (856)
X12.11 Order Status Inquiry (869)
X12.12 Receiving Advice (861)
X12.13 Price/Sales Catalog (832)
X12.14 Planning Schedule With Release Capability (830)
X12.15 Purchase Order Change (860)
X12.16 Purchase Order Change Request Acknowledgment (865)
X12.20 Functional Acknowledgment (997)

9.3 EDIFACT Documents.

Underlying standards for EDIFACT include:

International Standard ISO 9735: Electronic Data Interchange For Administration, Commerce And Transport (EDIFACT)—Application Level Syntax Rules.

UN/TDID Trade Data Interchange Directory, consisting of the following components:

UN/EDIFACT Syntax Implementation Guidelines
UN/EDIFACT Message Design Guidelines
UN/EDIFACT Data Elements Directory—EDED
UN/EDIFACT Code List Directory—EDCL
UN/EDIFACT Segments Directory—EDSD
UN/EDIFACT Composites Directory—EDCD
UN/EDIFACT Message Directory—EDMD
UN/EDIFACT Uniform Rules of Conduct for Interchange of Trade Data by Teletransmission

EDIFACT messages (United Nations Standard Messages—UNSMs) include the following; additional messages are continually being identified, developed, and submitted for standardization:

Invoice Message—INVOIC
Purchase Order MessageORDERS

9.4 Versions of Documents. Dates of issue have not been stated for the documents listed above, since the documents are subject to periodic update and revision.

X12 documents are identified by version number; updates are identified by release number. The 1983 standards are referred to as Version 001; the 1986 standards are Version 002. Release 010 to Version 003 was published in December, 1990. ASC X12 plans an annual release. In each X12 transmission, the utilized version and release values are transmitted at a particular point within the header.

EDIFACT documents that have achieved full standardization (Status 2) will be updated once a year (beginning in 1991) and are identified by a number of the form yy.2, where yy is the last two digits of the year.

10. Implementation.

10.1 Schedule for Adoption. This FIPS PUB is effective September 30, 1991. After that date, Federal agencies that are not now using EDI for subject matter for which X12 or EDIFACT standards have been approved and issued shall utilize only those standards in EDI systems that they procure or develop. Agencies already using those standards shall continue to do so. Agencies using industry-specific standards for EDI on the effective date of this FIPS PUB shall be governed by Subsection 10.3.

10.2 Selection of X12 or EDIFACT. X12 and EDIFACT are separate, although similar, families of standards. The existence of one does not preclude the other. They can and, for the foreseeable future, must coexist. Efforts are being made, however, to align the standards as closely as possible, eventually providing for full compatibility between syntaxes and data dictionaries. For planning purposes, the Federal government recognizes the objective of the ASC X12 to align with UN/EDIFACT by 1994.

Until the completion of full alignment, Federal agencies may utilize either X12 or EDIFACT standards. In selecting a family of standards, agencies should attempt to maximize economy and efficiency and to minimize the cost imposed on U.S. businesses. Consistent with these two criteria, agencies should use X12 standards for domestic interchanges, and X12 or EDIFACT standards for international interchanges. Agencies may employ both families of standards where required to meet the needs of trading partners and to be consistent with the two criteria.

10.3 Continued Use of EDI Industry Standards. Federal agencies using industry-specific EDI standards on the effective date of this FIPS PUB may continue to use those standards for five years. However, such agencies shall, without delay, submit their standardization requirements as indicated in Subsection 8.4.1. Industry-specific EDI standards may be used beyond five years only if no equivalent X12 or EDIFACT standards, as appropriate, have been approved and issued within four years of the effective date of this FIPS PUB. If an equivalent X12 or EDIFACT standard, as appropriate, is approved and issued after four years from the effective date

of this FIPS PUB, Federal agencies using an industry-specific standard shall have one year to convert, following the issuance of the annual release containing the approved standards. An approved X12 or EDIFACT standard is defined in Subsection 10.4.

10.4 Version/Release Selection. Federal agencies shall employ those X12 standards fully approved by ASC X12 or those EDIFACT standards having achieved Status 2 (i.e., full approval by UN/ECE/WP.4), as published in the annual releases from the two standardizing organizations. Agencies, in their agreements with trading partners, may utilize any release that is less than four years old; that is, the most recent release and the three preceding yearly releases are implementable.

10.5 Security and Authentication. Agencies shall employ risk management techniques to determine the appropriate mix of security controls needed to protect specific data and systems. The selection of controls shall take into account procedures required under applicable laws and regulations.

Optional tools and techniques for implementation of security and authentication may be provided by ASC X12 and UN/ECE/WP.4 for use in connection with their respective families of standards. Agencies may utilize these tools and techniques, and/or they may utilize other methods in systems supporting the EDI data interchange. Methods and procedures implemented shall be consistent with applicable FIPS PUBS and guidance documents issued by NIST.

11. Waivers. Under certain exceptional circumstances, the heads of Federal departments and agencies may approve waivers to Federal Information Processing Standards (FIPS). The head of such agency may redelegate such authority only to a senior official designated pursuant to section 3506(b) of title 44, U.S. Code.

Waivers shall be granted only when:

a. Compliance with a standard would adversely affect the accomplishment of the mission of an operator of a Federal computer system, or

b. Cause a major adverse financial impact on the operator which is not offset by Government-wide savings.

Agency heads may act upon a written waiver request containing the information detailed above. Agency heads may also act without a written waiver request when they determine that conditions for meeting the standard cannot be met. Agency heads may approve waivers only by a written decision which explains the basis on which the agency head made the required finding(s). A copy of each such decision, with procurement sensitive or classified portions clearly identified, shall be sent to: National Institute of Standards and Technology; Attn: FIPS Waiver Decisions, Technology Building, room B–154; Gaithersburg, MD 20899.

In addition, notice of each waiver granted and each delegation of authority to approve waivers shall be sent promptly to the Committee on Government Operations of the House of Representatives and the Committee on Governmental Affairs of the Senate and shall be published promptly in the **Federal Register.**

When the determination on a waiver applies to the procurement of equipment and/or services, a notice of the waiver determination must be published in the "Commerce Business Daily" as part of the notice of solicitation for offers of an acquisition or, if the waiver determination is made after that notice is published, by amendment to such notice.

A copy of the waiver, any supporting documents, the document approving the waiver and any supporting and accompanying documents, with such deletions as the agency is authorized and decides to make under 5 U.S.C. 552(b) , shall be part of the procurement documentation and retained by the agency.

12. Where to Obtain Copies. Copies of this publication are for sale by the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22161. When ordering, refer to Federal Information Processing Standards Publication 161 (FIPSPUB 161), and title. Payment may be made by check, money order, or NTIS deposit account.

[FR Doc. 91–7394 Filed 3–28–91; 8:45 a.m.]

BILLING CODE 3510–CN–M

National Oceanic and Atmospheric Administration

[Docket No. 910360–1060]

Inspection and Certification Fees and Charges

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

ACTION: Notice of 1991 inspection fees.

SUMMARY: NOAA announces a change in the established rates for voluntary Department of Commerce fishery product grading and certification services consistent with its intent to provide inspection services at the lowest appropriate cost. The change represents an increase of 4.1 percent in the basic hourly rates and results from a pay raise of 4.1 percent for Federal employees effective January 1, 1991.

EFFECTIVE DATE: January 1, 1991.

FOR FURTHER INFORMATION CONTACT: Richard V. Cano, Division Chief, Inspection Services Division, National Marine Fisheries Service, Silver Spring, MD 20910, Phone 301/427–2355.

SUPPLEMENTARY INFORMATION: Regulations at 50 CFR 260.70 authorize the Secretary of Commerce to review and revise annually the rates for voluntary fishery products inspection, grading, and certification services by publishing a notice of fee changes in the **Federal Register.** The revised hourly rates reflect a 4.1 percent salary raise for Federal employees. Below is the schedule of fees effective January 1, 1991. The procedure to calculate the Type II hourly fee has been changed by adding 40 percent, rather than 50 percent, to the Type I fee. This change will be reflected in an amendment to the regulations. The fees outlined for the State of Alaska are for services provided by cross-licensed State of Alaska inspectors. Charges for services provided in Alaska by NMFS inspectors will be at the rates as specified, plus cost of living allowances. The rates outlined below for the State of Minnesota are for services provided by cross-licensed State of Minnesota inspectors. Charges for services provided in Minnesota by NMFS inspectors will be at the rates specified previously. The rates charged in the State of Minnesota are subject to change based on information supplied by the Minnesota Department of Agriculture.

(a) Type I—Official establishment and product inspection—contract basis:

	Per hour
Regular (except Alaska and Minnesota)	$31.15
Overtime (except Alaska and Minnesota)	46.75
Sunday and legal holidays (2 hrs. minimum) (except Alaska and Minnesota)	62.30

(1) The contracting party will be charged at an hourly rate of $31.15 per hour for regular time; (2) $46.75 per hour for overtime in excess of 8 hours per shift per day; and (3) $62.30 per hour for Sunday and national legal holidays for services performed by inspectors at official establishment(s) operating under Federal inspection. In addition to any hourly service charge, a night differential fee equal to 10 percent of the employee's hourly salary will be charged for each hour of service provided after 6 p.m. and before 6 a.m. The contracting party will be billed

monthly for services rendered in accordance with contractual provisions at the rates prescribed in this section. Products designated in a contract will be inspected during processing at the hourly rate for regular time, plus overtime, when appropriate.

(b) Type II—Lot inspection—Official and unofficially drawn samples:

	Per hour
Regular (except Alaska and Minnesota)	$43.60
Overtime (except Alaska and Minnesota)	65.45
Sunday and legal holidays (2 hrs minimum) (except Alaska and Minnesota)	87.25
Minimum fee (except Alaska and Minnesota)	32.70

(1) For lot inspection services performed between the hours of 7 a.m. and 5 p.m., Monday through Friday—$43.60 per hour. (2) For lot inspection services performed at times Monday through Friday other than between 7 a.m. and 5 p.m., and on Saturdays (2 hrs. minimum)—$65.45 per hour. (3) Sunday and national legal holidays (2 hrs. minimum)—$87.25 per hour. (4) The minimum service fee to be charged and collected for inspection of any lot or lots of products requiring less than 1 hour will be $32.70.

(c) Type III—Miscellaneous inspection and consultative service.

When any inspection or related service such as, but not limited to, initial and final establishment surveys, appeal inspections, contract lot inspections, sanitation evaluations, Sanitary Inspected Fish Establishment (SIFE) inspections, sampling, product evaluations, and label and product specification reviews, requires charges to which the foregoing sections are clearly inapplicable, charges will be based on the rates set forth below:

	Per hour
Regular (except Alaska and Minnesota)	$38.95
Overtime (except Alaska and Minnesota)	58.40
Sunday and legal holidays (2 hrs. minimum) (except Alaska and Minnesota)	77.90
Minimum fee (except Alaska and Minnesota)	29.20

In keeping with the intent of the authorizing legislation and the policies of the Inspection Program to charge fees to recover, as nearly as possible, the costs of providing inspection services, the hourly rates charged to contract lot inspection users who provide complete and acceptable facilities which are used by U.S. Department of Commerce (USDC) inspectors to conduct the necessary official contract functions will be those delineated under Type I. In all other cases, contract lot inspection users will be charged Type III rates.

(1) For miscellaneous inspection and consultative services performed between the hours of 7 a.m. and 5 p.m., Monday through Friday—$38.95 per hour. (2) For miscellaneous inspection and consultative services performed Monday through Friday, other than between 7 a.m. and 5 p.m., and on Saturdays (2 hrs. minimum)—$58.40 per hour. (3) For miscellaneous inspection and consultative services performed on Sunday and national legal holidays (2 hrs. minimum)—$77.90 per hour. (4) The minimum service fee to be charged and collected for miscellaneous inspection and consultative services requiring less than 1 hour will be $29.20.

(d) The hourly rates for the State of Alaska as performed by cross-licensed State of Alaska inspectors are as follows:

Charges for services provided in Alaska by NMFS inspectors will be at the rate stated previously, plus cost of living allowances. For Type I inspection, in addition to any hourly service charge, a night differential fee equal to 10 percent of the employee's hourly salary will be charged for each hour of service provided after 6 p.m. and before 6 a.m.

STATE OF ALASKA

[Area]

	Aleutian Chain, Bristol Bay, Dillingham (per hour)	South East & South Central Anchorage, Kenai, Juneau, Ketchikan (per hour)	Remainder of Alaska, Kodiak (per hour)
Type I:			
Regular time	$45.55	$37.55	$40.25
Overtime	62.90	51.90	55.55
Sunday & legal holidays	78.40	64.65	69.25
Type II:			
Regular Time	57.90	48.50	51.15
Overtime	79.90	68.90	72.65
Sunday & legal holidays	104.75	88.75	94.05
Minimum fee	47.50	39.80	41.95
Type III:			
Regular time	50.55	42.05	44.70
Overtime	67.25	56.40	60.40
Sunday & legal holidays	86.50	72.40	78.25
Minimum fee	45.00	37.45	40.25

(e) The hourly rates for the State of Minnesota as performed by cross-licensed State of Minnesota inspectors are as follows:

The rates outlined below for the State of Minnesota are for services provided by cross-licensed State of Minnesota inspectors. Charges for services provided in Minnesota by NMFS inspectors will be at the rates specified previously. The rates charged in the State of Minnesota are subject to change based on information supplied by the Minnesota Department of Agriculture.

STATE OF MINNESOTA

Type I—Official establishment and product inspection services:	
Regular time	$31.95
Overtime	47.95
Sunday and legal holidays	63.90
Type II—Lot inspection—Officially and unofficially drawn samples:	
Regular time	$44.75
Overtime	67.10
Sunday and legal holidays	89.45
Minimum fee	33.55
Type III—Miscellaneous inspection and consultative services:	
Regular time	$39.95
Overtime	59.90
Sunday and legal holidays	79.90
Minimum fee	29.95

(f) Analytical services: Applicants requesting specific analyses to be performed in a NMFS laboratory will be charged at the rates indentified below.

Analyses performed in a private laboratory will be charged at the current rate of that laboratory. Charges based on these fees will be in addition to any hourly rates charged for lot, miscellaneous, and consultative inspection service, as well as to any hourly rates charged for inspection services provided under a contract at official establishments.

Microbiology:	
Total aerobic plate count	$11.98
Total coliform	11.98
Fecal coliform	11.98 additional.
E. coli	11.98 additional.
Staph. aureus	17.97
Salmonella BAM method:	
Step 1	17.97
Step 2	11.98 additional.
Step 3	17.97 additional.
Chemistry:	
Histamine	71.90
Indole	71.90
Ammonia	53.92
Sodium Bisulfite	[1] 71.90
Isoelectric focusing (species identification).	[1] 71.90
Bioassay:	
Paralytic shellfish poison (minimum of 3 samples).	51.05 per sample.[1]

[1] **Notes:** The above costs are for analyses only. Sampling and travel time will be assessed using the Type II rates. Mileage costs will be assessed at the current rate. For other analyses not shown or not frequently requested, the charge will be assessed at the Type III hourly rate of $38.95.

All charges are per sample for sample sizes of six samples or less. These rates, except for asterisked items, should be discounted 30 percent per sample for

sample sizes of seven or more run in a single day's analysis.

A surcharge of 20 percent of the total charge will be charged for administrative purposes.

Classification

This action is taken under the authority of 50 CFR 260.70 and complies with Executive Order 12291. It is not subject to the requirements of the Regulatory Flexibility Act. It does not contain a collection-of-information requirement for purposes of the Paperwork Reduction Act. (16 U.S.C. 742e and 7 U.S.C. 1622, 1624).

Dated: March 22, 1991.

Samuel W. McKeen,

Program Management Officer, National Marine Fisheries Service.

[FR Doc. 91-7398 Filed 3-28-91; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals; Issuance of Permit; NMFS, Southwest Fisheries Science Center (P77 #45)

On November 8, 1990, Notice was published in the **Federal Register** (55 FR 46980) that an application had been filed by the Southwest Fisheries Science Center, National Marine Fisheries Service, P.O. Box 271, La Jolla, California 92038, to conduct scientific research on harbor seals (*Phoca vitulina*).

Notice is hereby given that on March 22, 1991, as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a Permit for the above taking, subject to certain conditions set forth therein.

The Permit is available for review by appointment in the following offices:

Office of Protected Resources, National Marine Fisheries Service, NOAA, 1335 East-West Highway, Silver Spring, Maryland 20910 (301/427-2289); and

Director, Southwest Region, National Marine Fisheries Service, NOAA, 300 South Ferry Street, Terminal Island, California 90731 (213/514-6196).

Dated: March 22, 1991.

Nancy Foster,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 91-7403 Filed 3-28-91; 8:45 am]

BILLING CODE 3510-22-M

Marine Mammals; Application for Scientific Research Permit; Hubbs Sea World Research Institute (P167F)

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

ACTION: Application for Scientific Research Permit, Hubbs Sea World Research Institute (P167F).

SUMMARY: Notice is hereby given that an applicant has applied in due form for a scientific research permit to conduct behavioral research on killer whales as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

1. Applicant: Dr. Frank T. Awbrey, Hubbs Sea World Research Institute, 1700 South Shores Road, San Diego, CA 92107.

2. Type of Permit: Scientific Research.

3. Name and Number of Animals: Take by harassment up to 100 killer whales (*Orcinus orca*), as many as 50 times each, all sizes, ages, sexes, and reproductive conditions.

4. Type of take: The applicant requests authorization to conduct research to identify acoustical cues whales are likely using to locate a boat retrieving a longline with sablefish and to find ways to make those sounds less audible to the whales. The applicant proposes to find whales, move to within one or two miles of them, put a J-9 underwater loudspeaker into the water, and play recordings of fishing boat sound or control sound to attract the whales toward the position of the boat.

5. Location and Duration of Activity: Prince William Sound, Alaska, especially in Knight Island Passage. Duration of the research is two years.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, 1335 East-West Highway, SSMC1, room 7330, Silver Spring, Maryland 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries. All statements and opinions contained in this application are summaries of those of the applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review by interested persons in the following offices:

Permits Division, Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Highway, SSMC1, room 7330, Silver Spring, Maryland 20910;

Director, Alaska Region, National Marine Fisheries Service, NOAA, 709 West 9th Street, Federal Bldg., Juneau, Alaska 99802; and

Director, Southwest Region, National Marine Fisheries Service, NOAA, 300 South Ferry Street, Terminal Island, California 90731-7415.

Dated: March 22, 1991.

Nancy Foster,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 91-7404 Filed 3-28-91; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List; 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 the Procurement List services to be provided by nonprofit agencies employing the blind or other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: April 29, 1991.

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 (except as otherwise indicated) will be required to procure the services listed below from nonprofit agencies employing the blind or other severely handicapped. It is proposed to add the following services to the Procurement List:

Commissary Warehousing, Lackland Air Force Base, Texas.

Grounds Maintenance, Oakland Army Base and Naval Supply Center, Oakland, California.
Janitorial/Custodial, U.S. Army Reserve Center, Aiken, South Carolina.
Janitorial/Custodial, U.S. Army Reserve Center, Clemson, South Carolina.
Janitorial/Custodial, Social Security Administration Building, 1891 South 3rd Street, Memphis, Tennessee.
Janitorial/Custodial, Building 1287, Hill Air Force Base, Utah.
Parts Machining, Naval Supply Center, Puget Sound, Bremerton, Washington.

Beverly L. Milkman,
Executive Director.

[FR Doc. 91-7494 Filed 3-28-91; 8:45 am]
BILLING CODE 6820-33-M

Procurement List; Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Additions to procurement list.

SUMMARY: This action adds to the Procurement List commodities to be produced by workshops for the blind or other severely handicapped.

EFFECTIVE DATE: April 29, 1991.

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 January 11, 1991, the Committee for Purchase from the Blind and Other Severely Handicapped published notice (56 FR 1180) of proposed additions to the Procurement List. Comments were received from a current contractor for some of the items proposed for addition to the Procurement List, both directly and as relayed by a member of Congress. The contractor claimed that the loss of business for two items for which it most recently was the contractor, and one item for which it had contracts in the past, together with the impact of previous additions to the Procurement List, would result in an overall negative impact on the company.

The claim regarding loss of business from earlier contracts when the contractor is not the current or most recent contractor for the item really concerns loss of opportunity to bid on future contracts. As the competitive system does not guarantee future contracts to a contractor, the Committee does not normally consider loss of opportunity to bid on future contracts to be an impact on an earlier contractor. The other impacts claimed by this contractor do not together constitute serious adverse impact.

After consideration of the material presented to it concerning capability of a qualified workshop to produce the commodities at a fair market price and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities 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 listed.

c. The actions will result in authorizing small entities to produce the commodities procured by the Government.

Accordingly, the following commodities are hereby added to the Procurement List:

Strap, Webbing
5340-00-494-8240
5340-01-107-3382
5340-01-156-8148
5340-01-190-2472

This action does not affect contracts awarded prior to the effective date of this addition or options exercised under those contracts.

Beverly L. Milkman,
Executive Director.

[FR Doc. 91-7495 Filed 3-28-91; 8:45 am]
BILLING CODE 6820-33-M

Procurement List; Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Addition to procurement list.

SUMMARY: This action adds to the Procurement List a commodity to be produced by workshops for the blind or other severely handicapped.

EFFECTIVE DATE: April 29, 1991.

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 November 16, 1990, the Committee for Purchase from the Blind and Other Severely Handicapped published notice (55 FR 47905) of proposed additions to the Procurement List. During the development stage of the proposal to add this item to the Procurement List, comments were received from the most recent contractor. He noted that a major component of the item must be procured from a Qualified Products Manufacturer (QPM), which he is. As a result, he claimed that it would cost the Government substantially more to procure the item from a nonprofit agency than from a QPM.

The most recent contractor is not the only QPM for the component in question. The Committee has determined that the price established for the item is a fair market price. The price has not increased as substantially as alleged, even without allowing for increases in material and manufacturing costs in the two years since the last contract.

After consideration of the material presented to it concerning capability of a qualified workshop to produce the commodity at a fair market price and impact of the addition on the current or most recent contractors, the Committee has determined that the commodity listed below is 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 action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

a. The action will not result in any additional reporting, recordkeeping or other compliance requirements.

b. The action will not have a serious economic impact on any contractors for the commodity listed.

c. The action will result in authorizing small entities to produce the commodity procured by the Government.

Accordingly, the following commodity is hereby added to the Procurement List:

Pin, Ground Safety
1730-00-917-1051

This action does not affect contracts awarded prior to the effective date of this addition or options exercised under those contracts.

Beverly L. Milkman,
Executive Director.

[FR Doc. 91-7496 Filed 3-28-91; 8:45 am]
BILLING CODE 6820-33-M

Procurement List; Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Additions to procurement list.

SUMMARY: This action adds to the Procurement List a commodity to be produced and services to be provided by workshops for the blind or other severely handicapped.

EFFECTIVE DATE: April 29, 1991.

ADDRESS: 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 December 7, 1990, January 4 and 18, and February 8, 1991, the Committee for Purchase from the Blind and Other Severely Handicapped published notices (55 FR 50577, 56 FR 420, 1987 and 5197) of proposed additions to the Procurement List. After consideration of the material presented to it concerning capability of qualified workshops to produce the commodity and provide the services at a fair market price and impact of the addition on the current or most recent contractors, the Committee has determined that the commodity 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 commodity and services listed.

c. The actions will result in authorizing small entities to produce the commodity and provide the services procured by the Government.

Accordingly, the following commodity and services are hereby added to the Procurement List:

Commodity

Remover, Floor Polish
7930–00–045–6923

Services

Grounds Maintenance, Vacant Family Housing Quarters, Fort Campbell, Kentucky

Janitorial/Custodial, Federal Aviation Administration, Automated Flight Service Station, 9230 Cessna Drive, Juneau, Alaska.

Janitorial/Custodial, Social Security Administration, Operations Building, First and Second Floor, 6401 Security Boulevard, Baltimore, Maryland.

This action does not affect contracts awarded prior to the effective date of this addition or options exercised under those contracts.

Beverly L. Milkman,

Executive Director.

[FR Doc. 91–7494 Filed 3–28–91; 8:45 am]

BILLING CODE 6820–33–M

Procurement List; 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 the Procurement List commodities to be produced by nonprofit agencies employing the blind or other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: April 29, 1991.

ADDRESS: 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 (except as otherwise indicated) will be required to procure the commodities listed below from nonprofit agencies employing the blind or other severely handicapped. It is proposed to add the following commodities to the Procurement List:

Parka, Wet Weather
8405–00–001–1547
8405–00–001–1548
8405–00–001–1549
8405–00–001–1550
8405–00–001–1551
8405–01–053–9202

Beverly L. Milkman,

Executive Director.

[FR Doc. 91–7558 Filed 3–28–91; 8:45 am]

BILLING CODE 6820–33–M

COMMODITY FUTURES TRADING COMMISSION

Chicago Board of Trade: Proposed Amendments Relating to the Cash Settled Two-Year U.S. Treasury Note Futures Contract

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of proposed contract market rule changes.

SUMMARY: The Chicago Board of Trade (CBT or Exchange) has submitted proposed amendments to the cash settled Two-Year U.S. Treasury Note futures contract. The proposed amendments would modify the cash settlement procedures such that the cash settlement price will be equal to 100 minus the stop out yield from the U.S. Treasury Department's auction held during an expiring futures contract month. The Exchange also proposes that trading in the contract be on a yield basis rather than on a price basis (percentage of par). The Director of the Division of Economic Analysis (Division) of the Commodity Futures Trading Commission (Commission), in accordance with section 5a(12) of the Commodity Exchange Act and acting pursuant to the authority delegated by Commission Regualtion 140.96, has determined that these proposals are of major economic significance. On behalf of the Commission, the Division Director is requesting comment on these proposals.

DATES: Comments must be received on or before April 29, 1991.

ADDRESSES: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Reference should be made to the amendments to the CBT Cash Settled Two-Year U.S. Treasury Note futures contract.

FOR FURTHER INFORMATION CONTACT: Stephen Sherrod, Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581; telephone (202) 254–7227.

SUPPLEMENTARY INFORMATION: The Exchange submitted proposed amendments for the cash settled two-year U.S. Treasury note futures contract that would:

(1) Delete provisions relating to the current method of calculating the final cash settlement price, which is based on a survey of 11 primary dealers, and replace them with provisions stating that the final cash settlement price will

be based upon the results obtained in the U.S. Treasury Department's auction held during the calendar month in which a futures contract expires. The final cash settlement value shall be equal to 100 minus the stop-out yield as reported by the U.S. Treasury or its agent. The stop-out yield is the highest yield accepted by the Treasury in allocating that month's offering among competitive bidders at the Treasury auction.

(2) Change the futures contract's pricing to an index, based on the annual yield in basis points, with a minimum allowable price fluctuation of ½ of 1 basis point (.005 of 1 percent of yield). The index shall be 100.000 minus the yield in basis points. This would replace the current pricing system based on a percentage of par and the minimum allowable price fluctuation of ¼ of 1/32 (i.e., 1/128) of 1 percent of par.

(3) Change the last trading day of expiring futures contract months to correspond to the date of the Treasury auction for the two-year Treasury note. Currently, the business day following the auction is the last trading day.

(4) Change the unit of trading to $25,000 times the highest yield, in one-half basis points, accepted for the two year note auctioned in the settlement month. This is approximately equivalent to the price sensitivity of a $275,000 Treasury note in the 8% yield environment. Currently, the unit of trading is two-year Treasury notes with a face value of $200,000.

In support of these proposals, the Exchange noted that:

* * * The Exchange does not believe that the pricing of the auction is likely to be affected by the futures market.

The futures market will in fact provide an accurate barometer of pricing going into the auction. It will facilitate when-issued trading and will certainly be used for price basing by dealers and their customers. Dealers and investors will also hedge their bids in the auction [with] the contract. The differences between the stop [out] yield, which the contract will price, and the yields at which investors purchase notes at the auction are likely to be small.

The Exchange is also proposing to employ this mechanism more directly by simply subtracting it from 100 as the final settlement price. The Exchange is proposing * * * to trade on a yield basis rather than a price basis. The specifications for contract unit and price basis are amended to indicate this change.

On behalf of the Commission, the Division is seeking comment on the proposed amendments. In particular, the Division is seeking comment on the suitablility of the proposed pricing of the cash settled two-year Treasury note futures contract based on the results of the stop-out yield at the U.S. Treasury auction, and whether the use of this cash settlement procedure for that contract would be susceptible to price distortion or price manipulation.

Copies of the proposed amendments will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Copies of the amended terms and conditions of the cash settled Two-Year U.S. Treasury Note futures contract can be obtained from the Office of Secretariat by mail at the above address, or by telephone at (202) 254–6314.

The materials submitted by the Exchange in support of the proposed amendments may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR 145 (1987)). Requests for copies of such materials should be made to FOI, Privacy and Sunshine Acts Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposed amendments should send such material to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, by the specified date.

Issued in Washington, DC on March 25, 1991.

Gerald Gay,

Director.

[FR Doc. 91–7401 Filed 3–28–91; 8:45 am]

BILLING CODE 6351–01–M

Minneapolis Grain Exchange Proposed Option Contract

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of availability of the terms and conditions of proposed commodity option contract.

SUMMARY: The Minneapolis Grain Exchange (MGE or Exchange) has applied for designation as a contract market in options on white wheat futures. For the proposed futures option contract, the MGE's application also contains a petition for an exemption from the volume requirement for the underlying futures contract specified in the Commission's rules. The Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposal for comment is in the public interest, will assist the Commission considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATES: Comments must be received on or before April 29, 1991.

ADDRESSES: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Reference should be made to the MGE option on white wheat futures.

FOR FURTHER INFORMATION CONTACT: Please contact Fred Linse of the Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581, at (202) 254–7303.

SUPPLEMENTARY INFORMATION: In addition to requesting comment on the terms and conditions of the proposed option contract, the Division also is requesting comment on the merits of a petition filed by the MGE pursuant to § 33.11 of the Commission's rules. The petition requests exemptive relief from the trading volume tests set forth in the Commission's rules. In that regard, § 33.4(a)(5)(iii) of the Commission's rules requires, as a condition of designation for proposed options on futures contracts, that the exchange demonstrate that:

* * * the volume of trading in all contract months for futures delivery of the commodity for which the option designation is sought has averaged at least 3,000 contracts per week on such board of trade for the 12 months preceding the date of application for option contract market designation, or alternatively, that such futures contract market, based on its trading history, substantially meets this total volume requirement in less than the 12 months preceding the date of application * * *.

The Division notes that volume of trading in the MGE's white wheat futures contract which will underlie the proposed option contract has averaged less than 3,000 contracts per week during the twelve months preceding the date of application for option contract market designation. Therefore, the futures trading volume requirement has not been met for the proposed option contract.

As discussed in more detail in previous Federal Register notices (see, for example, 52 FR 41755, October 30, 1987), the Commission has stated that it believes that a petition for exemption from the trading volume tests may be granted if the underlying cash market for the commodity exhibits a high level of liquidity evidenced by extensive and

frequent trading activity, a large number of participants in the market, and tight bid/ask spreads; the terms of the futures contract ensure the opportunity for arbitrage between the cash and futures markets; and there is a reliable price series representative of values of the commodity underlying the futures contract.

In requesting comment on the MGE's proposed option on white wheat futures, the Division is seeking specific comment on whether it should grant the MGE's request for an exemption from the requirements of § 33.4(a)(5)(iii) for the proposed contract. Commenters are requested to consider the issues noted above. Also, commenters are requested to address whether, if the petition were granted, additional surveillance activities and expiration reviews, particularly at the outset of trading, should be implemented by the MGE for the proposed contract.

Copies of the terms and conditions of the proposed contract will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254–6314.

Other materials submitted by the MGE in support of the application for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Acts Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views or argument on the terms and conditions of the proposed contract or the related petition, or with respect to other materials submitted by the MGE in support of the application, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581, by the specified date.

Issued in Washington, DC, on March 25, 1991.

Gerald Gay,

Director.

[FR Doc. 91–7402 Filed 3–28–91; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF EDUCATION

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 April 29, 1991.

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 Mary P. Liggett, Department of Education, 400 Maryland Avenue, SW., room 5624, Regional Office Building 3, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Mary P. Liggett (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, contain 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 Mary P. Liggett at the address specified above.

Dated: March 25, 1991.

Mary P. Liggett,

Acting Director, Office of Information Resources Management.

Office of Vocational and Adult Education

Type of Review: Reinstatement.
Title: Carl D. Perkins Vocational and Applied Technology Education Act of 1990—State Plan Reporting Requirements.
Frequency: Triennial.
Affected Public: State or local governments.
Reporting Burden:
Responses: 53.
Burden Hours: 5300.
Recordkeeping Burden:
Recordkeepers: 0.
Burden Hours: 0.
Abstract: State Boards for Vocational Education must submit state plans under the Carl D. Perkins Vocational and Applied Technology Education Act, as amended. The Department uses the information to determine compliance with the Act and to make grant awards.

Office of Postsecondary Education

Type of Review: Extension.
Title: Performance Report for State Incentive Grant Program.
Frequency: Annually.
Affected Public: State or local governments.
Reporting Burden:
Responses: 57.
Burden Hours: 313.5.
Recordkeeping Burden:
Recordkeepers: 57.
Burden Hours: 85.5.
Abstract: Grantees that have participated in the State Student Incentive Grant Program submit this report to the Department. The Department uses the information collected to assess the accomplishments of program goals and objectives and to aid in program management.

[FR Doc. 91–7452 Filed 3–28–91; 8:45 am]

BILLING CODE 4000–01–M

[CFDA No.: 84.129]

Rehabilitation Training: Rehabilitation Long-Term Training; Inviting Applications for New Awards for Fiscal Year (FY) 1991

Purpose of Program: To provide grants to increase the supply of qualified

personnel available for employment in public and private agencies and institutions involved in the vocational rehabilitation and independent living rehabilitation of individuals with handicaps, especially those individuals with the most severe handicaps; and to maintain and upgrade the skills and knowledge of personnel employed as providers of vocational, social, or psychological rehabilitation services.

Eligible Applicants: State agencies and other public or nonprofit agencies and organizations, including institutions of higher education, are eligible for assistance under the Rehabilitation Training Program.

Deadline for Transmittal of Applications: May 15, 1991.

Deadline for Intergovernmental Review: July 15, 1991.

Applications Available: March 29, 1991.

Available Funds: $400,000.

A closing date notice for the Rehabilitation Long-Term Training program was published in the **Federal Register** on September 17, 1990, listing 19 priority areas. Additional funding has been made available for this program since the publication of that notice. Therefore, two additional priorities are to be funded.

Specific information regarding the estimated range of available funds, range of awards, average size of awards, and number of awards appears in the chart in this notice.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, and 86; and (b) The regulations for this program in 34 CFR parts 385 and 386.

Priorities: Absolute Priorities

Under 34 CFR 75.105(c)(3) and 34 CFR 386.1, the Secretary gives an absolute preference to applications that meet one of the following priorities:

Applications that propose to provide training in one of the following areas of personnel shortages:

Areas	Estimated range of available funds (dollars in thousands)	Estimated range of awards (dollars in thousands)	Estimated average size of awards	Estimated number of awards
Rehabilitation Nursing	175–225	80–120	$100,000	2
Speech-Language Pathology and Audiology	175–225	80–120	100,000	2

Under 34 CFR 75.105(c)(3) the Secretary funds under this competition only applications that meet one or more of these absolute priorities.

Invitational Priorities

Priority 1: Under the absolute priority of Rehabilitation Nursing, the Secretary is particularly interested in applications that meet one of the following invitational priorities:

Grants to support projects designed to increase the number of qualified graduate rehabilitation nurses in one or more of the following areas: Advanced practice in rehabilitation nursing, supervision, consultation, teaching, or administration in rehabilitation nursing directly related to the rehabilitation of persons with severe disabilities, especially traumatic brain injuries, who are clients of the State-Federal vocational rehabilitation, independent living, or supported employment programs. Projects may also support post-employment training programs to upgrade the rehabilitation nursing skills of personnel providing nursing services to persons who are severely disabled clients of the State-Federal programs, especially clients with traumatic brain injuries.

Priority 2: Under the absolute priority of Speech-Language Pathology and Audiology, the Secretary is particularly interested in applications that meet the following invitational priority:

Grants to support projects designed to increase the number of qualified speech pathologists or audiologists for practice in rehabilitation directly related to the rehabilitation of persons with severe disabilities, especially those with head injuries, who are clients of the State-Federal vocational rehabilitation, independent living, or supported employment programs. Projects may also support post-employment training programs to upgrade the rehabilitation skills of personnel providing speech-language pathology and audiology services to persons who are severely disabled clients, especially those with head injuries, who are participants in the State-Federal programs.

However, under 34 CFR 75.105(c)(1) an application that meets one of these invitational priorities does not receive competitive or absolute preference over other applications.

For Applications or Information Contact: Bruce Rose, U.S. Department of Education, 400 Maryland Avenue, SW., room 3332, Switzer Building, Washington, DC 20202–2649. To request an application, call (202) 732–1351; to receive further information, call (202) 732–1325; deaf and hearing impaired individuals may call the Federal Dual Party Relay Service on 1–800–877–8339 (in the Washington, DC 202 area code, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

Program Authority: 29 U.S.C. 774.

Dated: March 25, 1991.

Robert R. Davila,

Assistant Secretary, Office of Special Education and Rehabilitation Services.

[FR Doc. 91–7455 Filed 3–28–91; 8:45 am]

BILLING CODE 4000–01–M

[CFDA No. 84.129V]

State Vocational Rehabilitation Unit In-Service Training Program; Revised Notice Inviting Applications for New Awards for Fiscal Year (FY) 1991

Purpose of Program: To provide grants for in-service training to State vocational rehabilitation unit personnel in areas essential to effective management or in skill areas to improve the provision of vocational rehabilitation services.

Supplementary Information: This notice replaces a previous notice concerning this program published in the Department's combined application notice in the **Federal Register** on September 17, 1990 (55 FR 38129, 38130, and 38131). Complete information was not available at the time the previous notice was prepared.

In the earlier notice, applications were invited for new awards under this program in Regions I, II, V, VI, VII, and IX only. However, Regions III and VIII have been added to this revised notice because existing projects in those regions expire this year and new projects are needed.

Eligible Applicants: State agencies and other public or nonprofit agencies and organizations, including institutions of higher education, are eligible for assistance under this program.

Deadline for Transmittal of Applications: June 5, 1991.

Deadline for Intergovernmental Review: August 5, 1991.

Applications Available: April 3, 1991.

Available Funds: $2,160,366.

Funds are available under this program for the support of new projects in Regions I, II, III, V, VI, VII, VIII, and IX.

Estimated Range of Awards: $2,000–155,000.

Estimated Average Size of Awards: $43,207.

Estimated Number of Awards: 50.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, and 86; and (b) the regulations for this program in 34 CFR parts 385 and 388.

For Applications or Information Contract: Bruce Rose, U.S. Department of Education, 400 Maryland Avenue, SW., room 3332, Switzer Building, Washington, DC 20202–2649. To request an application, call (202) 732–1351; to receive further information, call (202) 732–1325; deaf and hearing impaired individuals may call the Federal Dual Party Relay Service on 1–800–877–8339 (in the Washington, DC 202 area code, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

Program Authority: 29 U.S.C. 774.

Dated: March 25, 1991.

Robert R. Davila,

Assistant Secretary, Office of Special Education and Rehabilitation Services.

[FR Doc. 91–7454 Filed 3–28–91; 8:45 am]

BILLING CODE 4000–01–M

Office of Special Education and Rehabilitative Services

Office of Elementary and Secondary Education

Office of Administrative Law Judges; Intent to Compromise a Claim, State Department of Education of the Commonwealth of Virginia

AGENCY: Department of Education.

ACTION: Notice of intent to compromise a claim.

SUMMARY: Pursuant to 20 U.S.C. 1234a(j), the Department intends to compromise a claim against the State Department of Education of the Commonwealth of Virginia (VADOE) now pending before the Office of Administrative Law Judges (OALJ), Docket No. 90–44–R.

DATES: Interested persons may express their opinions by submitting written data, views, or arguments on or before May 13, 1991.

ADDRESSES: All comments concerning this notice should be addressed to Mr. Sergio Kapfer, Office of the General Counsel, Department of Education, 400 Maryland Avenue, SW., (room 4099, FOB–6), Washington, DC 20202–2242.

FOR FURTHER INFORMATION CONTACT: Additional information may be obtained by writing to Mr. Sergio Kapfer.

SUPPLEMENTARY INFORMATION: Pursuant to Office of Management and Budget (OMB) Circular A–128, the Virginia Auditor of Public Accounts conducted an audit of VADOE for the period July 1, 1986 through June 30, 1987. On February 13, 1989, the Office of Inspector General (OIG) of the Department issued an audit report (ACN: 03–93030) based on this audit. Among the findings included in the audit report were that VADOE did not have time distribution and attendance records to support the payroll charges for all of its employees. As a result, the Assistant Secretaries for the Office of Special Education and Rehabilitative Services (OSERS) and the Office of Elementary and Secondary Education (OESE) of the Department issued a program determination letter (PDL) in which they requested, among other things, a complete list of all VADOE employees who spent their time on more than one Federal program or on both one or more Federal and one or more State programs during the audit period. In addition, the Assistant Secretaries requested a complete record of the salaries and wages paid to these employees during the audit period.

On July 12, 1990, after reviewing the materials and records submitted by VADOE, the Assistant Secretaries for OSERS and OESE issued a PDL in which they disallowed a total of $54,173 in Federal funds recieved by VADOE in fiscal year (FY) 1987 under both Part B of the Education of the Handicapped Act (EHA–B), 20 U.S.C. 1411–1420, and chapter 1 of the Education Consolidation and Improvement Act (Chapter 1), 20 U.S.C. 3801–3876. The Assistant Secretaries disallowed the payroll expenditures charged by VADOE as costs to the EHA–B and chapter 1 grants because VADOE did not maintain time distribution records for three employees who spent their time on both Federal and State programs or on more than one Federal program, as required by 34 CFR part 74, appendix C, part II, section B, paragraph 10.b. The Federal interest involved in this case is that of ensuring that employees spend the amount of time on each Federal program that is proportionate to the amount of salary costs charged to each Federal program.

On August 17, 1989 VADOE filed a timely application for review appealing the finding of the PDL. Subsequent to filing its appeal, VADOE admitted to owing $32,584.64 of payroll expenditures that it charged to the EHA–B and chapter 1 grants. VADOE also has admitted that it did not maintain the time distribution records required by 34 CFR part 74, appendix C, part II, section B, paragraph 10.b. As a result, VADOE has agreed to return an additional $14,032.36. This brings the total that VADOE has agreed to return to the Federal Government to $46,617 of the FY 1987 EHA–B and chapter 1 funds disallowed in the July 12, 1990 PDL. In addition, VADOE has provided adequate assurance that the practices that resulted in the claims have been corrected and will not recur.

Given these factors, the percentage of the claim to be repaid, and the risk and cost of litigating the claim through the appeal process, the Department has determined that it would not be practical or in the public interest to continue this proceeding. Therefore, the Department proposes to compromise the full amount of the $54,173 claim for $46,617.

The public is invited to comment on the Department's intent to compromise this claim. Additional information may be obtained by writing to Mr. Sergio Kapfer at the address given at the beginning of this notice.

(20 U.S.C. 1234a(j) (1990))

Dated: March 25, 1991.

Thomas E. Anfinson,

Deputy Under Secretary for Management.

[FR Doc. 91–7453 Filed 3–28–91; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF ENERGY

Savannah River Operations Office; Financial Assistance Award Intent to Award a Noncompetitive Grant

AGENCY: Department of Energy, Savannah River Operations Office.

ACTION: Notice of noncompetitive award of grant.

SUMMARY: The Department of Energy, Savannah River Operations Office (SR), announces that it plans to award a grant to Medical University of South Carolina (MUSC), 171 Ashley Avenue, Charleston, SC, for conducting a cancer

and birth defects surveillance system for communities around DOE's Savannah River Site (SRS) near Aiken, SC. The grant will be awarded for a three-year project period at an estimated funding level of $2 million. Funds of $625K will be provided for the first budget period. Pursuant to § 600.7(b)(2)(i)(G) of the DOE Assistance Regulations (10 CFR part 600), the Assistant Secretary of Environment, Safety and Health has determined that a noncompetitive award is in the public interest.

SUPPLEMENTARY INFORMATION: The objective of this award is to assure the public that factual information on the occurrence of selected cancers and birth defects will be developed by an independent, reputable source. A surveillance system will be implemented which will provide validated information about the experience of SRS area communities with respect to the occurrence of site specific cancers and selected birth defects. This project will help achieve DOE's mission of assuring that the operation of its facilities has no adverse impact on the health and safety of people in their vicinity. In addition, DOE is committed to achieving a full and fair determination of the effects of past operation.

The Medical University of South Carolina is well-qualified for this project because of its diverse professional staff and substantial experience and expertise in the area of community health surveillance.

DOE has determined that this award to MUSC on a noncompetitive basis is appropriate.

FOR FURTHER INFORMATION CONTACT: Elizabeth T. Martin, Contracts and Property Division, U.S. Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, SC 29802, telephone (803) 725–2191.

Issued in Aiken, South Carolina, on March 20, 1991.

P. W. Kaspar,

Manager, Head of Contracting Activity, Savannah River Operations Office.

[FR Doc. 91–7481 Filed 3–28–91; 8:45 am]

BILLING CODE 6450–01–M

Financial Assistance Award Intent To Increase Scope of Work Under Cooperative Agreement to University City Science (UCSC)

AGENCY: U.S. Department of Energy.

ACTION: Noncompetitive Financial Assistance.

SUMMARY: The Department of Energy announces that pursuant to 10 CFR 600.7(b)(2)(i)(A), it is increasing the work effort described in the Statement of Joint Objectives under Cooperative Agreement Number DE–FCO1–87CE40806 to University City Science Center (UCSC).

SCOPE: The original Statement of Joint Objectives provided for the field management of an Energy Analysis Diagnostic Center (EADC) Program which was limited to 14 participating colleges and universities. The EADC program uses the schools' engineering students and faculty to conduct energy conservation audits for small and medium-sized manufacturing plants while giving the students practical experience in a working manufacturing environment.

On January 26, 1990, the Deputy Secretary of Energy announced the expansion of the EADC Program as a DOE initiative to increase energy efficiency. The proposed expansion provides for building to a maximum of 40 schools participating in the EADC program. Implementation of the proposed expansion during the remaining two years of the UCSC award requires management of the five schools being added to obtain a program level of 18 schools in FY 1991, and the four additional schools to provide program operation at a 22-school level in FY 1992.

This noncompetitive continuation of the financial assistance award with the UCSC is recommended under the authority of 10 CFR 600.7(b)(2)(1)(A). The activity to be funded is necessary for the satisfactory completion of the field management of the expanded EADC program presently funded by the DOE through FY 1992. The 20 months remaining until the expiration of the cooperative agreement with the UCSC award in September 1992, are required to permit the preparation, competitive solicitation and award of a cooperative agreement for EADC field management services during the FY 1993–1995 period. Competition of field mangement support for this interim period would have a significant adverse effect on the completion of this activity because the program is being expanded already and because competitive selection and program familiarization of a new field manager, if a new field manager is selected, will require much of the 20 months remaining under the current cooperative agreement. This work is consistent with the advancement of the public purpose of stimulating energy conservation.

DOE is funding 98.586 percent of the total program of $8,860,703, or $8,735,436. UCSC is contributing 1.414 percent of the total program, or $125,273. The approximate $1,700,000 funding increase for DOE will raise its funding to 98.813 percent or $10,435,436 while the participant's share is reduced to 1.187 percent. The revised total for the overall program is $10,560,703.

The period of performance remains unchanged from October 1, 1987 through September 30, 1992.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Energy, Office of Placement and Administration, ATTN: Joyce P. Gray, 1000 Independence Avenue, SW., Washington, DC 20585.

Thomas S. Keefe,

Director, Operations Division "B", Office of Placement and Administration.

[FR Doc. 91–7482 Filed 3–28–91; 8:45 am]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket Nos. QF91–57–000, et al.]

Potlatch Corporation, et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

Take notice that the following filings have been made with the Commission:

1. Potlatch Corporation

[Docket No. QF91–57–000]

March 19, 1991.

On March 14, 1991, Potlatch Corporation tendered for filing an amendment to its filing in this docket.

The amendment clarifies certain aspects of facility's operation, transmission facilities and computation of operating standard.

Comment date: April 29, 1991, in accordance with Standard Paragraph E at the end of this notice.

2. Nevada Sun-Peak Limited Partnership

[Docket No. EC91–7–000]

March 19, 1991.

Take notice that on March 18 and 19, 1991, Nevada Sun-Peak Limited Partnership (Sun-Peak) filed supplemental information in support of its requests for the Commission to: (1) Disclaim jurisdiction under section 203 of the Federal Power Act, 16 U.S.C. 824b, waive part 33 of the Commission's regulations, 18 CFR part 33, or approve under section 203 and part 33, as is appropriate, the contemplated disposition of the general partnership interest in Sun-Peak to a newly-formed corporation (GP Corp.); and (2) to assure that further Commission review or approval of the possible disposition of the facility to Nevada Power Company (NPC) pursuant to the contract between Sun-Peak and NPC is not required, or

approval of such disposition. Sun-Peak requests Commission action no later than mid-April, 1991.

Comment date: April 3, 1991, in accordance with Standard Paragraph E at the end of this notice.

3. Inter-Power of Pennsylvania, Inc.

[Docket No. QF87-632-001]

March 19, 1991.

On February 25, 1991, Inter-Power of Pennsylvania, Inc. (Applicant) of Three Penn Center West, suite 401, Pittsburgh, Pennsylvania 15276, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

The small power production facility will be located near the Village of Colver in Cambria County, Pennsylvania. The facility will consist of two fluidized bed combustion boilers and a condensing steam turbine generator. Applicant states that the primary energy source of the facility will be "waste" in the form of bituminous coal refuse. The original certification was issued on November 25, 1987, 41 FERC 62,175. The instant recertification is requested due to an increase in the power production capacity of the facility from 79.5 MW to 83.5 MW and the use of additional sources of "waste" fuel as the primary energy source of the facility.

Comment date: April 29, 1991, in accordance with Standard Paragraph E at the end of this notice.

4. Nevada Sun-Peak Limited Partnership

[Docket No. ES91-20-000]

March 19, 1991.

Take notice that on March 19, 1991, Nevada Sun-Peak Limited Partnership (Sun-Peak) filed a request for the Commission to disclaim jurisdiction under section 204 of the Federal Power Act, 16 U.S.C. 824c, waive part 34 of the Commission's regulations, 18 CFR part 34 or approve under section 204 and part 34, as is appropriate, the contemplated disposition of the general partnership interest in Sun-Peak to a newly-formed corporation (GP Corp.) Sun-Peak requests Commission action no later than mid-April, 1991.

Comment date: April 3, 1991, in accordance with Standard Paragraph E at the end of this notice.

5. Inter-Power of New York, Inc.

[Docket No. QF85-312-001]

March 19, 1991.

On March 12, 1991, Inter-Power of New York, Inc. of 19 British American Boulevard, Airport Park, Latham, New York 12110 submitted for filing an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility will be located in Saratoga County, New York. The steam extracted from the facility will be sold to the General Electric Silicone Products Division for Industrial applications. The primary energy source will be coal.

The original certification was issued on July 24, 1985 (32 FERC 62,220). The instant recertification is requested due to changes in configuration and design, installation date and increase in the net electric power production capacity of the facility. In addition, the facility will not use pelletized municipal solid waste as a supplemental fuel. The number of boilers and steam turbine generators have changed from four to three and two to one, respectively. The net electric power production capacity has increased from 200 MW to 210.6 MW. The new installation date is July 1, 1991.

Comment date: April 29, 1991, in accordance with Standard Paragraph E at the end of this notice.

6. Wheelabrator South Broward, Inc.

[Docket No. ER91-318-000]

March 20, 1991.

Take notice that on March 14, 1991, Wheelabrator South Broward, Inc. tendered for filing, pursuant to rule 207 of the Commission's Rules of Practice and Procedure, 18 CFR 385.207, an initial rate schedule for sales to Florida Power & Light Company.

Comment date: April 4, 1991, in accordance with Standard Paragraph E at the end of this notice.

7. Union Electric Company

[Docket No. ER84-560-031]

March 20, 1991.

Take notice that on March 15, 1991, Union Electric Company (Union) tendered for filing revised tariff sheets pursuant to the Commission's order issued August 17, 1990 and June 20, 1990.

Comment date: April 4, 1991, in accordance with Standard Paragraph E at the end of this notice.

8. PSI Energy, Inc.

[Docket No. ER91-319-000]

March 20, 1991.

Take notice that PSI Energy, Inc. (PSI), formerly named Public Service Company of Indiana, Inc. on March 15, 1991, tendered for filing pursuant to the Service Agreement between Jackson County Rural Electric Membership Corporation and PSI a new Exhibit "A" (Service Specifications).

Said Exhibit "A" provides for a new delivery point, designed Salem East, for Jackson County Rural Electric Membership Corporation.

Copies of the filing were served on Jackson County Rural Electric Membership Corporation and the Indiana Utility Regulatory Commission.

Comment date: April 4, 1991, in accordance with Standard Paragraph E end of this notice.

9. Pennsylvania Electric Company

[Docket No. ER91-313-000]

March 20, 1991.

Take notice that on March 11, 1991, Pennsylvania Electric Company (Penelec) tendered for filing as an initial rate schedule, a Transmission Service Agreement, dated November 30, 1990, between Penelec and Penntech Papers, Inc. (Penntech). Penelec states that also included in this filing are related Exhibits and attachments.

Comment date: April 3, 1991 in accordance with Standard Paragraph E at the end of this notice.

10. Southern California Edison Company

[Docket No. ER91-314-000]

March 20, 1991.

Take notice that on March 11, 1991, Southern California Edison Company (Edison) tendered for filing, as an initial rate schedule, the following agreement, executed on March 6, 1991, by the respective parties:

Environmental Energy Exchange Agreement
Between
Southern California Edison Company (Edison)
and
Bonneville Power Administration (BPA)

The Agreement establishes the terms and conditions whereby Edison and BPA will exchange energy and other services to enhance Columbia River flow characteristics for anadromous fish migration in the Pacific Northwest while enhancing Southern California air quality by reducing power plant emissions.,

Copies of this filing were served upon the Public Utilities Commission of the State of California and all interested parties.

Comment date: April 4, 1991, in accordance with Standard Paragraph E at the end of this notice.

11. Niagara Mohawk Power Corporation

[Docket No. ER90-499-001]

March 20, 1991.

Take notice that on January 25, 1991, Niagara Mohawk Power Corporation tendered for filing revised tariff sheets in this docket pursuant to the Commission's order issued December 28, 1990.

Comment date: April 3, 1991, in accordance with Standard Paragraph E at the end of this notice.

12. Southwestern Electric Power Company

[Docket No. ER91-260-000]

March 21, 1991.

Take notice that on March 8, 1991, Southwestern Electric Company (SWEPCO) tendered for filing revised copies of exhibit D to its February 11, 1991 filing in this docket.

Comment date: April 4, 1991, in accordance with Standard Paragraph E at the end of this notice.

13. Pennsylvania Power & Light Company

[Docket No. ER91-322-00]

March 21, 1991.

Take notice that Pennsylvania Power & Light Company (PP&L) on March 18, 1991, tendered for filing proposed changes in its Rate Schedule FERC Nos. 28, 32, 45, 50, 51, 54, 56, 57, 58, 63, 69, 70, 71, 79, 86, 88, 90 and 61 applicable to the Boroughs of Watsontown, Duncannon, Blakely, Weatherly, Schuylkill Haven, Perkasie, St. Clair, Catawissa, Ephrata, Lehighton, Hatfield, Mifflinburg, Quakertown, Kutztown, Olyphant, Lansdale, and to Sullivan County REA and Citizens' Electric Company of Lewisburg, respectively. The proposed changes would increase from jurisdictional sales and service by $4,139,930 or 9.65%, based on the 12-month period ending December 31, 1991.

The proposed increase is required by the increase in the cost of providing service to said jurisdictional customers which PP&L has experienced since the base rates of these customers became effective on December 1, 1988.

Copies of the filing were served upon PP&L's jurisdictional customers named above and upon the Pennsylvania Public Utility Commission.

Comment date: April 4, 1991, in accordance with Standard Paragraph E at the end of this notice.

14. Southwestern Electric Power Company

[Docket No. ER91-259-000]

March 21, 1991.

Take notice that on March 8, 1991, Southwestern Electric Power Company (SWEPCO) tendered for filing revised copies of exhibit D to its February 11, 1991 filing in this docket.

Comment date: April 4, 1991, 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. 91-7406 Filed 3-28-91; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP91-1533-000, et al.]

Williston Basin Interstate Pipeline Co., et al; Natural Gas Certificate Filings

Take notice that the following filings have been made with the Commission:

1. Williston Basin Interstate Pipeline Co.

[Docket No. CP91-1533-000]

March 19, 1991.

Take notice that on March 12, 1991, Williston Basin Interstate Pipeline Company (Williston Basin) suite 200, 304 East Rosser Avenue, Bismarck, North Dakota 58501, filed in Docket No. CP91-1533-000 a request pursuant to §§ 157.205 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.216) for authorization to abandon a sales tap and appurtenant facilities for Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. (Montana-Dakota), under the authorization issued in Docket Nos. CP82-487-000, *et al.*, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Williston Basin proposes to abandon a sales tap for Montana-Dakota located in Pennington County, South Dakota. Williston Basin states that Montana-Dakota no longer requires service through this sales tap. It is alleged that the end-use customer who received service through the sales tap would continue to receive service as a result of modifications to Montana-Dakota's existing system. A copy of Montana-Dakota's consent (dated August 28, 1990) to the proposed abandonment was included with the application.

Williston Basin alleges that this sales tap would be abandoned in place on the existing transmission right-of-way and the surface regulator set would be removed with subsequent excavation by backhoe of approximately four feet by six feet to the tap (not greater than 36 inches in depth), which would be removed and capped. Williston Basin contends that the sales tap is located on existing pipeline right-of-way in pasture land. Any excavation of this sales tap would be backfilled, leveled, and reseeded for erosion control and site restoration.

Comment date: May 3, 1991, in accordance with Standard Paragraph G at the end of this notice.

2. Williams Natural Gas Co.

[Docket Nos. CP91-1531-000 [1] and CP91-1532-000]

March 19, 1991.

Take notice that on March 12, 1991, Williams Natural Gas Company (Williams), P.O. Box 3288, Tulsa, Oklahoma 74102, 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 (18 CFR 157.205 and 284.223) for authorization to transport natural gas on behalf of various shippers under its blanket certificate issued in Docket No. CP86-631-000 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 and in the attached appendix.

Information applicable to each transaction including the identity of the shipper, the date of the transportation agreement between Williams and the respective shipper, the reference number of the transportation service agreement, the type of transportation service, the appropriate transportation rate

[1] These prior notice requests are not consolidated.

schedule, the peak day, average day, and annual volumes, and the docket number and initiation dates of the 120-day transactions under § 284.223 of the Commission's Regulations has been provided by Williams and is included in the attached appendix.

Williams alleges that it would provide the proposed service for each shipper under an executed transportation service agreement and would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: May 3, 1991, in accordance with Standard Paragraph G at the end of this notice.

Docket No., trans. agree. (reference No.)	Applicant	Shipper name	Peak day,[1] average, annual	Points of		Start up date, rate schedule, service type	Related [2] dockets
				Receipt	Delivery		
CP91-1531-000	Williams	Kansas Power &	114,215	CO, KS, MO, OK	KS, MO, NE & OK	2-1-91, FTS, Firm	ST91-7155-000
2-1-91		Light	114,215	TX & WY.			
(TR-A0175)		Company.	41,688,475				
CP91-1532-000	Williams	Kansas Power &	18,926	CO, KS, MO, OK	KS	2-1-91, FTS, Firm	ST91-7156-000
2-1-91		Light	18,926	TX & WY.			
(TR-A0174)		Company.	6,907,990				

[1] Quantities are shown in Dth.
[2] The ST docket indicates that 120-day transportation service was initiated under Section 284.223(a) of the Commission's Regulations.

3. American Distribution Co. (Alabama Division)

[Docket No. CP91-1546-000]

March 19, 1991.

Take notice that on March 14, 1991, American Distribution Company (Alabama Division) (ADC-Ala), 11211 Katy Freeway, suite 130, Houston, Texas 77079, filed in Docket No. CP91-1546-000 a petition for declaratory order that ADC-Ala's facilities located in Alabama be a gathering facility exempt from the provisions of the Natural Gas Act (NGA) and the Natural Gas Policy Act of 1978, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

ADC-Ala indicates that its Alabama facilities consist of 37 miles of 6⅝-inch O.D. pipeline extending from the tailgate of Collet Ventures, Inc.'s (Collet) Copeland Processing Plant, in Washington County, Alabama to an interconnection with the facilities of Florida Gas Transmission Company (FGT) in Mobile County, Alabama. ADC-Ala also states that by order issued September 13, 1984, the Commission authorized the construction and operation of the pipeline and authorized the transportation of up to 5,000 Mcf per day for the account of Collet producer of natural gas which produces and gathers natural gas from an adjacent field in Washington County, Alabama and processes the sour gas at its plant.

ADC-Ala states that the Commission in response to the decision by the United States Court of Appeals (Fifth Circuit), *EP Operating Company* v. *FERC*, 876 F.2d 46 (1989), adopted a modified primary function test, which required the Commission to weigh all the factors and circumstances in determining whether facilities are primarily for transportation or gathering. It is stated that the Commission may weigh non-physical criteria such as the purpose, location and operation of the facility, the general business activity of the owner of the facility and whether the determination is consistent with the objective of the NGA and the policies of the Commission.

ADC-Ala notes that there would be no question that the line was gathering if the processing plant were located at the terminus of the facility. However, it is stated that to avoid corrosion of the pipeline caused by the high sulfur content of the gas, processing was required prior to any movement of the gas. It is also noted that no wells are attached to the pipeline. ADC-Ala concludes that its line is more like an extension of the gathering process than the commencement of transportation.

ADC-Ala also argues that a review of the length, diameter and pressure of the line when coupled with other considerations presented are also consistent with a consideration that the line is gathering. ADC-Ala notes that the 6⅝-inch line is a rather small diameter pipeline. It is also noted that although the line is a high pressure line (850 psig), compression is necessary to remove the sulfur and to enter FGT's facilities. It is also noted that although the line is 37 miles long, it is determinative of the location of the plant from the nearest interstate pipeline, not determinative of its function.

ADC-Ala also notes that the Commission initially imposed only a limited jurisdiction over the facilities by considering ADC-Ala a non-major pipeline and thereby relieving ADC-Ala of several reporting requirements. It is also indicated that the operations on this line since 1984 continue to reveal activities more like gathering than transportation. It is stated that the only gas moving through this line is the gas processed at the Collet plant. ADC-Ala states that there are no interconnections with any interstate transmission systerms other than the one with FGT. ADC-Ala indicates that there is no ADC-Ala system supply moved through the line and in fact there is no ADC-Ala system supply at all. ADC-Ala states that every Mcf of gas moving through the line must enter a transmission system or local distribution system before it can be transported to a market.

ADC-Ala also argues that NGA regulation does not serve any useful purpose and that it actually impedes the ability of ADC-Ala to efficiently use the line. It is indicated that the company has total assets of less than two million dollars and 1990 total net for 1990 of $71,315. It is indicated that continued regulation of this small facility as a transmission system would likely ensure its non-profitability. ADC-Ala states that the administrative burdens of submitting certificate applications and maintaining an open-access tariff would render it unable to efficiently and effectively maximize the usage of the line.

Comment date: April 9, 1991, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

4. Columbia Gulf Transmission Co.

[Docket No. CP91-1557-000]

March 19, 1991.

Take notice that on March 14, 1991, Columbia Gulf Transmission Company (Columbia Gulf), P.O. Box 683, Houston, Texas 77001, filed in Docket No. CP91-1557-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for the authorization to provide an interruptible transportation service for Coastal Gas Marketing Company, a marketer, under the blanket certificate issued in Docket No. CP86-239-000

pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Columbia Gulf states that, pursuant to an agreement dated March 28, 1989, as amended August 24, 1990, (provides for section 284, subpart G service rather than section 284, subpart B service), and November 1, 1990 (provides for an additional point of delivery), under its Rate Schedule ITS–1, it proposes to transport up to 100,000 MMBtu per day equivalent of natural gas. Also, Columbia Gulf states that it would transport gas pursuant to an agreement dated October 25, 1988, as amended March 9, 1989 (provides for additional receipt and delivery points and an increase in transportation quantity to 100,000 Dth per day from 30,000 Dth per day), and January 7, 1991 (provides for additional receipt and delivery points), under its Rate Schedule ITS–2, up to 100,000 MMBtu per day equivalent of natural gas. Columbia Gulf indicates that it would transport 50,000 MMBtu on an average day and 18,250,000 MMBtu annually. Columbia Gulf states that the gas would be transported from Louisiana, and Offshore Louisiana, and would be redelivered in Mississippi, Tennessee, Louisiana, and Offshore Louisiana.

Columbia Gulf advises that the proposed service under § 284.223(a) commenced February 1, 1991, as reported in Docket No. ST91–7068–000.

Columbia Gulf further states that the instant filing is being made to reflect a certain amendment(s) to the contracts. Additionally, it stated that related filings have previously been made in Docket Nos. ST90–3484–000 and CP90–1958–000.

Comment date: May 3, 1991, in accordance with Standard Paragraph G at the end of this notice.

5. United Gas Pipe Line Co.

[Docket No. CP91–1510–000]

March 19, 1991.

Take notice that on March 8, 1991, United Gas Pipe Line Company (United), P.O. Box 1478, Houston, Texas 77251–1478, filed in Docket No. CP91–1510–000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 for authorization to construct and operate one delivery tap and related facilities for the delivery of gas for LaSer Marketing Company (LaSer) under United's blanket certificate issued in Docket No. CP82–430–000, 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.

United requests authorization to construct and operate one 2-inch delivery tap and related facilities to deliver gas transported for LaSer to Warren Paving Company in Forrest County, Mississippi. United estimates peak day deliveries to be 700 Mcf and annual sales deliveries to be 255,500 Mcf. United further states that the proposed delivery tap is not prohibitied by its existing tariff and that United has sufficient capacity to provide the proposed service without detriment or disadvantage to its other existing customers.

Comment date: May 3, 1991, in accordance with Standard Paragraph G at the end of this notice.

6. ANR Pipeline Co. and Panhandle Eastern Pipeline Co.

[Docket Nos. CP91–1561–000, CP91–1562–000 and CP91–1563–000]

March 20, 1991.

Take notice that Applicants filed in the respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under its blanket certificate 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 docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, have been provided by Applicants and are summarized in the attached appendix.

Applicants states that each of the proposed services would be provided under an executed transportation agreement, and that Applicants would charge the rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: May 6, 1991, 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 shipper)	Peak Day,[1] average, annual	Points of		Start up date, rate schedule	Related [2] dockets
			Receipt	Delivery		
CP91–1561–000 (03–15–91)	PSI Gas Marketing, Inc (Marketer)	150,000 150,000 54,750,000	LA, OK, KS, TX, IL, IN, MI, WI, OH, KY, Offshore LA and TX	TN, LA, KY, Offshore-federal LA	01–16–91, ITS	ST91–6833–000
CP91–1562–000 (03–15–91)	J I Case Company (End-User)	250 250 91,250	Offshore LA, LA	IA	01–16–91, FTS–1	ST91–6834–000
CP91–1563–000 (03–15–91)	Premier Gas Company (Marketer)	30,000 15,000 5,475,000	CO, KS, OK, TX	KS	02–01–91, PT	ST91–7059–000

[1] Quantities are shown in dth unless otherwise indicated.
[2] If an ST docket is shown, 120-day transportation service was reported in it.

7. United Gas Pipeline Co.

[Docket Nos. CP91-1587-000 [3] and CP91-1588-000]

March 20, 1991.

Take notice that on March 18, 1991, United Gas Pipeline Company (United), P.O. Box 1478, Houston, Texas 77251-1478 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 United's blanket certificate issued in Docket No. CP88-6-000 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 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 United and is included in the attached appendix.

United also states that it would provide the service for each shipper under an executed transportation agreement, and that United would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

[3] These prior notice requests are not consolidated.

Docket No.	Shipper name	Peak Day,[1] average, annual	Points of		Start up date, rate schedule	Related [2] dockets
			Receipt	Delivery		
CP91-1587-000	LaSER Marketing Company.	618,000 618,000 225,570,000	LA, AL, TX, MS.....	MS, LA, TX, AL, FL.....	2-28-91, ITS.....	ST91-7599-000
CP91-1588-000	ORYX Gas Marketing Limited Partnership.	61,800 61,800 22,557,000	LA, TX, MS.....	LA, AL, TX, MS, FL.....	1-8-91, ITS.....	ST91-7693-000

[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

8. Southern Natural Gas Co.

[Docket No. CP90-175-001]

March 20, 1991.

Take notice that on March 14, 1991,[4] Southern Natural Gas Company (Southern), Post Office Box 2563, Birmingham, Alabama 35202-2563, filed in Docket No. CP90-175-001, an amendment to the application pending in Docket No. CP90-175-000, pursuant to section 7(c) of the Natural Gas Act, requesting certain operational flexibility of its proposed facilities during the interim start-up period of operations, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Southern states that in its original filing in Docket No. CP90-175-000, Southern requested authorization to construct, install and operate approximately 3.75 miles of 8-inch pipeline, a meter station and appurtenant facilities in order provide firm transportation as well as interruptible transportation, if necessary, to Freeport-McMoRan Resource Partners Limited Partnership (FMRP) for use at FMRP's proposed sulphur mine to be located in Main Pass Block 299, offshore Louisiana. Southern further states that as a result of the subsequent acquisition by FMRP of the oil and gas lease rights associated with its sulphur lease, FMRP requested Southern to deliver natural gas to FMRP for oil and gas start-up operations and to receive natural gas produced by FMRP until its sulphur mining operations are able to use all of the natural gas produced by FMRP. Southern indicates that this change would not cause Southern to construct any additional facilities or change the configuration of its original facilities for which authorization has been requested, but would change the operation of Southern's proposed pipeline to function bidirectionally for an interim period of less than a year.

Comment date: April 10, 1991, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

[4] The petition to amend was tendered for filing on March 8, 1991; however, the fee required by § 381.207 of the Commission's Rules (18 CFR 381.207) was not paid until March 14, 1991. Section 381.103 of the Commission's Rules provides that the filing date is the date on which the fee is paid.

9. Phillips 66 Natural Gas Co.

[Docket No. CP91-1589-000]

March 20, 1991.

Take notice that on March 18, 1991, Phillips 66 Natural Gas Company (Phillips), 1256 Adams Building, Bartlesville, Oklahoma 74004, filed in Docket No. CP91-1589-000 a petition under rule 207 of the Commission's Rules of Practice and Procedure (18 CFR 385.207) for a declaratory order finding that upon acquisition by Phillips, certain natural gas delivery facilities in the Powder River Basin area of Wyoming now owned by Panhandle Eastern Pipe Line Company (Panhandle) will be gathering facilities except from Commission jurisdiction under section 1(b) of the Natural Gas Act (NGA), all as more fully set forth in the petition which is on file with the Commission and open to public inspection. Pursuant to rule 212 of the Commission's Rules and Practice and Procedure (18 CFR 385.212), Phillips requests that its petition be consolidated with Panhandle's abandonment application in Docket No. CP89-1978-000, and considered together for approval with that docket.

Phillips states that the Powder River Basin area gathering facilities of Phillips and Panhandle are known as the Powder River System or the Douglas System, and Phillips refers to the facilities as the Douglas System. It is stated that the overall combined Douglas System consists of approximately 1582 miles of pipeline facilities, of which 1213 miles are currently owned by Phillips, that connect approximately 784 active meters to the Phillips Douglas Processing Plant. According to Phillips, a number these meters serve multiple wells where the combined oil-gas flow lines from various wells come together at a common separator. Phillips estimates that the total number of wells served are in the range of 900. According to Phillips, Panhandle's portion of the Douglas System consists of approximately 369 miles of raw gas pipelines that are upstream of the Douglas Plant. It is stated that these lines generally receive gas from more remote gathering lines of Phillips.

Phillips states that the diameter and length of the lines in the Douglas System reflect its relatively remote location and the size of the production area it serves. Approximately 72 percent of the total length of the integrated Douglas System consists of pipe of 6-inches or less in diameter. By including 8-inch pipe, it is stated that the percentage of 8-inch or smaller pipe is approximately 92 percent. Further, the central 16-inch line comprises only approximately 5 percent of the length of pipe in the system, all of which is upstream of the Douglas Plant.

It is stated that the current capacity of the Douglas System and Douglas Plant is 95 MMcf of natural gas per day (MMcfd). However, Phillips states that between 1986 and 1990, volumes of gas handled have declined more than 40 percent as natural gas prices have been inadequate to elicit material drilling activity. It is stated that the raw gas that does enter the plant is by no means of or near pipeline quality, since such gas carries an average of 7 gallons of natural liquids per Mcf and is usually saturated with water vapor. This gas is not dehydrated prior to processing at the Douglas Plant. Instead, Phillips states that methanol is injected at most receipt meters to guard against freezing and hydrate formation. Removal of free water and water vapor occurs at the Douglas Plant during processing.

In addition to Panhandle's 30 compressor stations in the system, Phillips states that it has also installed 10 compressor stations at six field sites, which currently total 5,500 horsepower (hp). However, one of the compressor sites is no longer active due to depletion. This compression, it is alleged, is essential to operation of the system to gather raw casinghead gas. Of the 784 current active meters, Phillips states that 782 are low pressure connections with wellhead/separator inlet pressures varying from about 5 to 35 psig. It is further stated that 34 low pressure connections at the north end require four stages of field compression to effect delivery to the Douglas Plant; the remainder require three stages of compression. Phillips states that the compression required is a function of both the low wellhead/separator pressures and the distance required to be covered in order to realize some economy of scale in gas gathering in this producing area.

Phillips states that there are only four active meters that serve gas well gas production from new coal seam wells, and two of these serve multiple wells. These account for less than 1.5 percent of system production. It is stated that there are only two high pressure wellhead/separator connections that directly enter the high pressure portion of the system downstream of the field boosters. One of these connections serves an oil well and ties into Panhandle's 16-inch line only 200 yards north of the Douglas Plant inlet, and the other serves a producing unit.

Phillips states that field compressors are therefore necessary to serve the low pressure raw gas production and are also based on the distribution or producing locations in the Powder River Basin. These compression needs are dynamic and change as new wells are added and old wells decline in pressure or become depleted. Phillips believes that a declaration of gathering status will aid it in optimizing the configuration of the system. It is stated that the operating pressures of the "high pressure" portion of the Douglas System are in reality medium operating pressures. Panhandle's abandonment application lists the Douglas Plant inlet and outlet pressures at 578 and 640 psig, respectively. As the compression is used primarily to aid in the delivery of low pressure casinghead gas to the Douglas Plant for processing, Phillips believes that it performs primarily a gathering function.

Phillips states that there are four processing plants other than the Douglas Plant that are or have been connected to the Douglas System. The Oxy/Cities Service Oil Company Thunder Creek Plant was shut down in 1985. Western Gas Processors (WGP) Hilight Plant makes residue deliveries to its affiliate MIGC, Inc. and receives some raw gas from the Douglas System. WGP Hartzog Draw Plant delivers about 2.5 MMcfd of 1100 Btu gas into the Douglas System which is redelivered by exchange to WGP at reprocessed at the Douglas Plant. It is stated that these deliveries are under a 1981 Transportation and Exchange Agreement which is being replaced by a new WGP-Phillips gathering agreement. Phillips states that the last plant is a 4–5 MMcfd plant listed by Panhandle as the GLG Energy plant originally constructed by Inexco near its producing unit to extract heavier natural gas liquids by refrigeration. It is stated that this plant is now owned by Interline Natural Gas, Inc. and delivers about 1–1.8 MMcfd of residue gas into the Douglas System at about 1100 Btu. Phillips states that it presently purchases some of this gas and reprocesses all of it for further natural gas liquid recovery and that Panhandle purchases the remainder.

It is stated that the geographical configuration of the Douglas System is representative of a behind the plant gathering system because all facilities are upstream of the Douglas Plant. Phillips avers that the Powder River Basin producing area is generally oriented in a north-south direction and that the location of wells and anticipated future development dictated a primary feeder line oriented north to south. The Douglas Plant is located near the south end of the main 16-inch feeder line because of the availability of a residue connection with KN Energy's pipeline there. It is stated that KN Energy redelivers gas to Panhandle under an exchange agreement. Phillips states that the central 16-inch line has numerous lateral connections on both the east and west sides, and the southernmost lateral is a 4-inch connection about 200 yards north of the serving a high pressure oil well. In all, Phillips states that there are some 20 lateral tie-ins to the 16-inch feeder lines north of the plant. Given the general north-south orientation of the Powder River Basin producing area, Phillips states that the Douglas System does display the network-like configuration commonly found in field gas gathering systems.

Phillips believes that the Douglas System facilities of Panhandle are appropriately classified as exempt gathering facilities upon their transfer to Phillips. All of the facilities are behind the Douglas Plant or at the plant site. The system serves almost entirely low pressure casinghead gas production from oil wells rich in natural gas liquid content and requiring processing and dehydration prior to delivery into transmission lines for further transportation. It is stated that the considerable distances covered by the system are entirely attributable to its location in a large producing basin, and the north-south orientation of the Powder River Basin dictate a north-south main feeder line. In general, Phillips states that the system exhibits the network-like configuration common to behind the plant gas gathering systems.

Phillips also requests that the Commission consider its petition in conjunction with its treatment of Panhandle's abandonment application since the two dockets involve common, intimately related issues. Finally, Panhandle requests a shortened notice period inasmuch as notice of Panhandle's abandonment application has previously been published.

Comment date: April 4, 1991, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

10. Columbia Gulf Transmission Co., Mississippi River Transmission Corp., and El Paso Natural Gas Co.

Docket Nos. CP91-1577-000, CP91-1578-000, CP91-1592-000, CP91-1579-000 and CP91-1581-000

March 20, 1991.

Take notice that Appllicants 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 shippers under the blanket certificates issued to Applicants 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 inspecton.[5]

Information applicable to each transaction, including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the 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 Applicants and is summarized in the attached appendix A. Applicants' addresses and transportation blanket certificates are shown in the attached appendix B.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

[5]These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name (type)	Peak day, average day, annual MMBtu	Receipt [1] points	Delivery points	Contract date, rate schedule, service type	Related docket start up date
CP91-1577-000 (3-15-91)	Total Minetome Corporation (Producer).	100,000 40,000 14,600,000	OLA, LA	LA, AL, TN	10-25-88,[2] ITS-1&2, Interruptible.	ST91-6944-000 1-22-91
CP91-1578-000 (3-15-91)	Mobil Natural Gas Inc. (Producer).	60,000 25,000 9,125,000	OLA, LA	LA	1-13-89,[3] ITS-1&2, Interruptible.	ST91-7605-000 2-1-91
CP91-1579-000 (3-15-91)	Cerro Copper Products Co. (End user).	960 960 350,400	AR, LA, OK, TX, IL	IL	12-29&89, FTS, Firm.	ST91-7145-000 1-1-91
CP91-1581-000 (3-18-91)	Meridian Oil Trading Inc. (Marketer).	10,300 10,300 3,759,500	OTX	OTX	1-10-91, T-1, Interruptible.	ST91-7075-000 1-12-91
CP91-1592-000 (3-19-91)	Brooklyn Interstate Natural Gas Corp. (Marketer).	30,000 10,000 3,650,000	OLA, LA	OLA, LA, MS, TN	4-10-89,[3] ITS-1&2, Interruptible.	ST91-7065-000 2-6-91

[1]Offshore Louisiana and offshore Texas are shown as OLA and OTX.
[2]The agreements providing for ITS-1 and ITS-2 services are both dated the same date. The ITS-2 agreement has been amended to provide for an additional delivery point
[3]The agreements providing for ITS-1 and ITS-2 services are both dated the same date and both are amended.
[4]This filing reflects incremental quantities provided by a December 31, 1990, amendment.

Applicant's address	Blanket docket
Columbia Gulf Transmission Company, P.O. Box 683, Houston, Texas 77001.	CP86-239-000
El Paso Natural Gas Company, P.O. Box 1492, El Paso, Texas 79978.	CP88-433-000
Mississippi River Transmission Corporation, 9900 Clayton Road, St. Louis, Missouri 63124.	CP89-1121-000

11. ANR Pipeline Co.

[Docket No. CP91-1560-000]

March 20, 1991.

Take notice that on March 14, 1991, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP91-1560-000 an application pursuant to section 7(b) of the Natural Gas Act requesting an order permitting and approving abandonment of an exchange agreement with Columbia Gas Transmission Corporation (Columbia), all as more fully set forth in the application on file with the Commission and open to public inspection.

ANR states that by Commission order issued January 17, 1975, as amended on November 28, 1979, in Docket No. CP75-82 it was authorized to exchange 15,000 Mcf of natural gas per day with Columbia pursuant to an exchange agreement dated April 1, 1974, as amended February 8, 1979, and designated as Rate Schedule X-42 in ANR's FERC Tariff, Original Volume No. 2. ANR states that in accordance with the exchange arrangement it delivered gas to Sea Robin Pipeline Company (Sea Robin) in Block 181 East Cameron Area, Offshore Louisiana which Sea Robin in turn redelivered to Columbia near Erath, Louisiana and Columbia in turn delivered to ANR by displacement at the interconnection of their pipeline systems near Calumet, Louisiana.

ANR requests that the abandonment of the exchange of 4,950 Mcf of natural gas per day be effective March 1, 1990, and the remaining 10,050 Mcf of natural gas per day be effective November 28, 1990 in accordance with a mutual agreement between ANR and Columbia and the services rendered under the exchange agreement.

Comment date: April 10, 1991, in accordance with Standard Paragraph F at the end of the notice.

12. Tennessee Gas Pipeline Co.

[Docket No. CP91-432-001]

March 21, 1991.

Take notice that on March 19, 1991 [6] Tennessee Gas Pipeline Company (Tennessee), P.O. Box 2511, Houston, Texas 77252, filed in Docket No. CP91-432-001 an amendment to its application filed on November 14, 1990, in Docket No. CP91-432-000 to reflect a revision to Tennessee's proposed increase in sales service to East Tennessee Natural Gas Company (East Tennessee), all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

[6] The amendment was tendered for on March 8, 1991; however, the fee required by Section 381.207 of the Commission's Rules (18 CFR 381.207) was not paid until March 19, 1991. Section 381.103 of the Commission's Rules provides that the filing date is the date on which the fee is paid.

Tennessee proposes to implement a precedent agreement dated February 27, 1991, with East Tennessee which

supersedes a precedent agreement dated October 25, 1990, and reduces the requested increase in maximum daily quantity from 45,000 dt equivalent of natural gas to 40,000 dt equivalent of natural gas and the requested increase in annual quantity from 13,352,424 dt equivalent of natural gas to 11,863,957 dt equivalent of natural gas. No other changes are proposed

Comment date: April 11, 1991, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

13. Chevron U.S.A. Inc., *et al.*[1]

[Docket No. G–10571–000, *et al.*]

March 21, 1991.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for authorization to terminate or amend certificates as described herein, all as more fully described in the respective applications which are on file with the Commission and open to public inspection.

Comment date: April 10, 1991, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Description
G–10571–000 D 2–19–91	Chevron U.S.A. Inc., P.O. Box 3725. Houston, TX 77253–3725.	Texas Gas Pipe Line Corporation, Fannett and Marrs, McLean Fields, Jefferson County, Texas.	Assigned 12–1–90 to Kamlok, Inc.
G–19127–003 D 3–4–91	Texaco Inc., P.O. Box 4700, Houston, TX 77210–4781.	Phillips Petroleum Company, Hugoton Field, Moore and Sherman Counties, Texas.	Assigned 5–1–89 to Phillips Petroleum Company.
CI64–976–002 D 2–28–91	Texaco Inc	KN Energy Inc., Bradshaw Field, Hamilton County, Kansas.	Assigned 6–1–90 to Hugoton Energy Corporation.
CI78–555–001 D 2–25–91	Chevron U.S.A. Inc	Valero Interstate Transmission Company, El Staggs Field, Hidalgo County, Texas.	Assigned 7–1–90 to Mueller Exploration Inc.
CI91–59–000 (CI85–154–000 D 2–20–91	Diamond Shamrock, Offshore Partners, Limited Partnership, 717 North Harwood Street, Dallas, TX 75201.	Florida Gas Transmission Company, Block 555, Matagorda Island Area, Offshore Texas.	Assigned 7–1–90 to Eron Oil & Gas Company.
CI91–65–000 (CI85–136–000 D 2–28–91	Texaco Inc	KN Energy Inc., Bradshaw Field, Hamilton County, Kansas.	Assigned 6–1–90 to Hugoton Energy Corporation.
CI91–66–000 (G–3978) D 3–1–91	Phillips 66 Natural Gas Company, 990–G Plaza Office Bldg., Bartleville, OK 74004.	Lone Star Gas Company, Fox Plant and Gathering System, Carter, Stephens, Garvin, Murray, Love and Jefferson Counties, Oklahoma.	Assigned 2–1–91 to Mobil Oil Corporation.
(CI62–98) D 3–1–91	....do	....do	Do
(CI63–394) D 3–1–91	....do	....do	Do
(CI66–20) D 3–1–91	....do	....do	Do
CI91–66–000 (G–6668) D 3–1–91	....do	....do	Do
(CI62–739) D 3–1–91	....do	....do	Do
(CI63–577) D 3–1–91	....do	....do	Do
(G6668) D 3–1–91	....do	....do	Do
(CI71–226) D 3–1–91	....do	....do	Do
CI91–66–000 (CI71–910) D 3–1–91	....do	....do	Do
(CI64–612) D 3–1–91	....do	Neches Gas Distribution Company, Fox Plant and Gathering System, Carter, Stephens, Garvin, Murray, Love and Jefferson Counties, Oklahoma..	Do

Filing Code: A—Initial Service; B—Abandonment; C—Amendment to add acreage; D—Assignment of acreage; E—Succession; F—Partial Succession.

14. U–T Offshore System

[Docket No. CP91–1569–000]

March 21, 1991.

Take notice that on March 15, 1991, U–T Offshore System (U–TOS), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP91–1569–000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to provide an interruptible transportation service for Laser Marketing Company, a marketer, under the blanket certificate issued by the Commission's Order No. 509 corresponding to the rates, terms and conditions filed in Docket No. RR89–99–000, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

U–TOS states that, pursuant to an agreement dated July 1, 1990, under its Rate Schedule IT, it proposes to transport up to 150,000 Mcf per day of natural gas. U–TOS indicates that the gas would be transported from Offshore Louisiana, and would be redelivered in Louisiana. U–TOS further indicates that it would transport 50,000 Mcf on an average day and 18,250,000 Mcf annually.

U–TOS advises that service under Section 284.223(a) commenced February 27, 1991, as reported in Docket No. ST91–7602–000.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

15. Williams Natural Gas Co.

[Docket Nos. CP91–1593–000 and CP91–1594–000]

March 21, 1991.

Take notice that Williams Natural Gas Company, P.O. Box 3288, Tulsa, Oklahoma 74101, (Applicant) 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 on Docket No. CP86–631–000, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests that are on file with the Commission and open to public inspection.[8]

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 Applicant and is summarized in the attached appendix.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

[8] These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name (type)	Peak day, average day, annual dt	Receipt [1] points	Delivery points	Contract date, rate schedule, service type	Related docket, start up date
CP91–1593–000 3–19–91)	TXO Gas Marketing Corporation, (Marketer).	50,000 50,000 18,250,000	CO, KS, OK, TX, MO, WY.	KS, OK	2–1–91, ITS, Interruptible.	ST91–7547, 2–1–91.
CP91–1594–000 (3–19–91)	Delhi Gas Pipeline Corporation, (Intrastate pipeline).	50,000 50,000 18,250,000	KS, OK, TX	CO, KS, OK, TX, MO, WY.	2–1–91, ITS, Interruptible.	ST91–7549, 2–1–91.

[1] Offshore Louisiana and offshore Texas are shown as OLA and OTX.

16. Natural Gas Pipeline Co. of America

[Docket Nos. CP91–1583–000, CP91–1584–000, CP91–1585–000, and CP91–1586–000]

March 21, 1991.

Take notice that on March 15, 1991, Natural Gas Pipeline Company of America (Applicant), 701 East 22nd Street, Lombard, Illinois 60148, 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 in Docket No. CP86–582–000, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests that are on file with the Commission and open to public inspection.[9]

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 Applicant and is summarized in the attached appendix.

Applicant states that each of the proposed services would be provided under an executed transportation agreement, and that Applicant would charge the rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

[9] These prior notice requests are not consolidated.

Docket No.[3] (date filed)	Shipper name	Peak day [1], average day, annual	Receipt [2] points	Delivery points	Start up date, rate schedule, service type	Related docket, contract date
CP91–1583–000 (3–18–91)	Centran Corporation	10,000 5,000 1,825,000	AR, CO, IA, IL, KS, LA, OLA, MO, NE, NM, OK, TX, OTX.	LA, OKA, OK, TX, IA, OTX, IL, NM, CO, KS.	1–12–91, ITS, Interruptible.	ST91–6843–000, 3–2–89.
CP91–1584–000 (3–18–91)	Seagull Marketing Services, Inc.	100,000 50,000 18,250,000	AR, CO, IA, IL, KS, LA, OLA, MO, NE, NM, OK, TX, OTX.	LA, OKA, OK, TX, IA, OTX, IL, NM, CO.	1–24–91, ITS, Interruptible.	ST91–7044–000, 11–12–90.
CP91–1585–000 (3–18–91)	American Central Gas Companies, Inc.	100,000 40,000 14,600,000	AR, CO, IA, IL, KS, LA, OLA, MO, NE, NM, OK, TX, OTX.	OK, LA, OLA, TX, IA, OTX, IL, NM, IA, CO.	1–17–91, ITS, Interruptible.	ST91–7021–000, 1–15–91.

Docket No.[3] (date filed)	Shipper name	Peak day[1], average day, annual	Receipt[2] points	Delivery points	Start up date, rate schedule, service type	Related docket, contract date
CP91-1586-000 (3-18-91)	NGC Transportation, Inc.	100,000 40,000 14,600,000	AR, CO, IA, IL, KS, LA, OLA, MO, NE, NM, OK, TX.	OK, LA, OLA, TX, IL, NM, OTX, IA.	1-23-91, ITS, Interruptible.	ST91-7023-000, 10-11-88.

[1] Quantities are shown in MMBtu and additional volumes may be accepted pursuant to the overrun provisions of Applicant's Rate Schedule ITS.
[2] Offshore Louisiana and offshore Texas are shown as OLA and OTX.
[3] If an ST docket is shown, 120-day transportation service was reported in it.

17. Columbia Gas Transmission Corp.

[Docket No. CP91-1570-000]

March 22, 1991.

Take notice that on March 15, 1991, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, SE., Charleston, West Virginia 25314, filed in Docket No. CP91-1570-000 a request pursuant to §§ 157.205, 157.212 and 157.216 of the Commission's Regulations under the Natural Gas Act for authorization to establish an additional point of delivery to West Ohio Gas Company (West Ohio) at an existing point of interconnection in Allen County, Ohio, and for permission and approval to abandon an existing point of delivery to Columbia Gas of Ohio, Inc. (COH) in Allen County, Ohio under its blanket certificate issued in Docket No. CP83-76-000 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.

Columbia requests permission and authorization to abandon a point of delivery to COH under Columbia's Rate Schedule CDS. Columbia indicates that service previously rendered by COH at this point of delivery will now be provided by West Ohio. Columbia states that the point of delivery located near Lima, Ohio was previously utilized by COH to provide service to Standard Oil Company of Ohio's Vistron Plant, which is presently owned by British Petroleum Chemical, Inc. (BP Chemical). Columbia states taht it has not provided sales service at that point of delivery since February of 1984. Therefore, according to Columbia, the proposed abandonment will not result in the loss of service to any customer of Columbia.

Additionally, Columbia requests authorization to establish an additional point of delivery to West Ohio near Lima, Ohio, at an existing interconnection between the facilities of Columbia and West Ohio in Allen County, Ohio, with a maximum daily delivery obligation of 70,000 Dth per day or 500,000 Dth per year under West Ohio's existing CDS, WS, FSS and FTS Service Agreements with Columbia. Columbia indicates that it initiated interruptible transportation service for BP Chemical and West Ohio pursuant to section 284, Part B of the Commission's Regulations on October 1, 1990. Columbia states that said quantities will allow West Ohio to provide service to BP Chemical's Vistron Plant with deliveries being made at such interconnection.

Finally, Columbia states that the quantities to be provided through the additional point of delivery are within its currently authorized level of service and will be within existing peak day and total firm entitlements of West Ohio.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

18. Texas Eastern Transmission Corp., Southern Natural Gas Co., and Southern Natural Gas Co.

[Docket Nos. CP91-1568-000, CP91-1571-000, and CP91-1572-000]

March 22, 1991.

Take notice that Texas Eastern Transmission Corporation, P.O. Box 1642, Houston, Texas 77251-1642, and Southern Natural Gas Company, P.O. Box 2563, Birmingham, Alabama 35202-2563. (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 the blanket certificates issued in Docket No. CP88-136-000, as amended and Docket No. CP88-316-000, respectively, 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.[10]

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 Applicants and is summarized in the attached appendix.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

[10] These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name (type)	Peak day, average day, annual MMBtu	Receipt[1] points	Delivery points	Contract date, rate schedule, service type	Related docket, start up date
CP91-1568-000 (3-15-91)	FMI Hydrocarbon Company, (Agent for producers).	100,000 100,000 36,500,000	System	LA	10-24-90, IT-1, Interruptible.	ST91-7039-000, 1-16-91.
CP91-1571-000 (3-15-91)	Borden Packaging and Industrial Products, Division of Borden, Inc., (End-user).	800 41 15,000	OTX, OLA, TX, LA, MS, AL.	AL	12-20-90, IT, Interruptible.	ST91-6952-000, 1-19-91.
CP91-1572-000 (3-15-91)	Hassie Hunt, Exploration Company, (End-user).	200 43 16,000	OTX, OLA, TX, LA, MS, AL.	MS	12-28-90, IT, Interruptible.	ST91-6598-000, 1-11-91.

[1] Offshore Louisiana and offshore Texas are shown as OLA and OTX.

19. Natural Gas Pipeline Co. of America

[Docket No. CP91–1550–000]

March 22, 1991.

Take notice that on March 14, 1991, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148, filed in Docket No. CP91–1550–000 a request pursuant to §§ 157.205 and 157.214 of the Commission's Regulations under the Natural Gas Act for authorization to increase the maximum volume of natural gas authorized to be stored at two existing storage reservoirs under its blanket certificate issued in Docket No. CP82–402–000 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.

Natural states that the reservoirs in question are the Sayre Brown Dolomite reservoir and the Loudon Devonian reservoir. Natural indicates that it is requesting authority to increase the certificated capacity at these reservoirs to provide Natural with the operational flexibility required at the end of the injection cycle. Natural futher states that it is not requesting authority to construct additional facilities or increase its peak day withdrawal authorization at either reservoir.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

20. ENSTAR Corp.

[Docket No. CI91–32–000]

March 22, 1991.

Take notice that on January 4, 1991, ENSTAR Corporation of 1330 Post Oak Blvd., Houston, Texas 77252, filed an application pursuant to section 7 of the Natural Gas Act for authorization to terminate certificates for reasons described in the appendix herein, all as more fully described in the application which is on file with the Commission and open to public inspection.

Comment date: April 10, 1991, in accordance with Standard Paragraph J at the end of this notice.

APPENDIX

ENSTAR corporation FERC gas rate schedule No.	Certificate docket No.	Purchaser and location	Description
11	CI86–100–000	Columbia Gas Transmission Corporation, Vermilion Block 161, Offshore Louisiana.	Assigned 5–1–90 to Union Texas Development Corporation.
14	CI86–103–000	Sea Robin Pipeline Company, Vermilion Block 171, Offshore Louisiana.	Assigned 5–1–90 to Union Texas Development Corportation.
20	CI86–109–000	Transwestern Pipeline Corporation, Atoka Field, Eddy County, New Mexico.	Assigned 5–1–90 to Ultramar Production Company.
26	CI86–115–000	Transcontinental Gas Pipe Line Corporation, South Timbalier Blocks 184/185, Offshore Louisiana.	Assigned 5–1–90 50% to Union Texas Development Corporation and 50% to Ultramar Production Company.
36	CI87–226–000	Transwestern Pipline Corporation, Crawford Filed, Eddy Country, New Mexico.	Assigned 5–1–90 to Ultramar Production Company.
50	CI69–1027–001	Columbia Gas Transmission Corporation, Vermilion Block 161, Offshore Louisiana.	Assigned 5–1–90 to Union Texas Development Corporation.

21. U–T Offshore System

[Docket No. CP91–1591–000]

March 22, 1991

Take notice that on March 19, 1991, U-T Offshore System (U–TOS), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP91–1591–000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to provide an interruptible transportation service for Panhandle Trading Company, a marketer, under the blanket certificate issued by the Commission's Order No. 509 corresponding to the rates, terms and conditions filed in Docket No. RP89–99–000, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

U–TOS states that, pursuant to an agreement dated November 1, 1990, under its Rate Schedule IT, it proposes to transport up to 50,000 Mcf per day of natural gas. U–TOS indicates that the gas would be transported from Offshore Louisiana, and would be redelivered in Louisiana. U–TOS further indicates that it would transport 10,000 Mcf on an average day and 3,650,000 Mcf annually.

U–TOS advises that service under § 284.223(a) commenced February 1, 1991, as reported in Docket No. ST91–7086–000.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

22. K N Energy Inc.

[Docket No. CP91–1582–000]

March 22, 1991.

Take notice that on March 18, 1991, K N Energy Inc. (K N), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP91–1582–000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for permission and approval to abandon a portion of KN's Norfolk lateral in Madison County, Nebraska, under K N's blanket certificate issued in Docket No. CP83–140–000 *et al.*, all as more fully described in the application which is on file with the Commission and open to public inspection.

K N states that the segment to be abandoned consists of 500 feet of 3-inch line, located under a state highway and serves as a town border station owned by Minnegasco. It is asserted that K N was requested by the City of Norfolk, Nebraska, to relocate the segment of pipeline in order to facilitate highway modification. It is explained that the facilities were installed pursuant to Commission authorization in Docket No. G–1532. It is stated that the abandoned line would be replaced by a 6-inch line located within the highway right-of-way and pursuant to K N's automatic authorization under § 157.216 of the Commission's Regulations.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

23. Northern Natural Gas Co., Columbia Gas Transmission Corp., Southern Natural Gas Co., Southern Natural Gas Co., and Valley Gas Transmission, Inc.

[Docket Nos. CP91-1596-000, CP91-1611-000, CP91-1612-000, CP91-1613-000, and CP91-1614-000]

March 22, 1991.

Take notice that on March 20, 1991, 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 shippers under the blanket certificates issued to Applicants pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests that are on file with the Commission and open to public inspection.[1]

Information applicable to each transaction, including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related ST docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by Applicants and is summarized in the attached appendix A. Applicants' addresses and transportation blanket certificates are shown in the attached appendix B.

Comment date: May 6, 1991, in accordance with Standard Paragraph G at the end of this notice.

[1] These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name (type)	Peak day, average day, annual MMBtu	Receipt points [1]	Delivery points	Contract date, rate schedule, service type	Related docket, start up date
CP91-1596-000 (3-20-91)	Fina Natural Gas Company (Producer).	30,000 22,500 10,950,000	OLA, OTX	LA	3-1-91, IT, Interruptible.	ST91-7680-000, 3-1-91.
CP91-1611-000 (3-20-91)	Shawmut Development Corporation, (Marketer).	5,000 4,000 1,825,000	Various	Various	10-10-90, ITS, Interruptible.	ST91-7572-000, 1-10-91.
CP91-1612-000 (3-20-91)	Lehigh Portland Cement Company, (End-user).	6,000 300 109,500	OTX, OLA, TX, LA, MS, AL.	AL	12-28-90, IT, Interruptible.	ST91-6949-000, 1-21-91.
CP91-1613-000 (3-20-91)	LaFarge Corporation (End-user).	10,000 500 182,500	OTX, OLA, TX, LA, MS, AL.	AL	12-21-90, IT, Interruptible.	ST91-6957-000, 1-21-91.
CP91-1614-000 (3-20-91)	Energy Development Corporation.	5,000 5,000 [2] 1,825,000	TX	TX	3-1-91, T-2, Interruptible.	ST91-7166-000, 3-1-91.

[1] Offshore Louisiana and offshore Texas are shown as OLA and OTX.
[2] Valley's quantities are in Mcf.

Applicant's address	Blanket docket
Columbia Gas Transmission Corporation, 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314.	CP86-240-000
Northern Natural Gas Company, 1400 Smith Street, P.O. Box 1188, Houston, Texas 77251-1188.	CP86-435-000
Southern Natural Gas Company, P.O. Box 2563, Birmingham, Alabama 35202-2563.	CP88-316-000
Valley Gas Transmission, Inc., 1301 McKinney, Suite 700, Houston, Texas 77010.	CP86-171-000

24. National Fuel Gas Supply Corp.

[Docket No. CP91-1595-000]

March 22, 1991.

Take notice that on March 19, 1991, National Fuel Gas Supply Corporation (National Fuel), Ten Lafayette Square, Buffalo, New York 14203, filed in Docket No. CP91-1595-000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon the interruptible transportation service it provides for UGI Corporation (UGI), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

National Fuel states that by order issued November 17, 1983, as amended on April 6, 1984, in Docket No. CP77-363-006 National Fuel was authorized to transport up to 5,000 Mcf of natural gas per day (Mcfd) on an interruptible basis for UGI from Forest and Warren Counties, Pennsylvania to the facilities of Columbia and Penn-York Energy Corporation. National Fuel further states that by letter dated December 12, 1990, UGI notified National Fuel that it has agreed to sell its production properties in Forest and Warren Counties and no longer requires the service National Fuel has been providing.

Comment date: April 12, 1991, in accordance with Standard Paragraph F at the end of the notice.

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.

Standard Paragraph

J. Any person desiring to be heard or make any protest with reference to said filings 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, .214). 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 in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 91-7407 Filed 3-28-91; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-3917-9]

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 March 18, 1991 Through March 22, 1991 Pursuant to 40 CFR 1506.9.

EIS No. 910083, DRAFT EIS, AFS, OR, Augur Creek Timber Sale and Road Construction, Implementation, Fremont National Forest, Paisley Ranger District, Lake County, OR, Due: May 13, 1991, Contact: Roger King (503) 943-3114.

EIS No. 910084, FINAL SUPPLEMENT, COE, AK, Kodiak Harbor Additional Moorage Construction, Implementation, Kodiak Island, AK, Due: April 29, 1991, Contact: John Burns (907) 753-2641.

EIS No. 910085, SECOND DRAFT SUPPLE, AFS, PR, Caribbean National Forest and Luquillo Experimental Forest, Land and Resource Management Plan, Effects of Hurricane Hugo and Updated Information, Commonwealth of Puerto Rico, Due: April 29, 1991, Contact: Jose Salinas, Jr. (809) 766-5335.

EIS No. 910086, DRAFT EIS, AFS, CO, Divide Creek Unit Coal-Bed Methane Project, Continued Development, Leasing, section 404 Permit, White River National Forest, Garfield and Mesa Counties, CO, Due: May 24, 1991, Contact: Thomas Hoots (303) 945-2521.

EIS No. 910087, FINAL EIS, AFS, WI, Sunken Camp Area—Management Area 351, Management Plan, Implementation, Chequamegon National Forest, Washburn Ranger District, Bayfield County, WI, Due: April 29, 1991, Contact: Steven Christiansen (715) 373-2667.

EIS No. 910088, FINAL EIS, FHW, HI, Honoapiilani Highway/FAP Route 30 Improvements, Puamana to Honokowai, Funding, Maui County, HI, Due: April 29, 1991, Contact: William Lake (808) 541-2700.

EIS No. 910089, DRAFT EIS, AFS, AK, Starfsh Timber Sale, Implementation Analysis, Section 404 Permit, Tongass National Forest, Etolin Island, Stikine Area, AK, Due: May 13, 1991, Contact: Richard Strauss (907) 772-3841.

EIS No. 910090, FINAL EIS, AFS, MT, Mill-Lion Project Area Timber Sale, Implementation, Lewis and Clark National Forest, Musselshell Ranger District, Meagher County, MT, Due: May 13, 1991, Contact: David Wanderaas (406) 632-4391.

Dated: March 26, 1991.

Richard E. Sanderson,

Director, Office of Federal Activities.

[FR Doc. 91-7491 Filed 3-28-91; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-3918-1]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared March 11, 1991 through March 15, 1991 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) If 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) were published in FR dated April 13, 1990 (55 FR 13969).

Draft EISs

ERP No. D-AFS-J67010-MT Rating EC2, Western Vermiculite Open Pit Mine Project, Construction and Operation, Permit Approval, Bitteroot National Forest Hamilton County, MT.

Summary: EPA feels the draft EIS does an excellent job of identifying issues concerning this proposed mine project and EPA supports the use of aquatic sampling of macroinvertebrate communities for St. Clair Creek. Although a preferred alternative has not been selected, EPA believes that Alternative 1 will have adverse impacts on water resources and recommends selection of Alternative 2. The health hazard sections of the draft EIS were very well written. The final EIS should provide additional information on potential sources of asbestos and an attendant qualitative estimation of health risks.

ERP No. D-AFS-J82014-MT Rating EC2, Flathead National Forest Noxious Weeds Management Project, Herbicide Use on Seven Sites, Bob Marshall Wilderness Area, Implementation, Spotted Bear and Hungry Horse Ranger Districts, Flathead County, MT.

Summary: EPA is concerned with the proposed use of Picloran, especially in riparian areas and suggests the use of a manual/mechanical/extremely light chemical alternative treatment for use on wilderness sites. EPA believes that Alternative B is the environmentally preferable alternative.

ERP No. D-FHW-B40069-TV Rating EO2, I-89 Interchange in the town of Bolton and US 2 between Watersburg and Richmond, Construction, Funding, Chittenden and Washington Counties, VT.

Summary: EPA believes that the draft EIS does not contain sufficient information to fully assess the potential environmental impacts, especially the

indirect/secondary and cumulative impacts as required under NEPA. Finally, EPA believes that the draft EIS fails to rigorously explore less environmentally damaging options for roadway improvement.

ERP No. D–FRC–K03020–00 Rating EO2, Pacific and Altamont Natural Gas Transmission Pipeline Projects, Construction, Operation and Maintenance, section 10 and 404 Permits, extending from Canada to CA.

Summary: EPA expressed environmental objections due to potential project impacts to water quality, wetlands, fisheries, wildlife habitat, endangered species and other natural resources. EPA stated that the draft EIS did not contain sufficient information to adequately assess project impacts to natural resources and the adequacy of mitigation. EPA also noted that the project does not appear to comply with section 404 of the Clean Water Act, which regulates the discharge of dredged or fill material into waters of the U.S., including wetlands. EPA requested that the final EIS contain a strong commitment by the Federal Energy Regulatory Commission to adopt environmental monitoring and mitigation to protect natural resources.

ERP No. DF–AFS–B61017–NH Rating EO1, Loon Mountain Ski Area, South Mountain Expansion Project, Special Use Permit, White Mountain National Forest, Grafton County, NH.

Summary: EPA's comments on this document raised environmental objections to the U.S. Forest Service's proposed approval of ski resort development at Loon Mountain in the White Mountain National Forest. EPA endorsed the new plan for limiting withdrawals from the East Branch of the Pemigewasset River for snowmaking. EPA objected to the Forest Service's proposal to allow Loon Mt. Corp. to withdraw up to 15 feet of water from Loon Pond. EPA also recommended that the Forest Service hold in abeyance its permit decision on the Loon Mountain development until water, wastewater, amd traffic problems in Lincoln have been solved.

Final EISs

ERP No. F–BLM–J02019–CO, Colorado Oil and Gas Leasing and Development Plan, Glenwood Springs, Kremmling and Little Snake Resource Areas and Northeast and San Juan/San Miguel Planning Areas Resource Management Plans Amendment, Approval, CO.

Summary: EPA believes that the BLM has generally provided adequate information and therefore no serious objections to the proposed action are raised.

EPA No. F–BOP–C81013–NY, Brooklyn Metropolitan Detention Center, Construction and Operation, New York City, NY.

Summary: EPA believes that the final EIS adequately addressed the concerns raised in the review of the draft EIS.

EPA No. F–FHW–F40299–MI, I–94BL/ Michigan Avenue Improvement, Dickman Road to Columbia Avenue, Funding, Calhoun County, MI.

Summary: EPA suggested that feasible mitigation measures be provided to lesson the noise impacts.

EPA No. F–FHW–G40125–TX, I–30/I–35W Interchange Improvements, Forest Park Boulevard to Riverside Drive and Hattie Street to Luella Street, Funding, Tarrant County, TX.

Summary: EPA has no objections to the proposed action as described.

Regulations

EPA No. R–NRC–A22122–00, 10 CFR parts 60; Definition of the Term "High-Level Radioactive Waste" Petition for Rulemaking (55 FR 51732).

Summary: EPA had no comments on this proposed rulemaking.

Dated: March 26, 1991.

Richard E. Sanderson,

Director, Office of Federal Activities.

[FR Doc. 91–7492 Filed 3–28–91; 8:45 am]

BILLING CODE 6560–50–M

[OPTS–62101; FRL–3876–9]

Model Contractor Accreditation Plan; Intent to Revise the Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA announces its intent to revise the Model Accreditation Plan which was issued on April 30, 1987, pursuant to section 206 of the Asbestos Hazard Emergency Response Act (AHERA). This original plan was developed, after consultation with affected organizations, for the purpose of establishing minimum training requirements for those persons seeking accreditation to conduct asbestos-related work in schools. Accreditation was required for all persons inspecting school buildings for the presence of asbestos, developing school management plans and designing response actions for or conducting response actions in schools. The Model Plan was codified in the Code of Federal Regulations as appendix C to subpart E, 40 CFR part 763. States are required under AHERA to adopt their own contractor accreditation plans, which are to be no less stringent than the EPA Model Plan. Persons may become accredited to perform asbestos work in schools either by passing a training course and examination which had received earlier EPA approval, or by meeting the current prerequisites of a State accreditation program that complies with AHERA.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division, Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, (202) 382–7849, TDD: 554–0551.

SUPPLEMENTARY INFORMATION: On November 28, 1990, the Asbestos School Hazard Abatement Reauthorization Act (ASHARA) was signed into law by the President. Section 15(a)(3) of the Act requires that the EPA Administrator shall, no later than 1 year after the date of enactment, or 2 years if the Administrator determines that such an extension is necessary to ensure continued asbestos hazard abatement in schools, revise the EPA Model Accreditation Plan to increase the minimum number of hours of training required for asbestos abatement workers. It further stipulated that the Agency was to make such other changes as might be necessary to implement the mandated extension of accreditation requirements to include persons performing asbestos-related work in public and commercial buildings. In approaching this task, EPA will once again consult with affected organizations prior to developing a revised Plan. A public hearing to solicit comments on the revisions to the Plan will be announced later this spring in a separate notice. The Agency currently anticipates that its Plan revision will be available in October 1991. Once the Model Plan has been revised, individual State accreditation programs and training courses will require corresponding changes in order to remain consistent. The Agency will consider the impact of proposed revisions on current State programs, EPA-approved training courses, and accredited individuals as the revision process goes forward.

Dated: March 22, 1991.

Mark A. Greenwood,

Director, Office of Toxic Substances.

[FR Doc. 91–7448 Filed 3–28–91; 8:45 am]

BILLING CODE 6560–50–F

[OW-FRL-3917-5]

Assessment and Control of Bioconcentratable Contaminants in Surface Waters: Draft Guidance Availability

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: This notice announces the availability of the draft guidance document entitled "Assessment and Control of Bioconcentratable Contaminants in Surface Waters." The purpose of this document is to provide guidance to State and federal regulators on assessing, and where necessary, controlling the release of pollutants which, due to their chemical properties, accumulate in the tissues of aquatic organisms. The Environmental Protection Agency solicits comments from the public on all aspects of the draft guidance document.

DATES: Copies of this draft guidance document are available beginning today. Comments must be received by EPA on or before May 28, 1991.

ADDRESSES: Copies of this document can be obtained by writing Mr. William Morrow, Office of Water Enforcement and Permits, EN-336, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: William Murrow at (202) 475-9531.

SUPPLEMENTARY INFORMATION: The overall purpose of this draft guidance document is to provide guidance to identify and, where necessary, control bioconcentratable organic compounds that may be present in effluents, nonpoint source runoff, receiving waters, bedded sediments, dredged material, and the tissues of aquatic organisms. Such compounds can cause adverse human health and aquatic life impacts. Identification of bioconcentratable and bioaccumulative compounds in water, tissue and sediment can serve as the basis for regulatory decisions concerning all sources of these pollutants.

The approach outlined in today's draft guidance is designed to assist regulatory authorities in discovering the presence, identity, and concentration of specific organic compounds in complex mixtures, such as effluents and fish tissue. The approach is designed to focus on those compounds that can be reliably predicted to accumulate in fish and shellfish tissue at concentrations of concern to human health and aquatic life so that regulatory authorities may make more informed decisions with regard to controlling these substances. The use of this approach in the control of bioconcentratable contaminants is recommended for the following reasons:

- A broad screen approach is achieved in a cost effective manner that does not require a prior knowledge of the presence of specific chemicals. It thus avoids over reliance on chemical by chemical screening for targeted pollutants which cannot provide as complete a characterization of bioconcentratable contaminants in an effluent.
- The approach focuses regulatory attention on those chemicals which bioconcentratable in the environment. In using this approach, patterns and trends may be discerned and new or previously unknown problem toxicants can be identified and controlled.
- The approach provides a standardized assessment methodology with broad applicability which offers the same sample handling, detection levels, and consistency of results for different applications (effluents, fish tissues, and sediments).
- The approach can be used to assess bioconcentration hazards for wildlife and for the protection of wildlife for which criteria are available.
- The approach provides a means to better prioritize permitting resources. If contaminants are not found at levels of concern, then that particular source can be considered a lower priority for establishing controls.
- The approach provides procedures for assessing and controlling complex mixtures. The identification of those chemicals present in a complex mixture such as an effluent, which pose a threat to human health, enables the additive risk from those chemicals to be addressed in the development of reference ambient concentrations.

With respect to regulatory decisions, today's draft guidance focuses principally on the development and implementation of point source discharge limitations. The Clean Water Act in section 101 (a) (1) states that the discharge of toxic pollutants in toxic amounts be prohibited. The U.S. Environmental Protection Agency's (EPA) national "Policy for the Development of Water Quality-Based Permit Limitations for Toxic Pollutants" (March 1984) states that to control pollutants beyond Best Available Technology Economically Achievable (BAT), secondary treatment, and other Clean Water Act technology-based requirements, and in order to meet water quality standards, the EPA will use an integrated strategy consisting of both biological and chemical methods to address toxic and nonconventional pollutants from industrial and municipal sources. In addition, EPA's regulations at 40 CFR part 122.44(d) (promulgated on June 2, 1989 at 54 FR 23868) establish specific requirements for assessing and controlling point source discharges of pollutants which cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard (including narrative standards).

Human consumption of fish and shellfish contaminated by exposure to industrial and municipal effluent discharges is a potential toxic chemical exposure route of serious concern. Controls to protect human health are part of the full complement of water quality-based controls for toxic pollutants. The draft guidance document announced in today's notice is intended to support the implementation of EPA policy and regulations on water quality-based toxics control by providing the basis for effluent controls to prevent the bioconcentration and bioaccumulation of toxic compounds.

An overall summary of each chapter of the draft guidance is provided below:

Chapter 1: Approach to Assessment and Control of Bioconcentratable Contaminants

This chapter defines the scope of this guidance document and summarizes the assessment options.

Chapter 2: Principles of Bioconcentration Control

This chapter serves as an introduction to background principles and discusses bioconcentration, terminology, processes, and methods.

Chapter 3: Assessment Options for Bioconcentratable Contaminants

This chapter provides a detailed description of the tissue residue and effluent options and their analytical procedures. Chapter 3 also provides discussions on generating chemical analytical data, quality assurance, and sediment analysis.

Chapter 4: Reference Concentrations Derivation

This chapter outlines the methodology for deriving reference ambient concentrations (RACs) and reference tissue concentrations (RTCs) for individual bioconcentratable pollutants. These RAC/RTCs are designed to protect against accumulation of unsafe concentrations of bioconcentratable contaminants in fish or shellfish tissues, and can be used for deriving effluent limitations.

Chapter 5: Exposure Assessment and Wasteload Allocations

This chapter discusses approaches to wasteload allocation development under a variety of discharge situations. Discussions focus on receiving water characteristics such as available dilution and mixing, type of pollutant(s) being discharged, data availability, and data generation

Chapter 6: Permit Limits for Control of Bioconcentratable Contaminants

This chapter discusses the process of going from a wasteload allocation to a permit limit. Chapter 6 includes discussions on reasonable potential for exceedence of RACs, limits for human health protection, analytical detection limits, compliance monitoring, fish tissue monitoring, and data generation.

EPA solicits comment on each chapter in this document relating to the overall applicability of the procedures described and the practical utility of the approach for addressing concerns about bioconcentratable pollutants in the Nation's waterways. In particular, EPA asks for public comment on two areas that are known to be of considerable interest to the public and where additional comment would be particularly helpful. First, comments on the selection of dischargers for assessment would be useful in determining the number and types of facilities which may be required to conduct this analysis. Second, comments are solicited on the capability and capacity of laboratories, both current and potential, which may be involved in applying the analytical methods described in this draft guidance.

Dated: March 20, 1991.

James R. Elder,

Director, Office of Water Enforcement and Permits.

Dated: March 25, 1991.

Martha G. Prothro,

Director, Office of Water Regulations and Standards.

[FR Doc. 91-7460 Filed 3-28-91; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL MARITIME COMMISSION

Items Submitted for OMB Review

The Federal Maritime Commission hereby gives notice that the following items have been submitted to OMB for review pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3601, et seq.). Requests for information, including copies of the collection of information and supporting documentation, should be directed to John Robert Ewers, Director, Bureau of Administration, Federal Maritime Commission, 1100 L Street, NW., room 12211, Washington, DC 20573, telephone number (202) 523-5866. Comments may be submitted to the agency and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, Attention: Desk Officer for the Federal Maritime Commission, within 15 days after the date of the **Federal Register** in which this notice appears.

Summary of Item Submitted for OMB Review

46 CFR 572

FMC requests an extension of clearance for 46 CFR 572 which implements the Shipping Act of 1984 agreement provisions. The Act specifies the mandatory content of certain kinds of agreements, sets forth procedures governing the Commission's disposition of such agreements, and defines the Commission's authorities and responsibilities. The Commission estimates a respondent universe of 1026, which is comprised of 65 conferences, 511 carriers, and 450 terminal operators. Annual respondent burden for complying with the regulation is 27,223 manhours; annual recordkeeping requirement is estimated at 5,315 manhours. Estimated annual cost to the Federal Government is $648,000; estimated annual cost to respondents is $1,176,600.

Joseph C. Polking,

Secretary.

[FR Doc. 91-7391 Filed 3-28-91; 8:45 am]

BILLING CODE 6730-01-M

City of Los Angeles/Evergreen Marine Corporation Terminal Agreement; Erratum

[Agreement No. 224-010825A-004]

The **Federal Register** Notice of March 5, 1991 (Vol. 56, No. 43, page 9218) incorrectly identified the City of Los Angeles/Evergreen Marine Corporation Terminal Agreement as Agreement No. 224-010825A-003. The Notice should have identified the Agreement as Agreement No. 224-010825A-004.

By Order of the Federal Maritime Commission.

Dated: March 25, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 91-7422 Filed 3-28-91; 8:45 am]

BILLING CODE 6730-01-M

[Agreement No. 224-003565-005]

Puerto Rico Ports Authority/Sea-Land Service, Inc. Terminal Agreement; Erratum

The **Federal Register** Notice of March 13, 1991 (Vol. 56, No. 49, Page 10668) incorrectly identified the Puerto Rico Ports Authority/Sea-Land Service, Inc. Marine Terminal Agreement as Agreement No. 224-003565-003, whereas, is should have read Agreement No. 224-003565-005.

By Order of the Federal Maritime Commission.

Dated: March 25, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 91-7423 Filed 3-28-91; 8:45 am]

BILLING CODE 6730-01-M

[Agreement No. 224-000083-006]

International Longshoremen's Association Assessment Agreement; Erratum

The **Federal Register** Notice of March 13, 1991 (Vol. 56, No. 49, Page 10558) incorrectly identified the International Longshoremen's Association Assessment Agreement as Agreement No. 224-000083-005, whereas, it should have read Agreement No. 224-000083-006.

By Order of the Federal Maritime Commission.

Dated: March 25, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 91-7424 Filed 3-28-91; 8:45 am]

BILLING CODE 6730-01-M

Maryland Port Administration/Mid-Atlantic Recycling Corporation Terminal Lease Agreement, et al.; Agreement(s) Filed

The Federal Maritime Commission hereby gives notice to 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.: 224–200487.

Title: Maryland Port Administration/Mid-Atlantic Recycling Corporation Terminal Lease Agreement.

Parties: Maryland Port Administration (MPA), Mid-Atlantic Recycling Corporation (MAR).

Synopsis: The Agreement provides MAR with approximately 127,267 square feet of space in the second deck of the Port's Pier 1 Shed Terminal.

Agreement No.: 224–200117–003.

Title: The Port of New York and New Jersey/Atlantic Container Line AB Terminal Agreement.

Parties: The Port of New York and New Jersey, Atlantic Container Line AB (ACL).

Synopsis: The Agreement, effective March 21, 1991, amends the parties' basic agreement and provides for ACL to surrender: a portion of its leased premises on the effective date of the Agreement; and, the balance of the premises as of September 30, 1992.

By order of the Federal Maritime Commission.

Dated: March 25, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 91–7425 Filed 3–28–91; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Dan B. and Deborah Collins, et al.; Change in Bank Control Notice

Acquisition of Shares of Banks or Bank Holding Companies

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notice is available for immediate inspection at the Federal Reserve Bank indicated. Once the notice 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 indicated for the notice or to the offices of the Board of Governors. Comments must be received not later than April 16, 1991.

A. Federal Reserve Bank of Kansas City (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. Dan B. and Deborah Collins, Oklahoma City, Oklahoma; to retain 10 percent; Stephen C. and Linda Anderson, Yukon, Oklahoma, to retain 4 percent; Dixie Oil Company, Oklahoma City, Oklahoma, to retain 4 percent; Michael Mitchelson, Oklahoma City, Oklahoma, to retain 4 percent; Dochele Burnett, Oklahoma City, Oklahoma, to retain 4 percent; Fay Burnett, Oklahoma City, Oklahoma, to retain 2 percent; and Donna Rivera, Dewer, Oklahoma, to retain 2 percent of the voting shares of American Commerce Bancshares, Inc., Oklahoma City, Oklahoma, and thereby indirectly acquire American Bank of Commerce, Oklahoma City, Oklahoma.

Board of Governors of the Federal Reserve System, March 22, 1991.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 91-7321 Filed 3-28-91; 8:45 am]

BILLING CODE 6210-01-F

First National Corporation of West Point; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 17, 1991.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. First National Corporation of West Point, West Point, Mississippi; to acquire First National Finance Company, West Point, Mississippi, and thereby engage in making, acquiring, or servicing loans or other extensions of credit for the company's account or for the account of others pursuant to § 225.25(b)(1) of the Board's Regulation Y. These activities will be conducted in West Point, Mississippi.

Board of Governors of the Federal Reserve System, March 25, 1991.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 91-7436 Filed 3-28-91; 8:45 am]

BILLING CODE 6210-01-F

High Point Financial Services, Inc., 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 April 17, 1991.

A. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. High Point Financial Services, Inc., Forreston, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of Forreston State Bank, Forreston, Illinois.

2. Valley Banc Services Corp., St. Charles, Illinois; to acquire 100 percent of the voting shares of Mattoon Bank, Mattoon, Illinois, which will be relocated to Lake Villa, Illinois, and renamed Anchor Bank, Lake Villa, Illinois.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. Adamsville Bancshares, Inc., Adamsville, Tennessee; to acquire 100 percent of the voting shares of Citizens State Bank, Parsons, Tennessee.

2. Boatmen's Bancshares, Inc., St. Louis, Missouri; to acquire 100 percent of the voting shares of First Interstate Bank of Oklahoma, N.A., Oklahoma City, Oklahoma.

Board of Governors of the Federal Reserve System, March 25, 1991.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 91-7437 Filed 3-28-91; 8:45 am]

BILLING CODE 6210-01-F

Northern Trust Corporation; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 16, 1991.

A. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Northern Trust Corporation and Northern Trust of California Corporation, Chicago, Illinois; to acquire Berry, Hartell, Evers & Osborne, Inc., San Francisco, California, and thereby engage in investment or financial advice pursuant to § 225.25(b)(4) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, March 20, 1991.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 91-7323 Filed 3-28-91; 8:45 am]

BILLING CODE 6210-01-F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

List of Recipients of Indian Health Scholarships Under the Indian Health Scholarship Program

The regulations governing Indian Health Care Improvement Act Programs (Pub. L. 94–437) provide at 42 CFR 36.334 that the Indian Health Service shall publish annually in the Federal Register a list of recipients of Indian Health Scholarships, including the name of each recipient, school and tribal affiliation if applicable. These scholarships were awarded under authority of section 102 and 104 of Public Law 100–713, the Indian Health Care Amendments of 1988 (25 U.S.C. 1613–1613a). The following is a list of Indian Health Scholarship recipients for Fiscal Year 1990:

Abraham, Alice M., Alaska Pacific University, Eskimo
Adair, Nonita B., University of Arizona, Navajo
Aday, Michelle Renee, Arizona State University, White Mountain Apache
Adkison, Dean Wendell, Loma Linda University, Aleut
Akins, Thea Loreana, Weber State College, Penobscot
Albert, Angelina Mary, University of New Mexico, Navajo
Albert, Melissa Francine, New Mexico State University, Navajo
Allard, Bonnie Jean, University of North Dakota, Turtle Mt. Chippewa
Allard, Darin Lee, University of Montana, Oglala Sioux
Allen, Phylomine W., University of South Dakota, Turtle Mt. Chippewa
Allick, Albert Philip, University of North Dakota, Turtle Mt. Chippewa
Anquoe, Terri, University of Oklahoma, Kiowa
Armstrong, Samantha Dee, University of Oklahoma, Cherokee
Arviso, Alberta, Arizona State University, Navajo
Ashley, Josephine, Arizona State University, Navajo
Attla, Marilyn Elaine, University of Washington, Alaskan Doyon
Azure, Gerald Terrance, University of Mary, Standing Rock Sioux
Azure, Joette Danielle, University of North Dakota, Turtle Mt. Chippewa
Azure Esquiro, Heather Lynn, Stanford University, Tlingit
Baker, Biron Dale, University of North Dakota, Three Affiliated
Bancroft, Jennifer Roann, University of Arizona, Navajo
Bancroft, Trina Ann, Fort Lewis College, Ute Mountain
Barlow, Shirley Ann, Phoenix College, Navajo
Barnes, Mannix Deroin, University of Oklahoma, Kiowa
Barnes, Tone Lynn, Carroll College, Blackfeet
Barnett, James F., Southwestern State College, Osage
Barnett, Ronald Ray, Boston University, Creek
Barney, Vernon James, University of New Mexico, Navajo
Barr, Shiela Wayne, Northeastern Oklahoma State University, Cherokee
Barrong, Michael Todd, University of Washington, Choctaw
Becenti, Beverly Sloan, Phoenix College, Navajo
Becenti, Melissa Jean, Phoenix College, Navajo
Beets, Billy Conn, University of North Dakota, Cherokee
Beets, Bettie Ann, New Mexico Highland University, Navajo
Begay, Carol Jean, Fort Lewis College, Navajo
Begay, Ellaverne, University of New Mexico, Navajo
Begay, Morris Wayne, University of New Mexico, Navajo
Beitz-Baker, Lynne Kay, University of Missouri, Choctaw
Belgarde, Clayton Matthew, Minot State College, Turtle Mt. Chippewa
Bell, Billy, Campbell University, Lumbee
Belone, Geraldine, University of New Mexico, Navajo
Benally, Belinda Jane, Grand Canyon College, Navajo

Bercier, Paula, University of North Dakota, Turtle Mt. Chippewa
Berry, Joanne Kristen, California State University, Picayune of Chukchansi
Berryhill, Brett Wayne, University of Oklahoma, Creek
Bigbee, Robert Bruce, University of Oklahoma, Comanche
Bigman, Ancita Ashkie, Northern Arizona University, Navajo
Billie, Deborah M., University of New Mexico, Navajo
Billy, Sammy, East Central Oklahoma State University, Navajo
Binford, Josephine J., Central Texas College, San Juan Pueblo
Birdtail, Larry Runningdeer, Portland Community College, Assiniboine
Bisbee, Loren James, University of North Dakota, Turtle Mt. Chippewa
Blalock, Beverly, Rogers State College, Cherokee
Bogdanski, Matilda Catherine, University of Washington, Eskimo
Bouwens, Williams Clayton Jr., University of Hawaii/Manoa, Aleut
Bowker, Debra Dawn, University of Minnesota, Cheyenne River Sioux
Bradley, Elizabeth Ann, University of South Florida, Cherokee
Brady, Kathleen Lou, Arizona State University, Navajo
Brady-Davis, Elizabeth Ann, Boise State University, Potawatomi
Brayboy, Necia Lynn, Pembroke State University, Lumbee
Breland, Donna, University of North Dakota, Turtle Mt. Chippewa
Brey, Marie Jennett, Oral Roberts University, Cheyenne
Brings, Terra Beth, Huron University, Lower Brule Sioux
Brislin, Theresa Marie, Pacific Lutheran University, Laguna & Zuni
Brooks, Michael Dwayne, University of North Carolina, Lumbee
Brown, Valerie Lee, University of North Dakota, Cherokee
Bruce, Craig Steven, University of Nebraska, Turtle Mt. Chippewa
Bruce, Ella Mae, Universit of North Dakota, Turtle Mt. Chippewa
Bruguier, Debra Rocille, Cheyenne River Community College, Sioux
Bullard, Teresa, Eastern Carolina University, Lumbee
Burnette, Ronald, Phoenix College, White Mt. Apache
Burr, Larry, University of North Dakota, Three Affiliated
Cadieux, Michael Maurice, University of Colorado, Non—Indian
Calflooking, Patrick Edward III, Eastern Montana College, Blackfeet
Cantwell-Ogden, Susan D., University of Oklahoma, Choctaw
Canyon, Sam, California State University, Navajo
Carlile, Robert B. IV, University of Oklahoma, Cherokee
Carlile, Thomas Michael, University of Oklahoma, Cherokee
Carlson, Sheree, University of North Dakota, Three Affiliated
Carpenter, James Spencer, University of Oregon, Yankton Sioux
Cespuch, Berdina L., University of Berkeley, Hopi
Chacon, Gayle, University of New Mexico, Navajo
Champlin, Brenda Sue, Westark Community College, Cherokee
Chapela, Roselyn Ann, University of New Mexico, Navajo
Charlie, Shirlene, Southern Utah State College, Navajo
Chase, Janice Mae, Phoenix College, Gros Ventre
Chavis, Karen Benetta, Maricopa Technical Community College, Lumbee
Chewiwi, Susan Stephanie, University of New Mexico, Isleta Pueblo
Chiloquin, Melvin Lee, Concordia College, Klamath
Chouteau, Lavon, Grossmount Community College, Cherokee
Chouteau-Foster, Deann, University of Oklahoma, Kaw
Christensen, Eric James, University of New Mexico, Navajo
Clahchischilliage, Sharon Evelyn, University of Pennsylvania, Navajo
Clark, Lee Anette, Montana State University, Chippewa
Claymore-Lahammer, Vickie Michelle, University of SD, Cheyenne River Sioux
Clifford, Anna Marie, Northern Montana College, Oglala Sioux
Clifford, Steven-Christopher, University of Nebraska, Oglala Sioux
Cobb, Stephen W., University of Minnesota, Cherokee
Cody, Jodi Jean, Grand Canyon College, Navajo
Coffman, Kathy Joan, University of Oklahoma, Cherokee
Coleman, John Michael, Creighton University Choctaw
Collins, Gloria Ann, Utah State University, Assiniboine & Sioux
Conrad, Rozilyn Hyde-Karty, University of Oklahoma, Comanche
Cooeyate, Norman James, University of New Mexico, Zuni
Cooper, Casey Mitchell, Gardner-Webber College, Cherokee
Coplin, Michael Paul, East Central Oklahoma State University, Chicksaw
Coriz, Patrick Damian, Marquette University, Tesuque Pueblo
Cornelius, Dawn-Lisa, Northland College, Chippewa
Crissler, Cheryl Ann, North Dakota State University, Turtle Mt. Chippewa
Crossguns, Ronnalea, Northern Montana College, Blackfeet
Curren, Valerie Annette, Tulsa City Area Voc. Tech., Creek
Dahozy, Roger Norman, Arizona State University, Navajo
Darwin, Ellouise H., New Mexico Highland University, Navajo
Davis, Brenda, California State College, Navajo
Davis, Darryl Adams, Arizona State University, Navajo
Davis, Mitchell Ryan, Oklahoma Christian College, Cherokee
Davis, Rita Ann, University of North Dakota, Turtle Mt. Chippewa
Decora, Darryl Dean, Fort Lewis College, Winnebago
Deloache, Christopher Sarrett, Oklahoma State University, Choctaw
DeMontigny, Myra Ann, University of North Dakota, Turtle Mt. Chippewa
Denetclaw, Mamie, University of New Mexico, Navajo
Denning, Gail Ann, San Jose State University, Venetie Alaskan
Denny, Roberta Ann, Montana State University, Cheyenne & Arapahoe
Denoyer, Paula Doreen, Oglala College, Rosebud Sioux
Despain, Carla Sue, Brighan Young University, Cherokee
Detsoi, Pamela Jean, University of New Mexico, Navajo
Dickson, Janise, Northern Arizona University, Navajo
Dionne, Marilyn, Mary College, Turtle Mt. Chippewa
Dockery, Janet, East Central Oklahoma State University, Seminole/Creek
Dohi, Arnold Randy Jr., Phoenix College, Navajo
Dominguez, Michelle Kaye, University of New Mexico, Yankton Sioux
Doney, Cindy, Montana State University, Turtle Mt. Chippewa
Doney, Doral Lee, University of Kansas, Assiniboine
Doney, Jessica, University of Washington, Turtle Mt. Chippewa
Douville, Robert Carl II, Mount Marty College, Oglala Sioux
Draper, Shelia Marie, Pittsburg State University, Cherokee
Dumontier, Timothy Albert, University of Southern California, Salish/Kootenai
Duvenez, John A., Tufts University, Navajo & Laguna Pueblo
Eagle, Gloria Jean, University of Colorado, Three Affiliated
Ebert, Mendy Ann, Fort Lewis College, Osage
Elson, Susan E., Arizona State University, Chippewa
Enno, Gwen T., University of New Mexico, Turtle Mt. Chippewa
Erdrich, Angela M., Dartmouth Medical School, Turtle Mt. Chippewa
Erdrich, Ralph D., University of North Dakota, Turtle Mt. Chippewa
Eslick, Katherine Louise, East Central Oklahoma State University
Esquiro-Azure, Jennifer G., Stanford University, Tlingit
Etsitty, Edison Virgil, Weber State College, Navajo
Farris, Elizabeth Ann, University of North Dakota, Otoe
Felton, Beverly Ann, University of Oklahoma, Absentee/Shawnee
Fiorello, Albert Bruno, Suny at Buffalo, Cherokee
Flansburg, Julie Rose, Northern Montana College, Chippewa
Flores, Martha Pauline, University of Washington, Aleut/Eskimo
Fogarty, Jonathan William, North Dakota State University, Cheyenne River Sioux
Forrest, Vicki Lynn, Northeastern Oklahoma State University, Cherokee
Fox, Laurie Ann, University of Missouri, Cherokee
Fox, Valerie Louise, Moorehead State University, Chippewa

Fragua, Leanore, University of Wisconsin, Jemez Pueblo
Frazier, Theresa E., Foothill College, Cahto
Fredricks, Lois A, University of North Dakota, Sioux
Fry, Michael Allen, Dartmouth Medical School, Cherokee
Fullerton, Mary Ruth, Northern Montana College, Assiniboine & Sioux
Gaglion, Mary Kathryn, Pacific Lutheran University, Blackfeet
Gallagher, Vincent Francis Jr., Presentation College, Lower Brule Sioux
Garcia, Cynthia K. Mount Mary College, Crow/Creek/Sioux
Gene, Miriam Jean, Northland Pioneer College, Hopi
Ghahate, Alvera Jean, University of New Mexico, Zuni
Gibson, Cynthia Renee, St. Mary of the Plains College, Choctaw
Gillwood, Georgina Jean, Grand Canyon College, Navajo
Gipp, Albert Louis Jr., University of Kansas, Standing Rock Sioux
Giron, Eleanor Nicole, University of North Dakota, Turtle Mt. Chippewa
Givan, Janis Marie, University of Washington, Port Gamble
Glaze, Branda Blanche, Rogers State College, Oglala Sioux
Goodman, Kathleen B., University of Oklahoma, Potawatomi
Gordon, Gregory Andrew, University of North Dakota, Mohawk
Gourneau, Lori Ann, University of North Dakota, Turtle Mt. Chippewa
Gorneau, Marlene, University of North Dakota, Oglala Sioux
Granados, Mabel Beth, Presentation College, Cheyenne River
Granbois, Kathleen Kay, University of Mary, Assiniboine
Grant, Lorna B., Northern Montana College, Fort Belknap
Grant, Suzanne Fay, University of North Dakota, Turtle Mt. Chippewa
Grant, Tracey Leigh, University of North Dakota, Turtle Mt. Chippewa
Gray, Shelley Marie, Eastern Montana College, Ft. Belknap
Green, Sandra Lavonne, Bacone College, Cherokee
Greer, Ellen Marie, North Eastern Oklahoma State University, Cherokee
Gregroy, James Anthony, University of Oklahoma, Choctaw
Guimaraes, Antonio M. University of Minnesota, Chippewa
Gunville, Doris Marie, University of Mary, Turtle Mt. Chippewa
Haggar, Helen Marie, University of Mary, Turtle Mt. Chippewa
Hale, Brent Oliver Jr., University of Kansas, Creek
Hall, Rebecca Lynn, University of Montana, Blackfeet
Hamilton, Rose Marie, California School of Psychology, Chitina Alaskan
Hamilton, Sandra Lee, Bartlesville Wesleyan College, Osage
Hammonds, Tina Marie, Boston University, Lumbee
Hanks, Dawn Marie, University of Mary, Standing Rock Sioux
Hansen, Linda Jean, University of Mary, Turtle Mt. Chippewa
Hardy, Katherine Ann, Northern Arizona University, Navajo
Harjo, Gene, East Central, Oklahoma State University, Creek
Harper, Darci Jo, Montana State University, Cheyenne River Sioux
Harris, Richard, College of Osteopathic Medicine, Kiowa
Harris, Tanja Lee, University of North Dakota, Turtle Mt. Chippewa
Harroun, Patricia Isobelle, Lewis & Clark State College, Salish & Kootenai
Hartin, Rebecca Ashleigh, University of Oklahoma, Chickasaw
Harwood, Terry Dale, University of New Mexico, Standing Rock Sioux
Hattie, Saville-Aric, University of New Mexico, Zuni
Henry, Emolinda Jean, Northern Arizona University, Navajo
Henry, Marie Lynn, University of North Dakota, Navajo
Henshaw, Aubrey Judson III, Northeastern State University, Cherokee
Hicks, Kimberlee Rujuan, Northeastern State University, Creek
Highfield, Cynthia Suzanne, East Central Oklahoma State University, Chickasaw
Hill, Charlene, University of Hawaii, White Mt. Apache
Hill, Stephen John Sr., Suny At Buffalo, Seneca
Hillaire, Carla Rae, University of North Dakota, Lummi
Hocson, Danial Lloyd, University of Washington, Cook Inlet
Hood-Daggett, Darla Jean, University of Oklahoma, Creek
House, Stephanie, Fort Lewis College, Ute
Hoverson, Brenda Lee, University of North Dakota, Turtle Mt. Chippewa
Hovland, Priscilla Kay, University of Kansas, Flandreau Santee Sioux
Howell, Daniel Dexter Jr., University of Oklahoma, Caddo
Hubbard, Joseph H., University of Arizona, Navajo
Ignance, Lyle Anthony, University of Wisconsin, Coeur D'Alene
Imotichey, Michael John, El Reno Junior College, Chickasaw
Imotichey, Stefanie Dawn, University of Oklahoma, Chickasaw
Iron Moccasin, Brian Aquilar, Northern Arizona University, Navajo
Jackson, Deborah Lynn, South Dakota School of Mines & Tech., Crow/Creek/Sioux
James-Schmidt, Sharon Ruth, Boston University, Choctaw
Jarvis, David Lloyd, Western Washington University, Osage
Jenkins, Jeffery Lee, Oklahoma Christian College, Cherokee
Jewett, Lorraine, Vanderbilt University, Cheyenne River Sioux
Joe, Herbert Tully, University of New Mexico, Navajo
John, Marcella Ann, Weber State College, Navajo
John, Yvonne Tracy, Grand Canyon College, Navajo
Johnson, Charlene Fay, University of North Carolina, Crow
Johnson, Darlene Ann, Northland Community College, Redlake Chippewa
Johnson, Shari Kaye, North Dakota State University, Minnesota Chippewa
Johnson, Stephanie Ann, San Rose Junior College, Washoe
Jones, Robert Stephen, Meharry Medical College, Cherokee
Jones, Susie Chi, University of New Mexico, Navajo
Jordan, John Taylor, Northern State College, Sisseton/Wahpeton Sioux
Jumping-Eagle, Sara Juanita, University of North Dakota, Oglala Sioux
Juvinel, Lorna Tuanda, Everett Community College, Yakima
Kaiser, Genna Louise, Central State University, Cherokee
Keeto, Alberta Marie, Glendale Community College, Navajo
Kelly, Dawn Aileen, Northeastern State University, Cherokee
Ketchum, Arnold, Hahnemann University, Choctaw
Kills Pretty Enemy, Clarice, University of North Dakota, Standing Rock Sioux
King, Katherine R., New Mexico Highland University, Navajo
King, Larry Joe, University of New Mexico, Navajo
Kirk, Clint Forrest, Oklahoma State University, Choctaw
Kiyukan, Dorothy Arleen, University of South Dakota, Praire Potowatomi
Kizer, Serenna Laureen, University of North Dakota, Yankton Sioux
Knapp, David M.. Walla Walla Community College, Tlingit
La Roche, Darrell William, Western Iowa Tech., Lower Brule Sioux
LaCroix, Castle Renee, South Dakota School of Mines & Tech., Rosebud Sioux
Lahi, Thelma P., University of New Mexico, Santa Ana Pueblo
Lameman, Elizabeth Ann, Northern Arizona University, Navajo
Landsem, James Todd, College of St. Thomas, Turtle Mt. Chippewa
Lansing, Cornelia Ann, University of New Mexico, Navajo
LaRoque, Michael John Jr., Mayville State University, Turtle Mt. Chippewa
Leekity, Noreen Gail, Weber State College, Zuni
Lemieux, Donald, Medical College of Wisconsin, Bad River Chippewa
Leslie, Katrina Jeanette, Washington State University, Hopi
Lewis, Lucinda Ann, University of Colorado, Navajo
Lindauer, Maxine Kathryn, Arizona State University, Cherokee
Little, Elaine Benally, University of New Mexico, Navajo
Little Light, Georgia Ann, Montana State University, Crow
Locklear, Athena, University of North Carolina, Lumbee
Locklear, Robby, Pembroke State University, Lumbee
Lone Fight, Erin Lynne, South Dakota State University, Sisseton Wahpeton Sioux
Lone Fight, Karen Kay, University of Kansas, Three Affiliated Tribes
Loock, Celeste Ann, North Dakota State University, Three Affiliated Tribes
Lord, Darlene Marie, University of Alaska, Eskimo

Lowry Locklear, Tululu, East Carolina University, Lumbee
Lucero, David M., University of California/Davis
Lucio, Anthony Raymond, University of the Pacific, Zuni
Ludemann-Pierpoint, Mary Patricia, University of Kansas, Cheyenne
Lynch, James Edward, University of Oklahoma, Cherokee
Mackey, Jeffrey Alan, Western Michigan University, Chippewa
Madman, Karla Ann, University of North Dakota, Blackfeet
Marin, Nadine Marie, University of Arizona, San Carlos Apache
Marquez, Frank Joseph, University of California/Davis, Mono & Yokut
Marsh, Bryan Vannuel, University of Oklahoma, Cherokee
Martin, Michelle Renae, University of North Dakota, Turtle Mt. Chippewa
Martineau, Mark James, Pacific Lutheran University, Matilla
Martinez, Alyssa Ann, University of North Dakota, Standing Rock Sioux
Martinez, Darlene Mary, University of New Mexico, Navajo
Martinez, Linda Joy, University of Mary, Turtle Mt. Chippewa
Martinez, Roger-Phil, University of New Mexico, San Domingo Pueblo
Masayesva, Georgia Ann, Northern Arizona University, Hopi
May, Marie D., University of North Dakota, White Earth Chippewa
Mayer, Monica, University of North Dakota, Three Affiliated Tribes
Maynor, Thomas Eddison II, University of North Carolina, Lumbee
Mayo, Kathleen Sue, Northern Michigan University, Lake Superior Chippewa
McCabe, Roberta Marie, University of New Mexico, Navajo
McDonald, Jo Ann Rosemary, Salish-Kootenai Community College, Salish Kootenai
McGhee, Sherry L., Northern State College, Poarch Creek
McKenzie, Edward Neil, University of New Mexico, Navajo
McLaughlin (Dehaas), Delores, Carroll College, Sioux
McLemore, Jerri Lynn, University of Kansas, Creek
McPherson, Marcine Denise, East Central Oklahoma State University, Chickasaw
Means, Dianna Lande, University of North Dakota, Crow
Meeks, Lorrie Mae, Montana State University, Salish-Kootenai
Merculief, Paul II, University of Southern California, Aleut Alaskan
Mesteth-Pourier, Conally M., University of Wyoming, Oglala Sioux
Meyer-Furrey, Vincent Edward, University of South Dakota, Rosebud Sioux
Milford, Ronald Raymond, University of New Mexico, Navajo
Miner, Therese Diane, Seminole Junior College, Seminole
Mix, Sherry, Gateway Community College, Navajo
Monroe, Tracey, University of New Mexico, Laguna Pueblo
Monteverdi, Theresa Lynn, Oregon Health Sciences University, Siletz
Morgan, Shawn Olin, University of New Mexico, Navajo
Morin, Craig Eli, North Dakota State University, Turtle Mt. Chippewa
Moulton, Janice Lynn, Lewis & Clark State College, Coeur D'Alene
Nail, Quanah-Harris, East Central Oklahoma State University, Chickasaw
Naldrett, Tammie Faye, Montana State University, Blackfeet & Cree
Naranjo, Nancy Kay, Northwestern State University, Santa Clara Pueblo
Narcomey, James Charles, University of Tulsa, Seminole
Navarro, Freida Anne, St. Matin's College, Sealaska
Neconie, Donald Wayne Jr., George Washington University, Kiowa
Needham, Patrick Daniel, North Dakota State University, Red Lake Chippewa
Neil, Kendra Leann, University of Tulsa, Cherokee
Nelson, Erik Lee, University of Oklahoma, Choctaw
Nevitt, Walter James, Bemidji State University, Minnesota Chippewa
Newbreast-Heffernon, Wanda June, University of California, Blackfeet
Nez, Melba Denise, Northern Arizona University, Navajo
Nezz, Tonilisa, St. Mary's of the Plains College, Navajo
O'Donnel, Charles Joseph, East Central University, Creek
Ogara, Winona, University of North Dakota, Shoshone Pauite
Old Elk, Georgianna Wynn, Montana State University, Assiniboine Sioux
Old Horn, Marjorie C., Montana State University, Crow
Oleary, Nancy Anne, Cheyenne River Lakota Nursing Program, Non-Indian
Ondelacy, Denman K., New Mexico State University, Zuni
Otero, Linda Dianne, California State University, Ft. Mojave
Oxendine, Audrey Dell, North Carolina State University, Lumbee
Oxendine, Richard Garland, University of North Carolina, Lumbee
Pablo, Daniel Lawrence, University of North Dakota, Salish Kootenai
Parisian, Kevin Joseph, Montana State University, Chippewa Cree
Parker, Richard M., University of Oklahoma, Absentee & Shawnee
Parra-Rowell, Michelle Josephine, University of New Mexico, Navajo
Parsons, Dolores Elaine, South Dakota State University, Sioux
Pasqua, Gilbert William Jr., California State University, Paiute
Patterson, Evelyn M., Miles City Community College, Ft. Belknap
Patton, Stephen Michael, University of Oklahoma, Cherokee
Peacock, Connie J., Oklahoma City Community College, Shawnee
Pepion, Theresa Grace, Tacoma Community College, Blackfeet
Perez, William Joseph, Oregon Health Sciences University, Menominee
Perkins, Lea Jeanne, University of Minnesota, Red Lake Chippewa
Poafpybitty, Hankie, University of Oklahoma, Kiowa
Poitra, Lee Albert, North Dakota State University, Turtle Mt. Chippewa
Polequaptewa, Honani, Northern Arizona University, Hopi
Pollock, Steven Eugene, Brigham Young University, Blackfeet
Pond, Diane Lea, Stanford University, Ft. Belknap
Pond, Lealand James Jr., University of Montana, Assiniboine
Pound, Shelly Kay, North Dakota State University, Turtle Mt. Chippewa
Prosak, Alex, University of Alaska, Non-Indian
Pueblo, Sheri Lynn, University of Pacific, Paiute of Bishop
Puhuyaoma, Pearl, Mesa Community College, Hopi
Quam, Elana Marie, University of New Mexico, Navajo
Quam, Lori Ann, University of New Mexico, Zuni
Quam, Yolana Margaret, University of New Mexico, Navajo
Quinton-Osburn, Kimberly Dayle, Northeastern Oklahoma State University, Cherokee
Reece, Donna Jean, Northeastern Oklahoma A & M College, Cherokee
Reed, Robin Anne, Western Carolina College, Eastern Cherokee
Reidhead, Charles Tyler, University of Colorado, Three Affiliated Tribes
Renz-Saul, Alma Jean, Salish-Kootenai Community College, Assiniboine
Reynolds, Victoria A., University of Nevada, Te-Moak Western Shoshone
Rhoads, Michael Shawn, Northeastern State University, Cherokee
Richards-Senior, Ella Day, University of North Dakota, Oglala Sioux
Riggs, Daisy Ann, Northern Arizona University, Navajo
Rios, Tammie-Marie, Seattle Central Community College, Chippewa
Roberts, Matthew Johnson, Northeastern Oklahoma A & M College, Creek
Robinson-McNutt, Janna Cheryl, University of Oklahoma, Choctaw
Rock, Dianna Joy, University of Montana, Blackfeet
Rock, Patrick Michael, University of North Dakota, Minnesota Chippewa
Samson, Debra Ellen, University of Alaska, Calista
Sandoval, Philip, University of New Mexico, San Felipe Pueblo
Santiago, Jacqueline Kaye, Marymount University, Blackfeet
Saunsoci, Deborah Mae, Dakota Westleyan University, Yankton Sioux
Schroeder, Debbie Joyce, University of North Dakota, Turtle Mt. Chippewa
Scott, Mary, Northern Arizona University, Navajo
Shadaram, Cynthia Donna, Southwestern Oklahoma State University, Cheyenne
Shangreau, Geraldine, University of Illinois, Oglala Sioux
Sharp, Jim, St. Louis University, Creek
Shipp, Darren, Southeastern Oklahoma State University, Ponca
Simeona, Carmelita Davis, University of New Mexico, Navajo

Simpson, Loren Patrick, University of North Dakota, Washoe
Singer, Christine, University of New Mexico, Navajo
Smalley, Jack Owen, University of Missouri, Standing Rock Sioux
Smith, Lisa Lynn, East Central Oklahoma State University, Chickasaw
Smith, Rhonda Ellena, Dartmouth Medical School, Temoak Shoshone
Smith, Theresa Marie, Midland Lutheran College, Winnebago
Smith, Vincent John, Rush University, Assiniboine
Snyder-Benally, Orrenzo, University of Iowa, Navajo
Soap, Chris Lee, Northeastern State University, Cherokee
St. John, Arlene Ernestine, South Dakota State University, Crow Creek
Starritt, Glenna Ann, California State University/Chico, Hoopa Valley
Stevens, Brenda Joyce, Arizona State University, San Carlos Apache
Stewart, Millie Faith, Montana State University, Crow
Street, Ivenette Dolores, Montana State University, Tonkawa
Street, Willie, Jesse Jr., Wichita State University, Tonkawa
Strickland, Darrell Horace, University of North Carolina, Lumbee
Strickland, Steve Allen, Pembroke State University, Lumbee
Talker, Dinah, Utah State University, Navajo
Tapaha, Tobias Titus, Northeastern State University, Navajo
Teague, Gloria Ann, University of Oklahoma, Cherokee
Thomas, Jennifer Lee, University of North Dakota, Turtle Mt. Chippewa
Thomas, Leonard Don, University of New Mexico, Navajo
Thomas, Quinton Keith, University of North Dakota, Navajo
Thompson, Rebecca, University of Oklahoma, Kiowa
Thompson, Tracy Lee, College of Osteopathic Oklahoma State, Cherokee
Thomsen, Randall Vernon, Stanford University, Pit River & Paiute
Tiger, Cynthia Mae, University of California, Creek
Tobias, Scott Warren, Pacific University, Creek
Todechine, Garrison, University of Arizona, Navajo
Tollefsen, Cheryl Collins, University of North Dakota, Arapahoe
Tom, Annie Rose, Arizona State University, Navajo
Tome, Steven Earl, West Carolina University, Seneca
Tonihka, Franklin Delano, University of New Mexico, Choctaw
Toppah-Bearbow, Kathleen Louise, Southwestern Oklahoma State University, Kiowa
Tso, Shawmarie, Fort Lewis College, Navajo
Tsosie, Verna Ann, Northern Arizona University, Navajo
Two Bulls, Verna May, Northern Montana College, Assiniboine Sioux
Two Bears, Shantell Marie, University of North Dakota, Standing Rock Sioux
Tyon, Warren Glen, University of Oklahoma, Cherokee
Underwood, Calvin Dean, East Central Oklahoma State University, Chickasaw
Underwood, Michael Randolph, North Dakota School of Medicine, Navajo
Uruo, Jennifer, University of North Dakota, Minnesota Chippewa
Valderas, Anna M., Oklahoma City Community College, Choctaw
Van Curen, Preston Lee, University of Wyoming, Seneca
Varner, Denise Ann, Humboldt State University, Creek
Vickers, Francine Judith, University of New Mexico, Isleta Pueblo
Vilas, Arleigh Wayne, Bemidji State University, Minnesota Chippewa
Vizenor, Kristi Jeanne, North Dakota State University, Minnesota Chippewa
Vogle, Joe Don, Southwestern State College, Cherokee
Waconda, Alan Keith, Weber State College, Laguna Pueblo
Wagner, Gerald Owen, Montana State University, Blackfeet
Waldroup, Anthony Wayne, Southeastern Oklahoma State, Tonkawa
Walker, Carrie Ann, University of North Dakota, Creek & Seminole
Walker, Margaret, Northern Arizona University, White Mt. Apache
Walker, Thomas Stuart, University of North Dakota, Three Affiliated Tribes
Warren, Trent Brian, Portland State University, Salish & Kootenai
Watts, Kenneth L., Southwestern Oklahoma State University, Choctaw
Webber, George Stewart Jr., University of Montana, Blackfeet & Yakima
Webster, Nina Theodora, Mount St. Mary's College, Isleta Pueblo
Wedding, Pamella Sue, Oklahoma State University, Cherokee
West, Michael Curtis Jr., Bowie State University, Mississippi Choctaw
West, Pamela Jorene, University of Oklahoma, Creek
Westman, Elsie Noreen, University of Washington, Tlingit
White Horse, Marilyn Ruth, University of North Dakota, Three Affiliated Tribes
White Horse, Wyatt Arthur, Augustana College, Rosebud Sioux
Whiteclay, Colleen, Montana State University, Northern Cheyenne
Whitehair, Auriah Gretchel, Mesa Community College, Navajo
Wiegand, Shannon Lea, University of Washington, Cree & Chippewa
Wiggins, Elizabeth Owle, Western Carolina University, Eastern Chrokee
Wight, Teresa Lynn, Carroll College, Crow
Wilkie, Tracy A., University of North Dakota, Turtle Mt. Chippewa
Wilkie-McLeod, Penny Marie, University of North Dakota, Turtle Mt. Chippewa
Williams, Laura, Tufts University, Juaneno
Williams, Pauletta Lynn, University of Arizona, Navajo
Williams, Randall Alan, East Central University, Chickasaw
Williams, Regina, University of New Mexico, Navajo
Williams, Verdi Elizabeth, College of St. Scholastica, Sitka
Williams, Veronica Jean, Georgetown University, Jicarilla Apache
Wind, William Alva, Eurek College, Creek
Winters, Marjorie Elaine, University of Hawaii, Assiniboine
Wood, Lily D., University of Wisconsin, Winnebago
Wright, Wenda Leann, Eastern Arizona College, Rosebud Sioux
Yazzie, Angela Rose, University of New Mexico, Navajo
Yazzie, Debra Ann, Northern Arizona University, Navajo
Yazzie, Laura, University of New Mexico, Navajo
Yazzie, Marjorie, San Juan College, Navajo
Yellowman, Marilyn Frances, Mesa Community College, Navajo
Yuselew, Melissa, University of New Mexico, Zuni
Zavala, Geneva Dawn, University of Oregon, Colville
Zegiel, Catherine Marie, Southern Utah State College, Standing Rock Sioux
Zonnie, Bertha C., Northern Arizona University, Navajo
Zonnie, Rita Mae, Northern Arizona University, Navajo

FOR FURTHER INFORMATION CONTACT:
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Dated: March 22, 1991.

Everett R. Rhoades,

Assistant Surgeon General, Director.

[FR Doc. 91–7439 Filed 3–28–91; 8:45 am]

BILLING CODE 4160–16–M

National Institutes of Health

National Cancer Institute; Meeting—Board of Scientific Counselors, Division of Cancer Prevention and Control

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, Division of Cancer Prevention and Control, National Cancer Institute, May 23–24, 1991, Bethesda Ramada Inn, 8400 Wisconsin Avenue, Bethesda, Maryland 20814.

This meeting will be open to the public on May 23 from 8:30 a.m. to 5 p.m. and on May 24 from 8:30 a.m. to appropriately 1 p.m. to discuss administrative details and for the discussion and review of concepts and programs within the Division. 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 May 24 from 1 p.m. to approximately 5 p.m., for the review, discussion and

evaluation of individual programs and projects conducted by the National Institutes of Health, including 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 Committee Management Office, National Cancer Institute, Building 31, room 10A06, National Institutes of Health, Bethesda, Maryland 20892, (301/496–5708) will provide a summary of the meeting and a roster of committee members, upon request.

Other information pertaining to this meeting can be obtained from the Executive Secretary, Linda M. Bremerman, National Cancer Institute, Executive Plaza-North, room 318, National Institutes of Health, Bethesda, Maryland 20892 (301–496–8526), upon request.

(Catalog of Federal Domestic Assistance Program Numbers: 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control)

Dated: March 18, 1991.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 91–7414 Filed 3–28–91; 8:45 am]

BILLING CODE 4140–01–M

National Heart, Lung, and Blood Institute; Meeting of Board of Scientific Counselors

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Heart, Lung, and Blood Institute on June 6 and 7, 1991, National Institutes of Health, 9000 Rockville Pike, Building 10, room 7N214, Bethesda, Maryland 20892.

This meeting will be open to the public from 9 a.m. to 4 p.m. on June 6 and from 9 a.m. to 12 noon on June 7 for discussion of the general trends in research relating to cardiovascular, pulmonary and certain hematologic diseases. Attendance by the public will be limited to space available.

In accordance with the provision 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 from 12 noon to adjournment on June 7 for the review, discussion, and evaluation of individual programs and projects conducted by the National Institutes of Health, including 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.

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, phone (301) 496–4236, will provide a summary of the meeting and a roster of the Board members.

Substantive program information may be obtained from Dr. Edward D. Korn, Executive Secretary and Director, Division of Intramural Research, NHLBI, NIH, Building 10, room 7N214, phone (301) 496–2116.

Dated: March 18, 1991.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 91–7418 Filed 3–28–91; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Neurological Disorders and Stroke; Meeting, 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 Neurological Disorders and Stroke, Division of Intramural Research on May 22–24, 1991, Medical Board Room, Building 10, Rm. 2C116, Bethesda, Maryland.

This meeting will be open to the public from 9 a.m. to 12:30 p.m. and from 1:30 p.m. to 5 p.m. on May 23rd in the Medical Board Room, Bldg. 10, Rm. 2C116, to discuss program planning and program accomplishments. 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 from 8 p.m. to 10 p.m. on May 22nd and from 9 a.m. until adjournment on May 24th in Bldg. 10, Rm. 2N238 for the review, discussion and evaluation of individual programs and projects conducted by the NINDS. The programs and discussions include consideration of personnel qualifications and performances, the competence of individual investigators and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Freedom of Information Coordinator, Ms. Mary Whitehead, Federal Building, room 1004, 7550 Wisconsin Avenue, Bethesda, MD 20892, telephone (301) 496–9231 or the Executive Secretary, Dr. Irwin J. Kopin, Director, Division of Intramural Research, NINDS, Building 10, Room 5N214, National Institutes of Health, Bethesda, MD 20892, telephone (301) 496–4297 will furnish a summary of the meeting and a roster of committee members upon request.

(Catalog of Federal Domestic Assistance Program No. 13.853, Clinical Basis Research; No. 13.854, Biological Basis Research)

Dated: March 18, 1991.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 91–7417 Filed 3–28–91; 8:45 am]

BILLING CODE 4140–01–M

National Library of Medicine; 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 Library of Medicine, on May 2 and May 3, 1991, in the Board Room of the National Library of Medicine, Building 38, 8600 Rockville Pike, Bethesda, Maryland.

The meeting will be open to the public from 8:30 a.m. to 12:45 p.m. and from 1:45 to 4:45 p.m. on May 2 and from 8:30 a.m. to approximately 12 noon on May 3 for the review of research and development programs and preparation of reports of the Lister Hill National Center for Biomedical Communications. Attendance by the public will be limited to space available.

In accordance with 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 May 2, from approximately 12:45 p.m. to 1:45 p.m. for the consideration of personnel qualifications and performance of individual investigators and similar items, the disclosure of which would constitute an unwarranted invasion of personal privacy.

The Executive Secretary, Dr. Daniel R. Masys, Director, Lister Hill National Center for Biomedical Communications, National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland 20894, telephone (301) 496–4441, will furnish summaries of the meeting, rosters of committee members, and substantive program information.

Dated: March 18, 1991.

Betty J. Beveridge,

NIH Committee Management Officer, NIH.

[FR Doc. 91–7416 Filed 3–28–91; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N-91-1917; FR-2934-N-19]

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 identifies unutilized and underutilized Federal property determined by HUD to be suitable for possible use for facilities to assist the homeless.

EFFECTIVE DATE: March 29, 1991.

ADDRESSES: For further information, contact James Forsberg, room 7262, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free title V information line at 1-800-927-7588.

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 is publishing this notice to identify Federal buildings and real property that HUD has determined are suitable for use for facilities to assist the homeless. The properties were identified from information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property.

The Order requires HUD to take certain steps to implement section 501 of the Steward B. McKinney Homeless Assistance Act (42 U.S.C. 11411), which sets out a process by which unutilized or underutilized Federal properties may be made available to the homeless. Under section 501(a), HUD is to collect information from Federal landholding agencies about such properties and then to determine, under criteria developed in consultation with the Department of Health and Human Services (HHS) and the Administrator of General Services (GSA), which of those properties are suitable for facilities to assist the homeless. The order requires HUD to publish, on a weekly basis, a notice in the **Federal Register** identifying the properties determined as suitable.

All properties in today's notice were published during 1990. These properties have been reviewed for suitability for use as facilities to assist the homeless and are being republished as part of HUD's complete resurvey of Federal landholding agencies. The properties identified as suitable in this Notice have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to declare the property excess to the agency's need or to make the property available on an interim basis for use as facilities to assist the homeless; or (2) a statement of the reasons that the property cannot be declared excess or made available on an interim basis for use as facilities to assist the homeless.

First, if the landholding agency decides that the property cannot be declared excess or made available to the homeless for use on an interim basis the property will no longer be available.

Second, if the landholding agency declares the property excess to the agency's need, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law and the December 12, 1988 Order and December 14, 1988 Memorandum, subject to screening for other Federal use.

Homeless assistance providers interested in any property identified as suitable and available in this Notice should send a written expression of interest to HHS, addressed to Judy Breitman, Division of Health Facilities Planning, U.S. Public Health Service, HHS, room 17A-10, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit such written expressions of interest within 60 days from the date of this Notice. For complete details concerning the processing of applications, the reader is encouraged to refer to HUD's **Federal Register** notice on June 23, 1989 (54 FR 26421), as corrected on July 3, 1989 (54 FR 27975).

This Notice also includes a list of properties determined by HUD to be unsuitable for use as facilities to assist the homeless. These properties will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to James N. Forsberg at the address listed at the beginning of this notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.,* acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landing agencies at the following addresses: Corps of Engineers: Bob Swieconek, Army Corps of Engineers, Civilian Facilities, Rm. 5138, 20 Massachusetts Ave. NW., Washington, DC 20314-1000; (202) 272-1750; GSA: Ronald Rice, Federal Property Resources Services, GSA, 18th and F Streets NW., Washington, DC 20405; (202) 501-0067; Dept. of Agriculture: Marsha Pruitt, Realty Officer, USDA, South Bldg. Rm. 1566, 14th and Independence Ave. SW., Washington, DC 20250; (202) 447-3338; Dept. of Transportation: Angelo Picillo, Deputy Director, Administrative Services & Property Management, DOT, 400 Seventh St. SW, Room 10317, Washington, DC 20590; (202) 366-5601; U.S. Air Force: John Carr, Realty Specialist, HQ-ASESC/BC Pentagon, Washington, DC 20330; (703) 697-7462. (These are not toll-free numbers.)

Dated: March 22, 1991.

Paul Roitman Bardack,

Deputy Assistant Secretary for Economic Development.

SUITABLE/AVAILABLE PROPERTIES

Alabama

Suitable Buildings (by Agency)

COE

Bldg. TU-15
Coffeeville Lock and Dam
Star Route Box 77
Blandon Springs, AL, Co: Choctaw 36919-
Federal Register Notice Date: 03/29/91
Property Number: 319011556
Status: Unutilized
Base Closure: no
Comment: 1547 sq. ft.; 1 story frame residence; most recent use—lock tender's dwelling.

Bldgs. TU-21—TU-24
Selden Lock and Dam
Route 1
Sawyerville, AL, Co: Hale 36776-
Federal Register Notice Date: 03/29/91
Property Number: 319011551-319011554
Status: Unutilized
Base Closure: no
Comment: 1080 sq. ft. each; 1 story frame residence; needs minor repair; most recent use—lock tender's dwelling.

Bldg. TU-43
Millers Ferry Lock and Dam
Route 1, Box 102

Camden, AL, Co: Wilcox 36726–
Federal Register Notice Date: 03/29/91
Property Number: 319011549
Status: Unutilized
Base Closure: no
Comment: 1000 sq. ft.; 1 story frame residence; needs minor repair; most recent use—lock tender's dwelling.

Alaska

Suitable Land (by Agency)

DOT

Wrangell Narrows Reservation
Wrangell, AK, Co: Wrangell
Location: Approximately 6 miles south of Petersburgh, Alaska along Mitkof highway.
Federal Register Notice Date: 03/29/91
Property Number: 879010008
Status: Unutilized
Comment: 42.15 acres.

Suitable Buildings (by Agency)

GSA

Anchorage Duplexes
924–926, 944–946 Brown Street
Anchorage, AK 99501–
Federal Register Notice Date: 03/29/91
Property Number: 549030005, 5490080006
Status: Excess
Comment: 930 sq. ft.; two story residence; wooden frame; presence of asbestos
GSA No. 9–U–AK–496

Arkansas

Suitable Land (by Agency)

COE

Parcel 01
DeGray Lake
Section 12
Arkadelphia, AR, Co: Clark 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010071
Status: Unutilized
Base Closure: no
Comment: 77.6 acres.

Parcel 02
DeGray Lake
Section 13
Arkadelphia, AR, Co: Clark 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010072
Status: Unutilized
Base Closure: no
Comment: 198.5 acres.

Parcel 03
DeGray Lake
Section 18
Arkadelphia, AR, Co: Clark 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010073
Status: Unutilized
Base Closure: no
Comment: 50.46 acres.

Parcel 04
DeGray Lake
Section 24, 25, 30 and 31
Arkadelphia, AR, Co: Clark 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010074
Status: Unutilized
Base Closure: no
Comment: 236.37 acres.

Parcel 05
DeGray Lake
Section 16
Arkadelphia, AR, Co: Clark 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010075
Status: Unutilized
Base Closure: no
Comment: 187.30 acres.

Parcel 06
DeGray Lake
Section 13
Arkadelphia, AR, Co: Clark 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010076
Status: Unutilized
Base Closure: no
Comment: 13.0.

Parcel 08
DeGray Lake
Section 13
Arkadelphia, AR, Co: Clark 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010078
Status: Unutilized
Base Closure: no
Comment: 14.6 acres.

Parcel 07
DeGray Lake
Section 34
Arkadelphia, AR, Co: Hot Spring 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010077
Status: Unutilized
Base Closure: No
Comment: 0.27 acres.

Parcel 09
De Gray Lake
Section 12
Arkadelphia, AR, Co: Hot Spring 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010079
Status: Unutilized
Base Closure: No
Comment: 6.60 acres.

Parcel 10
De Gray Lake
Section 12
Arkadelphia, AR, Co: Hot Spring 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010080
Status: Unutilized
Base Closure: No
Comment: 4.5 acres.

Parcel 11
De Gray Lake
Section 19
Arkadelphia, AR, Co: Hot Spring 71923–9361
Federal Register Notice Date: 03/29/91
Property Number: 319010081
Status: Unutilized
Base Closure: No
Comment: 19.50 acres.

Lake Greeson
Section 7, 8 and 18
Murfreesboro, AR, Co: Pike 71958–9720
Federal Register Notice Date: 03/29/91
Property Number: 319010083
Status: Unutilized
Base Closure: No
Comment: 46 acres.

California

Suitable Land (by Agency)

COE

New Hogan Lake
2713 Hogan Dam Road
Valley Springs, CA, Co: Calaveras 95252–0128
Federal Register Notice Date: 03/29/91
Property Number: 319011017
Status: Unutilized
Base Closure: No
Comment: 3.08 acres; potential utilities; brush covered.

Isabella Lake
Box 997
Corps of Engineer Road
Lake Isabella, CA, Co: Kern 93240–0997
Federal Register Notice Date: 03/29/91
Property Number: 319011014
Status: Unutilized
Base Closure: No
Comment: 63 acres; steep and brush covered; no utilities.

Lake Mendocino
1160 Lake Mendocino Drive
Ukiah, CA, Co: Mendocino 95482–9404
Federal Register Notice Date: 03/29/91
Property Number: 319011015
Status: Unutilized
Base Closure: No
Comment: 20 acres; Steep, dense brush; potential utilities.

DOT

Remote Transmitter
Section 35
Red Bluff, CA, Co: Tehema 96080–
Federal Register Notice Date: 03/29/91
Property Number: 879010010
Status: Unutilized
Comment: 4 acres; paved road; current use—storage.

GSA

Receiver Site
Dixon Relay Station
7514 Radio Station Road
Dixon, CA, 95620–9653
Location: Approximately .16 miles southeast of Dixon, CA.
Federal Register Notice Date: 03/29/91
Property Number: 549010042
Status: Excess
Base Closure: No
Comment: 80 acres; 1560 sq. ft. radio receiver bldg on site; subject to grazing lease; limited utilities.
GSA No. 9–2–CA–1162–A

Receiver Site
Delano Relay Station
Route 1, Box 1350
Delano, CA, Co: Tulare 93215–
Location: 5 miles west of Pixley, 17 miles north of Delano.
Federal Register Notice Date: 03/29/91
Property Number: 549010044
Status: Excess
Comment: 81 acres; 1560 sq. ft. radio receiver bldg on site; subject to grazing lease; potential utilities.
GSA No. 9–2–CA–1308.

Suitable Buildings (by Agency)

COE

Santa Fe Flood Control Basin
Irwindale, CA, Co: Los Angeles 91706–
Federal Register Notice Date: 03/29/91
Property Number: 319011298
Status: Unutilized
Base Closure: No

Comment: 1400 sq. ft.; 1 story stucco; needs rehab; termite damage; secured area with alternate access.

GSA

Table Bluff Light Station
Near Luleta, CA
Humboldt, CA, Co: Humboldt 95414–
Location: US 101, Take Hookton Road exit, follow Hookton Road for approximately 5 miles (road becomes Table Bluff Road) property on left; west of Light House Ranch.
Federal Register Notice Date: 03/29/91
Property Number: 549010039
Status: Excess
Comment: 210 sq. ft.; one story concrete; needs rehab; subject to access easement; most recent use—storage.
GSA No. 9–GR–1–CA–683–A

Building on 0.5 acres
Madera Employment Training Center
Adjacent to Former Madera Employ. Trng. Ctr.
Madera, CA, Co: Madera 93638–
Location: Located near 19500 Road 28 1/2
Federal Register Notice Date: 03/29/91
Property Number: 549010063
Status: Excess
Comment: 800 sq. ft.; concrete/wood building; possible asbestos; access is from the Former Training Center; most recent use—storage building on 0.5 acres.
GSA No. 9–G–CA–864A

Colorado

Suitable Buildings (by Agency)

COE

John Martin Reservoir
Project Office
Star Route
Hasty, CO, Co: Bent 81044–
Federal Register Notice Date: 03/29/91
Property Number: 319010014
Status: Underutilized
Base Closure: No
Comment: 1350 sq. ft.; one floor brick; most recent use—residence-office.

Florida

Suitable Buildings (by Agency)

COE

Bldgs. CN7, CN8
Ortona Lock Reservation, Okeechobee Waterway
Ortona, FL, Co: Glades 33471–
Location: Located off Highway 78 approximately 7 miles west of intersection with Highway 27.
Federal Register Notice Date: 03/29/91
Property Numbers: 319010012–319010013
Status: Unutilized
Base Closure: No
Comment: 1468 sq. ft.; one floor wood frame; most recent use—residence; secured with alternate access.

Bldg. CN–19
Moore Haven Lock
Okeechobee Waterway
Moore Haven, FL, Co: Glades 33471–
Location: 1 mile east of highway 27
Federal Register Notice Date: 03/29/91
Property Number: 319011688
Status: Unutilized
Base Closure: No
Comment: 1281 sq. ft.; 1 story frame residence; secured area with alternate access.

Idaho

Suitable Buildings (by Agency)

GSA

Tract BC–3
Ditchrider House #704
S.E. 4th Avenue
Payette, ID, Co: Payette 83661–
Location: 1.25 miles east of Highway 30, 5.5 miles southeast of New Plymouth, ID.
Federal Register Notice Date: 03/29/91
Property Number: 549010016
Status: Excess
Comment: 886 sq. ft.; one story wood frame with ½ basement; most recent use—residence.
GSA No. 9–I–ID–553

Tract BC–4
Ditchrider House #716
S.E. 2nd Avenue
Payette, ID, Co: Payette 83661–
Location: 1.25 miles west of Highway 30, 2.5 miles S.W. of New Plymouth, ID.
Federal Register Notice Date: 03/29/91
Property Number: 549010017
Status: Excess
Comment: 900 sq. ft.; one story wood frame with unfinished basement; most recent use—residence.
GSA No. 9–I–ID–534

Illinois

Suitable Buildings (by Agency)

COE

Bldgs. 1–7
Ohio River Locks & Dam No. 53
Grand Chain, IL, Co: Pulaski 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Federal Register Notice Date: 03/29/91
Property Numbers: 319010001–319010007
Status: Unutilized
Base Closure: No
Comment: 900 sq. ft. each; 1 floor wood frame; most recent use-residence.

Brandon Road Lock and Dam
1100 Brandon Road
Joliet, IL, Co: Will 60436–
Federal Register Notice Date: 03/29/91
Property Number: 319010011
Status: Excess
Base Closure: No
Comment: 1440 sq. ft.; 2 floors wood frame; most recent use—office; off-site removal required.

Indiana

Suitable Land (by Agency)

COE

Cecil M. Harden Lake Project
Rockville, IN, Co: Parke 47872–
Location: Route 57 at intesection w/county road 910E.
Federal Register Notice Date: 03/29/91
Property Number: 319011689
Status: Unutilized
Base Closure: No
Comment: 2.68 acres; narrow triangular shaped area of land.

Suitable Building (by Agency)

Dwelling #2
Cagles Mill Lake
Poland, IN, Co: Putnam 47868–
Location: 5 miles west of Polano on SR 42
Federal Register Notice Date: 03/29/91
Property Number: 319011686
Status: Unutilized
Base Closure: No
Comment: 872 sq. ft.; I story wood frame residence; fair condition.

Kansas

Suitable Land (by Agency)

COE

Parcel 1
El Dorado Lake
Section 13, 24, and 18
(See County), KS, Co: Butler
Federal Register Notice Date: 03/29/91
Property Number: 319010064
Status: Unutilized
Base Closure: No
Comment: 61 acres; most recent use—recreation.

Parcel #1
Fall River Lake
Section 26
(See County), KS, Co: Greenwood
Federal Register Notice Date: 03/29/91
Property Number: 319010065
Status: Unutilized
Base Closure: No
Comment: 155 acres; most recent use—recreation and leased cottage sites.

Parcel #2
Fall River Lake
Section 25 and 26
(See County), KS, Co: Greenwood
Federal Register Notice Date: 03/29/91
Property Number: 319010066
Status: Excess
Base Closure: No
Comment: 38.62 acres; most recent use—recreation.

Parcel #3
Fall River Lake
Section 26
Greenwood, KS, Co: Greenwood
Federal Register Notice Date: 03/29/91
Property Number: 319010067
Status: Excess
Base Closure: No
Comment: 22.44 acres; most recent use—receation.

Parcel #4
Fall River Lake
Section 25
Greenwood, KS, Co: Greenwood
Federal Register Notice Date: 03/29/91
Property Number: 319010068
Status: Excess
Base Closure: No
Comment: 46.04 acres; most recent use—recreation.

Parcel #5
Fall River Lake
Section 25
KS, Co: Greenwood
Federal Register Notice Date: 03/29/91
Property Number: 319010069
Status: Excess
Base Closure: No

Comment: 37.31 acres; most recent use—recreation.

Parcel #1
Fall River Lake
Section 3
KS, Co: Greenwood
Federal Register Notice Date: 03/29/91
Property Number: 319010070
Status: Excess
Base Closure: No
Comment: 133.51 acres; most recent use—recreation.

Kenntucky

Suitable Land (by Agency)

COE
Tract QQ–4300 Wolf Creek Dam and Lake Cumberland KY. Hwy 100 Burkesville, KY, Co: Cumberland 42717–Location: 9 miles west of Burksville.
Federal Register Notice Date: 03/29/91
Property Number: 319010037
Status: Excess
Base Closure: No
Comment: 600 acres; steeply sloped upland and ridgetop; no utilities.

Markland Locks & Dam
Part of Big Sugar Recreation Site
Warsaw, KY, Co: Gallatin 41095–Location: South Side of US highway 42 approximately 5 miles east of Warsaw, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010063
Status: Unutilized
Base Closure: No.
Comment: .58 acres; subject to periodic flooding; potential utilities.

Givens Creek Access Site Smithland Locks and Dam Smithland, KY, Co: Livingston 42081–Location: From Marion, KY, take SR 60 west for 10 miles to SR 133, north on 133 about 12 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319010021
Status: Unutilized
Base Closure: No
Comment: 6 acres; subject to periodic flooding; current use—leased for recreational use.

Tract 1217 Barkley Lake, Kentucky and Tennessee Eddyville, KY, Co: Lyon 42030–Location: On the north side of the Illinois Central Railroad.
Federal Register Notice Date: 03/29/91
Property Number: 319010042
Status: Excess
Base Closure: No
Comment: 5.80 acres; steep and wooded.

Tract 1906 Barkley Lake, Kentucky and Tennessee Eddyville, KY, Co: Lyon 42030–Location: Approximately 4 miles east of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010044
Status: Excess
Base Closure: No
Comment: 25.86 acres; rolling steep and partially wooded; no utilities.

Tract 1907 Barkley Lake, Kentucky and Tennessee Eddyville, KY, Co: Lyon 42038–Location: On the waters of Pilfen Creek, 4 miles east of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010045
Status: Excess
Base Closure: No
Comment: 8.71 acres; rolling steep and wooded; no utilities.

Tract 2001 #1 Barkley Lake, Kentucky and Tennessee Eddyville, KY, Co: Lyon 42030–Location: Approximately 4½ miles east of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010046
Status: Excess
Base Closure: No
Comment: 47.42 acres; steep and wooded; no utilities.

Tract 2001 #2 Barkley Lake, Kentucky and Tennessee Eddyville, KY, Co: Lyon 42030–Location: Approximately 4½ miles east of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010047
Status: Excess
Base Closure: No
Comment: 8.64 acres; steep and wooded; no utilities.

Tract 2005 Barkley Lake, Kentucky and Tennessee Eddyville, KY, Co: Lyon 42030–Location: Approximately 5½ miles east of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010048
Status: Excess
Base Closure: No
Comment: 4.62 acres; steep and wooded; no utilities.

Tract 2307 Barkley Lake, Kentucky and Tennessee Eddyville, KY, Co: Lyon 42030–Location: Approximately 7½ miles southeasterly of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010049
Status: Excess
Base Closure: No
Comment: 11.43 acres; steep; rolling and wooded; no utilities.

Tract 2403
Barkley Lake, Kentucky and Tennessee
Eddyville, KY, Co: Lyon 42030-
Location: 7 miles southeasterly of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010050
Status: Excess
Base Closure: No
Comment: 1.56 acres; steep and wooded; no utilities.

Tract 2504
Barkley Lake, Kentucky and Tennessee
Eddyville, KY, Co: Lyon 42030-
Location: 9 miles southeasterly of Eddyville, KY
Federal Register Notice Date: 03/29/91
Property Number: 319010051
Status: Excess
Base Closure: No
Comment: 24.46 acres; steep and wooded; no utilities.

Tract 214
Barkley Lake, Kentucky and Tennessee
Grand Rivers, KY, Co: Lyon 42045-
Location: South of the Illinois Central Railroad, 1 mile east of the Cumberland River.
Federal Register Notice Date: 03/29/91
Property Number: 319010052
Status: Excess
Base Closure: No
Comment: 5.5 acres; wooded; no utilities.

Tract 215
Barkley Lake, Kentucky and Tennessee
Grand Rivers, KY, Co: Lyon 42045-
Location: 5 miles southwest of Kuttawa
Federal Register Notice Date: 03/29/91
Property Number: 319010053
Status: Excess
Base Closure: No
Comment: 1.40 acres; wooded; no utilities.

Tract 241
Barkley Lake, Kentucky and Tennessee
Grand Rivers, KY, Co: Lyon 42045-
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010054
Status: Excess
Base Closure: No
Comment: 1.26 acres; steep and wooded; no utilities.

Tracts 306, 311, 315 and 325
Barkley Lake, Kentucky and Tennessee
Grand Rivers, KY, Co: Lyon 42045-
Location: 2.5 miles southwest of Kuttawa, KY. on the waters of Cypress Creek.
Federal Register Notice Date: 03/29/91
Property Number: 319010055
Status: Excess
Base Closure: No
Comment: 38.77 acres; steep and wooded; no utilities.

Tracts 2305, 2306, and 2400–1
Barkley Lake, Kentucky and Tennessee
Eddyville, KY, Co: Lyon 42030-
Location: 6½ miles southeasterly of Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010056
Status: Excess
Base Closure: No
Comment: 97.66 acres; steep rolling and wooded; no utilities.

Tract 500–2
Barkley Lake, Kentucky and Tennessee
Kuttawa, KY, Co: Lyon 42055-
Location: Situated on the waters of Poplar Creek, approximately 1 mile southwest of Kuttawa, KY.
Federal register Notice Date: 03/29/91
Property Number: 319010057
Status: Excess
Base Closure: No
Comment: 3.58 acres; hillside ridgeland and wooded; no utilities.

Tract 2403–B
Barkley Lake, Kentucky and Tennessee
Eddyville, KY, Co: Lyon 42038-
Location: 7 miles southeasterly from Eddyville, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319011623
Status: Unutilized
Base Closure: No
Comment: 0.70 acres, wooded; subject to utility easements.

Tracts 241–B, 212, 237
Barkley Lake, Kentucky and Tennessee
Grand Rivers, KY, Co: Lyon 42045-
Location: South of Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319011624, 319011625

Status: Excess
Base Closure: No
Comment: 11.16 and 2.44 acres; steep and wooded; subject to utility easements.

Tracts 212 and 237
Barkley Lake, Kentucky and Tennessee
Grand Rivers, KY, Co: Lyon 42045-
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319011625
Status: Excess
Base Closure: No
Comment: 2.44 acres; steep and wooded; subject to utility easements.

Tracts 215–B, 233
Barkley Lake, Kentucky and Tennessee
Grand Rivers, KY, Co: Lyon 42045–
Location: 5 miles southwest of Kuttawa
Federal Register Notice Date: 03/29/91
Property Numbers: 319011626, 319011627
Status: Excess
Base Closure: No
Comment: 1.00 acres each; wooded; subject to utility easements.

Tract 2625
Barkley Lake, Kentucky and Tennessee
Cadiz, KY, Co: Trigg 42211–
Location: Adjoining the village of Rockcastle.
Federal Register Notice Date: 03/29/91
Property Number: 319010025
Status: Excess
Base Closure: No
Comment: 2.57 acres; rolling and wooded.

Tracts 2709–10 and 2710–2
Barkley Lake, Kentucky and Tennessee
Cadiz, KY, Co: Trigg 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle.
Federal Register Notice Date: 03/29/91
Property Number: 319010026
Status: Excess
Base Closure: No
Comment: 2.00 acres; steep and wooded.

Tract 2708–1 and 2709–1
Barkley Lake, Kentucky and Tennessee
Cadiz, KY, Co: Trigg 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle.
Federal Register Notice Date: 03/29/91
Property Number: 319010027
Status: Excess
Base Closure: No
Comment: 3.59 acres; rolling and wooded; no utilities.

Tract 2800
Barkley Lake, Kentucky and Tennessee
Cadiz, KY, Co: Trigg 42211–
Location: 4½ miles in a southeasterly direction from the village of Rockcastle.
Federal Register Notice Date: 03/29/91
Property Number: 319010028
Status: Excess
Base Closure: No
Comment: 5.44 acres; steep and wooded.

Tract 2915
Barkley Lake, Kentucky and Tennessee
Cadiz, KY, Co: Trigg 42211–
Location: 6½ miles west of Cadiz.
Federal Register Notice Date: 03/29/91
Property Number: 319010029
Status: Excess
Base Closure: No
Comment: 5.76 acres; steep and wooded; no utilities.

Tract 2702
Barkley Lake, Kentucky and Tennessee
Cadiz, KY, Co: Trigg 42211–
Location: 1 miles a southerly direction from the village of Rockcastle.
Federal Register Notice Date: 03/29/91
Property Number: 319010031
Status: Excess
Base Closure: No
Comment: 4.90 acres; wooded; no utilities.

Tract 4318
Barkley Lake, Kentucky and Tennessee
Canton, KY, Co: Trigg 42212–
Location: Trigg Co. adjoining the city of Canton, KY, on the waters of Hopson Creek.
Federal Register Notice Date: 03/29/91
Property Number: 319010032
Status: Excess
Base Closure: No
Comment: 8.24 acres; steep and wooded.

Tract 4502
Barkley Lake, Kentucky and Tennessee
Canton, KY, Co: Trigg 42212–
Location: 3½ miles in a southerly direction from Canton, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010033
Status: Excess
Base Closure: No
Comment: 4.26 acres; steep and wooded.

Tract 4611
Barkley Lake, Kentucky and Tennessee
Canton, KY, Co: Trigg 42212–
Location: 5 miles south of Canton, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010034
Status: Excess
Base Closure: No
Comment: 10.51 acres; steep and wooded; no utilities.

Tract 4619
Barkley Lake Kentucky and Tennessee
Canton, KY, Co: Trigg 42212–
Location: 4 ½ miles south from Canton, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010035
Status: Excess
Base Closure: No
Comment: 2.02 acres; steep and wooded; no utilities.

Tract 4817
Barkley Lake, Kentucky and Tennessee
Canton, KY, Co: Trigg 42212–
Location: 6 ½ miles south of Canton, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010036
Status: Excess
Base Closure: No
Comment: 1.75 acres; wooded.

Tracts 5203 and 5204
Barkley Lake, Kentucky and Tennessee
Linton, KY, Co: Trigg 42212–
Location: Village of Linton, KY state highway 1254.
Federal Register Notice Date: 03/29/91
Property Number: 319010058
Status: Excess
Base Closure: No
Comment: 0.93 acres; rolling, partially wooded; no utilities.

Tract 5240
Barkley Lake, Kentucky and Tennessee
Linton, KY, Co: Trigg 42212–
Location: 1 mile northwest of Linton, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319010059
Status: Excess
Base Closure: No
Comment: 2.26 acres; steep and wooded; no utilities.

Tracts 4628, 4619–B
Barkley Lake, Kentucky and Tennessee
Canton, KY, Co: Trigg 42212–
Location: 4 ½ miles south from Canton, KY.
Federal Register Notice Date: 03/29/91
Property Numbers: 319011621, 319011622
Status: Excess
Base Closure: No
Comment: 3.71 and 1.73 acres; steep and wooded; subject to utility easements.

Tract 4619–B
Barkley Lake, Kentucky and Tennessee
Canton, KY, Co: Trigg 42212–
Location: 4 ½ miles south from Canton, KY.
Federal Register Notice Date: 03/29/91
Property Number: 319011622
Status: Excess
Base Closure: No
Comment: 1.73 acres; steep and wooded; subject to utility easements.

Blackburn Access Site
Smithland Locks and Dam
Morganfield, KY, Co: Union 42437–
Location: From Morganfield, KY take SR 56 north to unmarked road, 500 yards south of Shawneetown bridge over the Ohio River. Site is east of bridge.
Federal Register Notice Date: 03/29/91
Property Number: 319010020
Status: Unutilized
Base Closure: No
Comment: 8 acres; subject to periodic flooding; current use—leased for recreational use.

Suitable Buildings (by Agency)

COE

Green River Lock & Dam #3
Rochester, KY, Co: Butler 42273–
Location: SR 70 west from Morgantown, KY, approximately 7 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319010022
Status: Unutilized
Base Closure: No
Comment: 980 sq. ft.; 2 story wood frame; two story residence; potential utilities; needs major rehab.

Green River Lock & Dam #3
Rochester, KY, Co: Butler 42273–
Location: SR 70 west from Morgantown, KY, approximately 7 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319010023
Status: Unutilized
Base Closure: No
Comment: 1752 sq. ft.; 1 story brick; one story residence; needs major rehab; subject to periodic flooding.

Kentucky River Lock & Dam #1
Carrolton, KY, Co: Carroll 41008–
Location: I–71 to Carrolton exit, east on SR227 to Highway 320, left for about 1.5 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319010041
Status: Unutilized
Base Closure: No

Comment: 1530 sq. ft.; 2 story wood frame; subject to periodic flooding; needs rehab.

Kentucky River Lock and Dam 3
Pleasureville, KY, Co: Henry 40057–
Location: SR 421 North from Frankfort, KY, to Highway 561, right on 561 approximately 3 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319010060
Status: Unutilized
Base Closure: No
Comment: 897 sq. ft.; 2 story wood frame; structural deficiencies.

Kentucky River Lock and Dam 3
Pleasureville, KY, Co: Henry 40057–
Location: SR 421 North from Frankfort, KY, to Highway 561, right on 561 approximately 3 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319010061
Status: Unutilized
Base Closure: No
Comment: 1060 sq. ft.; 2 story wood frame; needs rehab.

GSA

Suitable Land (by Agency)

Martins Fork Lake Property
Harlan, KY, Co: Harlan 40831–
Federal Register Notice Date: 03/29/91
Property Number: 549040002
Status: Excess
Comment: .23 acres; no utility and sewer lines available.
GSA No. 4–GR–KY–561.

Louisiana

Suitable Land (by Agency)

COE

Wallace Lake Dam and Reservoir
Shreveport, LA, Co: Caddo 71103–
Federal Register Notice Date: 03/29/91
Property Number: 319011009
Status: Unutilized
Base Closure: No
Comment: 11 acres; wildlife/forestry; no utilities.

Bayou Bodcau Dam and Reservoir
Haughton, LA, Co: Caddo 71037–9707
Location: 35 miles Northeast of Shreveport, LA.
Federal Register Notice Date: 03/29/91
Property Number: 319011010
Status: Unutilized
Base Closure: No
Comment: 203 acres; wildlife/forestry; no utilities.

Suitable Buildings (by Agency)

GSA

Federal Building
Mississippi and Vienna Streets
Ruston, LA, Co: Lincoln Parish 71273–
Federal Register Notice Date: 03/29/91
Property Number: 549040005
Status: Excess
Comment: 3492 sq. ft.; two story; most recent use—office; listed on National Register of Historic Places.

Maryland

Suitable Buildings (by Agency)

GSA

Chesapeake Bay Hydraulic Model
Matapeake, MD, Co: Queen Annes 21666–
Federal Register Notice Date: 03/29/91
Property Number: 549040007
Status: Excess
Comment: 617280 sq. ft.; one story metal building; ceiling height over 40 ft.; lease restriction; Corps will maintain an antenna on property

Maine

Suitable Land (by Agency)

GSA

Bucks Harbor GATR Site
GATR Road
Machias Port, ME Co: Washington 04655–
Location: 8 miles southeast of Machias off Highway 92
Federal Register Notice Date: 03/29/91
Property Number: 549030015
Status: Surplus
Comment: 5.5 acres with 2,900 sq. ft. concrete block building; potential utilities; secured area with alternate access.
GSA No. 2–U–ME–611B.

Suitable Buildings (by Agency)

Agriculture

White Mountain National Forest
Stoneham, ME
Location: From Bethel, ME: 20 mi. SW on State Hwy 35—10 mi. west on Hwy 5 to Virginia Lake Access Rd.—4 mi. north to property
Federal Register Notice Date: 03/29/91
Property Number: 159040001
Status: Unutilized
Comment: 2256 sq. ft.; two story wood frame; needs major rehab; structurally unsound.

Suitable Buildings (by Agency)

GSA

Ellsworth Federal Building
Corner of Main and Water Streets
Ellsworth, ME Co: Hancock 04605—
Federal Register Notice Date: 03/29/91
Property Number: 549040008
Status: Excess
Comment: 4904 sq. ft.; one story steel frame/brick concrete exterior; most recent use—office; scheduled to be vacated in six months.
GSA No. 2–G–ME–622.

Massachusetts

Suitable Land (by Agency)

COE

Conant Brook Dam
Flood Control Dam
Wales Road
Monson, MA Co: Hamden 01057—
Location: Portion of Tract 211
Federal Register Notice Date: 03/29/91
Property Number: 319010017
Status: Excess
Base Closure: No
Comment: 5.27 acres

Buffumville Dam
Flood Control Project
Gale Road
Carlton, MA Co: Worcester 01540–0155
Location: Portion of tracts B–200, B–248, B–251, B–204, B–247, B–200 and B–256
Federal Register Notice Date: 03/29/91
Property Number: 319010016
Status: Excess
Base Closure: No
Comment: 1.45 acres.

Hodges Village
Dam Flood Control Project
Old Howarth Road
Oxford, MA Co: Worcester 01540–0500
Location: Portion of Tract A–108, See Project Manager at Hodges Village Dam, Oxford, MA (508) 987–2600.
Federal Register Notice Date: 03/29/91
Property Number: 319011006
Status: Excess
Base Closure: No
Comment: 6.02 acres; 3 acres paved road, subject to utility easement.

Suitable Land (by Agency)

GSA

Por. of Former Navy Ammo. Plt.
Fort Hill Street
Hingham, MA Co: Plymouth 02043—
Location: Across from Bus Company Parking Garage.
Federal Register Notice Date: 03/29/91
Property Number: 549030017
Status: Excess
Comment: 1.129 acres; gravel pavement; most recent use—parking lot.
GSA No. 2–GR–MA–591B.

Michigan

Suitable Buildings (by Agency)

COE

Former C.G. Lightkeeper Sta.
Little Rapids Channel Project
St. Marys River
Sault Ste. Marie, MI, Co: Chippewa 49783–
Location: 3 miles east of downtown Sault Ste. Marie.
Federal Register Notice Date: 03/29/91
Property Number: 319011573
Status: Excess
Base Closure: No
Comment: 1411 sq. ft.; 2 story; wood frame on .62 acres; needs rehab; secured area with alternate access.

Minnesota

Suitable Land (by Agency)

COE

Tract 92
Sandy Lake
McGregor, MN, Co: Aitkins 55760–
Location: 4 miles west of highway 65, 15 miles from city of McGregor.
Federal Register Notice Date: 03/29/91
Property Number: 319011040
Status: Excess
Base Closure: No
Comment: 4 acres; no utilities.

Parcel D
Pine River
Cross Lake, MN, Co: Crow Wing 56442–
Location: 3 miles from city of Cross Lake, between highways 6 and 371.
Federal Register Notice Date: 03/29/91
Property Number: 319011038

Status: Excess
Base Closure: No
Comment: 17 acres; no utilities.

Tract 98
Leech Lake
Benedict, MN, Co: Hubbard 56641–
Location: 1 mile from city of Federal Dam, Mn.
Federal Register Notice Date: 03/29/91
Property Number: 319011041
Status: Excess
Base Closure: No
Comment: 7.3 acres; no utilities.

Suitable Buildings (by Agency)

COE

Orwell Dam Reservoir
RFD #4, Box 100
Fergus Falls, MN, Co: Ottertail 56537–
Location: Off highway 210, 12 miles from Fergus Falls.
Federal Register Notice Date: 03/29/91
Property Number: 319011039
Status: Unutilized
Base Closure: No
Comment: 1040 sq. ft.; frame house; possible asbestos; potential utilities.

Former Yardmaster's Dwelling
Duluth Vessel Yard
900 Minnesota Avenue
Duluth, MN, Co: St. Louis 55802–
Federal Register Notice Date: 03/29/91
Property Number: 319011042
Status: Unutilized
Base Closure: No
Comment: 1568 sq. ft.; 2 story wood frame residence; potential utilities; minor rehab.

Missouri

Suitable Land (by Agency)

COE

Harry S Truman Dam & Reservoir
Warsaw, MO, Co: Benton 65355–
Location: Triangular shaped parcel southwest of access road "B", part of Bledsoe Ferry Park Tract 150.
Federal Register Notice Date: 03/29/91
Property Number: 319030014
Status: Underutilized
Base Closure: No
Comment: 1.7 acres; potential utilities.

Parcel A
Wappapello Lake
Section 28
Wayne, MO, Co: Wayne
Federal Register Notice Date: 03/29/91
Property Number: 319010085
Status: Excess
Base Closure: No
Comment: 53 acres; steep; timbered.

Parcel B
Wappapello Lake
Section 7
Wayne, MO, Co: Wayne
Federal Register Notice Date: 03/29/91
Property Number: 319010086
Status: Excess
Base Closure: No
Comment: 35 acres; most recent use—wild life management.

Parcel C
Wappapello Lake
Section 14, 22 and 23
Wayne, MO, Co: Wayne
Federal Register Notice Date: 03/29/91
Property Number: 319010087
Status: Excess
Base Closure: No
Comment: 294 acres; most recent use—wild life management.

Parcel E
Wappapello Lake
Section 23
Wayne, MO Co: Wayne
Location: NW ¼, NE ¼, Section 23 and Survey 813, T29N, 5th PM.
Federal Register Notice Date: 03/29/91
Property Number: 319010094
Status: Excess
Base Closure: No
Comment: 46 acres; most recent use—wild life management.

Parcel D
Wappapello Lake
Section 3
Wayne, MO Co: Wayne
Federal Register Notice Date: 03/29/91
Property Number: 319010095
Status: Excess
Base Closure: No
Comment: 38 acres; most recent use—wild life management.

Mississippi

Suitable Land (by Agency)

COE

Parcel 10
Grenada Lake
Sections 16, 17, 18 T24N, R8E
Grenada, MS Co: Calhoun 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011022
Status: Underutilized
Base Closure: No
Comment: 490 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 11
Grenada Lake
Section 20, T24N, R8E
Grenada, MS Co: Calhoun 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011028
Status: Underutilized
Base Closure: No
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 2
Grenada Lake
Section 20, T23N, R5E
Grenada, MS Co: Grenada 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011023
Status: Underutilized
Base Closure: No
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 17
Grenada Lake
Section 17, T23N, R7E
Grenada, MS Co: Grenada 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011034
Status: Underutilized
Base Closure: No
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 18
Grenada Lake
Section 22, T23N, R7E
Grenada, MS Co: Grenada 38902–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011035
Status: Underutilized
Base Closure: No
Comment: 10 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 19
Grenada Lake
Section 9, T22N, R7E
Grenada, MS Co: Grenada 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011036
Status: Underutilized
Base Closure: No
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 7
Grenada Lake
Sections 22, 23, T24N
Grenada, MS Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011019
Status: Underutilized
Base Closure: No
Comment: 100 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 8
Grenada Lake
Section 20, T24N
Grenada, MS Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011020
Status: Underutilized
Base Closure: No
Comment: 30 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 9
Grenada Lake
Section 20, T24N, R7E
Grenada, MS, Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011021
Status: Underutilized
Base Closure: No
Comment: 23 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 3
Grenada Lake
Section 4, T23N, R5E
Grenada, MS, Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011024
Status: Underutilized
Base Closure: No
Comment: 120 acres; no utilities; most recent use—wildlife and forestry management; (13.5 acres/agriculture lease.)

Parcel 4
Grenada Lake
Section 2 and 3. T23N, R5E
Grenada, MS, Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011025
Status: Underutilized
Base Closure: No
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 5
Grenada Lake
Section 7, T24N, R6E

Grenada, MS, Co: Yalobusha 38903–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011026
Status: Underutilized
Base Closure: No
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management; (14 acres/agriculture lease).

Parcel 6
Grenada Lake
Section 9, T24N, R6E
Grenada, MS, Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011027
Status: Underutilized
Base Closure: No
Comment: 80 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 12
Grenada Lake
Section 25, T24N, R7E
Grenada, MS, Co: Yalobusha 38390–10903
Federal Register Notice Date: 03/29/91
Property Number: 319011029
Status: Underutilized
Base Closure: No
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 13
Grenada Lake
Section 34, T24N, R7E
Grenada, MS, Co: Yalobusha 38903–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011030
Status: Underutilized
Base Closure: No
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management; (11 acres/agriculture lease).

Parcel 14
Grenada Lake
Section 3, T23N, R6E
Grenada, MS, Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011031
Status: Underutilized
Base Closure: No
Comment: 15 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 15
Grenada Lake
Section 4, T24N, R6E
Grenada, MS, Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011032
Status: Underutilized
Base Closure: No
Comment: 40 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 16
Grenada Lake
Section 9, T23N, R6E
Grenada, MS, Co: Yalobusha 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011033
Status: Underutilized
Base Closure: No
Comment: 70 acres; no utilities; most recent use—wildlife and forestry management.

Montana

Suitable Buildings (by Agency)

COE

Entry Building
Fort Peck Project
Fort Peck, MT, Co: Valley 59223–
Location: Highway 24 about 1.6 mile from project headquarters.
Federal Register Notice Date: 03/29/91
Property Number: 319011539
Status: Excess
Base Closure: No
Comment: 225 Sq. ft.; 1 story wood frame; needs rehab; off-site removal.

New Hampshire

Suitable Buildings (by Agency)

Air Force

60 Residences
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040059, 189040060, 189010062–189040064, 189040066–189040070, 189040072, 189040074, 189040075, 189040077–189040090, 189040092–189040094, 189040096–189040097, 189040100–189040104, 189040108–189040112, 189040114–189040119, 189040122–189040123, 189040125, 189040130, 189040132, 189040134, 189040136, 189040142, 189040146, 189040165–189040167
Status: Excess
Base Closure: Yes
Comment: 4636 sq. ft. each; 2 story wood frame; 4-unit residence; scheduled to be vacated 3/31/91.

18 Residences
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040061, 189040065, 189040071, 189040073, 189040076, 189040091, 189040095, 189040098, 189040099, 189040105–189040107, 189040113, 189040120–189040121, 189040124, 189040138, 189040140
Status: Excess
Base Closure: Yes
Comment: 3936 sq. ft. each; 2 story wood frame; 4-unit residence; scheduled to be vacated 3/31/91.

68 Residences
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 3/29/91
Property Numbers: 189040126, 189040129, 189040135, 189040141, 189040152, 189040154, 189040156, 189040158, 189040160–189040164, 189040169, 189040191, 189040193, 189040195, 189040197, 189040201–189040203, 189040205–189040210, 189040212–189040214, 189040220, 189040222–189040224, 189040227–189040228, 189040233, 189040240–189040241, 189040243, 189040247–189040249, 189040252–189040257, 189040260–189040262, 189040264, 189040267–189040270, 189040274–189040275, 189040278, 189040284, 189040287, 189040292, 189040297, 189040299, 189040301–189040303
Status: Excess
Base Closure: Yes
Comment: 3744 sq. ft. each; 2 story wood frame; 4-unit residence; scheduled to be vacated 3/31/91.

98 Residences
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040127–189040128, 189040131, 189040133, 189040137, 189040139, 189040143–189040145, 189040147–189040151, 189040153, 189040155, 189040157, 189040159, 189040168, 189040170–189040190, 189040192, 189040194, 189040196, 189040198–189040200, 189040204, 189040211, 189040215–189040219, 189040221, 189040225–189040226, 189040229–189040232, 189040234–189040239, 189040242, 189040244–189040246, 189040250–189040251, 189040258–189040259, 189040263, 189040265–189040266, 189040271–189040273, 189040277, 189040279–189040283, 189040285–189040286, 189040288–189040291, 189040293–189040296, 189040298, 189040300
Status: Excess
Base Closure: Yes
Comment: 4400 sq. ft. each; 2 story wood frame; 4-unit residence; scheduled to be vacated 3/31/91.

Bldg. 848
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040276
Status: Excess
Base Closure: Yes
Comment: 5100 sq. ft.; 2 story wood frame; 4-unit residence; scheduled to be vacated 3/31/91.

12 Residences
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040304–189040306, 189040308, 189040311–189040312, 189040314–189040319
Status: Excess
Base Closure: Yes
Comment: 7960 sq. ft. each; 2 story wood frame; 4-unit residence; scheduled to be vacated 3/31/91.

4 Residences
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040307, 189040309–189040310, 189040313
Status: Excess
Base Closure: Yes
Comment: 8064 sq. ft. each; 2 story wood frame; 4-unit residence; scheduled to be vacated 3/31/91.

Bldg. 26
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040320
Status: Excess
Base Closure: Yes
Comment: 15088 sq. ft.; one story concrete block/brick; most recent use—open mess; scheduled to be vacated 3/31/91.

Bldg. 46
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91

Property Number: 189040321
Status: Excess
Base Closure: Yes
Comment: 12704 sq. ft.; one story concrete block/brick; most recent use—open mess; presence of asbestos; scheduled to be vacated 3/31/91.

Bldg. 60
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040322
Status: Excess
Base Closure: Yes
Comment: 12764 sq. ft.; one story concrete block/brick; most recent use—dining hall; presence of asbestos; scheduled to be vacated 3/31/91.

Bldg. 99
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040323
Status: Excess
Base Closure: Yes
Comment: 13222 sq. ft.; one story concrete block/brick; most recent use—open mess; presence of asbestos; scheduled to be vacated 3/31/91.

Bldg. 41
Credit Union
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040324
Status: Excess
Base Closure: Yes
Comment: 2400 sq. ft.; one story brick; most recent use—bank facility; scheduled to be vacated 3/31/91.

Bldg. 44
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040325
Status: Excess
Base Closure: Yes
Comment: 14234 sq. ft.; 2 story brick/concrete; most recent use—lodging; scheduled to be vacated 3/31/91.

Bldg. 96
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040326
Status: Excess
Base Closure: Yes
Comment: 11801 sq. ft.; 2 story wood/steel; most recent use—lodging presence of asbestos in pipe insulation; scheduled to be vacated 3/31/91.

Bldg. 89
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040327
Status: Excess
Base Closure: Yes
Comment: 4260 sq. ft.; one story; possible asbestos; hosptial heat plant; scheduled to be vacated 3/31/91.

Bldg. 93
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040328
Status: Excess
Base Closure: Yes
Comment: 28233 sq. ft.; 4 story; most recent use—hospital; scheduled to be vacated 3/31/91.

Bldg. 98
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040329
Status: Excess
Base Closure: Yes
Comment: 1536 sq. ft.; 1 story; trailer/office space; scheduled to be vacated 3/31/91.

Bldg. 35
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040330
Status: Excess
Base Closure: Yes
Comment: 29456 sq. ft.; 1 story; possible asbestos; training facility; scheduled to be vacated 3/31/91.

Bldg. 36
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040331
Status: Excess
Base Closure: Yes
Comment: 7602 sq. ft.; 1 story; possible asbestos; training facility; scheduled to be vacated 3/31/91.

Bldg. 88
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040332
Status: Excess
Base Closure: Yes
Comment: 10863 sq. ft.; 3 story; possible asbestos; education center; scheduled to be vacated 3/31/91.

Bldg. 74
Child Care Facility
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040333
Status: Excess
Base Closure: Yes
Comment: 4426 sq. ft.; one story; child care center; scheduled to be vacated 3/31/91.

Bldg. 76
Child Care Facility
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040334
Status: Excess
Base Closure: Yes
Comment: 11500 sq. ft.; 1 story; child care center; scheduled to be vacated 3/31/91.

Bldg. 30
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040347
Status: Excess
Base Closure: Yes
Comment: 4510 sq. ft.; 1 story brick; most recent use—sales store; presence of asbestos; scheduled to be vacated 3/31/91.

Bldg. 115
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040349
Status: Excess
Base Closure: Yes
Comment: 48973 sq. ft.; 1 story brick/blocks; most recent use—sales store; scheduled to be vacated 3/31/91.

Bldg. 116
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040350
Status: Excess
Base Closure: Yes
Comment: 71509 sq. ft.; 1 story masonry unit; most recent use—commissary; presence of asbestos; scheduled to be vacated 3/31/91.

Bldg. 25
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040351
Status: Excess
Base Closure: Yes
Comment: 10426 sq. ft.; 1 story wood frame; presence of asbestos; most recent use—chapel; scheduled to be vacated 3/31/91.

Bldg. 63
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040352
Status: Excess
Base Closure: Yes
Comment: 7550 sq. ft.; 1 story wood frame; presence of asbestos; most recent use—chapel; scheduled to be vacated 3/31/91.

Bldg. 423
Please Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040383
Status: Excess
Base Closure: Yes
Comment: 1338 sq. ft.; 1 story wood frame residence; possible asbestos; scheduled to be vacated 3/31/91.

Bldg. 427
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040384
Status: Excess
Base Closure: Yes
Comment: 4995 sq. ft.; 2 story wood frame; most recent use—rod and gun club; scheduled to be vacated 3/31/91.

Bldg. 130
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040385
Status: Excess
Base Closure: Yes
Comment: 36570 sq. ft.; 1 story metal; presence of asbestos; most recent use—motor pool; scheduled to be vacated 3/31/91.

9 Dormitories
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–

Federal Register Notice Date: 03/29/91
Property Number: 189040386–189040394
Status: Excess
Base Closure: Yes
Comment: 32589 sq. ft. each; 3 story steel/concrete dorminatory; presence of asbestos; scheduled to be vacated 3/31/91.

6 Residences w/Detached Garages
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040395–189040400
Status: Excess
Base Closure: Yes
Comment: 2021 sq. ft. each; 1 story brick/blocks residence with detached garage; scheduled to be vacated 3/31/91.

Bldg. 506
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040401
Status: Excess
Base Closure: Yes
Comment: 3138 sq. ft.; 1 story brick/blocks residence with detached garage; scheduled to be vacated 3/31/91.

Bldg. 507
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040402
Status: Excess
Base Closure: Yes
Comment: 2317 sq. ft.; 1 story brick/blocks residence with detached garage; scheduled to be vacated 3/31/91.

Bldg. 508
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040403
Status: Excess
Base Closure: Yes
Comment: 2524 sq. ft., 1 story brick/blocks residence with detached garage; scheduled to be vacated 3/31/91.

Bldg. 509
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040404
Status: Excess
Base Closure: Yes
Comment: 1621 sq. ft.; 1 story brick/blocks residence with detached garage; scheduled to be vacated 3/31/91.

57 Residences w/Detached Garages
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040405–189040461
Status: Excess
Base Closure: Yes
Comment: 3326 sq. ft. each; 2 story wood frame; 2 unit residence with detached garage; scheduled to be vacated 3/31/91.

6 Residences w/Detached Garages
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040462–189040467
Status: Excess
Base Closure: Yes
Comment: 4462 sq. ft. each; 1 story wood frame; 2 unit residence with detached garage; scheduled to be vacated 3/31/91.

4 Residences w/Attached Garages
Capehart Family Housing
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040463–189040471
Status: Excess
Base Closure: Yes
Comment: 13058 sq. ft. each; 2 story wood frame; 6 unit residence with attached garage; scheduled to be vacated 3/31/91.

244 Detached Housing Storage Shed
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040472–189040715
Status: Excess
Base Closure: Yes
Comment: Wood frame detached housing storage shed; scheduled to be vacated 3/31/91.

Bldg. 22
Communications Facilities
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040720
Status: Excess
Base Closure: Yes
Comment: 5345 sq. ft.; 1 story concrete block; possible asbestos; most recent use—communications facility; scheduled to be vacated 3/31/91.

Bldg. 32
Communications Facilities
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040721
Status: Excess
Base Closure: Yes
Comment: 11310 sq. ft.; 1 story brick/block frame; possible asbestos most recent use—data processing; scheduled to be vacated 3/31/91.

Bldg. 420
Communications Facilities
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040726
Status: Excess
Base Closure: Yes
Comment: 1843 sq. ft.; 1 story concrete frame; most recent use—communications transmitter; scheduled to be vacated 3/31/91.

Bldg. 18
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040734
Status: Excess
Base Closure: Yes
Comment: 6134 sq. ft.; 1 story concrete block; most recent use—library; scheduled to be vacated 3/31/91.

Bldg. 28
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040735
Status: Excess
Base Closure: Yes
Comment: 14417 sq. ft.; 1 story concrete block; presence of asbestos; most recent use—bowling center; scheduled to be vacated 3/31/91.

Bldg. 29
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040736
Status: Excess
Base Closure: Yes
Comment: 13362 sq. ft.; 1 story concrete block; presence of asbestos; most recent use—theater; scheduled to be vacated 3/31/91.

Bldg. 37
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040737
Status: Excess
Base Closure: Yes
Comment: 27415 sq. ft.; 1 story concrete block; presence of asbestos; most recent use—gymnasium; scheduled to be vacated 3/31/91.

Bldg. 38
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040738
Status: Excess
Base Closure: Yes
Comment: 25785 sq. ft.; 1 story concrete block; presence of asbestos; most recent use—recreation center; scheduled to be vacated 3/31/91.

Bldg. 61
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040739
Status: Excess
Base Closure: Yes
Comment: 5730 sq. ft.; 1 story concrete block; presence of asbestos; most recent use—youth center; scheduled to be vacated 3/31/91.

Bldg. 85
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040740
Status: Excess
Base Closure: Yes
Comment: 12220 sq. ft.; 1 story concrete block; most recent use—storage facility; scheduled to be vacated 3/31/91.

Bldg. 103
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040741
Status: Excess
Base Closure: Yes

Comment: 7863 sq. ft.; 1 story concrete block; most recent use—automotive shop; scheduled to be vacated 3/31/91.

Bldg. 470
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040742
Status: Excess
Base Closure: Yes
Comment: 1105 sq. ft.; 1 story concrete block; presence of asbestos; most recent use—swimmers bath house; scheduled to be vacated 3/31/91.

9 Bldgs.
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040743–189040751
Status: Excess
Base Closure: Yes
Comment: 1 story concrete frame; most recent use—munitions storage area; possible asbestos; scheduled to be vacated 3/31/91.

Bldg. 2
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040752
Status: Excess
Base Closure: Yes
Comment: 1206 sq. ft.; 1 story brick block; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 4
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040753
Status: Excess
Base Closure: Yes
Comment: 4120 sq. ft.; brick/block; presence of asbestos; most recent use—post office; scheduled to be vacated 3/31/91.

Bldg. 5
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040754
Status: Excess
Base Closure: Yes
Comment: 10863 sq. ft.; 3 story steel/blocks; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 6
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040755
Status: Excess
Base Closure: Yes
Comment: 13019 sq. ft; 1 story concrete; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 7
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040756
Status: Excess
Base Closure: Yes
Comment: 4120 sq. ft.; 1 story brick/block; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 10
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040757
Status: Excess
Base Closure: Yes
Comment: 4640 sq. ft.; 1 story brick/block; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 21
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040758
Status: Excess
Base Closure: Yes
Comment: 2178 sq. ft.; 1 story brick/blocks; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 23
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040759
Status: Excess
Base Closure: Yes
Comment: 14572 sq. ft.; 2 story wood/concrete blocks; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 31
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040760
Status: Excess
Base Closure: Yes
Comment: 14959 sq. ft.; 1 story brick/blocks; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 34
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040761
Status: Excess
Base Closure: Yes
Comment: 5111 sq. ft.; 1 story brick/blocks; presence of asbestos; most recent use—photo lab; scheduled to be vacated 3/31/91

Bldg. 43
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040762
Status: Excess
Base Closure: Yes
Comment: 6641 sq. ft.; 1 story wood frame; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 48
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040763
Status: Excess
Base Closure: Yes
Comment: 4120 sq. ft.; 1 story brick/blocks; presence of asbestos; most recent use—post office; scheduled to be vacated 3/31/91.

Bldg. 59
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040764
Status: Excess
Base Closure: Yes
Comment: 4120 sq. ft.; 1 story; brick/blocks; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 77
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040765
Status: Excess
Base Closure: Yes
Comment: 12220 sq. ft.; 1 story concrete; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 78
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040766
Status: Excess
Base Closure: Yes
Comment: 4120 sq. ft.; 1 story brick/blocks; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 79
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040767
Status: Excess
Base Closure: Yes
Comment: 10863 sq. ft.; 3 story concrete; presence of asbestos; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 86
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040768
Status: Excess
Base Closure: Yes
Comment: 4850 sq. ft.; 1 story brick/block; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 90
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040769
Status: Excess
Base Closure: Yes
Comment: 6282 sq. ft.; 2 story brick/blocks; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 91
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040770
Status: Excess
Base Closure: Yes

Comment: 10898 sq. ft.; 1 story brick; most recent use—administrative facility; scheduled to be vacated 3/31/91.

Bldg. 95
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040771
Status: Excess
Base Closure: Yes
Comment: 12683 sq. ft.; 1 story wood frame; presence of asbestos; most recent use—band center; scheduled to be vacated 3/31/91.

Bldg. 40
Pease Air Force Base
Pease AFB, NH Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040773
Status: Excess
Base Closure: Yes
Comment: 100 sq. ft.; 1 story metal frame; limited utilities; possible asbestos; scheduled to be vacated 3/31/91.

Bldg. 66
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040774
Status: Excess
Base Closure: Yes
Comment: 1000 sq. ft.; 1 story cinder blocks frame; limited utilities possible asbestos; scheduled to be vacated 3/31/91.

Bldg. 67
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040775
Status: Excess
Base Closure: Yes
Comment: 1728 sq. ft.; 1 story wood frame; limited utilities; possible asbestos; most recent use—maintenance shop; scheduled to be vacated 3/31/91.

Bldg. 69
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040776
Status: Excess
Base Closure: Yes
Comment: 240 sq. ft.; 1 story wood frame; limited utilities; possible asbestos; most recent use—storage; scheduled to be vacated 3/31/91.

Bldg. 82
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040777
Status: Excess
Base Closure: Yes
Comment: 720 sq. ft.; 1 story wood frame; limited utilities; possible asbestos; most recent use—storage; scheduled to be vacated 3/31/91.

Bldg. 104
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040778
Status: Excess
Base Closure: Yes
Comment: 488 sq. ft.; 1 story cement frame; limited utilities; possible asbestos; most recent use—offices; scheduled to be vacated 3/31/91.

Bldg. 125
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040779
Status: Excess
Base Closure: Yes
Comment: 345 sq. ft.; 1 story masonry frame; limited utilities; possible asbestos; most recent use—storage; scheduled to be vacated 3/31/91.

Bldg. 134
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040780
Status: Excess
Base Closure: Yes
Comment: 1344 sq. ft.; 1 story aluminum frame; limited utilities; most recent use—clubhouse; scheduled to be vacated 3/31/91.

Bldg. 135
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040781
Status: Excess
Base Closure: Yes
Comment: 2100 sq. ft.; 1 story brick/block frame; limited utilities; possible asbestos; most recent use—administrative; scheduled to be vacated 3/31/91.

Bldg. 179
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040782
Status: Excess
Base Closure: Yes
Comment: 54 sq. ft.; 1 story concrete blocks frame; limited utilities; possible asbestos; most recent use—traffic check house; scheduled to be vacated 3/31/91.

Bldg. 204
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040783
Status: Excess
Base Closure: Yes
Comment: 192 sq. ft.; 1 story concrete frame; limited utilities; possible asbestos; scheduled to be vacated 3/31/91.

Bldg. 208
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040784
Status: Excess
Base Closure: Yes
Comment: 32 sq. ft.; 1 story aluminum frame; limited asbestos; possible asbestos; most recent use—storage; scheduled to be vacated 3/31/91.

Bldg. 218
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040785
Status: Excess
Base Closure: Yes
Comment: 54 sq. ft.; 1 story brick block/frame; limited utilities possible asbestos; scheduled to be vacated 3/31/91.

Bldg. 228
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040786
Status: Excess
Base Closure: Yes
Comment: 54 sq. ft.; 1 story brick/block frame; limited utilities; possible asbestos; most recent use—traffic check house; scheduled to be vacated 3/31/91.

Bldg. 265
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040787
Status: Excess
Base Closure: Yes
Comment: 451 sq. ft.; 1 story metal frame; limited utilities; possible asbestos; most recent use—storage; scheduled to be vacated 3/31/91.

Bldg. 307
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040788
Status: Excess
Base Closure: Yes
Comment: 1325 sq. ft.; 1 story cement frame; limited utilities; possible asbestos; most recent use—administrative; scheduled to be vacated 3/31/91.

Bldg. 367
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040790
Status: Excess
Base Closure: Yes
Comment: 70 sq. ft.; 1 story brick/block frame; limited utilities; possible asbestos; most recent use—traffic check house; scheduled to be vacated 3/31/91.

Bldg. 410
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040791
Status: Excess
Base Closure: Yes
Comment: 1470 sq. ft.; 1 story metal frame; limited utilities; possible asbestos; most recent use—club house; scheduled to be vacated 3/31/91.

Bldg. 431
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Number: 189040792
Status: Excess
Base Closure: Yes
Comment: 500 sq. ft.; 1 story concrete frame; limited utilities; possible asbestos; most recent use—administrative; scheduled to be vacated 3/31/91.

Bldg. 457
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91

Property Numbers: 189040795–189040793
Status: Excess
Base Closure: Yes
Comment: 1325 sq. ft.; 1 story cement frame; limited utilities; possible asbestos; most recent use—administrative; scheduled to be vacated 3/31/91.

11 Bldgs.
Pease Air Force Base
Pease AFB, NH, Co: Rockingham 03803–
Federal Register Notice Date: 03/29/91
Property Numbers: 189040795–189040805
Status: Excess
Base Closure: Yes
Comment: 120 sq. ft. each; 1 story concrete frame; limited utilities; possible asbestos; most recent use—storage; scheduled to be vacated 3/31/91.

New Mexico

Suitable Buildings (by Agency)

COE

Bldg. 2E, 3W
Concha Lake Project Office
San Miguel, NM, Co: San Miguel 88416–
Federal Register Notice Date: 03/29/91
Property Numbers: 319011538, 319011507
Status: Underutilized
Base Closure: No
Comment: 1000 sq. ft.; 1 story adobe residence; intermittently occupied.

New York

Suitable Land (by Agency)

COE

Kinzua Dam and Allegheny Res.
Box 983, State Line Run
West Bank, NY, Co: Cattaraugus
Federal Register Notice Date: 03/29/91
Property Number: 319011566
Status: Underutilized
Base Closure: No
Comment: 273 acres; a portion in a floodway; most recent use—recreation/hunting.

GSA

Tibbetts Point Light Station
Cape Vincent, NY, Co: Jefferson 13618–
Federal Register Notice Date: 03/29/91
Property Number: 549040009
Status: Excess
Comment: 3.27 acres; black top; easement restrictions. GSA No. 2–U–NY–799

Suitable Buildings (by Agency)

DOT

Tibbets Point Light
Tibbets Point, NY, Co: Jefferson
Federal Register Notice Date: 03/29/91
Property Number: 879010011
Status: Unutilized
Comment: 3000 sq. ft.; 2 story frame.

Suitable Buildings (by Agency)

GSA

Dwelling #1
Tibbetts Point Light Station
Cape Vincent, NY, Co: Jefferson 13618-
Federal Register Notice Date: 03/29/91
Property Number: 549040010
Status: Excess
Comment: 460 sq. ft. two story word frame; good condition; lease restrictions.
GAS No. 2–U–NY–799.

Dwelling #2
Tibbetts Point Light Station
Cape Vincent, NY, Co: Jefferson 13618-
Federal Register Notice Date: 03/29/91
Property Number: 549040011
Status: Excess
Comment: 360 sq. ft.; two story wood frame; good condition; lease restrictions.
GAS No. 2–U–NY–799.

Barn
Tibbetts Point Light Station
Cape Vincent, NY, Co: Jefferson 13618-
Federal Register Notice Date: 03/29/91
Property Number: 549040012
Status: Excess
Comment: 204 sq. ft.; one story wood frame; good condition; lease restrictions.
GAS No. 2–U–NY–799.

3-Car Garage
Tibbetts Point Light Station
Cape Vincent, NY, Co: Jefferson 13618-
Federal Register Notice Date: 03/29/91
Property Number: 549040013
Status: Excess
Comment: 660 sq. ft.; one story wood frame; good condition; lease restrictions.
GAS No. 2–U–NY–799.

Paint Locker
Tibbetts Point Light Station
Cape Vincent, NY, Co: Jefferson 13618-
Federal Register Notice Date: 03/29/91
Property Number: 549040014
Status: Excess
Comment: 55 sq. ft.; one story metal on concrete slab; most recent use-tool shed; lease restrictions.
GAS No. 2–U–NY–799.

Fog Signal Building
Tibbetts Point Light Station
Cape Vincent, NY, Co: Jefferson 13618-
Federal Register Notice Date: 03/29/91
Property Number: 549040015
Status: Excess
Comment: 792 sq. ft.; one story brick; most recent use—power house; lease restrictions.
GAS No. 2–U–NY–799.

North Carolina

Suitable Land (by Agency)

DOT

VORTAC
5.R. 1002
Wilmington, NC, Co: New Hanover 28402-
Location: Approximately 1 mile east from U.S. 117 and Castle Hayne.
Federal Register Notice Date: 03/29/91
Property Number: 879010006
Status: Excess
Comment: 25 acres; heavy undergrowth; clear zone; building height limited to 1 story building nonmetallic; all power lines must be underground.

Ohio

Suitable Land (by Agency)

COE

Hannibal Locks and Dam
Ohio River
P.O. Box 8
Hannibal, OH, Co: Monroe 43931–0008
Location: Adjacent to the new Martinsville Bridge.
Federal Register Notice Date: 03/29/91
Property Number: 319010015
Status: Underutilized
Base Closure: No
Comment: 22 acres; river bank

GSA

Receiver Site
Bethany Relay Station
Tolbert Road, Wayne Township
Jacksonburg, OH, Co: Butler 45040-
Federal Register Notice Date: 03/29/91
Property Number: 549010046
Status: Excess
Comment: 29 acres; 7560 sq. ft. concrete bldg. on site; radio antenna tower; potential utilities.
GAS No. 2–Z–OH–726–A

Oklahoma

Suitable Land (by Agency)

COE

Parcel No. 13
Lake Texoma
Section 7, T7S, R8E
(See County), OK, Co: Bryan
Location: Approximately 2 miles south of Mead, OK,
Federal Register Notice Date: 03/29/91
Property Number: 319011345
Status: Underutilized
Base Closure: No
Comment: 26.76 acres; no utilities; most recent use—recreation

Parcel No. 21
Lake Texoma
Section 3 T7s, R7E
(See County), OK, Co: Bryan
Location: Approximately 5 miles southwest of Mead, OK,
Federal Register Notice Date: 03/29/91
Property Number: 319011352
Status: Unutilized
Base Closure: No
Comment: 41.16 acres; most recent use—recreation.

Parcel No. 23
Lake Texoma
Section 34, T7S, R7E
(See County), OK, Co: Bryan
Location: Approximately 3½ miles west of Mead, OK,
Federal Register Notice Date: 03/29/91
Property Number: 319011354
Status: Underutilized
Base Closure: No
Comment: 9 acres; no utilities; most recent use—recreation.

Parcel 7
Fort Gibson Lake
Section 6
(See County), OK, Co: Cherokee 74434
Federal Register Notice Date 03/29/91
Property Number: 319010869
Status: Unutilized
Base Closure: No
Comment: 16.31 acres; potential utilities; most recent use—recreational and development.

Parcel 14
Fort Gibson Lake
Section 20
(See County), OK, Co: Cherokee 74434
Federal register Notice Date: 03/29/91
Property Number: 319010870

Status: Unutilized
Base Closure: No
Comment: 52.09 acres; potential utilities; subject to haying/grazing leases; most recent use—recreational.

Parcel 15
Fort Gibson Lake
Section 22
(See County), OK, Co: Cherokee 74434
Federal Register Notice Date: 03/29/91
Property Number: 319010871
Status: Unutilized
Base Closure: No
Comment: 7.51 acres; potential utilities; most recent use—recreational.

Parcel No. 1
Hugo Lake
Section 24
(See County), OK, Co: Choctaw
Federal Register Notice Date: 03/29/91
Property Number 319010839
Status: Unutilized
Base Closure: No
Comment: 33.56 acres; potential utilities; most recent use—military training exercises.

Parcel No. 2
Hugo Lake
Section 6
(See County), OK, Co: Choctaw
Federal Reigster Notice Date: 03/29/91
Property Number: 319010840
Status: Unutilized
Base Closure: No
Comment: 15 acres; potential utilities; undeveloped.

Parcel No. 3
Hugo Lake
Section 14
(See County), OK, Co: Choctaw
Federal Register Notice Date: 03/29/91
Property Number : 319010841
Status: Unutilized
Base Closure: No
Comment:
5.50 acres; potential utilities; portion subject to flowage easement.

Parcel No. 44
Lake Texoma
Section 15, T5S, R7E
(See County), OK, Co: Johnston
Location: About ½ mile southeast of Bee
Federal Register Notice Date: 03/29/91
Property Number: 319010475
Status: Underutilized
Base Closure: No
Comment: 14.98 acres; no utilities; severely sloping with heavy timber; most recent use—recreation.

Parcel No. 46
Lake Texoma
Section 15 and Section 16, T5S, R7E
(See County), OK, Co: Johnston
Location: 1 mile southwest of Bee
Federal Register Notice Date: 03/29/91
Property Number: 319010477
Status: Unutilized
Base Closure: No
Comment: 23.91 acres; no utilities; most recent use—recreation.

Parcel No. 7
Kaw Lake
Section 27
(See County), OK, Co: Kay
Federal Register Notice Date: 03/29/91
Property Number: 319010842
Status: Excess
Base Closure: No
Comment: 21 acres; potential utilities; most recent use—recreation.

Parcel No. 3
Sardis Lake
Section 21
(See County), OK, Co: Latimer
Federal Register Notice Date: 03/29/91
Property Number: 319010843
Status: Excess
Base Closure: No
Comment: 2.5 acres; potential utilities; most recent use—wildlife management.

Parcel No. 4
Sardis Lake
Section 21
(See County), OK, Co: Latimer
Federal Register Notice Date: 03/29/91
Property Number: 319010844
Status: Excess
Base Closure: No
Comment: 4.5 acres; potential utilities; most recent use—wildlife management.

Parcel No. 100
Lake Texoma
Section 25, T7S, R5E
Enos, OK, Co: Marshall
Location: 1 mile northeast of Enos
Federal Register Notice Date: 03/29/91
Property Number: 319010440
Status: Unutilized
Base Closure: No
Comment: 11.77 acres; most recent use—recreation.

Parcel No. 58
Lake Texoma
Section 34 and Section 3
(See County), OK Co: Marshall
Location: About 2 miles northeast of Cumberland
Federal Register Notice Date: 3/29/91
Property Number: 319010460
Status: Underutilized
Base Closure: No
Comment: 28.66 acres; most recent use—recreation.

Parcel No. 28
Fort Gibson Lake
Section 35
(See County), OK Co: Mayes 74434
Federal Register Notice Date: 3/29/91
Property Number: 319010877
Status: Unutilized
Base Closure: No
Comment: 36.59 acres; potential utilities; and intensive; most recent use—recreational.

Parcel No. 75
Fort Gibson Lake
Section 16
(See County), OK Co: Mayes 74434
Federal Register Notice Date: 3/29/91
Property Number: 319010887
Status: Excess
Base Closure: No
Comment: 45 acres; potential utilities; subject to haying lease and flowage easement; most recent use—recreational.

Parcel No. 43
Fort Gibson Lake
Section 11
(See County), OK, Co: Mayes 74434
Federal Register Notice Date: 3/29/91
Property Number: 319011371
Status: Underutilized
Base Closure: No
Comment: 125 acres; potential utilities; portion subject to grazing lease and flowage easements.

Parcel No. 49
Fort Gibson Lake
Section 15
Mayes, OK, Co: Mayes 74434
Federal Register Notice Date: 3/29/91
Property Number: 319011377
Status: Excess
Base Closure: No
Comment: 26.94 acres; potential utilities; portion subject to grazing lease and flowage easements.

Parcel No. 61
Fort Gibson Lake
Section 13
Mayes, OK, Co: Mayes 74434
Federal Register Notice Date: 3/29/91
Property Number: 319011389
Status: Excess
Base Closure: No
Comment: 54 acres; potential utilities; subject to flowage easement; most recent use—recreation.

Pine Creek Lake
Section 27
Mayes, OK, Co: McCurtain
Federal Register Notice Date: 03/29/91
Property Number: 319010923
Status: Unutilized
Base Closure: No
Comment: 3 acres; no utilities; subject to right of way for Oklahoma State Highway 3.

Parcel No. 88
Fort Gibson Lake
Section 7
Mayes, OK, Co: Wagoner 74434
Federal Register Notice Date: 3/29/91
Property Number: 319010899
Status: Unutilized
Base Closure: No
Comment: 14 acres; potential utilities; subject to grazing lease; most recent use—recreational.

Parcel No. 89
Fort Gibson Lake
Section 7
Wagoner, OK, Co: Wagoner 74434
Federal Register Notice Date: 3/29/91
Property Number: 319010900
Status: Excess
Base Closure: No
Comment: 16 acres; potential utilities; subject to grazing lease and flowage easement; most recent use—recreational.

Parcel No. 95
Fort Gibson Lake
Section 33
Wagoner, OK, Co: Wagoner 74434
Federal Register Notice Date: 3/29/91
Property Number: 319010906
Status: Unutilized
Base Closure: No
Comment: 8 acres; potential utilities; most recent use—recreational.

Parcel No. 99
Fort Gibson Lake
Section 21
Wagoner, OK, Co: Wagoner 74434
Federal Register Notice Date: 3/29/91
Property Number: 319011400
Status: Excess

Base Closure: No
Comment: 5 acres; small creek on land; most recent use—recreation.

Parcel No. 102
Fort Gibson Lake
Section 33
Wagoner, OK, Co: Wagoner 74434
Federal Register Notice Date: 3/29/91
Property Number: 319011403
Status: Excess
Base Closure: No
Comment: 7 acres; subject to grazing lease; most recent use—recreation.

Parcel No. 105
Fort Gibson Lake
Section 14, 22 and 23
(See County), OK, Co: Wagoner 74434
Federal Register Notice Date: 3/29/91
Property Number: 319011406
Status: Underutilized
Base Closure: No
Comment: 375 acres; portion is environmentally protected; most recent use—recreation.

Oregon

Suitable Land (by Agency)

COE

Tract 108 (Portion of)
Willow Creek Lake Project
Heppner, OR Co: Morrow 77836–
Location: Located up hill from the left abutment of the dam structure.
Federal Register Notice Date: 03/29/91
Property Number: 319011687
Status: Unutilized
Base Closure: No
Comment: 2.25 acres; unimproved land; secured area with alternate access.

DOT

Port Orford Radio Station
Port Orford, OR Co: Curry 97465–
Federal Register Notice Date: 03/29/91
Property Number: 879010007
Status: Unutilized
Comment: 5.17 acres; radio station

GSA

Tonque Point Job Corps Center (Portion of)
Astoria, OR Co: Clotsop 97103–
Location: On the east by highway 30; on the west by city of Astoria's sewage treatment plant.
Federal Register Notice Date: 03/29/91
Property Number: 549010027
Status: Excess
Comment: 22.77 acres; land slopes; some soil erosion; potential utilities.
GSA No. 9–L–OR–508M

Pennsylvania

Suitable Land (by Agency)

COE

Mahoning Creek Lake
New Bethlehem, PA Co: Armstrong 16242–9603
Location: Route 28 north to Belknap, Road #4
Federal Register Notice Date: 03/29/91
Property Number: 319010018
Status: Excess
Base Closure: No
Comment: 2.58 acres; steep and densely wooded.

Tracts L24, L26, and L27
Crooked Creek Lake
(See County), PA Co: Armstrong 03051–
Location: Left bank—55 miles downstream of dam.
Federal Register Notice Date: 03/29/91
Property Number: 319011011
Status: Unutilized
Base Closure: No
Comment: 9.84 acres; potential for utilities.

East Branch Clarion River Lake
Wilcox, PA Co: Elk
Location: Free camping area on the right bank off entrance roadway.
Federal Register Notice Date: 03/29/91
Property Number: 319011012
Status: Underutilized
Base Closure: No
Comment: 1 acre; most recent use—free campground.

Tracts 610, 611, 612
Shenango River Lake
Sharpsville, PA Co: Mercer 16150–
Location: I–79 North, I–80 West, Exit Sharon. R18 North 4 miles, left on R518, right on Mercer Avenue.
Federal Register Notice Date: 03/29/91
Property Number: 319011001
Status: Excess
Base Closure: No
Comment: 24.43 acres; subject to flowage easement; existing property encroachments.

Tract B–202 (Portion of)
Stillwater Reservoir
Forest City, PA Co: Susquehanna 18421–
Location: On the Lackawanna River, 4 miles north of Forest City.
Federal Register Notice Date: 03/29/91
Property Number: 319010009
Status: Unutilized
Base Closure: No
Comment: 70 acres; property divided by a creek; access to majority of the land is difficult.

Loyalhanne Lake
RD 2
Saltsburg, PA Co: Westmoreland
Location: Fronts on state route 185.
Federal Register Notice Date: 03/29/91
Property Number: 319011002
Status: Underutilized
Base Closure: No
Comment: 15 acres; radio communication antenna located on portion of land; most recent use—park and recreation.

Suitable Buildings (by Agency)

Foster Joseph Sayres Dam
Damtenders Residence
Beach Creek, PA Co: Centre 16822–
Location: Administrative Area of dam off Route 150
Federal Register Notice Date: 03/29/91
Property Number: 319030002
Status: Excess
Base Closure: No
Comment: 1262 sq. ft.; 1 story brick/concrete frame; most recent use—residential; off-site use only.

Curwensville Lake
Curwensville, PA Co: Clearfield 16833–
Location: Curwensville Lake Administration Area off Route 453.
Federal Register Notice Date: 03/29/91
Property Number: 319030001
Status: Excess
Base Closure: No
Comment: 1500 sq. ft.; 1 story wood frame; most recent use—residential; off-site use only.

Conemaugh River Lake
Road #1, Box 702
Saltsburg, PA Co: Indiana 15681–
Federal Register Notice Date: 03/29/91
Property Number: 319010019
Status: Unutilized
Base Closure: No
Comment: 2642 sq. ft.; one unit of brick/frame duplex; most recent use—residence.

Puerto Rico

Suitable Buildings (by State)

DOT

Mona Island
Punta Este, PR Co: Mona Island
Federal Register Notice Date: 03/29/91
Property Number: 879010004
Status: Unutilized
Comment: Lighthouse on 2.09 acres.

South Carolina

Suitable Buildings (by Agency)

COE

Bldgs. 1–5
J. S. Thurmond Dam and Reservoir
Clarks Hill, SC Co: McCormick 28921–
Location: ½ mile east of Resource Managers Office.
Federal Register Notice Date: 03/29/91
Property Numbers: 319011544–319011548
Status: Unutilized
Base Closure: No
Comment: 1900 sq. ft. each; 1 story masonry frame; possible asbestos; most recent use—storage.

Tennessee

Suitable Land (by Agency)

COE

Tract 11503
Barkley Lake
Ashland City, TN Co: Cheatham 37015–
Location: 2 miles downstream from Cheatham Dam.
Federal Register Notice Date: 03/29/91
Property Number: 319010939
Status: Excess
Base Closure: No
Comment: 1.1 acres; subject to existing easements.

Tracts 11523, 11524
Barkley Lake
Ashland City, TN Co: Cheatham 37015–
Location: 2½ miles downstream from Cheatham Dam.
Federal Register Notice Date: 03/29/91
Property Number: 319010940
Status: Excess
Base Closure: No
Comment: 19.5 acres; subject to existing easements.

Tract D456
Cheatham Lock and Dam
Ashland, TN Co: Cheatham 37015–
Location: Right downstream bank of Sycarmore Creek.
Federal Register Notice Date: 03/29/91
Property Number: 319010942

Status: Excess
Base Closure: No
Comment: 8.93 acres; subject to existing easements.

Tract 11516
Barkley Lake
Ashland City, TN Co: Dickson 37015–
Location: ½ mile downstream from Cheatham Dam.
Federal Register Notice Date: 03/29/91
Property Number: 319010929
Status: Excess
Base Closure: No
Comment: 26.25 acres; subject to existing easements.

Tracts 2601, 2602, 2603, 2604
Cordell Hull Lake and Dam Project
Doe Row Creek
Gainesboro, TN Co: Jackson 38562–
Location: TN Highway 56
Federal Register Notice Date: 03/29/91
Property Number: 319010933
Status: Unutilized
Base Closure: No
Comment: 11 acres; subject to existing easements.

Tract 8911
Barkley Lake
Cumberland City, TN Co: Montgomery 37050–
Location: 4 miles east of Cumberland City.
Federal Register Notice Date: 03/29/91
Property Number: 319010938
Status: Excess
Base Closure: No
Comment: 7.7 acres; subject to existing easements.

Tract 9707
Barkley Lake
Palmyer, TN Co: Montgomery 37142–
Location: 3 miles NE of Palmyer, TN. Highway 149
Federal Register Notice Date: 03/29/91
Property Number: 319010943
Status: Excess
Base Closure: No
Comment: 6.6 acres; subject to existing easements.

Tract 2319
J. Percy Priest Dam and Reservoir
Murfreesboro, TN Co: Rutherford 37130–
Location: West of Buckeye Bottom Road
Federal Register Notice Date: 03/29/91
Property Number: 319010930
Status: Excess
Base Closure: No
Comment: 14.48 acres; subject to existing easements.

Tract 2227
J. Percy Priest Dam and Reservoir
Murfreesboro, TN Co: Rutherford 37130–
Location: Old Jefferson Pike
Federal Register Notice Date: 03/29/91
Property Number: 319010931
Status: Excess
Base Closure: No
Comment: 2.27 acres; subject to existing easements.

Tract 2107
J. Percy Priest Dam and Reservoir
Murfreesboro, TN Co: Rutherford 37130–
Location: Across Fall Creek near Fall Creek camping area
Federal Register Notice Date: 03/29/91
Property Number: 319010932
Status: Excess
Base Closure: No
Comment: 14.85 acres; subject to existing easements.

Tract 1911
J. Percy Priest Dam and Reservoir
Murfreesboro, TN, Co: Rutherford 37130–
Location: East of Lamar Road
Federal Register Notice Date: 03/29/91
Property Number: 319010934
Status: Excess
Base Closure: No
Comment: 15.31 acres; subject to existing easements.

Tract 2321
J. Percy Priest Dam and Reservoir
Murfreesboro, TN, Co: Rutherford 37130–
Location: South of Old Jefferson Pike
Federal Register Notice Date: 03/29/91
Property Number: 319010935
Status: Excess
Base Closure: No
Comment: 12 acres; subject to existing easements.

Tract 6827
Barkley Lake
Dover, TN, Co: Stewart 37058–
Location: 2½ miles west of Dover, TN.
Federal Register Notice Date: 03/29/91
Property Number: 319010927
Status: Excess
Base Closure: No
Comment: .57 acres; subject to existing easements.

Tracts 6002–2 and 6010
Barkley Lake
Dover, TN, Co: Stewart 37058–
Location: 3½ miles south of village of Tabaccoport.
Federal Register Notice Date: 03/29/91
Property Number: 319010928
Status: Excess
Base Closure: No
Comment: 100.86 acres; subject to existing easements.

Tract 7206
Barkley Lake
Dover, TN, Co: Stewart 37058–
Location: 2½ miles SE of Dover, TN.
Federal Register Notice Date: 03/29/91
Property Number: 319010936
Status: Excess
Base Closure: No
Comment: 10.15 acres; subject to existing easements.

Tracts 8813, 8814
Barkley Lake
Cumberland, TN, Co: Stewart 37050–
Location: 1½ miles East of Cumberland City.
Federal Register Notice Date: 03/29/91
Property Number: 319010937
Status: Excess
Base Closure: No
Comment: 96 acres; subject to existing easements.

Tract 6410
Barkley Lake
Bumpus Mills, TN, Co: Stewart 37028–
Location: 4½ miles SW. of Bumpus Mills.
Federal Register Notice Date: 03/29/91
Property Number: 319010941
Status: Excess
Base Closure: No
Comment: 17 acres; subject to existing easements.

Tract 6949
Barkley Lake
Dover, TN, Co: Stewart 37058–
Location: 1½ miles SE of Dover, TN.
Federal Register Notice Date: 03/29/91
Property Number: 319010944
Status: Excess
Base Closure: No
Comment: 29.67 acres; subject to existing easements.

Tracts 6005 and 6017
Barkley Lake
Dover, TN, Co: Stewart 37058–
Location: 3 miles south of Village of Tobaccoport.
Federal Register Notice Date: 03/29/91
Property Number: 319011173
Status: Excess
Base Closure: No
Comment: 5 acres; subject to existing easements.

Texas

Suitable Land (by Agency)

COE

Parcel #185
Lake Texoma
Cooke, TX, Co: Cooke
Location: Robert Firinash survey A–368
Federal Register Notice Date: 03/29/91
Property Number: 319010405
Status: Excess
Base Closure: No
Comment: 31.64 acres; most recent use—recreation.

Part of Tract 340
Joe Pool Lake
Dallas, TX, Co: Dallas
Federal Register Notice Date: 03/29/91
Property Number: 319010400
Status: Unutilized
Base Closure: No
Comment: 1 acre; future use—recreation.

Parcel #222
Lake Texoma
Grayson, TX, Co: Grayson
Location: C. Meyerheim survey A–829 J. Hamilton survey A–529
Federal Register Notice Date: 03/29/91
Property Number: 319010421
Status: Excess
Base Closure: No
Comment: 52.80 acres; most recent use—recreation.

Parcel #224
Lake Texoma
Grayson, TX Co: Grayson
Location: Thomas E. Hardway survey A–543
Federal Register Notice Date: 03/29/91
Property Number: 319010423
Status: Excess
Base Closure: No
Comment: 14.07 acres; most recent use—recreation.

Parcel #226
Lake Texoma
Grayson, TX Co: Grayson
Location: Shields Booke survey A–59
Federal Register Notice Date: 03/29/91
Property Number: 319010425
Status: Excess
Base Closure: No

Comment: 23.84 acres; most recent use—recreation; areas may be environmentally protected.

Parcel #239, #241
Lake Texoma
Grayson, TX Co: Grayson
Location: Greenberry Gate survey A–443
Federal Register Notice Date: 03/29/91
Property Numbers: 319010429, 319010431
Status: Excess
Base Closure: No
Comment: 13.03 and 12.37 acres; most recent use—recreation; areas may be environmentally protected.

Parcel #242
Lake Texoma
Grayson, TX Co: Grayson
Location: Thomas Allen survey A–25
Federal Register Notice Date: 03/29/91
Property Number: 319010432
Status: Excess
Base Closure: No
Comment: 11.91 acres; most recent use—recreation.

Part of Tract A–10
Tarrant, TX Co: Tarrant
Location: Off FM 2499 at north end of dam embankment
Federal Register Notice Date: 03/29/91
Property Number: 319010390
Status: Excess
Base Closure: No
Comment: 0.29 acres; most recent use—parking lot.

Suitable Buildings (by Agency)

GSA

Portion of Federal Building
102 W. Lamar Street
McKinney, TX Co: Collin 75069–
Federal Register Notice Date: 03/29/91
Property Number: 549010065
Status: Excess
Comment: 8508 sq. ft—1st Floor; 5151 sq. ft.—2nd Floor; possible asbestos.
GSA No. 7–G–TX–1003.

Wisconsin

Suitable Buildings (by Agency)

COE

Former Lockmaster's Dwelling
DePere Lock
100 James Street
De Pere, WI Co: Brown 54115–
Federal Register Notice Date: 03/29/91
Property Number: 319011526
Status: Unutilized
Base Closure: No
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Little KauKauna Lock
Little KauKauna
Lawrence, WI Co: Brown 54130–
Location: 2 miles southeasterly from intersection of Lost Dauphin Road (County Trunk Highway "D") and River Street.
Federal Register Notice Date: 03/29/91
Property Number: 319011535
Status: Unutilized
Base Closure: No
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab;

Former Lockmaster's Dwelling
Cedar Locks
4527 East Wisconsin Road
Appleton, WI Co: Outagamie 54911–
Federal Register Notice Date: 03/29/91
Property Number: 319011524
Status: Unutilized
Base Closure: No
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Appleton 4th Lock
905 South Lowe Street
Appleton, WI Co: Outagamie 54911–
Federal Register Notice Date: 03/29/91
Property Number: 319011525
Status: Unutilized
Base Closure: No
Comment: 908 sq. ft.; 2 story wood frame residence; needs rehab.

Former Lockmaster's Dwelling
Kaukauna 1st Lock
301 Canal Street
Kaukauna, WI Co: Outagamie 54131–
Federal Register Notice Date: 03/29/91
Property Number: 319011527
Status: Unutilized
Base Closure: No
Comment: 1290 sq. ft.; 2 story wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Appleton 1st Lock
905 South Oneida Street
Appleton, WI Co: Outagamie 54911–
Federal Register Notice Date: 03/29/91
Property Number: 319011531
Status: Unutilized
Base Closure: No
Comment: 1300 sq. ft.; potential utilities; 2 story wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Rapid Croche Lock
Lock Road
Wrightstown, WI, Co: Outagamie 54180–
Location: 3 miles southwest of intersection State Highway 96 and Canal Road.
Federal Register Notice Date: 03/29/91
Property Number: 319011533
Status: Unutilized
Base Closure: No
Comment: 1952 sq. ft.; 2 story wood frame residence; potential utilities; needs rehab.

Former Lockmaster's Dwelling
Little Chute, 2nd Lock
214 Mill Street
Little Chute, WI, Co: Outagamie 54140–
Federal Register Notice Date: 03/29/91
Property Number: 319011536
Status: Unutilized
Base Closure: No
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; potential utilities; needs rehab; secured area with alternate access.

SUITABLE/UNAVAILABLE PROPERTIES

California

Suitable Buildings (by Agency)

COE

Lake Sonoma
3333 Skaggs Springs Road
Geyserville, CA, Co: Sonoma 95441–9644
Federal Register Notice Date: 03/29/91
Property Number: 319011016
Status: Unutilized
Base Closure: No
Comment: 2438 sq. ft.; 1 story wood frame; needs rehab; rural area.

Florida

Suitable Land (by Agency)

DOT

Parcel A & B
U.S. Coast Guard Light Station
Lots 1, 8 & 11, Section 31
Jupiter Inlet, FL, Co: Palm Beach 33420–
Location: Township 40 south, range 43 east.
Federal Register Notice Date: 03/29/91
Property Number: 879010009
Status: Unutilized
Comment: 56.61 acres; area is uncleared, vegetation growth is heavy; no utilities.

Georgia

Suitable Land (by Agency)

COE

E. O. Tract A
J. Strom Thurmond Dam and Reservoir
(See County), GA, Co: Columbia
Location: 3 miles east of GA 104 and Ridge Road intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011516
Status: Unutilized
Base Closure: No
Comment: 17 acres; potential utilities; most recent use—forest reserve and wildlife reserve.

E.O. Tract B
J. Strom Thurmond Dam and Reservoir
(See County), GA, Co: Columbia
Location: 3 miles east of GA 104 and Ridge Road intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011517
Status: Unutilized
Base Closure: No
Comment: 88 acres; potential utilities; most recent use—forest and wildlife reserve

E. O. Tract F
J. Strom Thurmond Dam and Reservoir
(See County), GA, Co: Columbia
Location: Approximately 2 miles east of GA 104 and Keg Creek Road intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011519
Status: Unutilized
Base Closure: No
Comment: 29 acres; potential utilities; most recent use—forest and wildlife reserve

E. O. Tract E
J. Strom Thurmond Dam and Reservoir
(See County), GA, Co: Columbia
Location: Approximately 1½ miles east of GA 104 and Keg Creek Road intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011520
Status: Unutilized
Base Closure: No
Comment: 12 acres; potential utilities; most recent use—forest reserve and wildlife management.

E.O. Tract G
J. Strom Thurmond Dam and Reservoir
(See County), GA Co: Columbia

Location: 4 miles east of GA 104 and Ridge Road intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011521
Status: Unutilized
Base Closure: No
Comment: 8 acres; potential utilities; most recent use—forest and wildlife reserve.

E.O. Tract H
J. Strom Thurmond Dam and Reservoir (See County), GA Co: Columbia
Location: 4 miles east of GA 104 and Ridge Road intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011522
Status: Unutilized
Base Closure: No
Comment: 7 acres; potential utilities; most recent use—forest and wildlife reserve.

E.O. Tract I
J. Strom Thurmond Dam and Reservoir (See County), GA Co: Columbia
Location: 4 miles east of GA 104 and Ridge Road intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011523
Status: Unutilized
Base Closure: No
Comment: 8 acres; potential utilities; most recent use—forest and wildlife reserve.

E.O. Tract D
J. Strom Thurmond Dam and Reservoir (See County), GA Co: Lincoln
Location: Northwest of Forest Estates on Dozier Branch.
Federal Register Notice Date: 03/29/91
Property Number: 319011518
Status: Unutilized
Base Closure: No
Comment: 7 acres; potential utilities; most recent use—forest and wildlife reserve.

Indiana

Suitable Land (by Agency)

COE

Tracts 903, 905, 905–C
Patoka Lake Project
Taswell, IN Co: Crawford 47527–
Location: From French Lick, IN, take SR 145S for 10 miles to intersection with SR 164, property lies east and adjacent to highway 145.
Federal Register Notice Date: 03/29/91
Property Number: 319030003
Status: Unutilized
Base Closure: No
Comment: 22.35 acres; limited utilities.

Tracts 142–A, 143
Patoka Lake Project
Dubois, IN Co: Dubois 47527–9661
Location: From French Lick, IN take SR 145 S. for 20 miles to SR 164, go west on 164 for 7 miles to Celestine Road, go North on Celestine for 5 miles to Dubois Co. Road 475, then right for ¼ mile to property.
Federal Register Notice Date: 03/29/91
Property Number: 319030004
Status: Unutilized
Base Closure: No
Comment: 21.30 acres; limited utilities; subject to periodic flooding.

Tract 142–B
Patoka Lake Project
Dubois, IN Co: Dubois 47527–9661
Location: From French Lick, IN take SR 145 S. for 20 miles to SR 164, go west on 164 for 7 miles to Celestine Road, go North on Celestine for 5 miles to Dubois Co. Road 475, then right for ¼ miles to property.
Federal Register Notice Date: 03/29/91
Property Number: 319030005
Status: Unutilized
Base Closure: No
Comment: 4.74 acres; limited utilities; subject to periodic flooding.

Tract 601
Patoka Lake Project
French Lick, IN Co: Orange 47527–
Location: IN. State Highway 145 South to Jordan Branch Road, Property abuts east right-of-way for Jordan Road.
Federal Register Notice Date: 03/29/91
Property Number: 319030006
Status: Unutilized
Base Closure: No
Comment: 0.41 acre; limited utilities.

Suitable Buildings (by Agency)

Cecil M. Hayden Lake
Rockville, IN Co: Parke 47872–9726
Location: SR36 west from Indianapolis for approximately 50 miles to SR59, then south on 59 for approximately 5 miles, left on unnumbered road for about 2 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319011043
Status: Unutilized
Base Closure: No
Comment: 1219 sq. ft.; brick frame residence.

Cagles Mill Lake
Cagles Mill Lake Dam
Poland, IN Co: Putnam 47868–
Location: Midway between Indianapolis and Terre Haute, 5 miles west of Poland on SR42.
Federal Register Notice Date: 03/29/91
Property Number: 319011046
Status: Unutilized
Base Closure: No
Comment: 1066 sq. ft.; wood frame residence; minor rehab.

Kansas

Suitable Land (by Agency)

COE

Paradise Point
Public Use Area (Perry Lake)
Perry, KS, Co: Jefferson 66073–
Location: Upper-east reaches of the Perry Lake project, approximately 8½ miles west of Oskaloosa, 8½ miles southeast of Valley Falls.
Federal Register Notice Date: 03/29/91
Property Number: 319011540
Status: Underutilized
Base Closure: No
Comment: 479 acres; portion in floodway/ reservoir flood control area; remote location.

Grasshopper Point
Public Use Area (Perry Lake)
Perry, KS, Co: Jefferson 66073–
Location: Along the west shore of Perry Lake, 5 miles east (gravel road) from Meridan, 5 miles south from Ozawkie.
Federal Register Notice Date: 03/29/91
Property Number: 319011541
Status: Underutilized
Base Closure: No
Comment: 174 acres; portion in floodway/ reservoir flood control area; remote location.

Sunset Ridge
Public Use Area (Perry Lake)
Perry, KS, Co: Jefferson 66073–
Location: Upper-west reaches of the Perry Lake project, approximately 8 miles south from Valley Falls.
Federal Register Notice Date: 03/29/91
Property Number: 319011542
Status: Underutilized
Base Closure: No
Comment: 279 acres; portion in floodway/ reservoir flood control area; remote location.

Dragoon Access Area
Pomona Lake
Vassar, KS, Co: Osage 66543–
Location: Upper reaches of north shore of the Pomona Lake, approximately 10.5 miles north and east of Lundon.
Federal Register Notice Date: 03/29/91
Property Number: 319011543
Status: Underutilized
Base Closure: No
Comment: 110 acres; portion in floodway/ reservoir flood control area.

Kentucky

Suitable Buildings (by Agency)

COE

Bldg. 1 & 2
Kentucky River Lock and Dam
Carrolton, KY, Co: Carroll 41008–
Location: Take I–71 to Carrolton, KY exit, go east on SR #227 to Highway 320, then left for about 1.5 miles to site.
Federal Register Notice Date: 03/29/91
Property Number: 319011628, 319011629
Status: Unutilized
Base Closure: No
Comment: 1530 sq. ft.; 2 story wood frame house; subject to periodic flooding; needs rehab.

Massachusetts

Suitable Land (by Agency)

DOT

Monmouth Beach
Cape Cod
Barnstable, MA, Co: Barnstable 02630–
Federal Register Notice Date: 03/29/91
Property Number: 879010002
Status: Unutilized
Comment: 0.1 acres; possible periodic flooding.

South Carolina

Suitable Land (by Agency)

COE

E. O. Tract J
J. Strom Thurmond Dam and Reservoir (See County), SC, Co: McCormick
Location: 4 miles southwest of Plum Branch SC on road to Clarks Mill Marina.
Federal Register Notice Date: 03/29/91
Property Number: 319011514
Status: Unutilized
Base Closure: No
Comment: 57 acres; potential utilities; most recent use—forest and wildlife reserve.

E. O. Tract C
J. Strom Thurmond Dam and Reservoir
(See County), SC, Co: McCormick
Location: Approximately 1 mile north of US 221 and SC 28 intersection.
Federal Register Notice Date: 03/29/91
Property Number: 319011515
Status: Unutilized
Base Closure: No
Comment: 70 acres; potential utilities; most recent use—forest and wildlife reserve.

Texas

Suitable Buildings (by Agency)

DOT

Brownsville Urban System
(Grantee)
700 South Iowa Avenue
Brownsville, TX Co: Cameron 78520–
Federal Register Notice Date: 03/29/91
Property Number: 879010003
Status: Unutilized
Base Closure: No
Comment: 3500 sq. ft.; 1 story concrete block; (2nd floor of Admin. Bldg.) on 10750 sq. ft. land; contains underground diesel fuel tanks.

West Virginia

Suitable Land (by Agency)

COE

Morgantown Lock and Dam
Box 3 RD #2
Morgantown, WV Co: Monongahela 26505–
Federal Register Notice Date: 03/29/91
Property Number: 319011532
Status: Unutilized
Base Closure: No
Comment: 13.94 acres; potential utilities.

UNSUITABLE PROPERTIES

Alabama

Unsuitable Land (by Agency)

GSA

Alabama Army Ammunition Plant
Highway 235
Childersburg, AL Co: Talladega 35044–
Federal Register Notice Date: 03/29/91
Property Number: 549030001
Status: Surplus
Reason: Other
Comment: Restrictive easement. GSA No. 4–D–AL–474L

Alaska

Unsuitable Land (by Agency)

DOT

Sanak Harbor Daybeacon
Sanak Island
Sanak, AK Co: Aleutian
Federal Register Notice Date: 03/29/91
Property Number: 879010012
Status: Unutilized
Reason: Other
Comment: Isolated area on Arctic Coast.

Colorado

Unsuitable Land (by Agency)

GSA Sunset Canyon Field Station
Boulder, CO Co: Boulder 80302–
Location: 5 miles west of Wall Street on County Road 118
Federal Register Notice Date: 03/29/91
Property Number: 549030019
Status: Excess
Reason: Floodway.
GSA No. 7–C–CO–602.

Idaho

Unsuitable Buildings (by Agency)

GSA

9 Buildings
USDI—Bureau of Reclamation
Mt. Home, ID Co: Elmore 83647–
Location: 2 miles downstream from Anderson Ranch Dam. 31.8 miles northeast of Mt. Home.
Federal Register Notice Date: 03/29/91
Property Number: 549010028–549010031, 549010033–549010037
Status: Excess
Reason: Floodway, Secured Area.
GSA No. 9–I–ID–404–U.

Bldg. 315
USDI—Bureau of Reclamation
Mt. Home, ID Co: Elmore 83647–
Location: 2 miles downstream from Anderson Ranch Dam. 31.8 miles northeast of Mt. Home.
Federal Register Notice Date: 03/29/91
Property Number: 549010032
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material, Secured Area.
GSA No. 9–I–ID–404–U.

Kentucky

Unsuitable Buildings (by Agency)

COE

Tract 111—Building
Martins Fork Lake
Smith, KY Co: Harlan 40867–
Location: 13 miles southeast of Harlan on Highway 987.
Federal Register Notice Date: 03/29/91
Property Number: 319010062
Status: Unutilized
Base Closure: No
Reason: Floodway.

Latrine
Kentucky River Lock and Dam Number 3
Highway 561
Pleasureville, KY Co: Henry 40057–
Federal Register Notice Date: 03/29/91
Property Number: 319040009
Status: Unutilized
Base Closure: No
Reason: Other
Comment: Detached Latrine.

Unsuitable Land (by Agency)

Tract 1358
Barkley Lake, Kentucky and Tennessee
Eddyville Recreational Area
Eddyville, KY, Co: Lyon 42038–
Location: US Highway 62 to state highway 93.
Federal Register Notice Date: 03/29/91
Property Number: 319010043
Status: Excess
Base Closure: No
Reason: Floodway.

Red River Lake Project
Stanton, KY, Co: Powell 40380–
Location: Exit Mr. Parkway at the Stanton and Slade Interchange, then take SR Hand 15 north to SR 613.
Federal Register Notice Date: 03/29/91
Property Number: 319011684
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tract AA–2747, AA–2726
Wolf Creek Dam and Lake Cumberland
US HWY. 27 to Blue John Road
Burnside, KY, Co: Pulaski 42519–
Federal Register Notice Date: 03/29/91
Property Numbers: 319010038, 319010039
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 4626
Barkley, Lake, Kentucky and Tennessee
Donaldson Creek Launching Area
Cadiz, KY, Co: Trigg 42211–
Location: 14 Miles from US Highway 68.
Federal Register Notice Date: 03/29/91
Property Number: 319010030
Status: Underutilized
Base Closure: No
Reason: Floodway.

Maryland

Unsuitable Land (by Agency)

GSA

5 Tracts
Former Washington-Baltimore Defense Area
Nike Battery BA–03
Jacksonville, MD, Co: Baltimore 21131–
Federal Register Notice Date: 03/29/91
Property Numbers: 549010048–549010052
Status: Surplus
Other Reason:
Comment: easements
GSA No. 4–D–MD–536A.

Minnesota

Unsuitable Land (by Agency)

COE

Parcel G
Pine River
Cross Lake, MN, Co: Crow Wing 56442–
Location: 3 miles from city of Cross Lake between highways 6 and 371.
Federal Register Notice Date: 03/29/91
Property Number: 319011037
Status: Excess
Base Closure: No
Reason: Other
Comment: highway right of way.

Missouri

Unsuitable Land (by Agency)

COE

Stockton Public Use Area
Stockton Lake
Stockton, MO, Co: Cedar 65785–0632
Location: Adjacent to and east of Stockton, MO.
Federal Register Notice Date: 03/29/91
Property Number: 319011471
Status: Underutilized
Base Closure: No
Reason: Floodway.

Old Mill Area
Stockton Lake

Stockton, MO, Co: Cedar 65785–0632
Location: Below Stockton Lake Dam on right bank of Outlet Channel/SAC River. Approximately 2 miles from Stockton.
Federal Register Notice Date: 03/29/91
Property Number: 319011477
Status: Underutilized
Base Closure: No
Reason: Floodway.

Smith's Fork Park
Smithville Lake
Smithville, MO, Co: Clay 64089–
Location: Within Smithville Lake water resource project downstream from dam, adjoins Smithville.
Federal Register Notice Date: 03/29/91
Property Number: 319011473
Status: Underutilized
Base Closure: No
Reason: Floodway.

Mississippi

Unsuitable Land (by Agency)

COE

Parcel 1
Grenada Lake
Section 20
Grenada, MS, Co: Grenada 38901–0903
Federal Register Notice Date: 03/29/91
Property Number: 319011018
Status: Underutilized
Base Closure: No
Reason: Within airport runway clear zone.

New York

Unsuitable Buildings (by Agency)

Gas

Portion Former Radar
Radar Surveillance Facility
Saratoga Springs
Stillwater, NY, Co: Saratoga 12866–
Federal Register Notice Date: 03/29/91
Property Number: 549040006
Status: Excess
Reason: Other
Comment: Radar Tower
GSA No. NY–736B.

Plum Island Light Station
Plum Island
Southfield Township, NY, Co: Suffolk
Federal Register Notice Date: 03/29/91
Property Number: 549030004
Status: Excess
Reason: Secured Area
GSA No. 2–A–NY–798.

North Carolina

Unsuitable Land (by Agency)

COE

Land
Atlantic Intracoastal Waterway
(See County), NC, Co: Currituck
Location: Near old Coinjack Bridge.
Federal Register Notice Date: 03/29/91
Property Number: 319011537
Status: Unutilized
Base Closure: No
Reason: Floodway.

New Mexico

Unsuitable Buildings (by Agency)

COE

Cochiti Lake Project Office
Pena Blanca, NM, Co: Pena Blanca 87041–
Location: 30 miles from Santa Fe. 45 miles from Albuquerque.
Federal Register Notice Date: 03/29/91
Property Number: 319011505
Status: Underutilized
Base Closure: No
Reason: Secured Area.

Ohio

Unsuitable Land (by Agency)

COE

Ohio River
New Cumberland Lock and Dam
Glasgow, OH, Co: Beaver
Federal Register Notice Date: 03/29/91
Property Number: 319011560
Status: Unutilized
Base Closure: No
Reason: Floodway.

Ohio River
Pike Island Lock and Dam
RD #1, Box 33
Tiltonsville, OH, Co: Jefferson
Federal Register Notice Date: 03/29/91
Property Number: 319011561
Status: Underutilized
Base Closure: No
Reason: Floodway.

Pike Island Locks and Dam
Ohio River
RD 1, Box 33
Steubenville, OH, Co: Jefferson 43952–
Federal Register Notice Date: 03/29/91
Property Number: 319030012
Status: Underutilized
Base Closure: No
Reason: Floodway.

Pennsylvania

Unsuitable Land (by Agency)

COE

East Branch Clarion River Lake
Wilcox, PA, Co: Elk
Location: Outflow access area—below dam
Federal Register Notice Date: 03/29/91
Property Number: 319030013
Status Underutilized
Base Closure: No
Reason: Floodway.

Lock and Dam #7
Monongahela River
Greensboro, PA, Co: Greene
Location: Ldft hand side of entrance roadway to project.
Federal Register Notice Date: 03/29/91
Property Number 319011564
Status: Unutilized
Base Closure: No
Reason: Floodway.

Conemaugh River Lake
RD #1, Box 702
Blairsville, PA, Co: Indiana 15681–
Location: West side of Route 217
Federal Register Notice Date: 03/29/91
Property Number: 319011557
Status: Underutilized
Base Closure: No
Reason: Floodway.

Portion of Tract 406C
Cowanesque Lake Project
Nelson Cemetery
Nelson, PA Co: Tioga 16946–
Federal Register Notice Date 03/29/91
Property Number: 319011620
Status: Excess
Base Closure: No
Reason: Other Comment: cemetery.

Loyalhanna Lake
RD #2
Latrobe, PA Co: Westmoreland
Federal Register Notice Date: 03/29/91
Property Number: 319011559
Status: Unutilized
Base Closure: No
Reason: Floodway.

Loyalhanna Lake
RD #2
Saltsburg, PA Co: Westmoreland
Federal Register Notice Date: 03/29/91
Property Number:319011562
Status: Unutilized
Base Closure: No
Reason: Floodway.

GSA

Easement—(P)
Navy Air Development Center
167 Kirk Road
Ivyland, PA Co: Bucks 18974–
Federal Register Notice Date: 03/29/91
Property Number: 549010015
Status: Surplus
Reason: Other Comment: no property involved; air space easement only.
GSA No. 4–N–PA–435–C.

Easement (P) Nike Battery Site
Route 88
Finley, PA Co: Washington 15332–
Federal Register Notice Date: 03/29/91
Property Number: 549010071
Status: Surplus
Reason: Other Comment: line of sight and right of way easements.
GSA No. 4–D–PA–557.

Tennessee

Unsuitable Land (by Agency)

COE

Tract 3507
Proctor Site
Cordell Hull Lake and Dam Project
Celina, TN Co: Clay 38551–
Location: TN Highway 52
Federal Register Notice Date: 03/29/91
Property Number: 319011480
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tract 3721
Obey
Cordell Hull Lake and Dam Project
Celina, TN Co: Clay 38551–
Location: TN Highway 53
Federal Register Notice Date: 03/29/91
Property Number: 319011481
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tract 517
J. Percy Priest Dam and Reservoir
Suggs Creek Embayment
Nashville, TN Co: Davidson 37214–
Location: Interstate 40 to S. Mount Juliet Road.
Federal Register Notice Date: 03/29/91
Property Number: 319011493
Status: Underutilized

Base Closure: No
Reason: Floodway.

Tract 245, 257, and 256
J. Percy Priest Dam and Reservoir
Cook Recreation Area
Nashville, TN Co: Davidson 37214–
Location: 2.2 miles south of Interstate 40 near Saunders Ferry Pike.
Federal Register Notice Date: 03/29/91
Property Number: 319011497
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tracts 3102, 3105, and 3106
Brimstone Launching Area
Cordell Hull Lake and Dam Project
Gainesboro, TN Co: Jackson 38562–
Location: Big Bottom Road
Federal Register Notice Date: 03/29/91
Property Number: 319011479
Status: Excess
Base Closure: No
Reason: Floodway.

Tracts 1710, 1716 and 1703
Flynns Lick Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro, TN, Co: Jackson 38562–
Location: Whites Bend Road
Federal Register Notice Date: 03/29/91
Property Number: 319011484
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 1810
Wartrace Creek Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro, TN, Co: Jackson 38551–
Location: TN Highway 85
Federal Register Notice Date: 03/29/91
Property Number: 319011485
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 2524
Jennings Creek
Cordell Hull Lake and Dam Project
Gainesboro, TN, Co: Jackson 38562–
Location: TN Highway 85
Federal Register Notice Date: 03/29/91
Property Number: 319011486
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tracts 2905 and 2907
Webster
Cordell Hull Lake and Dam Project
Gainesboro, TN, Co: Jackson 38551–
Location: Big Bottom Road
Federal Register Notice Date: 03/29/91
Property Number: 319011487
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tracts 2200 and 2201
Gainesboro Airport
Cordell Hull Lake and Dam Project
Gainesboro, TN Co: Jackson 38562–
Location: Big Bottom Road
Federal Register Notice Date: 03/29/91
Property Number: 319011488
Status: Underutilized
Base Closure: No
Reason: Within airport runway clear zone; Floodway.

Tract 2403, Hensley Creek
Cordell Hull Lake and Dam Project
Gainesboro, TN, Co: Jackson 38562–
Location: TN Highway 85
Federal Register Notice Date: 03/29/91
Property Number: 319011490
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tracts 2117C, 2118 and 2120
Cordell Hull Lake and Dam Project
Trace Creek
Gainesboro, TN, Co: Jackson 38562–
Location: Brooks Ferry Road
Federal Register Notice Date: 03/29/91
Property Number: 319011491
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tracts 2919 and 2929
Cordell Hull Lake and Dam Project
Sugar Creek
Gainesboro, TN, Co: Jackson 38562–
Location: Sugar Creek Road
Federal Register Notice Date: 03/29/91
Property Number: 319011500
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tracts 1218 and 1204
Cordell Hull Lake and Dam Project
Granville—Alvin Yourk Road
Granville, TN, Co: Jackson 38564–
Federal Register Notice Date: 03/29/91
Property Number: 319011501
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tract 2100
Cordell Hull Lake and Dam Project
Galbreaths Branch
Gainesboro, TN, Co: Jackson 38562–
Location: TN Highway 53
Federal Register Notice Date: 03/29/91
Property Number: 319011502
Status: Unutilized
Base Closure: No
Reason: Floodway.

Tract 2618 (Portion)
Cordell Hull Lake and Dam Project
Roaring River Recreation Area
Gainesboro, TN, Co: Jackson 38562–
Location: TN Highway 135
Federal Register Notice Date: 03/29/91
Property Number: 319011503
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 1811
West Fork Launching Area
Smyrna, TN, Co: Rutherford 37167–
Location: Florence Road near Enon Springs Road
Federal Register Notice Date: 03/29/91
Property Number: 319011494
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 1504
J. Perry Priest Dam and Reservoir
Lamon Hill Recreation Area
Smyrna, TN Co: Rutherford 37167–
Location: Lamon Road
Federal Register Notice Date: 03/29/91
Property Number: 319011495
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 1500
J. Perry Priest Dam and Reservoir
Pools Knob Recreation
Smyrna, TN Co: Rutherford 37167–
Location: Jones Mill Road
Federal Register Notice Date: 03/29/91
Property Number: 319011496
Status: Underutilized
Base Closure: No.
Reason: Floodway.

Tracts 608, 609, 611 and 612
Sullivan Bend Launching Area
Cordell Hull Lake and Dam Project
Carthage, TN Co: Smith 37030–
Location: Sullivan Bend Road
Federal Register Notice Date: 03/29/91
Property Number: 319011482
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 920
Indian Creek Camping Area
Cordell Hull Lake and Dam Project
Granville, TN Co: Smith 38564–
Location: TN Highway 53
Federal Register Notice Date: 03/29/91
Property Number: 319011483
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tracts 710C and 712C
Sullivan Island
Cordell Hull Lake and Dam Project
Carthage, TN Co: Smith 37030–
Location: Sullivan Bend Road
Federal Register Notice Date: 03/.29/91
Property Number: 319011489
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tracts 424, 425 and 426
Cordell Hull Lake and Dam Project
Stone Bridge
Carthage, TN Co: Smith 37030–
Location: Sullivan Bend Road
Federal Register Notice Date: 03/29/91
Property Number: 319011492
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tracts 107, 109 and 110
Cordell Hull Lake and Dam Project
Two Prong
Carthage, TN Co: Smith 37030–
Location: US Highway 85
Federal Register Notice Date: 03/29/91
Property Number: 319011498
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 104 et. al.
Cordell Hull Lake and Dam Project
Horshoe Bend Launching Area
Carthage, TN Co: Smith 37030–
Location: Highway 70 N
Federal Register Notice Date: 03/29/91
Property Number: 319011504
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 6737
Blue Creek Recreation Area

Barkley Lake, Kentucky and Tennessee
Dover, TN Co: Stewart 37058–
Location: U.S. Highway 79/TN Highway 761
Federal Register Notice Date: 03/29/91
Property Number: 319011478
Status: Underutilized
Base Closure: No
Reason: Floodway.

Unsuitable Buildings (by Agency)

Bldg. 204
Cordell Hull Lake and Dam Project
Defeated Creek Recreation Area
Carthage, TN Co: Smith 37030–
Location: US Highway 85
Federal Register Notice Date: 03/29/91
Property Number: 319011499
Status: Underutilized
Base Closure: No
Reason: Floodway.

Texas

Unsuitable Land (by Agency)

COE

Parcel 2, Portion of Tract A67
Belton Lake
Belton, TX Co: Bell 76513–
Location: Adjacent to lot 7, block 1 of Woodland Point Subdivision.
Federal Register Notice Date: 03/29/91
Property Number: 319011691
Status: Excess
Base Closure: No
Reason:: Other.
Comment: No access.

Tracts 104, 105–1, 105–2, & 118 & Part of Tracts 201–3, 323
Joe Pool Lake
(See County), TX Co: Dallas
Federal Register Notice Date: 03/29/91
Property Number: 319010397, 319010398, 319010399
Status: Underutilized
Base Closure: No
Reason: Floodway.

Tract 1237
Lake Waco
(See County), TX Co: McLennan
Federal Register Notice Date: 03/29/91
Property Number: 319011008
Status: Excess
Base Closure: No
Reason: Floodway.

Tract 702–3, 706
Granger Lake
Route 1, Box 172
Granger, TX, Co: Williamson 76530–9801
Federal Register Notice Date: 03/29/91
Property Number: 319010401, 319010402
Status: Unutilized
Base Closure: No
Reason: Floodway.

Utah

Unsuitable Buildings (by Agency)

CSA

Hill Air Force Base
Layton, UT, Co: Davis 84041–
Location: Approximately 850 west 3000 North Street
Federal Register Notice Date: 03/29/91
Property Number: 549010010
Status: Surplus
Reason: Other
Comment: 16.36 acres; irregular elevations; several easements of record.
GSA No. 7–D–UT–421AC

Washington

Unsuitable Land (by State)

DOT

Land
Puffin Island Light House Res.
San Juan, WA, Co: San Juan
Federal Register Notice Date: 03/29/91
Property Number: 879010013
Status: Unutilized
Reason: Other
Comment: Island.

West Virginia

Unsuitable Land (by Agency)

COE

Ohio River
Pike Island Locks and Dam
Buffalo Creek
Wellsburg, WV, Co: Brooke
Federal Register Notice Date: 03/29/91
Property Number: 319011529
Status: Unutilized
Base Closure: No
Reason: Floodway.

London Lock and Dam
Route 60 East
Rural, WV, Co: Kanawha 25126–
Location: 20 miles east of Charleston, W. Virginia.
Federal Register Notice Date: 03/29/91
Property Number: 319011690
Status: Unutilized
Base Closure: No
Reason: Other
Comment: .03 acres; very narrow strip of land located too close to busy highway.

Morgantown Lock and Dam
Box 3 RD # 2
Morgantown, WV, Co: Monongahela 26505–
Federal Register Notice Date: 03/29/91
Property Number: 319011530
Status: Unutilized
Base Closure: No
Reason: Floodway.

Wisconsin

Unsuitable Buildings (by Agency)

Agriculture

Building
Laona Ranger District
Nicolet National Forest
Laona, WI 54541–
Federal Register Notice Date: 03/29/91
Property Number: 159040002
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

[FR Doc. 91–7255 Filed 3–28–91; 8:45 am]

BILLING CODE 4210–29–M

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

[Docket No. N–91–3244; FR–3048–N01]

FHA Debenture Recall

AGENCY: Office of Assistant Secretary of Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: This Notice announces a debenture recall of certain Federal Housing Administration debentures, in accordance with authority provided in the National Housing Act.

FOR FURTHER INFORMATION CONTACT: Richard Keyser, room 9138, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, telephone (202) 708–1591. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: Pursuant to Section 207(j) of the National Housing Act, 12 U.S.C. 1713(j), and in accordance with HUD regulations at 24 CFR 207.259(e)(3), the Federal Housing Commissioner, with approval of the Secretary of the Treasury, announces the call of all Federal Housing Administration debentures with coupon rates of 8¼ percent or higher, except for those debentures subject to "debenture lock agreements," that have been registered on the books of the Federal Reserve Bank of Philadelphia, and are, therefore, "outstanding" as of March 31, 1991. The date of the call is July 1, 1991. To insure timely payment, debentures should be presented to the Federal Reserve Bank of Philadelphia by June 1, 1991.

The debentures will be redeemed at par plus accrued interest. Interest will cease to accrue on the debentures as of the call date. Final interest on any called debenture will be paid with the principal at redemption. During the period from the date of this notice to the call date, debentures that are subject to the call may not be used by a mortgagee for a special redemption purchase in payment of a mortgage insurance premium.

No transfer or denominational exchanges of debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1991. This does not affect the right of the holder of a debenture to sell or assign the debenture on or after this date. Payment of final principal and interest due on July 1, 1991, will be made to the registered holder or assignee.

Instructions for the presentation and surrender of debentures for redemption will be provided to holders by the Department.

Dated: March 22, 1991.

Arthur J. Hill,

Acting Assistant Secretary for Housing—Federal Commissioner, H.

[FR Doc. 91-7419 Filed 3-28-91; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-050-4320-02]

Canon City District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 463), that a meeting of the Canon City District Grazing Advisory Board will be held at 10:30 a.m. Wednesday, April 17 and 8 a.m. Thursday, April 18 at the Bureau of Land Management, 1921 State Street, Alamosa, Colorado. The purpose of this meeting will be:

1. Discussion of proposed Range Improvement projects.

2. Initiate, conduct, and settle business pertaining to the expenditures of Range Betterment Funds.

3. Discuss riparian and cultural programs as they relate to vegetation management.

SUPPLEMENTARY INFORMATION: This meeting will be open to the public, with a public comment period at 1 p.m. on April 17. Any member of the public may file with the Board a written statement concerning matters to be discussed at the meeting. April 18 will include a visit to two riparian areas where riparian and cultural management will be discussed. The board will leave from the BLM office at 8 a.m.

FOR FURTHER INFORMATION CONTACT: Donnie R. Sparks, District Manager, Bureau of Land Management, 3170 East Main Street, Canon City, Colorado 81212 or telephone (719) 275-0631.

Stuart L. Freer,

Associate District Manager.

[FR Doc. 91-7396 Filed 3-28-91; 8:45 am]

BILLING CODE 4310-JB-M

[MT-060-01-4320-02]

Lewistown, MT Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Lewistown District Office.

ACTION: Notice of Grazing Advisory Board meeting.

SUMMARY: The Lewistown District Grazing Advisory Board will meet May 6, 1991. The agenda will be:

10 a.m.—Introduction and Welcome,
10:15 a.m.—Election of Officers,
11 a.m.—Preferred Alternative, Judith, Valley, Phillips Resource Management Plan,
12 noon—Lunch,
1 p.m.—Preferred Alternative (continued),
3 p.m.—Adjourn.

Public comment will be sought at the end of each agenda item.

LOCATION: Bureau of Land Management, Airport Road, Lewiston, Montana.

FOR FURTHER INFORMATION CONTACT: Gene Miller, Acting District Manager, Bureau of Land Management, Drawer 1160, Lewistown, Montana 59457.

SUPPLEMENTARY INFORMATION: The Lewistown District Grazing Advisory Board is authorized under the Federal Advisory Committee Act, 5 U.S.C., appendix 1. The board advises the Lewistown District Manager concerning the development of allotment management plans and the utilization of range betterment funds.

Dated: March 20, 1991.

B. Gene Miller,

Acting District Manager.

[FR Doc. 91-7395 Filed 3-28-91; 8:45 am]

BILLING CODE 4310-DN-M

[CO-920-01-4143-14]

Call for Expressions of Interest in Competitive Sodium and/or Multimineral Leasing; Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice calling for expressions of interest in competitive sodium and/or multimineral leases in the Piceance Creek Basin, Colorado.

SUMMARY: Bureau of Land Management, Colorado State Office, Lakewood, Colorado, hereby gives notice of a call for expressions of interest in competitive sodium and/or multimineral leases within the Piceance Creek Basin in northwestern Colorado. The Piceance Creek Basin, covering portions of Rio Blanco and Garfield Counties, is known to contain two sodium minerals, nahcolite and dawsonite, interbedded with or finely disseminated in oil shale deposits in a 400-square mile area referred to as the "Saline Zone." The Mineral Leasing Act of 1920, as amended (30 U.S.C. 262), provides for competitive leasing where lands are known to contain sodium deposits. The Colorado State Office issues this call for expressions of leasing interest in order to evaluate the potential demand for these sodium resources. The Bureau of Land Management will evaluate the response to this call and, based upon the information available, will determine whether to implement a competitive sodium and/or multimineral leasing program for the Piceance Creek Basin.

DATES: Responses to this notice will be accepted by the Colorado State Office until June 1, 1991.

ADDRESSES: Interested parties should address their expressions of interest to the State Director, Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215-7076. Information that an interested party considers confidential but wishes to include in its response should be enclosed in a separate sealed envelope, plainly marked as confidential or proprietary information, as appropriate, and sent directly to the Deputy State Director, Mineral Resources, at the same address given above.

FOR FURTHER INFORMATION CONTACT: Frank Salwerowicz, Deputy State Director, Mineral Resources, at (303) 239-3745, or Jim Edwards, Chief, Branch of Mining Law and Solid Minerals, at (303) 239-3773.

SUPPLEMENTARY INFORMATION: The Piceance Creek Basin in northwest Colorado is known to contain two sodium minerals, nahcolite and dawsonite, interbedded with or finely disseminated in oil shale deposits in a 400-square mile area referred to as the "Saline Zone." The Piceance Creek Basin covers portions of Rio Blanco and Garfield Counties with the Saline Zone generally occupying the depositional center. It is estimated that the Saline Zone contains a total resource of about 29 billion tons of nahcolite and 19 billion tons of dawsonite together with a potential shale oil resource of at least 100 billion barrels. The entire Piceance Creek Basin is estimated to contain a potential shale oil resource of two trillion barrels.

The Piceance Creek Basin is subject to Public Land Order (PLO) 4522 which restricts sodium extractive operations on leases to those beds valuable for sodium that are workable without removal of significant amounts of

organic matter and without significant damage to oil shale beds. A multimineral lease would allow extraction of both sodium and shale oil either for commercial operations or for research into the joint development of these resources.

There are five issued sodium leases and three leases pending issuance within the Saline Zone, all of which derive from preference right applications filed in 1966. The Colorado State Office has received indications of additional interest in unleased sodium through recent applications for prospecting permits, exploration license, and leases. Evidence submitted in the administrative hearing for the three pending preference right leases, together with information submitted to support prior preference right lease applications, has prompted BLM's reconsideration of its position regarding sodium and shale oil resources in the Piceance Creek Basin. The Mineral Leasing Act of 1920, as amended (30 U.S.C. 262), provides for competitive leasing where public lands are known to contain deposits of sodium chlorides, sulphates, carbonates, borates, silicates, or nitrates. Nahcolite and dawsonite are sodium carbonates leasable under the Act.

An expression of interest is not an application for a lease. The BLM issues this notice to identify areas where interest in leasing sodium or multiminerals (sodium/shale oil) exists. Response to this call for expressions of interest will enable the BLM to integrate potential lessees' data and needs into environmental and planning documents for a proposed sodium competitive leasing program in the White River Resource Area, Craig District. The White River Resource Area has begun preparation of a resource management plan that includes the Piceance Creek Basin. The data received in response to this notice, along with data gathered by the BLM or available from other sources, may be used to delineate preliminary tracts for possible leasing within the Piceance Creek Basin. The BLM may modify a tract after considering the availability of resource and environmental information, the competitive potential of the tract, existing or possible access, mining efficiency, future development possibilities, conservation of the resources, etc. If sufficient interest results from this notice, a competitive lease sale of several sodium tracts might be scheduled for 1993.

All information, except confidential or proprietary data, submitted in response to this notice shall be available for public inspection in the Public Room of the Colorado State Office during normal business hours. Information clearly marked confidential or proprietary and submitted as described below will not be available for public inspection.

Interested parties may obtain maps and supplementary information on the area subject to this notice upon request from the Colorado State Office. Any individual, association, partnership, corporation, or member of the public may participate and submit an expression of interest in response to this notice.

Respondents are requested to send two copies of their expressions of interest to the State Director at the address indicated above, describing the following:

1. The quantity and quality of mineral(s) desired, listing type (sodium only or multimineral), total amount, and annual average amount,

2. The desired lease tract(s). The tract may be described by legal land description (township, range, section, and subdivision) or in a narrative statement, or it may be delineated on a topographic or planimetric map,

3. The proposed mining method and anticipated development timeframes,

4. The potential use(s) of the mineral(s), identifying the intended or potential market(s) and location(2),

5. Transportation needs and proposed routes to existing or proposed facilities and markets (i.e., roads, highways, railroads, pipelines, etc.), and

6. For sodium-only leases, the proposed method(s) or design(s) that might be used to protect the oil shale resource.

The expression of interest should include the name, address, and telephone number of the person to contact for clarification of the submission or for additional information.

Proprietary or Confidential Information

Proprietary or confidential information may be submitted in response to this call provided that all such material is submitted separately from the general information requested above, is enclosed in a sealed envelope clearly marked confidential or proprietary, as appropriate, and is addressed to the direct attention of the Deputy State Director, Mineral Resources.

It is the policy of the Department of the Interior to make its records available to the public to the greatest extent possible. Information that contains trade secrets and commercial or financial information may be statutorily exempt from the Freedom of Information Act. See 43 CFR 2.13 (c) and (e) and 2.15(d).

H. Robert Moore,

State Director.

[FR Doc. 91-7435 Filed 3-28-91; 8:45 am]

BILLING CODE 4310-JB-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Renewal of the Research Advisory Committee

The Administrator of the Agency for International Development has determined that a two-year renewal of the Research Advisory Committee is in the public interest. The Research Advisory Committee performs necessary and important functions in connection with the formulation of A.I.D. research policy and in evaluating and providing necessary advice concerning the progress and future potential of Agency-funded research activities.

Dated: March 20, 1991.

For further information contact:

Richard E. Bissell,

Assistant Administrator for Science and Technology.

[FR Doc. 91-7508 Filed 3-28-91; 8:45 am]

BILLING CODE 6116-01-M

INTERNATIONAL DEVELOPMENTAL COOPERATION AGENCY

Meeting; Research Advisory Committee

Pursuant to the provisions of the Federal Advisory Committee Act, notice is hereby given of the A.I.D. Research Advisory Committee meeting on April 11-12, 1991 in Conference Room 'C' of the Pan American Health Organization Building, 525 Twenty-Third Street, NW., Washington, DC. The Committee will hear final reports on International Forestry Research and Biological Diversity. The Committee will also discuss (1) Nutrition Research; (2) The Role of Research in Development; and (3) the report of the Task Force on Development Assistance and Cooperation.

The meeting will begin at 8:30 a.m. on both days and adjourn at 5 p.m. on April 11 and at 12 noon on April 12. The meeting is open to the public. Any interested persons may attend, may file written statements with the Committee before or after the meeting, or may present oral statements in accordance

with procedures established by the Committee and to the extent time for the meeting permits. Minutes of the meeting will be available upon request. Dr. Curtis R. Jackson, Director, Office of Research and University Relations, Bureau for Science and Technology is designated as the A.I.D. Representative at the meeting. Persons who desire more information should contact Dr. Jackson at (703) 875–4005 or AID/S&T/RUR, room 309, SA–18, Washington, DC 20523–1807.

Dated: March 13, 1991.

Curtis R. Jackson,

Research Advisory Committee.

[FR Doc. 91–7509 Filed 3–28–91; 8:45 am]

BILLING CODE 6116–01–M

Meeting; Advisory Committee Voluntary Foreign Aid

Pursuant to the Federal Advisory Committee Act, notice is hereby given of a meeting of the Advisory Committee on Voluntary Foreign Aid (ACVFA) Tuesday, April 16, 1991. Topic for discussion will be the examination of the changes currently taking place at A.I.D., with relation to the new initiatives and reorganization.

Date: April 16, 1991.

Time: April 16, 9 a.m.–4 p.m.

Place: American National Red Cross, National Headquarters, (Board of Governors Room), 437 17th Street, NW., Washington, DC 20006.

The meeting is free and open to the public. However, Notification by April 12, 1991 Through the Advisory Committee Headquarters is Required.

Persons wishing to attend the meeting must call Theresa Graham, (202) 647–0219 or Susan Saragi (202) 647–0268, or write, not later than April 9, 1991 to: Advisory Committee on Voluntary Foreign Aid, Agency for International Development, room 5314–A NS, Washington, DC 20523–0059.

Dated: March 21, 1991.

Sally H. Montgomery,

Deputy Assistant Administrator, Private and Voluntary Cooperation, Food and Peace and Voluntary Assistance.

[FR Doc. 91–7510 Filed 3–28–91; 8:45 am]

BILLING CODE 6116–01–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).

A.1. Parent corporation and address of principal office. Genmar Industries, Inc., 100 South Fifth Street, suite 2400, Minneapolis, Minnesota 55402.

2. Wholly-owned subsidiaries which will participate in the operations and states of incorporation.

Glastron, Inc.—Texas
Crestliner, Inc.—Minnesota
Mastercrafters Corporation—Louisiana

B.1. Parent corporation and address of principal office; Servistar Corporation, P.O. Box 1510, Butler, PA 16001.

2. Wholly-owned subsidiaries and divisions which will participate in the operations, and states of incorporation:

Name	State
Advocate Services, Inc.	PA
Total Exposition Concepts, Inc.	PA
Speer Hardware Company	AR
Servistar/Coast to Coast Corporation	PA
Kurfees Coatings, Inc.	PA

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 91–7488 Filed 3–28–91; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 31593]

Garden Spot & Northern Limited Partnership and Indiana Hi-Rail Corporation—Purchase and Operate—Indiana Rail Road Company Line Between Newton and Browns, IL

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 11343, *et seq.*, Garden Spot & Northern Limited Partnership's acquisition and Indiana Hi-Rail Corporation's operation of a 42.8-mile line of railroad between Newton and Browns, IL, from Indiana Rail Road Company, subject to standard labor protective conditions.

DATES: The exemption will be effective April 28, 1991. Petitions for reconsideration must be filed by April 18, 1991.

ADDRESSES: Send pleadings referring to Finance Docket No. 31593 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

(2) Petitioners' representative: John D. Heffner, suite 1107, 1700 K Street, NW., Washington, DC 20006.

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 that 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 service (202) 275–1721).

Decided: March 20, 1991.

By the Commission, Chairman Philbin, Vice Chairman Emmett, Commissioners Simmons, Phillips, and McDonald.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 91–7487 Filed 3–28–91; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 31843]

David Monte Verdi, et al.—Continuance in Control Exemption—Mohawk & Adirondack Railroad Co., Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission, under 49 U.S.C. 10505, exempts David Monte Verdi, Michael Thomas, Charles Riedmiller, Jeffrey Baxter, and John Herbrand and Genesee Valley Transportation Company, Inc. (Genesee), from the requirements of 49 U.S.C. 11343 to continue to control Mohawk & Adirondack Railroad Co., Inc. (Mohawk), when Mohawk becomes a rail common carrier through its acquisition and operation of certain rail lines of Consolidated Rail Corporation, subject to standard labor protective conditions. Mohawk will connect with Lowville and Beaver River Railroad Co., a class III rail common carrier already controlled by these parties. The exemption is related to the notices of exemption in Finance Docket Nos. 31840 and 31846.

DATES: This exemption is effective on March 29, 1991. Petitions to reopen must be filed by April 18, 1991.

ADDRESSES: Send pleadings referring to Finance Docket No. 31843 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

(2) Petitioners' representative: John D. Heffner, Gerst, Heffner, Carpenter & Podgorsky, suite 1107, 1700 K Street, NW., Washington, DC 20006.

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: March 22, 1991.

By the Commission, Chairman Philbin, Vice Chairman Emmett, Commissioners Simmons, Phillips, and McDonald.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 91–7486 Filed 3–28–91; 8:45 am]

BILLING CODE 7035–01–M

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

Request for Nominations to the Board of Trustees

AGENCY: Institute of American Indian and Alaska Native Culture and Arts Development (aka Institute of American Indian Arts).

ACTION: Request for nominations.

SUMMARY: The Board directs the administration of the Institute of American Indian and Alaska Native Culture and Arts Development, including soliciting, accepting, and disposing of gifts, bequests, and other properties for the benefit of the Institute. The Institute, established under Public Law 99–498 (20 U.S.C. 4411 et seq.), provides scholarly study of and instruction in Indian art and culture, and establishes programs which culminate in the awarding of degrees in the various fields of Indian arts and culture.

The Board consists of thirteen members appointed by the President of the United States, by and with the consent of the U.S. Senate, who are American Indians or persons knowledgeable in the field of Indian art and culture. This notice requests nominations to fill six appointments on the Board of Trustees.

DATES: Nominations will be accepted until April 29, 1991.

ADDRESSES: Nominations may be sent to the Chairman, Board of Trustees, Institute of American Indian Arts, Post Office Box 1836, Santa Fe, New Mexico 87504.

FOR FURTHER INFORMATION CONTACT: William Stewart Johnson, Chairman of the Board of Trustees, Institute of American Indian Arts, Post Office Box 1836, Santa Fe, New Mexico 87504, 505–988–6288.

SUPPLEMENTARY INFORMATION: Public Law 99–498 (20 U.S.C. 4412(a)(2)(B), requires the President to publish in the **Federal Register** an announcement regarding nominations of the Presidentially appointed members of the Board of Trustees of the Institute. On February 22, 1991 (56 FR 8099, February 26, 1991), the President delegated to the Chairman of the Board of Trustees the responsibility to publish an announcement regarding these nominations in the **Federal Register**. All nominations submitted will be forwarded to the President for consideration.

Dated: March 22, 1991, Santa Fe, New Mexico.

William Stewart Johnson,

Chairman, Board of Trustees, Institute of American Indian Arts.

[FR Doc. 91–7438 Filed 3–28–91; 8:45 am]

BILLING CODE ??–??–M

DEPARTMENT OF JUSTICE

Information Collections Under Review

March 26, 1991.

The Office of Management and Budget (OMB) has been sent the following collection(s) of information proposals for review under the provisions of the Paperwork Reduction Act (44 USC chapter 35) and the Paperwork Reduction Reauthorization Act since the last list was published.

Entries are grouped into submission categories, with each entry containing the following information:

(1) The title of the form/collection;

(2) The agency from number, if any, and the applicable component of the Department sponsoring the collection;

(3) How often the form must be filled out or the information is collected;

(4) Who will be asked or required to respond, as well as a brief abstract;

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond;

(6) An estimate of the total public burden (in hours) associated with the collection; and,

(7) An indication as to whether section 3504(h) of Public Law 96–511 applies.

Comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the OMB reviewer, Mr. Edward H. Clarke, on (202) 395–7340 and to the Department of Justice's Clearance Officer, Mr. Larry E. Miesse, on (202) 514–4312.

If you anticipate commenting on a form/collection, but find that time to prepare such comments will prevent you from prompt submission, you should notify the OMB reviewer and the DOJ Clearance Officer of your intent as soon as possible.

Written comments regarding the burden estimate or any other aspect of the collection may be submitted to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, and to Mr. Larry E. Miesse, DOJ Clearance Officer, SPS/JMD/5031 CAB, Department of Justice, Washington, DC 20530.

Extension of the Expiration Date of a Currently Approved Collection Without any Change in the Substance or in the Method of Collection

(1) VI–CAP Crime Report (Serial Murderer Tracking System).

(2) FD 676, Federal Bureau of Investigation.

(3) On occasion.

(4) State and local governments. VI–CAP collects data regarding homicides for analysis by FBI VICAP staff. Law enforcement agencies reporting similar pattern crimes are provided with information to initiate a coordinated multi-agency investigation to expedite the identification and apprehension of criminal offenders, e.g., serial murderers.

(5) 2,500 annual respondents at 2 hours per response.

(6) 5,000 estimated annual burden hours.

(7) Not applicable under 3504(h).

(1) CLAIM FOR DAMAGE, INJURY, OR DEATH.

(2) SF 95. Torts Section, Civil Division.

(3) On occasion.

(4) Individuals or households, businesses or other for-profit, non-profit institutions, small businesses or organizations, State and local governments. Form is utilized in making a claim against the United States Government under the Federal Torts Claim Act.

(5) 400,000 annual respondents at .25 hours per response.

(6) 100,000 estimated annual burden hours.

(7) Not applicable under 3504(h).

Larry E. Miesse,

Department Clearance Officer, Department of Justice.

[FR Doc. 91–7462 Filed 3–28–91; 8:45 am]

BILLING CODE 4410–02–M

DEPARTMENT OF LABOR

Office of the Secretary

Agency Recordkeeping/Reporting Requirements Under Review by the Office of Management and Budget (OMB)

BACKGROUND: The Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. chapter 35), considers comments on the reporting and recordkeeping requirements that will affect the public.

LIST OF RECORDKEEPING/REPORTING REQUIREMENTS UNDER REVIEW: As necessary, the Department of Labor will publish a list of the Agency recordkeeping/reporting requirements under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new collections, revisions, extensions, or reinstatements. The Departmental Clearance 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 requirements.

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 an 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. Larsen, 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/DN/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

Occupational Safety and Health Administration.

Access to Employee Exposure and Medical Records.

1218–0065.

On Occasion.

Business or other for profit and Small business or organizations. 50 respondents; 1 response; .10 hour per response; 0 forms. The standard requires employers to provide employee exposure and medical records and/or any analyses using exposure or medical records to OSHA. Further, the standard requires that whenever an employer is ceasing to do business and there is no successor employer to receive and maintain the records, or intends to dispose of any records required to be preserved for at least thirty years, the employer shall contact the National Institute for Occupational Safety and Health (NIOSH).

Lead.

1218–0092.

On Occasion.

Business or other for-profit; Small business or organizations. 953 respondents; *76* burden hours; *.08* hours per response; *0* Form.

The Lead standard and its information collection requirement is to provide protection for employees from the adverse health effects associated with occupational exposure to Lead. The standard requires that OSHA have access to various records to ensure that employers are complying with disclosure provisions of the Lead standard.

Information collection		
Proposed total burden hours	Initial	Recurring
Availability	76	76
Records Transfer	0	0
Total	76	76

Signed at Washington, DC, this 26th day of March, 1991.

Paul E. Larson,

Departmental Clearance Officer.

[FR Doc. 91–7485 Filed 3–28–91; 8:45 am]

BILLING CODE 4510–26–M

Employment and Training Administration

Job Training Partnership Act: Migrant and Seasonal Farmworker Programs: Proposed Planning Estimates

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of proposed State planning estimates and allocation formula; request for comments.

SUMMARY: The Employment and Training Administration is publishing the proposed State planning estimates for Program Year (PY) 1991 (July 1, 1991 through June 30, 1992) for Job Training Partnership Act section 402 migrant and seasonal farmworker programs, the allocation formula, and the rationale used in arriving at the planning estimates.

DATES: Written comments on this notice are invited and must be received on or before April 29, 1991.

ADDRESSES: Written comments shall be submitted to Mr. Paul A. Mayrand, Director, Office of Special Targeted Programs, Employment and Training Administration, U.S. Department of Labor, room N–4641, 200 Constitution Avenue, NW., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Mr. Charles C. Kane, Chief, Division of Seasonal Farmworker Programs. Telephone: (202) 535–0500 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: As required by section 162 of the Job Training Partnership Act (JTPA), the Employment and Training Administration publishes for comment the propsoed State planning estimates for migrant and seasonal farmworker programs in PY 1991. JTPA section 402 grantees will be designated for a two-year period on or before July 1, 1991. A separate competitive process to make this selection is currently in progress.

Allocation Formula

JTPA authorizes an annual funding level equal to 3.2 percent of the amount available for part A of title II of the Act. Each year since 1987, Congress has provided additional funds to meet the demand for training and employment services to agricultural workers who became eligible for the program as a result of the Immigration Reform and Control Act of 1986 (IRCA). For Fiscal Year (FY) 1991, Congress appropriated $70,288,000 for migrant and seasonal farmworker programs. This amount is an increase of $1,241,000 above the FY 1990 appropriation. The planning estimates

reflect a hold-harmless provision to maintain the States' funding at no less than their FY 1989 levels.

The current State allocations were composed in the following manner:

(1) $57,322,000, the same amount as in FY 1989 and 1990, was formula allocated using a distribution method based on Bureau of the Census data;

(2) The remaining $10,614,033 was allocated using a two-step procedure:

(a) $8,866,033 was formula-allocated to all States using the same data as in FY 1989, i.e., a combination of Census and Immigration and Naturalization Service (INS) data, to hold them harmless at the FY 1989 level;

(b) $1,748,000 was allocated using new INS data through August 27, 1990, to twelve states (Arizona, California, Florida, Georgia, Illinois, New Jersey, New Mexico, New York, North Carolina, Oregon, Texas and Washington) whose share of Special Agricultural Worker (SAW) applicants (8 U.S.C. 1160) was projected to be one percent or more of the national total of such applicants. Because many SAW applications remain pending, the projected count of SAWs was made more precise by factoring in the percentage of applications in each State which were granted or denied.

The Department of Labor (Department) views these allocation methods as a fair and reasonable approach to serving the currently eligible farmworker population, and the Newly eligible migrant and seasonal farmworkers resulting from the amnesty provisions of IRCA, while assuring continuity of funding levels for all States.

Allotments

The allotments set forth in the appendix to this notice reflect the allocation methods described above. These allocation methods are applied to a total amount to be formula distributed of $67,936,033. This figure represents the appropriated FY 1991 level of $70,288,000, reduced by $2,351,967, which is being held in the JTPA section 402 national account. The reports of both the House of Representatives Committee on Appropriations and the Senate Committee on Appropriations on the Department of Labor Appropriations Act, 1991, state that the committees expect the Department to continue the farmworker housing program in program year 1991. H.R. Rept. No. 101–591 (July 12, 1990) 11; and S. Rept. No. 101–516 (October 10, 1990) 12. The Department concurs in the committees' request. Therefore, the farmworker housing program will be funded at a level no less than that in effect for program year 1990, from the discretionary account. In addition, the Migrant Rest Center in Hope, Arkansas will be funded from the discretionary account at the same level as the previous year.

Signed at Washington, DC this 25th day of March 1991.

Roberts T. Jones,

Assistant Secretary of Labor.

BILLING CODE 4510-30-M

U. S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION
PY 1991 JTPA TITLE IV MSFW ALLOTMENTS TO STATES
01-22-1991

	PY 1991 BASE	PY 90-PY 91 INCREASES	PY 1991 TOTAL
Alabama	890,819	0	890,819
Alaska	0	0	0
Arizona	1,341,611	79,741	1,421,352
Arkansas	1,311,695	0	1,311,695
California	11,249,542	1,022,125	12,271,667
Colorado	851,985	0	851,985
Connecticut	213,629	0	213,629
Delaware	129,619	0	129,619
District of Columbia	0	0	0
Florida	4,348,418	170,319	4,518,737
Georgia	1,796,601	25,736	1,822,337
Hawaii	278,876	0	278,876
Idaho	944,459	0	944,459
Illinois	1,312,999	53,829	1,366,828
Indiana	875,629	0	875,629
Iowa	1,481,617	0	1,481,617
Kansas	767,429	0	767,429
Kentucky	1,534,344	0	1,534,344
Louisiana	896,585	0	896,585
Maine	370,445	0	370,445
Maryland	321,938	0	321,938
Massachusetts	338,359	0	338,359
Michigan	968,883	0	968,883
Minnesota	1,442,160	0	1,442,160
Mississippi	1,643,641	0	1,643,641
Missouri	1,237,716	0	1,237,716
Montana	756,934	0	756,934
Nebraska	865,511	0	865,511
Nevada	168,461	0	168,461
New Hampshire	127,664	0	127,664
New Jersey	328,326	20,398	348,724
New Mexico	578,290	17,938	596,228
New York	1,722,537	61,023	1,783,560
North Carolina	3,292,848	22,488	3,315,336
North Dakota	531,773	0	531,773
Ohio	1,019,389	0	1,019,389
Oklahoma	661,123	0	661,123
Oregon	1,051,823	35,063	1,086,886
Pennsylvania	1,343,813	0	1,343,813
Puerto Rico	3,302,448	0	3,302,448
Rhode Island	0	0	0
South Carolina	1,209,926	0	1,209,926
South Dakota	786,754	0	786,754
Tennessee	1,079,137	0	1,079,137
Texas	5,617,425	199,352	5,816,777
Utah	262,941	0	262,941
Vermont	241,980	0	241,980
Virginia	1,115,211	0	1,115,211
Washington	1,714,329	39,988	1,754,317
West Virginia	247,399	0	247,399
Wisconsin	1,386,070	0	1,386,070
Wyoming	226,922	0	226,922
FORMULA TOTAL	66,188,033	1,748,000	67,936,033
TA/HOUSING	2,351,967	0	2,351,967
NATIONAL TOTAL	68,540,000	1,748,000	70,288,000

[FR Doc. 91-7484 Filed 3-28-91; 8:45 am]
BILLING CODE 4510-30-C

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 supersedeas 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.

Corrections to General Wage Determination Decisions

Pursuant to the provisions of the Regulations set forth in title 29 of the Code of Federal Regulations, part 1, section 1.6(d), the Administrator of the Wage and Hour Division may correct any wage determination that contains clerical errors.

Corrections being issued in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" are indicated by Volume and are included immediately following the transmittal sheet(s) for the appropriate Volume(s).

Volume III:

Wage Decision No. CA90-4, Modification Nos. 3 through 15
Wage Decision No. CA91-4, with no modifications

Pursuant to the Regulations, 29 CFR part 1, § 1.6(d), such corrections shall be included in any bid specifications containing the wage determinations, or in any on-going contracts containing the wage determinations in question, retroactively to the start of construction.

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

Alabama:
AL91-10 (Feb. 22, 1991)..... p. 21, p. 22.
AL91-14 (Feb. 22, 1991)..... p. 29, p. 30.
AL91-16 (Feb. 22, 1991)..... p. 33, p. 34.
AL91-19 (Feb. 22, 1991)..... p. 37, p. 38
AL91-21 (Feb. 22, 1991)..... p. 41, p. 42.
AL91-22 (Feb. 22, 1991)..... p. 43, p. 44.
AL91-27 (Feb. 22, 1991)..... p. 53, p. 54.

Florida:
FL91-17 (Feb. 22, 1991)..... p. 141, pp. 142-143.
FL91-35 (Feb. 22, 1991)..... p. 181, pp. 182-183.
FL91-36 (Feb. 22, 1991)..... p. 185, p. 186.
FL91-37 (Feb. 22, 1991)..... p. 189, pp. 190-191.
FL91-38 (Feb. 22, 1991)..... p. 193, pp. 194-195.
FL91-39 (Feb. 22, 1991)..... p. 197, pp. 198-199.
FL91-40 (Feb. 22, 1991)..... p. 201, p. 202
FL91-42 (Feb. 22, 1991)..... p. 203, p. 204
FL91-43 (Feb. 22, 1991)..... p. 205, p. 206.
FL91-44 (Feb. 22, 1991)..... p. 207, p. 208.

Georgia:
GA91-4 (Feb. 22, 1991)..... p. 229, p. 230
GA91-6 (Feb. 22, 1991)..... p. 233, p. 234.
GA91-12 (Feb. 22, 1991).... p. 247, p. 248.

North Carolina:
NC91-2 (Feb. 22, 1991)..... p. 609, p. 610.
NC91-3 (Feb. 22, 1991)..... p. 611, p. 612.
NC91-4 (Feb. 22, 1991)..... p. 613, p. 614.
NC91-5 (Feb. 22, 1991)..... p. 615, p. 616.
NC91-7 (Feb. 22, 1991)..... p. 619, p. 620.
NC91-8 (Feb. 22, 1991)..... p. 621, p. 622.
NC91-12 (Feb. 22, 1991).... p. 633, p. 634.
NC91-13 (Feb. 22, 1991).... p. 635, p. 636.
NC91-14 (Feb. 22, 1991).... p. 637, p. 638.

Volume II

Iowa, IA91-5 (Feb. 22, 1991). p. 41, p. 42.

Volume III

California, CA91-4 (Feb. 22, 1991). p. 75, pp. 77, 80, 85-94, pp. 99-112d.
Colorado, CO91-1 (Feb. 22, 1991). p. 151, p. 152.
Montana, MT91-3 (Feb. 22, 1991). p. 253, p. 254.

Washington:
WA91-1 (Feb. 22, 1991)..... p. 451, pp. 452-454, pp. 456-475.
WA91-3 (Feb. 22, 1991)..... p. 487, p. 488.
WA91-5 (Feb. 22, 1991)..... p. 495, p. 496.
WA91-6 (Feb. 22, 1991)..... p. 499, p. 500.
WA91-8 (Feb. 22, 1991)..... p. 507, p. 508.

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 volume, 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 22nd Day of March 1991.

Alan L. Moss,

Director, Division of Wage Determinations.

[FR Doc. 91–7283 Filed 3–28–91; 8:45 am]

BILLING CODE 4510–27–M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Humanities Panel; Meetings

AGENCY: National Endowment for the Humanities, NFAH.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee 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: Catherine Wolhowe, 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:* April 11–12, 1991
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 Public Programs, for projects beginning after October 1, 1991.

2. *Date:* April 18–19, 1991
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 Public Programs, for projects beginning after October 1, 1991.

3. *Date:* April 18, 1991
Time: 9 a.m. to 5 p.m.
Room: 315
Program: This meeting will review applications for Elementary and Secondary Education, submitted to the Division of Education Programs, for projects beginning after October 1, 1991.

4. *Date:* April 22, 1991
Time: 9 a.m. to 5 p.m.
Room: 315
Program: This meeting will review applications for Elementary and Secondary Education, submitted to the Division of Education Programs, for projects beginning after October 1, 1991.

5. *Date:* April 18–19, 1991
Time: 8:30 a.m. to 5:30 p.m.
Room: 430
Program: This meeting will review applications submitted to Humanities Projects in Libraries and Archives program for the March 1991 deadline, submitted to the Division of Public Programs, for projects beginning after October 1, 1991.

6. *Date:* April 22–23, 1991
Time: 9 a.m. to 5:30 p.m.
Room: 430
Program: This meeting will review applications submitted to Public Humanities Projects program for the March 1991 deadline, submitted to the Division of Public Programs, for projects beginning after October 1, 1991.

7. *Date:* April 24, 1991
Time: 9 a.m. to 5:30 p.m.
Room: 430
Program: This meeting will review applications for Special Opportunity in Foreign Languages Education, submitted to the Division of Education Programs, for projects beginning after October 1, 1991.

8. *Date:* April 25–26, 1991
Time: 9 a.m. to 5:30 p.m.
Room: 430
Program: This meeting will review applications submitted to Public Humanities Projects program for the March 1991 deadine, submitted to the Division of Public Programs, for projects beginning after October 1, 1991.

9. *Date:* April 25–26, 1991
Time: 9 a.m. to 5:30 p.m.
Room: 430
Program: This meeting will review applications submitted to Public Humanities Projects program for the March 1991 deadline, submitted to the Division of Public Programs, for projects beginning after October 1, 1991.

10. *Date:* April 26, 1991
Time: 9 a.m. to 5 p.m.
Room: 315
Program: This meeting will review applications for Elementary and Secondary Education, submitted to the Division of Education Programs, for projects beginning after October 1, 1991.

11. *Date:* April 30, 1991
Time: 9 a.m. to 5 p.m.
Room: 430
Program: This meeting will review applications for Special Opportunity in Foreign Languages Education, submitted to the Division of Education Programs, for projects beginning after October 1, 1991.

12. *Date:* April 30 to May 1, 1991
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 Public Programs, for projects beginning after October 1, 1991.

Catherine Wolhowe,

Advisory Committee Management Officer.

[FR Doc. 91–7489 Filed 3–28–91; 8:45 am]

BILLING CODE 7536–01–M

NATIONAL SCIENCE FOUNDATION

Materials 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.

Expedited Clearance Request: NSF is requesting an expedited clearance of 30 days turn-around (See following questionnaire). Interested persons are invited to submit comments by April 1, 1991. Comments may be submitted to:

(1) *Agency Clearance Officer:* Herman G. Fleming, (202) 357–7335. Written comments to: Division of Personnel and Management, National Science Foundation, 1800 G. ST. NW., Washington, DC 20550. and to;

(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: Survey of Teacher Enhancement Program Principal Investigators.

Affected Public: Individuals.

Responses/Burden Hours: 600 respondents, 30 mintues per response.

Abstract: The survey of principal investigators of Teacher Enhancement projects is needed to assess the nature, range, and impact of the Teacher Enhancement Program, a $51 million program that sponsors professional development opportunities for pre-college mathematics and science teachers. Information obtained from this study will be used for program planning within the Division of Teacher Preparation and Enhancement and the Directorate for Education and Human Resources. Policymakers at NSF, in Congress and the Administration will also be able to use the findings.

Dated: March 25, 1991.

Herman G. Fleming,

NSF Clearance Officer.

Instructions for Completing Survey

Please Read These Instructions

1. You may have submitted information about some items in previous reports. However, these reports were not formatted in the same way across all projects and were not entered into a computerized data file. Thus NSF is not able to compile those reports into a useful picture of the Teacher Enhancement program as a whole. In the future, NSF plans to provide a systematic, annual reporting format for routinely collecting this type of data. One purpose of this survey is to indicate the potential usefulness of items for this new management information system.

2. The identifying labels placed on the survey forms have two purposes:

(1) The label identifies the specific project you are to respond about, if you have been P.I. on more than one Teacher Enhancement project;

(2) The label permits us to keep track of returned forms, in order to individually remind those who have not yet completed the survey to do so promptly.

3. The survey has been formatted to allow quick responses. We estimate that it will require only about 15 minutes to complete, after data that may be in your files is located.

4. Two items ask for specific numeric data about the number of teacher participants in your project (item 7), and for specific amounts of funding from various sources (item 14). If file records exist, please consult those records to complete these items, so the data will be as accurate as is now possible. If your institution does not have such records, please estimate the answers from memory. An item is provided in each case (items 7d and 14a) to indicate your source for the data entered.

5. Since this survey is formatted to require as little of your time as possible, we have not asked you for written comments on the survey form itself. If you wish to comment further, NSF is very interested in your detailed opinions about these topics, particularly in your assessment of what went well in your project, and what needed improvement. Please use separate paper for your comments and send them to the address below.

Please do not delay completing the survey form until you have time for written comments. Do the survey today, then send us your comments later.

6. If you have questions about the survey or about individual items, please call _____ toll-free, at 1–800–_____.

7. Return the survey in the postage-paid envelope to:

Contractor's Address

Use the same address for any later comments you wish to send to NSF. We will compile the comments around each topic, then submit them to the National Science Foundation without the sendors' names or institutions.

8. *Privacy Act and Public Burden Statements.* The information requested in the survey is solicited under the authority of the National Science Foundation Act of 1950, as amended. It will be used for overall TEP program assessment purposes. Data about individual projects will be available to NSF staff members only on a "need to know" basis for their official duties. Submission of the requested information is voluntary.

The reporting burden for this survey is estimated to average 15 minutes of your time, after data that may be in your files is located. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden to:

Herman G. Fleming, Reports Clearance Officer, Division of Personnel and Management, National Science Foundation, Washington, DC 20550; and to:

Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503.

Please Fill in the Survey Within the Next Three Days, if Possible

BILLING CODE 7555-01-M

NSF TEACHER ENHANCEMENT PROGRAM

SURVEY OF PRINCIPAL INVESTIGATORS

This is a survey about the following Teacher Enhancement Project (TEP):

(Label placed here
with P.I. name, project title, and year of first funding)

If you have been the Principal Investigator of more than one Teacher Enhancement Project, you will receive one survey form for each project. Please answer this form in terms of the project specified above.

Project Activities

1. What were/are the major emphases or goals of your project? For each statement below, indicate the extent to which it was a focus of your project.

(Circle one number for each item.)

Type of Emphasis	Major Focus			Moderate Focus	Not a Focus
a. To teach specific science or mathematics content.	1	2	3	4	5
b. To give participants experience with laboratory, "hands on," or manipulative techniques.	1	2	3	4	5
c. To develop teaching skills for improving students' problem solving or critical thinking abilities.	1	2	3	4	5
d. To teach ways to motivate female and/or minority students toward greater achievement in science and mathematics.	1	2	3	4	5
e. To develop participants' abilities to lead local in-service training activities.	1	2	3	4	5
f. To develop ways for teachers to enhance student interest in science or math.	1	2	3	4	5
g. To teach new ways for teachers to integrate science and mathematics instruction.	1	2	3	4	5
h. To increase teachers' understanding of the applications of science or mathematics principles.	1	2	3	4	5

i. Other emphasis, please specify: _____

2. Type of Project. Was/is this project oriented toward the following? **(Circle all that apply)**

a. Teachers who are expected to assume leadership positions in their schools or districts (including "resource", "leader", "master" or "mentor" teachers) 1

b. Teachers who have limited or inadequate preparation in a particular subject matter . 2

c. Neither of these apply 3

About the Teacher Enhancement Project Participants

3. How were teachers selected for this project? **(Circle all that apply.)**

a. Project worked with certain districts or schools which selected teachers to participate 1
b. Teachers applied directly from certain districts, states or regions 2
c. Teachers applied directly from anywhere in the country 3
d. Project contacted teachers or schools to encourage applications 4

4. If you had direct applications, what was the relationship between applications and acceptances?

(Circle one best answer)

a. Less than half of the applicants could be accepted 1
b. More than half of the applicants were accepted 2
c. All or nearly all applicants were accepted 3
d. Not enough applied; a few vacancies occurred 4
e. About 1/3 or more of the available spaces were vacant 5

f. Not applicable, no direct applications from teachers 6

5. At the time of the initial grant award from NSF, how much time was available to recruit participants before your first program?

Number of months_____

Was this time: **(Check one)** Adequate? ____ A little short? ____ Much too short? ____

Participation Hours

6. For a **typical** participant in your project, please indicate below the time allotted to each of the following program components. (If time allocations differed among cohorts or "classes" of participants who started in different years, please respond below about the **second cohort** of teachers in this project).

Did you have this?
If yes, check here:

_____ a. Summer program: Number of weeks _____ Initial summer, total number of hours _____

_____ b. During school year: Number of meetings for a typical participant? _____
Total number of hours during school year, all meetings _____

_____ c. Subsequent summer program(s) for the same typical participant:
Number of weeks: _____ Subsequent summer(s), total number of hours _____

_____ d. Post-summer self-study by participants. For self study, number of hours planned _____

Numbers of Participants

7. How many teachers, or other participants, were new to your project each year?

Do not count participants twice, even if they attended for more than one year.

If you do not have exact data, you may estimate.

A. Enter number of new participants by year.

(Leave blank for years that your project was not active.)

1984 _____ 1988 _____

1985 _____ 1989 _____

1986 _____ 1990 _____

1987 _____ Grand Total Number of Participants _____

B. Of your grand total number of participants, how many were in each of the following groupings?

Total Number By Race/Ethnicity?		**Total Number By Gender?**		**Total Number Per Teaching Level?**	
Asian	_____	Male	_____	Elementary	_____
Black	_____	Female	_____	Middle/Jr.High	_____
Hispanic	_____			Senior High	_____
White	_____			Not Classroom Teachers	_____
Am.Indian or Alaskan	_____	Grand Total	_____		
Grand Total	_____			Grand Total	_____

C. What is the source of the data above on numbers of teachers?
From records kept during each year of the project _____ Estimated from memory _____

D. Have you kept a record of participants' names and addresses?
No ____ Yes ____ Machine readable? ____ Hard copy? ____

Content Areas

8. Is/was the project predominately focused on: **(Check one)** Science _____ or Mathematics _____ or Integrated science and mathematics _____

9. What content areas received major emphasis in your project? **(Check all that apply)**

Mathematics	Elementary School Level	Middle/Jr. High Level	Senior High Level
Integrated elementary mathematics	_____	_____	_____
Arithmetic	_____	_____	_____
Geometry	_____	_____	_____
Algebra	_____	_____	_____
Calculus	_____	_____	_____
Probability / Statistics	_____	_____	_____
Non-traditional topics, such as functions, graphs or discrete math	_____	_____	_____
Computer science or programming	_____	_____	_____
Use of computers in math	_____	_____	_____
Science			
Integrated elementary science	_____	_____	_____
Biology or other life science	_____	_____	_____
Chemistry	_____	_____	_____
Physics or physical science	_____	_____	_____
Earth or atmospheric sciences	_____	_____	_____
Environmental science	_____	_____	_____

Instructional Methods Within the Project

10. Of all the project's contact hours with participants, please indicate approximately what percent of the time was employed in each of the following instructional methods?

	Percent of Time Used in Project
a. Lecture / recitation	_____
b. Small group discussion	_____
c. Use of computers or simulations	_____
d. Laboratory work, "manipulatives' or other hands on activity	_____
e. Demonstrations of activities, materials, or lessons	_____
f. Development of units or materials for use with students	_____
g. Field trips with participants	_____
h. Participant demonstrations, peer teaching and/or practice teaching	_____
i. Participant internships or community work	_____
j. Self-study by participants	_____
k. Other, specify _____	_____
Total	**100%**

Data About the Teacher Enhancement Project

11. Some projects included a research component with data collection. What types of data, if any, were collected by your project or by an outside evaluator?

(Check all that apply)

a. No data collected _____ **Go to item 12**

b. Measure(s) of participants' content knowledge _____

c. Measures of participants' interest, confidence or other attitudes _____

d. Observations and/or ratings of participants' teaching methods _____

e. Participants' ratings or evaluation of the project _____

f. Participants' records of their use of project-taught methods or content in their home classroom _____

g. Measures of student interest or motivation for science or math _____

h. Measures of student learning of science or mathematics _____

i. Data from administrators/supervisors in participants' home schools. _____

j. Other measures, specify: _____

Project Outcomes

12. To what extent does each statement below describe your project and/or its results?

Please use the scale below, on which:

1 = Very true of my project

3 = Somewhat or sometimes true

5 = Not true, or not characteristic of my project

DK = I don't know whether this result occurred or not

NA = Not applicable to my project

Circle one number for each item

	1	2	3	4	5	DK	NA
a. Participants increased their knowledge of science or math content and/or concepts.	1	2	3	4	5	DK	NA
b. Participants used new material or lessons in their classrooms.	1	2	3	4	5	DK	NA
c. Participants increased their knowledge of sources or types of teaching materials.	1	2	3	4	5	DK	NA
d. Promises for cost sharing were honored.	1	2	3	4	5	DK	NA
e. Arrangements for cost sharing led to continued collaboration after the project.	1	2	3	4	5	DK	NA
f. Materials prepared by teachers in the project were widely disseminated.	1	2	3	4	5	DK	NA
g. Participants disseminated methods or materials from the project by leading in-service sessions in their districts.	1	2	3	4	5	DK	NA
h. Participants or staff members gave presentations about the project at professional meetings.	1	2	3	4	5	DK	NA
i. Participants served as project staff members or mentors in later years of the project.	1	2	3	4	5	DK	NA
j. One or more publications resulted from the project.	1	2	3	4	5	DK	NA
k. Participants contacted each other after the project to discuss teaching strategies or methods.	1	2	3	4	5	DK	NA
l. Participants' home school districts provide good support for using the content and\or methods learned in the project.	1	2	3	4	5	DK	NA
m. The project increased the collaboration between scientists or mathematicians and educational specialists at my institution.	1	2	3	4	5	DK	NA

Project Funding

13. Sources of Support. If your project received financial or other types of support from any sources other than the National Science Foundation, **please circle the number for each source** below, indicating whether the support was in dollars or "in kind" contributions or both.

Source	Support in Dollars	Support "In Kind"
a. Your college or university	1	1
b. Other colleges or universities	2	2
c. Private industry	3	3
d. Foundations, or educational trust funds.	4	4
e. State or local government	5	5
f. School districts of participating teachers	6	6
g. Participating teachers, individually	7	7
h. Yourself, and/or other staff members	8	8

i. Other source, specify:_____

14. Funding. On the chart below, please indicate the amount of funding for your project, from all sources, in thousands of dollars. Include here only actual dollars spent by the project, not other contributions "in kind".

If you do not have exact figures, please estimate.

Round off to Thousands of Dollars

Leave blank for years that your project was not active.

Year	(a) Funding from NSF	(b) Funding - Other Sources	(Col. a + Col. b) Total Funding
1984			
1985			
1986			
1987			
1988			
1989			
1990			

14a. Are the above funding figures: **(Check one)**

Calculated from cost records? _____ or Estimated from memory? _____

Principal Investigator Information

15. What is the P.I.'s primary employment base? **Check the one response that fits best.**

a. University or 4-year college ..... _____ } Go to item 16
b. Community or junior college ..... _____ }
c. Public or private school system ..... _____ } Go to item 18
d. State or local government agency ..... _____ }
e. Federal government agency ..... _____ } Go to item 18
f. Private, non-profit organization or firm ..... _____ }
g. Private, for-profit firm ..... _____ }
h. Other, specify: _____ } Go to item 18

16. If P.I. is affiliated with a college or university, in what type of department is his/her major affiliation? **Check all that apply.**

a. Mathematics department _____
b. Any science department _____
c. Education school or department _____
d. A Center or Institute _____

17. Does the P.I. have tenure at this university? Yes _____ No _____

18. How long has the P.I. been involved with in-service education for pre-college teachers? _____ Years

19a. P.I.'s education? Check the highest level of earned degree.

Doctorate Level _____ Masters Level _____ Bachelor's Level _____

19b. In what field was the P.I.'s highest earned degree?

Check the one field closest to the major field for the highest degree.

_____ Science Education
_____ Mathematics Education
_____ Other Education
_____ Mathematics
_____ Atmospheric Sciences
_____ Biologic Science
_____ Chemistry
_____ Geologic Science
_____ Engineering
_____ Physics
_____ Social Sciences
_____ Other Field, Specify _____

Project Staff Members

20. In addition to the Principal Investigator, how many other persons served as co-investigators or instructional staff members in this project during a typical year? _____

21. What types of persons served as co-investigators or instructional staff members, in addition to the P.I., during a typical year of your project? **Check all that apply.**

a. Faculty members in mathematics or computer science ... _____
b. Faculty members in science ... _____
d. Faculty members from education school or department ... _____
e. Graduate students ... _____
f. Former project participants ... _____
g. Pre-college teachers who were not former participants ... _____
h. Administrators at pre-college educational level ... _____
i. Curricular specialists from pre-college education ... _____
j. Persons from private industry ... _____

k. Other type(s), specify _____

Dissemination

22. Has your project provided information, consultation and/or materials concerning the project to any of the following? **Check all that apply.**

a. Others within your own university ... _____
b. Other universities or teacher training organizations ... _____
c. School districts or schools ... _____
d. Educational media producers or publishers ... _____
e. Others, specify _____

Continuation of the Teacher Enhancement Project (TEP)

23. **Respond only if the grant for the project named on page one has terminated.**

What aspects of the project, if any, continued for at least one year after the NSF grant ended?

Check each activity that continued for at least one year.

a. All or nearly all the TEP activities continued after NSF funding ended, using other funding. ... _____

b. The TEP activities continued under new funding from NSF. ... _____

c. Local school districts continued the TEP activity ... _____

d. Materials or methods from the project were used in other teacher in-service conducted by this organization ... _____

e. Materials or methods from the project were used in in-service conducted by other organizations ... _____

f. Other types of continuation, please specify. _____

BILLING CODE 7555-01-C

Thank You For Your Help in Completing This Survey

We welcome your comments! If you would like to comment further about your Teacher Enhancement Project, please do so below or on separate paper and send to:

NSF Teacher Enhancement Surveys Contractor Address

[FR Doc. 91-7397 Filed 3-28-91; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 72-8 (50-317/318]

Baltimore Gas & Electric Co.; Issuance of Environmental Assessment and Finding of No Significant Impact for the Calvert Cliffs Independent Spent Fuel Storage Installation at the Calvert Cliffs Nuclear Power Plant

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of a materials license under the requirements of title 10 of the Code of Federal Regulations, part 72 (10 CFR part 72), to Baltimore Gas and Electric Company (BG&E or the Applicant), authorizing receipt and storage of spent fuel in an independent spent fuel storage installation (ISFSI) located onsite at its Calvert Cliffs Nuclear Power Plant in Calvert County, Maryland. The Commission's Office of Nuclear Material Safety and Safeguards, Division of Industrial and Medical Nuclear Safety, has completed its environmental review in support of the issuance of a materials license. The "Environmental Assessment (EA) Related to the Construction and Operation of the Calvert Cliffs Independent Spent Fuel Storage Installation" has been issued in accordance with 10 CFR part 51.

Description of the Proposed Action: The proposed licensing action would authorize the Applicant to construct and operate a dry storage ISFSI. The function of the ISFSI is to provide interim storage for up to 2880 fuel assemblies from Calvert Cliffs Units 1 and 2. Twenty-Four fuel assemblies are stored in an inert atmosphere inside a stainless steel canister which provides confinement, shielding, criticality control and heat removal. Spent fuel loading and canister preparation takes place within the Calvert Cliffs reactor buildings. The canister is then transported inside a transfer cask to the onsite ISFSI where the canister is placed inside a concrete horizontal storage module (HSM) which provides additional shielding. Up to a total of 120 storage modules would be required under the requested license.

Need for the Proposed Action: After reracking, the spent fuel storage pools at the Calvert Cliffs have reached their maximum capacity. Design limitations preclude further such expansions. The Calvert Cliffs Units 1 and 2 spent fuel pools are expected to exceed prudent operating reserve capacity in April 1993 and are expected to exceed their ability to hold an entire offloaded reactor core in April 1995. Additional spent fuel is being generated as the two Calvert Cliffs reactors continue to operate, and additional storage capacity will be required in order to recover and maintain a prudent operating reserve of spent fuel storage capability. The proposed action would provide the additional capacity required to store spent fuel expected to be generated at the Calvert Cliffs Nuclear Power Plant through the year 2016, and maintain prudent operating reserve storage capacities.

Environmental Impacts of the Proposed Action: As discussed in the EA, no significant impacts from construction of the ISFSI are anticipated. Similarly, no significant impacts are expected from ISFSI operations. The activities will affect only about 6 acres of land area on the Calvert Cliffs site, resulting in a loss of less than 1 percent of the biological production onsite. Construction will be phased according to storage requirements. Potential impacts from fugitive dust, erosion, and noise levels which are typical for the planned construction activities are minimal, and with good construction practices will be controlled to insignificant levels.

The radiological impacts from liquid and gaseous effluents arising from cask loading and preparation are minimal. They fall within the scope of impacts evaluated for licensed reactor operations and are controlled by the existing Calvert Cliffs reactor technical specifications. The primary radiological exposure pathway associated with ISFSI operation is direct irradiation of nearby residents and site workers. The highest dose to the nearest resident for any year is about 0.2 mrem, which is well within the 25 mrem/yr requirement of 10 CFR 72.104. The highest collective dose commitment for any year to the population within 2 miles of the ISFSI is expected to be less than 0.08 person-rem. Dose levels beyond this distance are insignificant. The radiological impacts from the postulated worst-case accident at the Calvert Cliffs ISFSI are within the 5 rem criteria for whole body and organ doses to an individual, as specified in 10 CFR 72.106(b), and are less than the Environmental Protection Agency Protective Action Guides for individuals exposed to radiation as a result of accidents.

Alternatives to the Proposed Action: Several alternatives were discussed in the EA, but none sufficiently met the spent fuel storage requirements for the Calvert Cliffs Nuclear Power Plant. The alternative of no action would force a shutdown of power generation at the Calvert Cliffs Nuclear Power Plant. The "Final Generic Environmental Impact Statement (FGEIS) on Handling and Storage of Spent Light Water Power Reactor Fuel," NUREG-0575, found that ISFSIs represent a major means of interim storage at a reactor site. While the environmental impacts of the dry storage ISFSI option were not specifically addressed in the FGEIS (storage of light-water-cooled-power reactor spent fuel in a water pool was specifically addressed), the FGEIS concluded that the use of alternative dry passive storage techniques for aged fuel appeared to be equally feasible and environmentally acceptable, although environmental impacts need to be considered on a site-specific basis.

Because the Commission has concluded there are no significant environmental impacts associated with the proposed action, any alternative of equal or greater environmental impacts need not be evaluated.

Alternative Use of Resources: The only resources committed irretrievably and not previously considered in environmental documents relating to the Calvert Cliffs Nuclear Power Plant are the steel, concrete, and other construction materials used in the canisters and HSMs for the ISFSI.

Agencies and Persons Contacted: Outside agencies that were contacted in connection with the preparation of the Environmental Assessment include: the Power Plant and Environmental Review Division, Maryland Department of Natural Resources, and several Calvert County Governmental Departments.

Finding of No Significant Impact: In summary, the ISFSI is located on the previously disturbed Calvert Cliffs Nuclear Power Plant site within the confines of the exclusion area and will require only a minor commitment of land resources. The proposed action will cause no release of effluents, and there will be no significant increases in individual and collective radiation doses to either the public or onsite workers. Potential offsite impacts from a postulated worst-case credible accident are a small fraction of the regulatory limits of 10 CFR 72.106, and well below the Environmental Protection Agency's

Protective Action Guides. Therefore, the proposed action will not significantly affect the quality of the human environment. Accordingly, pursuant to the requirements of 10 CFR 51.31 and 10 CFR 51.32, the Commission has determined that a finding of no significant impact is appropriate and that an environmental impact statement (EIS) need not be prepared for the issuance of materials license for the Calvert Cliffs ISFSI.

The EA for the proposed action, on which this Finding of No Significant Impact is based, relied upon several environmental documents, with independent assessment of data, analyses and results. The following documents were utilized: (1) "Final Environmental Statement Related to Operation of Calvert Cliffs Nuclear Power Plant, dated April 1973; (2) "Calvert Clifs Independent Spent Fuel Storage Installation Environmental Report," dated December 1989; (3) Supplemental Information to the "Calvert Cliffs Independent Spent Fuel Storage Installation Environmental Report," BG&E, dated November 1, 1990; and (4) "Final Generic Environmental Impact Statement on Handling and Storage of Spent Light Water Power Reactor Fuel," NUREG–0575, Volumes 1–3, August 1979.

The EA and other documents related to this proposed action are available for public inspection and for copying for a fee at the NRC Public Document room, 2120 L Street, NW., Washington, DC 20555, and at the Local Public Document Room at the Calvert County Library, Fourth Street, Prince Frederick, Maryland, 20678.

Dated at Rockville, Maryland, this 22nd day of March, 1991.

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. 91–7478 Filed 3–28–91; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 030–00696]

Environmental Assessment; Finding of No Significant Impact and Notice of Opportunity for Hearing Related to Amendment of Materials License No. 13–02812–04, Purdue University

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: NRC plans to issue an amendment to NRC License No. 13–02812–04, authorizing Purdue University to use hydrogen-3 (tritium) for *in vivo* studies of wild eastern phoebe (*Sayornis phoebe*) birds living in their native habitat.

FOR FURTHER INFORMATION CONTACT: Dr. Donna-Beth Howe, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–0636.

Environmental Assessment

Identification of the Proposed Action

The proposed action is to amend NRC Byproduct Material License No. 13–02812–04, issued to Purdue University and renewed on May 28, 1987. The license authorizes use of byproduct material, but prohibits the release of material for field studies. The proposed amendment would authorize Purdue University personnel to inject tritiated water in approximately 80 eastern phoebes (*Sayornis phoebe*). The bird's home ranges will be located on U.S. Government Property at the Naval Weapons Support Center in Crane, Indiana (NWSCC). The proposed amendment would allow injection of tritium into the birds as part of an ongoing scientific study of this species. The study involves the phoebes' release of tritiated water and water vapor directly into the environment. Accordingly, pursuant to 10 CFR 51.21, NRC has prepared this assessment of the resulting environmental impact.

The non-site-specific aspects of the phoebe study (i.e., possession of preinjection tritiated water, use and subsequent laboratory analysis of tritiated biological samples, waste disposal, and health and safety aspects of tritium use) are performed under Purdue University's current authority in license no. 13–02812–04.

Background

By letter dated December 20, 1990 (and attachments), Purdue University's Radiological and Environmental Management Office requested an NRC amendment to perform hydrogen-3 labeled water (tritiated water) studies on eastern phoebe (*Sayornis phoebe*) birds in their natural habitat. These studies have conditional approval from the Indiana State Board of Health and NWSCC Radiation Safety office, pending NRC approval of the amendment request. The tritiated studies cannot begin until NRC amends Purdue University's license to authorize the studies.

The field studies will extend over several months (March-August 1991) and may continue again during the same months in 1992, if the 1991 data are not sufficient. The phoebes will be injected with tritiated water, held 1 hour until the water equilibrates, have blood samples taken, and then be released. The birds will be recaptured, have blood samples taken 24 to 48 hours later to measure body-water turnover as related to energy expenditure during nesting activities, and be released again.

Purdue University is authorized by the U.S. Fish and Wildlife Service, under Master Permit 20439, to band the eastern phoebe with aluminum and plastic leg bands for ongoing scientific studies.

Need for the Proposed Action

The eastern phoebe (*Sayornis phoebe*) is a small, double-brooded bird (i.e., raises two families during the nesting season) weighing approximately 25 grams. As man changes the environment in which the bird lives, it must adapt to ensure significant propagation. Studies using tritiated water are intended to measure energy expenditure during the breeding period of the female phoebe. There will be six different study groups of either 10 or 15 birds each. The groups will be characterized by next treatment (i.e., new nest versus existing nest) and nesting site (i.e., pipe culverts, versus structures, versus rock outcrops). The female phoebe's energy expenditures will be measured and related to the collective reproductive output of the phoebes in the six different study groups. This study may enable researchers to identify factors that would allow the phoebe to propagate more efficiently.

Environmental Impacts of the Proposed Action

The Affected Environment. The study site, NWSCC, is located in southern Indiana in Martin County and has approximately 63,000 acres of land (100 square miles) with approximately 2,800 permanent structures. The majority of the structures are explosive storage magazines. There are approximately 130 people living in NWSCC in 27 residences, Bachelor Enlisted Quarters (BEQ), and Bachelor Officer Quarters (BOQ). The BEQ and BOQ are located near the residential area. Approximately 4,000 people work at NWSCC. Most of these individuals work in the industrial area near the housing area. Approximately 100 explosives handlers are expected to work outside the industrial area and would pass by or work near the nesting sites on a daily basis.

There are 52 miles of cleared power lines, and 65 miles of cleared water ways. NWSCC is drained by three major streams with a dendritic drainage pattern that grades from deep

precipitous valleys in the north and east into broad, alluvial flood plains flanked by wall-like bluffs in the south and west. This pattern, coupled with 475 miles of roads and 175 miles of railroad freight tracks, results in a large number of bridges and culverts (preferred phoebe nesting sites). NWSCC is mostly forested land (75 percent) with cleared roadsides, power line rights-of-way, water lines, and safety zones around storage bunkers. The area outside NWSCC is mainly farmland.

The largest of the two NWSCC watersheds consists of five creeks, which drain water from the central and southern portions of the base into the east fork of the White River. This watershed is not used for drinking water. The other watershed drains the extreme northern portion of the base and consists of Lake Greenwood and First Creek. Lake Greenwood is the primary source of drinking water for NWSCC. This watershed drains into the west fork of the White River. The two forks join about 25 miles south of NWSCC.

Since NWSCC is an active military base, general public access is severely limited. Four main gates provide the only access to the facility. Security guards man the gates; a person seeking admittance to NWSCC must have either an NWSCC badge or a visitor pass. The perimeter is completely fenced and is patrolled, along with the rest of NWSCC, on a 24-hour basis. Employees are not allowed to "freely" roam NWSCC outside the main industrial area. The public may obtain fishing permits for Lake Greenwood, but may not go anywhere else on NWSCC, except during deer-hunting season.

The eastern phoebe nesting sites have a very specific microclimate of water sites with cleared areas and nearby wooded areas. The large number of culverts and small bridges provide ideal nesting sites along the cleared roadways on the base. Because the phoebes do not congregate, their nesting sites are stretched out along the roadways.

Birds will be chosen to avoid those nesting near a population center. No nest will be chosen that is closer than either 1.5 miles to a population center (i.e., an off- or on-base residential community) or 0.8 miles from an individual residence. Also, no nest will be chosen that is closer than 0.5 miles to the fenced perimeter. The nearest significant population center is to the northwest, Crane Village (pop. 339), and is over 5 miles to the closest nest. No housing is located within a bird's home range, which is usually a maximum of 2 acres (a circle from the nest with a radius of approximately 170 feet). The closest residence is off-base and 0.8 miles from the closest nest.

Study Subjects. The phoebes included in the tritiated water study will be adult females actively involved in nest building. The eastern phoebe is a migratory bird that spends its winters in Mexico and some of the Southern states. The nesting population at NSWCC normally returns to the NSWCC in mid March. Only the females are involved in nest-building. Birds will be banded upon initial capture, so that each bird may be identified upon subsequent recapture. Birds will also be banded or identified to indicate that they contain radioactive material and will have a U.S. Fish and Wildlife band attached.

The birds will be recaptured by catching them in mist nets placed in the vicinity of the nest. This recapture process should not harm the birds. While the females (the only sex injected) are rearing young or incubating eggs, fidelity to the nest area is very high, and they spend nearly 90 percent of their time at the nest. Thus, recapture rates of the female should exceed 75 percent during these periods. The rates for recapture may be less during the phases when eggs or young are not present. The recapture rate during these periods should exceed 50 percent.

The eastern phoebe has a high metabolic rate, and the effective half-life of tritium is estimated to be approximately 0.5 days. Therefore, the tritium is expected to be eliminated from the birds and released to the environment in a week (14 effective half-lives).

Because the phoebe's home range during the reproductive period is very small, it is improbable that a phoebe in the study will range off the NWSCC property. Movements of large scale during the reproductive season are very rare. Large movements are usually only seen during the yearly migration, and the study will be completed weeks before the birds migrate. Efforts will be made to choose subjects that inhabit the central portion of the facility, to minimize travel off-base.

Study Protocol. Oxygen-18, a naturally occurring nonradioactive isotope of oxygen, is added to tritium to produce tritiated water with a higher oxygen-18 level than that found naturally in air (i.e., 0.2 percent of air oxygen). This permits double-labeled studies on the blood samples, better quantification of body-water turnover, and thus energy-expenditure data.

The oxygen-18 is activated to fluorine-18 in a cyclotron after the blood samples are collected and returned to Purdue University. The oxygen-18 portion of the study, which will be carried out in an enclosed laboratory setting, neither involves byproduct material nor results in radioactive releases at the study sites, and will not be discussed further.

The study protocol calls for initial injections of 1 microcurie of tritium per gram per bird, 25 microcuries of tritium per 25-gram bird, in up to 80 birds. The injection of 1 microcurie per gram was chosen to minimize the amount of radioactive material used and maximize the probability that the blood sample would contain enough activity for "counting statistics" purposes.

Each female phoebe is scheduled to receive five injections during each breeding cycle (there are two), for a total of 250 microcuries for the entire study period. One injection will be made for each of the following five parts of the breeding cycle: during nest building, after nest completion, during egg laying, during the incubation period, and after egg hatching (rearing). The breeding cycles occur during March/April and June/July of each year. The maximum amount of tritium present in all birds at any one time would be 2 millicuries. These values assume that all birds are injected at the same time, and that all birds are recaptured. Recapture and reinjection will not occur simultaneously for the birds, because of the variations in individual breeding cycles. Further, it is unlikely that all birds will be recaptured and injected for every period of the breeding cycle. Recruitment of new females will occur if the number of birds within a study group falls below eight. This is expected to occur only for the new nest and old nest rock-outcrop groups, since there will initially only be 10 birds in these groups. Due to problems recapturing the birds, the amount of tritium is expected to be significantly less than the maximum cited above.

Pathways to the Environment. The phoebes lose tritiated water by respiration (exhaled water vapor) and direct losses in feces. It is thought that the most significant loss will be in water vapor in the exhaled breath. The average loss per day varies with the amount of tritium in the bird. The maximum loss occurs the first day after injection. The amount eliminated in day 1 is estimated to be up to 18 microcuries. The total loss for all birds (assuming 80 birds) could be up to 1.5 millicuries on day 1. It is expected that the tritium injected into each bird will be released to the environment in 1 week. The primary study will take place from March 1991 to August 1991; however, the study may continue in 1992, if data collected are not sufficient.

Assuming that every bird is recaptured, and that each bird receives every possible injection, the total release to the environment per year would be a maximum of 20 millicuries. Due to recapturing problems, discussed earlier, the total actual release is expected to be approximately 15 millicuries per year.

Due to the dynamic environment in which the tritiated water is released, the tritium is not expected to bioconcentrate, but to be distributed in water vapor, streams, plants, and soil uniformly over the bird's home range. Sun, wind, and rain will act to disperse the tritium in and beyond the home range. Tritium levels at any one NWSCC site are not expected to be detectable above normal background.

Pathway to Humans. Several factors such as base security, remoteness of the nesting areas to Lake Greenwood, and the completion of the studies before deer-hunting season, make it unlikely that the tritiated birds will come in direct contact with the general public. The birds are small (25 grams) and therefore lack direct food value for humans. The selection of nesting sites remote to the residential housing area and industrial complex also makes it unlikely that the tritiated birds will come in direct contact with NWSCC residents and most employees. The phoebe's desire to avoid human contact will minimize the chances of human interaction with employees working in the vicinity of the nest sites.

Further, because phoebes are not communal birds and require a specifically defined microclimate for their nesting sites, the nesting sites consist of single, open-air nests, widely spaced linearly along the roadways. Therefore, the tritium releases are neither concentrated in enclosed spaces nor in one area of NWSCC. Tritium readily disperses into the environment and does not bioconcentrate. Even if people were in the nesting area, the tritium releases per bird are such that inhalation exposure would be well below the limits in 10 CFR part 20, "Standards for Protection against Radiation," for releases to unrestricted areas. Personnel on the base area will be informed of the study and appropriate action to take if a sick, injured, or dead bird is found.

Lake Greenwood is the primary source of drinking water for NWSCC. The northern watershed draining water into the lake contains only a fraction of the nesting sites in the study; therefore the lake will receive only a portion of the tritium from the sites. The lake contains 2.6 billion gallons of water. Tritium entering the lake is expected to be distributed throughout the lake and not to bioconcentrate. Worst-case calculations, assuming all the tritium injected from March to September resided in Lake Greenwood (a very conservative and unrealistic assumption), resulted in a concentration of 2×10^{-9} microcuries/milliliter. This concentration is four orders of magnitude less than the U.S. Environmental Protection Agency's drinking water standard (20,000 picocuries per liter).

The tritium released as tritiated water is expected to evaporate and mix with water and water vapor present in the environment. Therefore, concentration in any particular water, plant, or animal segment of the environment is unlikely. No tritium is expected to enter the public food chain, because there are no commercially grown food crops or domestic stock animals on NWSCC. The nesting areas will be selected to avoid phoebes with home ranges near the residential area. Therefore, any tritium uptake by homegrown vegetables would be from tritiated air and water run-off dispersed from distant nesting sites. Such uptake would be insignificant because of the dilution of the tritium in the available water vapor and water between the nesting site and the garden.

The final way in which tritium could enter the food chain would be by people eating tritiated fish from Lake Greenwood or tritiated deer from NWSCC. Some members of the general public may select to hunt or fish on base. The deer may ingest tritium from grasses, plants, and water containing tritium, but the amounts ingested are expected to be small, less than 1.5 microcuries. The tritiated birds will be located in approximately 25 of the 100 square miles at NWSCC. Although the deer may roam the entire bases, many deer will not enter the home ranges of tritiated phoebes or be exposed to tritium. In the worst-case scenario, the deer hunter would ingest 0.75 microcuries after eating a large quantity of deer meat, i.e., half a deer. Assuming that an individual consumed a pound of fish per day for a year, and that all the tritium resided in the lake, would result in a worst-case estimate of 3.3×10^{-4} microcuries of ingested tritium. The estimated doses to individuals using these worst-case scenarios would be less than 0.05 millirem for eating the deer meat and less than 0.0002 millirem for eating the fish. The true kinetics of tritium distribution in the environment tritium uptake significantly reduce potential exposures.

Therefore, the entry of tritium into the food chain by humans or animals drinking the water from Lake Greenwood or consumption of tritiated plants or animals is unlikely to result in a significant dose to the general public or to the NWSCC workers and residents.

Purdue University personnel who handle the tritiated water, collect samples, and inject birds have been provided with procedures and equipment to minimize their exposure to below 10 CFR part 20 levels. Procedures include minimizing releases to the environment during routine and emergency situations.

Dose and Effect on Eastern Phoebe. The internal beta dose from tritiated water to each bird will be approximately 400 millirads per injection. If a bird were to receive the maximum of 10 injections, the dose would be 4 rads. For reference, the radiation dose expected to kill 50 percent of a song sparrow population, the LD_{50}, is approximately 800 rads (gamma). Assuming both both species of small birds are affected in the same way, the 4-rad amount is far below the LD^{50} dose.

The internal beta dose is also far below the 30 roentgens (gamma) that may cause reduced reproductive potential in mammals. The possibility of acute radiation effects is further reduced because the dose is distributed in multiple fractions over the 5-month study period. The licensee does not expect stochastic effects (such as cancer) to be manifested during the 5-year life span of the phoebe.

Effect on other species. Other plant and animal species in the area should not be adversely affected by the release of tritiated water into the environment. The phoebe birds are not readily subject to capture by predators, so no animal species should be directly affected. Mortality of the eastern phoebe occurs over the winter period, in which up to 50 percent may die. Although the eastern phoebes will have migrated by winter time to other areas (i.e., Mexico and some Southern states), they will not contain tritium during that period because the tritium will be biologically eliminated from the birds before migration. There are also no endangered species in the area to be affected. The initial levels of tritium released will be diluted with natural water and water vapor as the tritium is dispersed into the air, water, earth, plants, and animals. Since the tritium exposure levels in the phoebe birds are not high enough to cause either short- or long-term effects in the phoebe, the even lower levels of tritium dispersed in the environment should not have acute nor long term

effects on other species in the study area.

Conclusions

Based on the foregoing assessment, the NRC staff concludes that the environmental effects of using tritium for the *in vivo* studies of wild eastern phoebes are expected to be extremely small. The concentrations of tritium released by the birds into the unrestricted areas will be well below the limits specified in 10 CFR Part 20. Thus, estimated doses to NWSCC residents, workers, the general public, and Purdue University personnel at the sites are insignificant. Based on these considerations, this action will not result in significant effects on the quality of the human environment.

The estimated doses to the phoebe birds do not cause acute effects in the birds and are not expected to cause long-term effects.

Therefore in accordance with 10 CFR 51.31, a Finding of No Significant Impact is considered appropriate for this proposed action.

Alternatives to the Proposed Action

As required by section 102(2)(E) of the National Environmental Protection Act of 1969, as amended (NEPA) (42 U.S.C. 4322(2)(E)), possible alternatives to the proposed action have been considered. Although time-energy-budget experiments may sometimes be used instead of quantitative body-water data to determine energy expenditures, they cannot be used for this study. The time-energy-budget data can only be obtained in a laboratory using an environmental chamber. The specific activities associated with nest building and chick rearing cannot be duplicated in a laboratory. The only alternative to the proposed action is the denial of the license amendment request. This would result in Purdue University having to abandon its attempt to study tritiated body-water in the eastern phoebe and would adversely affect the collection of quantitative energy expenditure data needed to manage and protect the eastern phoebe.

There is no alternative to quantifying the body-water turn-over data and energy expenditure determinations obtained from the study. The applicant will do double-labeled studies on the blood samples by measuring activated oxygen-18 levels. The oxygen-18 study does not involve byproduct material. Both the tritium and the oxygen-18 data are needed to interpret the body-water data.

The benefits to be gained from denial would be no release of radioactive material to the environment. This is not a significant benefit because the estimated concentrations in the unrestricted areas and resulting doses to humans from the studies will be insignificant.

The benefit of denying the license amendment request to the individual eastern phoebes involved in the study would be no excess radiation exposure above normal background for the birds. The benefit and the risk to the eastern phoebe from the additional radiation exposure have to be weighed against the scientific information needed to manage and protect the eastern phoebe that is obtained from the study (i.e., quantitative energy expenditure information on the female birds at different stages of their reproduction cycle).

Agencies and Persons Contacted

In performing this assessment, the staff contacted Purdue University and the U.S. Environmental Protection Agency.

Finding of No Significant Impact

The Commission has determined, under NEPA and the Commission's regulations in 10 CFR part 51, that this proposed amendment to amend Byproduct Material License No. 13–02812–04 to permit the injection of tritiated water into 80 eastern phoebes, if granted, would not have a significant effect on the quality of the human environment or the tritiated eastern phoebes, and that an environmental impact statement is not required. This determination is based on the foregoing environmental assessment performed in accordance with the procedures and criteria in Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."

For further details of this action, see the application for license amendment dated December 20, 1990, and other related correspondence. These documents (in Docket No. 030–00696) may be examined or copied, for a fee, in the Commission's Region III Public Document Room, 799 Roosevelt Road, Gley Ellyn, Illinois 60137.

Notice of Opportunity for a Hearing

Any person whose interest may be affected by the issuance of this amendment may file a request for a hearing. Any request for hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555 within 30 days of the publication of this notice in the **Federal Register** and must be served on the NRC staff by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555 or by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; and must be served on the applicant by mail or delivery to Purdue University, Radiological and Environmental Management Office, Civil Engineering Building B173, West Lafayette, Indiana 47907. The request for a hearing must comply with the requirements set forth in the Commission's regulations, 10 CFR Part 2, Subpart L, "Informal Hearing Procedures for Adjudications in Material Licensing proceedings." Subpart L of 10 CFR part 2 may be examined or copied for a fee in the Commission's Region III Public Document Room 799 Roosevelt Road, Glen Ellyn, Illinois 60137 or in the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC 20555.

As required by part 2, subpart L (10 CFR 2.1205), the request for hearing must describe in detail: (1) The interest of the requestor in the proceeding; (2) how that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in Paragraph (g) of 10 CFR 2.1205; (3) the requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and (4) the circumstances establishing that the request for a hearing is timely, in accordance with paragraph (c) of 10 CFR 2.1205(c).

The factors in 10 CFR 2.1205(g) that must be addressed in the request for hearing include: (1) The nature of the requestor's right under the Atomic Energy Act of 1954 to be made a party to the proceeding; (2) the nature and extent of the requestor's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding upon the requestor's interest.

Dated at Rockville, Maryland, this 25th day of March, 1991.

For the U.S. Nuclear Regulatory Commission.

Ronald R. Bellamy,

Acting Chief Medical, Academic and Commercial Use Safety Branch Division of Industrial and Medical Nuclear Safety, NMSS.

[FR Doc. 91–7479 Filed 3–28–91; 8:45 am]
BILLING CODE 7590–01–M

[Docket No. 50-412]

Duquesne Light Co. (Beaver Valley Power Station Unit 2); Exemption

I

Duquesne Light Company (DLC or the licensee) is the holder of Facility Operating License No. NPF-73 which authorizes operation of the Beaver Valley Power Station, Unit 2 (BV-2). This license provides, among other things, that BV-2 is subject to all rules, regulations, and Orders of the Commission now or hereafter in effect. BV-2 is a pressurized water reactor (PWR) at the licensee's site located in Shippingport, Pennsylvania.

The revision to 10 CFR part 55, "Operators' Licenses," which became effective on May 26, 1987, established requirements for the administration of operating tests on nuclear power plant simulators. These regulations, in conjunction with 10 CFR 50.54(i-1), require facility licensees to use simulation facilities when administering operating tests for initial licensing and requalification. These regulations further require that a certified or NRC-approved simulation facility must be used to administer operating tests after May 26, 1991. By letter dated September 21, 1990, which was later clarified by a letter dated January 7, 1991, DLC requested an exemption from the schedular requirements for certification of a plant-referenced simulator.

II

The licensee intends to comply with 10 CFR 55.45(b) by certifying a plant-referenced simulator. Section 55.45(b)(2)(iii) of 10 CFR part 55 requires that facility licensees proposing to use a simulation facility consisting solely of a plant-referenced simulator submit Form NRC-474, "Simulation Facility Certification," no later than 46 months after the effective date of this rule, that is, by March 26, 1991. On September 21, 1990, DLC requested an exemption from this filing requirements to allow for the submittal of Form NRC-474 after March 26, 1991. By letter dated January 7, 1991, DLC clarified that request and proposed to submit Form NRC-474 no later than January 31, 1992. Additionally, DLC requested an exemption from the requirements of 10 CFR 55.45(b)(2)(iv) to allow the simulation facility portion of operating tests to be administered on the existing Beaver Valley Power Station, Unit 1 (BV-1) simulator until the BV-2 simulator is certified.

DLC originally intended to modify the BV-1 simulator such that it could also be used as the BV-2 simulation facility for meeting the requirements of 10 CFR 55.45. However, after evaluating the cost of modifying the BV-1 simulator compared to the cost of procuring a BV-2 plant-referenced simulator, DLC decided to purchase a BV-2 simulator. DLC advised the NRC of this decision in a letter dated May 23, 1988. A plant-referenced simulator for BV-2 was ordered in January 1989 and is currently scheduled to be ready for training by the end of 1991.

The BV-1 simulator is presently being used to conduct training and evaluation for BV-2 personnel. The BV-1 simulator became operational in February 1985 and was certified on December 20, 1990, as a plant-referenced simulator for BV-1. The BV-1 simulator was successfully used to assess the usage of emergency operating procedures (EOPs) for BV-2 during an EOP inspection conducted from February 26 through March 7, 1990. The BV-1 simulator was also used for operating tests during a BV-2 requalification program evaluation conducted from May 29 through June 7, 1990. The BV-2 requalification program was rated as satisfactory and no problems with the BV-1 simulator were noted.

DLC proposes to comply with 10 CFR 55.45(b) for BV-2 by certifying a plant-referenced simulator by January 31, 1992. The licensee also proposes to continue using the existing BV-1 simulator to administer the simulation facility portion of requalification operating tests until the BV-2 simulator is certified. During the proposed exemption period, from May 26, 1991 until certification of the new simulator, one set of operating tests is scheduled. Those are the DLC-administered annual operating tests for the current BV-2 requalification training cycle which is scheduled for completion by the end of October 1991. No NRC-administered initial or requalification operating tests are scheduled during the proposed exemption period.

III

The Commission has determined, pursuant to 10 CFR 55.11, that this exemption is authorized by law and will not endanger life or property and is otherwise in the public interest. Furthermore, the Commission has determined, pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(2)(v) are applicable in that the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation. This exemption grants a temporary relief period of 10 months past the March 1991 due date for submittal of the BV-2 simulation facility certification. Additionally, this exemption allows the licensee to continue to use the existing BV-1 simulator for the administration of the simulation facility portion of operating tests scheduled before January 31, 1992, or until the new simulator is certified, whichever occurs sooner. Good faith efforts to comply with the regulation were made as follows:

(1) On November 20, 1987, a meeting with NRC staff was held at the licensee's site to discuss technical issues related to the licensee's proposed plan to comply with 10 CFR 55.45, in particular, use of simulation facilities.

(2) By letter dated May 23, 1988, DLC advised the NRC that they intended to meet the simulation facility requirements in 10 CFR 55.45 by providing a plant-referenced simulator for both BV-1 and BV-2.

(3) In January 1989, DLC ordered a plant-referenced simulator for BV-2.

(4) On August 24, 1989, DLC submitted an operator licensing examination schedule which included an estimated certification date of July 15, 1991, for the BV-2 simulator. Vendor delays subsequently caused this schedule to be extended.

(5) The certification report for the BV-2 simulator is being prepared as part of the licensee's Acceptance Test Process.

(6) The BV-2 simulator is currently scheduled for delivery and operation before the end of 1991.

The Commission hereby grants an exemption from the schedular requirements of 10 CFR 55.45(b)(2)(iii) for submittal of Form NRC-474, "Simulation Facility Certification no later than January 31, 1992. Furthermore, the Commission hereby grants an exemption from the requirement of 10 CFR 55.45(b)(2)(iv) that the simulation facility portion of operating tests be administered only on certified or approved simulation facilities after May 26, 1991. This exemption is effective until receipt of Form NRC-474 but does not include any operating tests after January 31, 1992.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of these exemptions will have no significant impact on the quality of the human environment (56 FR 12400).

These exemptions are effective upon issuance.

Dated at Rockville, Maryland this 25th day of March 1991.

For The Nuclear Regulatory Commission.

Steven A. Varga,

Director, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 91–7476 Filed 3–28–91; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–373 and 50–374]

Commonwealth Edison Co.; Withdrawal of Application for Amendments to Facility Operating Licenses

The United States Nuclear Regulatory Commission (the Commission) has received a request from Commonwealth Edison Company (CECo, the licensee) to withdraw CECo's application for proposed amendments to Facility Operating License Nos. DPR–11 and DPR–18, issued to the licensee for operation of the LaSalle County Station, Units 1 and 2, respectively, located in LaSalle County, Illinois. Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing was published in the **Federal Register** on November 30, 1987 (52 FR 45515).

The proposed amendments would make a change to the Main Steam Line Tunnel Temperature and Delta Temperature containment isolation trips.

By letter dated July 26, 1989, CECo superseded their July 10, 1987 application. Therefore, the July 10, 1987 submittal is considered withdrawn.

For further details with respect to this action, see (1) the application for amendment dated July 10, 1987, and (2) the staff's letter dated March 21, 1991.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC and at the local public document room located at the Public Library of Illinois Valley Community College, Rural Route No. 1, Ogelsby, Illinois 61348.

Dated at Rockville, Maryland, this 21st day of March, 1991.

For the Nuclear Regulatory Commission.

John B. Hickman,

Project Manager, Project Directorate III–2, Division of Reactor Projects—III/IV/V, Office of Nuclear Reactor Regulation.

[FR Doc. 91–7575 Filed 3–28–91; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–219]

GPU Nuclear Corporation and Jersey Central Power & Light Company (Oyster Creek Nuclear Generating Station); Exemption

I

The GPU Nuclear Corporation and Jersey Central Power & Light Company (GPUN/the licensee) are the holders of Provisional Operating License No. DPR–16, which authorizes operation of the Oyster Creek Nuclear Generating Station (the facility), at steady-state reactor core power levels not in excess of 1930 megawatts thermal. This facility is a boiling water reactor located in Ocean County, New Jersey. The license provides, among other things, that Oyster Creek Nuclear Generating Station is subject to all rules, regulations, and Orders of the Commission now or hereafter in effect. By letter dated September 5, 1990, as supplemented February 6, 1991, GPUN requested exemptions concerning the schedule requirements of certification and use of plant-referenced simulator.

The revision to 10 CFR part 55, "Operators' Licenses," which became effective on May 26, 1987, establishes requirements for the administration of operating tests on nuclear power plant simulators. These regulations, in conjunction with 10 CFR 50.54(i–1), require facility licensees to use simulation facilities when administering operating tests for initial licensing and requalification. The regulations further require that a certified or NRC-approved simulator facility must be used to administer operating tests after May 26, 1991.

II

Section 55.45(b)(2)(iii) of 10 CFR part 55 requires that facility licensees submit a certification for use of a simulation facility consisting solely of a plant-referenced simulator no later than 46 months after the effective date of this rule, that is, by March 26, 1991, by filing Form NRC–474, "Simulation Facility Certification." On September 5, 1990, GPUN requested an exemption from the filing requirements of 10 CFR 55.45(b)(2)(iii) to allow for the submittal of Form NRC–474 after March 26, 1991, but no later than December 31, 1991. In addition, GPUN requested an exemption from the requirement of 10 CFR 55.45(b)(2)(iv) to allow the facility to continue to administer the simulation facility portion of the operating tests on the Nine Mile Point Unit 1 (NMP–1) simulator until the new Oyster Creek plant-referenced simulator is certified. By later dated February 6, 1991, GPUN provided additional information in support of these requests.

The licensee intends to comply with 10 CFR 55.45(b)(1) by certifying a plant-referenced simulator. GPUN proposes to submit Form NRC–474 no later than December 31, 1991, following completion of acceptance testing and to use the NMP–1 simulator for operator training and examination until the facility's plant-referenced simulator is certified.

The licensee entered into a contract for the construction of a plant-referenced simulator in January 1988. The simulator was originally scheduled to be ready for use in training by October 17, 1990. Due to technical diffculties encountered in modeling the facility's nuclear steam supply system, the vendor has projected that the simulator will not be ready for use in training until December 15, 1991. The exemptions were requested because the simulator will not be ready for certification by March 26, 1991.

In a meeting on January 8, 1991, GPUN indicated the intent to administer the simulation facility portion of the 1991 annual operating tests for licensed operator requalification at the NMP–1 simulator during June and July 1991. These are the only operating tests currently scheduled during the proposed exemption period. The NRC is planning to participate in these tests. The simulation facility portion of all subsequent operating tests is expected to be conducted on the new Oyster Creek plant-referenced simulator.

III.

The Commission has determined that pursuant to 10 CFR 55.11, the exemptions to 10 CFR 55.45(b)(2)(iii) and 10 CFR 55.45(b)(2)(iv) are authorized by law and will not endanger life or property and are otherwise in the public interest. Furthermore, the Commission has determined, pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(2)(v) are applicable in that these exemptions would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulations. These exemptions grant a temporary relief period of nine months from the March 1991 date for submittal of the Oyster Creek Nuclear Generating Station simulation facility certification. Good faith efforts to comply with 10 CFR 55.45(b)(2)(iii) and 10 CFR 55.45(b)(2)(iv) were made as follows:

(1) On May 20, 1987, GPUN finalized a simulator specification.

(2) In January 1988, GPUN entered into a contract with a vendor for the

construction of a plant-referenced simulator.

(3) In March 1988, GPUN organized a simulator management department in recognition of the effort required to acquire, modify, operate, maintain and effectively use the simulator.

(4) The contract schedule called for the simulator to be ready for use in training by October 17, 1990.

(5) The contract included a penalty to provide incentive for the vendor to meet the schedule and this penalty was effected.

(6) GPUN has developed an Oyster Creek specific software platter which helps make the dynamic response of the NMP–1 simulator more closely match that expected of Oyster Creek.

The Commission hereby grants an exemption from the schedular requirements of 10 CFR 55.45(b)(2)(iii) for submittal of Form NRC–474, "Simulation Facility Certification." Furthermore, the Commission hereby grants an exemption from the requirement of 10 CFR 55.45(b)(2)(iv) for the administration of the simulation facility portion of operating tests only on certified or approved simulation facilities after May 26, 1991, to allow GPUN to use the NMP–1 simulator for the 1991 annual licensed operator requalification operating tests. These exemptions are effective until December 31, 1991.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of these exemptions will have no significant impact on the quality of the human environment (56 CFR 12401).

These exemptions are affective upon issuance.

Dated at Rockville, Maryland this 25th day of March 1991.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Director, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 91–7480 Filed 3–28–91; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 40–00672–MLA

Nuclear Metal, Inc.; Designation of Presiding Officer

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 FR 28710 (1972), and §§ 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's Regulations, all as amended, a single member of the Atomic Safety and Licensing Board Panel is hereby designated to rule on petitions for leave to intervene and/or requests for hearing and, if necessary, to serve as the presiding officer to conduct the hearing in the event that an informal adjudicatory hearing is ordered in the following Materials Licensing proceeding.

In the Matter of Nuclear Metals, Inc., 2229 Main Street, Concord, Massachusetts 01742, Source Material License No. SMB–179.

The Presiding Officer is being designated pursuant to 10 CFR 2.1207 of the Commission's Regulations, "Informal Hearing Procedures for Materials Licensing Adjudications," published in the Federal Register, 54 FR 8269 (1989). This action is in response to requests for an adjudicatory hearing submitted by the Citizens Concerned About Nuclear Metals (CCNM), the National Toxic Campaign Fund (NTCF), and the National Toxics Campaign (NTC). The requestors desire a hearing on the license renewal application of the Nuclear Metals, Inc., submitted on April 25, 1989.

The presiding officer in this proceeding is Administrative Judge Peter B. Bloch.

Following consultation with the Panel Chairman, pursuant to the provisions of 10 CFR 2.722, the Presiding Officer has appointed Administrative Judge Charles N. Kelber to assist the Presiding Officer in taking evidence and in preparing a suitable record for review.

All correspondence, documents and other materials shall be filed with Judge Bloch and Judge Kelber in accordance with 10 CFR 2.701. Their addresses are:

Administrative Judge Peter B. Bloch, Presiding Officer, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555

Administrative Judge Charles N. Kelber, Special Assistant, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Issued at Bethesda, Maryland, this 22nd day of March 1991.

B. Paul Cotter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 91–7470 Filed 3–28–91; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–206]

Southern California Edison Co., San Diego Gas and Electric Co. (San Onofre Nuclear Generating Station Unit No. 1); Exemption

I

Southern California Edison Company (SCE) and San Diego Gas and Electric (the licensees) are the holders of Provisional Operating License No. DPR–13 which authorizes the licensees to operate San Onofre Nuclear Generating Station, Unit No. 1 (SONGS 1), at power levels up to 1347 megawatts thermal (rated power). The license provides, among other things, that the San Onofre Station is subject to all rules, regulations, and Orders of the Commission now or hereafter in effect. The facility is a pressurized water reactor located on the licensee's site in San Diego County, California.

The revision to 10 CFR part 55, "Operators' Licenses," which became effective on May 26, 1987, established requirements for the administration of operating tests on nuclear power plant simulators. These regulations, in conjunction with 10 CFR 50.54(i–1), require facility licensees to use simulation facilities when administering operating tests for initial licensing and requalification. These regulations further require that a certified or NRC-approved simulation facility must be used to administer operating tests after May 26, 1991. Part 55.59(a)(2) requires each licensed operator to pass an annual operating test as part of the requalification requirements. By letter dated November 2, 1990, SCE requested an exemption from the schedular requirements for certification of a plant-referenced simulator and a one-time extension of the annual requalification operating test requirement.

II

The licensee intends to comply with 10 CFR 55.45(b) by certifying a plant-referenced simulator. Section 55.45(b)(2)(iii) of 10 CFR part 55 requires that facility licensees proposing to use a simulation facility consisting solely of a plant-referenced simulator submit Form NRC–474, "Simulation Facility Certification," no later than 46 months after the effective date of this rule, that is, by March 26, 1991. On November 2, 1990, SCE requested an exemption from this filing requirement to allow for the submittal of NRC Form-474 after March 26, 1991, but no later than February 5, 1992. Additionally, SCE requested an exemption from the requirements of 10 CFR 55.59(a)(2) to allow a one-time, 18-month interval between SONGS 1 requalification examinations in April 1991 and October 1992.

SCE initially planned to comply with 10 CFR 55.45(b) by submitting an application for Commission approval for the use of the Zion simulator. In accordance with 10 CFR 55.45(b)(2)(i) SCE submitted a plan by which this nonplant-referenced simulation facility would be developed and by which an

application for its use would be submitted. The NRC reviewed this plan and, in a letter dated January 3, 1989, indicated that the issue of physical and functional fidelity between SONGS 1 and the Zion simulator had not been adequately addressed. SCE subsequently concluded that it was not practical to modify the Zion simulator to meet the regulation and decided to procure a plant-referenced simulator. In March of 1990, SCE awarded a contract for the completion of a SONGS 1 simulator in 24 months.

Because the simulator would not be ready for certification by March 26, 1991, on March 23, 1990, SCE initially requested an exemption from 10 CFR 55.45(b)(2)(iii) to certify the SONGS 1 simulator no later than 60 days prior to conducting any operating tests for February 1993. They also requested an exemption from 10 CFR 55.45(b)(2)(iv) to allow them to continue to administer operating tests according to their existing program using the Zion simulator. This would have included initial licensing examinations in April and October of 1992 and annual requalification operating tests in October of 1991 and 1992. SCE staff met with NRC staff in October 1990 to discuss the plans for the SONGS 1 simulator. SCE subsequently submitted a new exemption request on November 2, 1990 and retracted the initial request. SCE revised their simulator construction and examination schedules such that all operating tests after May 26, 1991 will be administered using a certified simulator, so an exemption from 10 CFR 55.45(b)(2)(iv) will not be required.

SCE proposes to comply with 10 CFR 55.45(b) for SONGS 1 by certifying a plant-referenced simulator by February 5, 1992. SCE also proposes to conduct requalification examinations for SONGS 1 licensed operators in April of 1991 and then in October of 1992. SCE's proposal to conduct requalification operating tests at an 18-month, rather than a 12-month, interval requires a one-time exemption from 10 CFR 55.59(a)(2). During the proposed exemption period, from May 26, 1991 until certification of the simulator, no initial or requalification operating tests are scheduled.

III

The Commission has determined, pursuant to 10 CFR 55.11, that this exemption is authorized by law and will not endanger life or property and is otherwise in the public interest. Furthermore, the Commission has determined, pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(2)(v) are applicable in that the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation. This exemption grants a temporary relief period of 10 months from the March 1991 date for submittal of the SONGS 1 simulation facility certification. Additionally, this one-time exemption allows the licensee to conduct requalification operating tests at an 18-month interval between April 1991 and October 1992. Good faith efforts to comply with the regulation were made as follows:

(1) SCE formed the Utility Simulation Facility Group (USFG) to develop guidance for the use of nonplant-referenced simulators to meet 10 CFR 55.45. This group of four utilities was chaired by SCE and, on September 1, 1987, submitted the initial revision of a document entitled "Guidance for Development of a Simulation Facility to Meet the Requirements of 10 CFR 55.45."

(2) On April 5, 1988, the USFG submitted the final revision of their guidance document after making changes which resulted from public meetings with the NRC in September and December of 1987.

(3) On May 26, 1988, SCE submitted a plan, in accordance with 10 CFR 55.45(b)(1)(i), for the development and application for approval of a SONGS 1 simulation facility utilizing the Zion simulator.

(4) On October 2, 1989, SCE informed the NRC that they would install a SONGS 1 plant-referenced simulator. This decision was prompted, in part, by the June 1, 1988, NRC response to the USFG guidance document and the January 3, 1989, NRC response to SCE's plan for development and application for approval.

(5) On March 23, 1990, SCE submitted their initial exemption request which included conducting four sets of operating tests on a nonplant-referenced simulator after May 26, 1991.

(6) On November 2, 1990, SCE submitted a new exemption request, after discussing it with the NRC in October 1990, which did not include conducting operating tests on a nonplant-referenced simulator after May 26, 1991, but did require a none-time schedular exemption from the annual requalification operating test requirement of 10 CFR 55.59(a)(2).

The Commission hereby grants an exemption from the schedular requirements of 10 CFR 55.45(b)(2)(iii) for submittal of Form NRC–474, "Simulation Facility Certification." This exemption is effective until February 5, 1992. Furthermore, the Commission hereby grants a one-time exemption from the schedular requirement of 10 CFR 55.59(a)(2) by allowing an 18-month interval (April 1991 to October 1992) between requalification operating tests at SONGS 1.

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the exemption will have no signficant impact on the environment (56 FR 12284 March 22, 1991).

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 22nd day of March 1991.

For the Nuclear Regulatory Commission

Bruce A. Boger,

Director, Division of Reactor Projects III/IV/V, Office of Nuclear Reactor Regulation.

[FR Doc. 91–7477 Filed 3–28–91; 8:45 am]

BILLING CODE 7590–01–M

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Midwest Stock Exchange, Inc.

March 25, 1991.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("Commission") pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder for unlisted trading privileges in the following securities:

Collins Foods, Inc.
Common Stock, $.01 Par Value (File No. 7–6672)
Geodyne Resources, Inc.
Common Stock, $.10 Par Value (File No. 7–6673)
Maverick Tube Corporation
Common Stock, $0.1 Par Value (File No. 7–6674)
Terex Corporation
Common Stock, $.01 Par Value (File No. 7–6675)
Kaiser Aluminum Corporation
Common Stock, $.01 Par Value (File No. 7–6676)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 15, 1991, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission,

450 Fifth Street NW., Washington, DC 20549. Following this opportunity for hearings, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 91-7412 Filed 3-28-91; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Philadelphia Stock Exchange, Inc.

March 25, 1991.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("Commission") pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder for unlisted trading privileges in the following securities:

BMC Industries, Inc.
Common Stock, $0.10 Par Value (File No. 7-6660)
International Game Technology, Inc.
Common Stock, $0.005 Par Value (File No. 7-6661)
Nuveen California Investment Quality Municipal Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-6662)
Nuveen Florida Investment Quality Municipal Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-6663)
Nuveen Insured Quality Municipal Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-6664)
Nuveen New Jersey Investment Quality Municipal Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-6665)
Nuveen New York Investment Quality Municipal Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-6666)
Nuveen Pennsylvania Investment Quality Municipal Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-6667)
Preferred Income Fund, Inc.
Common Stock, $0.01 Par Value (File No. 7-6668)
American Adjustable Rate Term Trust, Inc.—1995
Common Stock, $0.01 Par Value (File No. 7-6669)
American Adjustable Rate Term Trust, Inc.—1996
Common Stock, $0.01 Par Value (File No. 7-6670)
First City Bancorportation of Texas
Common Stock, $0.01 Par Value (File No. 7-6671)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 15, 1991, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 91-7413 Filed 3-28-91; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD8 90-06]

Houston/Galveston Navigation Safety Advisory Committee; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of the twenty-sixth meeting of the Houston/Galveston Navigation Safety Advisory Committee. The meeting will be held on Thursday, May 30, 1991, in the conference room of the Houston Pilots Office, 8150 South Loop East, Houston, Texas. The meeting is scheduled to begin at approximately 9 a.m. and end at approximately 1 p.m. The agenda for the meeting consists of the following items:

1. Call to Order.
2. Presentation of the minutes of the Offshore and Inshore Waterways Subcommittees and discussion of recommendations.
3. Discussion of previous recommendations made by the Committee.
4. Presentation of any additional new items for consideration of the Committee.
5. Adjournment.

The purpose of this Advisory Committee is to provide recommendations and guidance to the Commander, Eighth Coast Guard District on navigation safety matters affecting the Houston/Galveston area.

The meeting is open to the public. Members of the public may present written or oral statements at the meeting.

Additional information may be obtained from Lieutenant Commander E.N. Funk, USCG, Executive Secretary, Houston/Galveston Navigation Safety Advisory Committee, c/o Commander, Eighth Coast Guard District (oan), room 1209, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130-3396, telephone number (504) 589-4686.

J. M. Loy,

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

[FR Doc. 91-7472 Filed 3-28-91; 8:45 am]

BILLING CODE 4910-14-M

[CGD8 90-05]

Houston/Galveston Navigation Safety Advisory Committee; Offshore Waterway Management Subcommittee Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of the Offshore Waterway Management Subcommittee of the Houston/Galveston Navigation Safety Advisory Committee. The meeting will be held on Thursday, May 2, 1991, at Houston Yacht Club, 3620 Miramar, Shoreacres, Texas. The meeting is scheduled to begin at 9 a.m. and end at 10:30 a.m. The agenda for the meeting consists of the following items:

1. Call to Order.
2. Discussion of previous recommendations made by the full Advisory Committee and the Offshore Waterway Management Subcommittee.
3. Presentation of any additional new items for consideration by the Subcommittee.
4. Adjournment.

The meeting is open to the public. Members of the public may present written or oral statements at the meeting.

Additional information may be obtained from Lieutenant Commander E.N. Funk, USCG, Executive Secretary,

Houston/Galveston Navigation Safety Advisory Committee, c/o Commander, Eighth Coast Guard District (oan), Room 1209, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130–3396, telephone number (504) 589–4686.

J.M Loy,

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

[FR Doc. 91–7473 Filed 3–28–91; 8:45 am]

BILLING CODE 4910–14–M

[CGD8 90–04]

Houston/Galveston Navigation Safety Advisory Committee; Inshore Waterway Management Subcommittee Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. I) notice is hereby given of a meeting of the Inshore Waterway Management Subcommittee of the Houston/Galveston Navigation Safety Advisory Committee. The meeting will be held on Thursday, May 2, 1991, at Houston Yacht Club, 3620 Miramar, Shoreacres, Texas. The meeting is scheduled to begin at 10:30 a.m. and end at 12 noon. The agenda for the meeting consists of the following items:

1. Call to Order.
2. Discussion of previous recommendations made by the full Advisory Committee and the Inshore Waterway Management Subcommittee.
3. Presentation of any additional new items for consideration of the Subcommittee.
4. Adjournment.

The meeting is open to the public. Members of the public may present written or oral statements at the meeting.

Additional information may be obtained from Lieutenant Commander E.N. Funk, USCG, Executive Secretary, Houston/Galveston Navigation Safety Advisory Committee, c/o Commander, Eighth Coast Guard District (oan), room 1209, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130–3396, telephone number (504) 589–4686.

J.M. Loy,

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

[FR Doc. 91–7474 Filed 3–28–91; 8:45 am]

BILLING CODE 4910–14–M

Federal Aviation Administration

Criteria for Designation of eight Current or Former Military Airports for Participation in the Military Airport Program.

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of criteria for designation and opportunity to participate.

SUMMARY: This notice announces the criteria to be applied by the Secretary of Transportation in designating not more than eight current and former military airfields for participation in the Military Airports Program. This notice also invites expressions of interest from qualified entities desiring an opportunity to participate in the program. This action responds to Section 9109 of the Aviation Safety and Capacity Expansion Act of 1990 (Pub L. 101–508), establishing the Military Airports Program, and is intended to improve the capacity of the national air transportation system.

DATES: Written notification expressing an interest in being designated to participate in the Military Airport Program should be addressed to the Secretary of Transportation and must be received by the Federal Aviation Administration (FAA) on or before April 15, 1991, for airports desiring to participate beginning in FY 1991, and on or before December 31, 1991, for airports desiring to participate beginning in FY 1992.

ADDRESSES: Send notification of interest in being designated to participate in the Military Airport Program to: Federal Aviation Administration, Military Airport Program, Office of Airport Planning and Programming, APP–1, 800 Independence Avneue, SW., room 600 East, Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Mr. James V. Mottley, Manager, National Planning Division, (APP–400), Office of Planning and Programming, Federal Aviation Administration (FAA), 800 Independence Avenue, SW., Washington, DC 20591, (202) 267–3451.

SUPPLEMENTARY INFORMATION: This notice announces the criteria to be applied by the Secretary of Transportation (Administrator of the Federal Aviation Administration) in designating eight current or former military airports for participation in the military airport grant program established under Section 9109 of the Aviation Safety and Capacity Expansion Act of 1990. Section 9109 of the said Act amends Section 508(d) of the Airport and Airway Improvement Act of 1982 to require the Secretary to distribute not less than 1.5 percent of the funds made available in each of fiscal years 1991 and 1992 for airport development and planning to sponsors of current or former military airports designated by the Secretary for the purpose of developing those airports to improve the capacity of the national air transportation system. At least two such airports must be designated by May 3, 1991, and the remaining airports designated for participation no later than September 30, 1992.

Under the military airport grant program, the Secretary shall consider the extent to which conversion of the current or former military airport, in whole or in part to a civilian commercial or reliever airport as part of the national air transportation system, would enhance airport and air traffic control system capacity in major metropolitan areas and would reduce current and projected flight delays. Only airports whose conversion will, in the opinion of the Secretary, produce such enhancements and reductions will be considered further for program participation.

In making designations from among such initially qualifying airports, the Secretary may consider any or all of the following criteria, as applicable:

(a) The proximity of a current or former military airport to air carrier airports in a major metropolitan area experiencing high levels of air carrier delay or projected to experience high levels of such delay (20,000 hours annually) [Footnote: Based upon the 1990–91 Aviation System Capacity Plan (DOT/FAA/SC–90–1)];

(b) The existing airspace capacity and compatibility with airspace and air traffic flow patterns in the metropolitan area in or near which a current or former military airport is located;

(c) The availability of local sponsorship for the civil development of a current or former military airport;

(d) Existing and potential levels of operations at a current or former military airport;

(e) Existing facilities (terminals, runways, taxiways, etc.) of a current or former military airport;

(f) Capital development needs of the air carrier airports in the metropolitan area in which a current or former military airport is located and the capital development needs of the current and former military airport;

(g) Required environmental review process for civil or joint-use has been accomplished prior to designation;

(h) The availability of transportation networks (road, rail, high-speed rail,

maritime facilities) to provide intermodal connections; and,

(i) Type and level of aviation and community interest in the civil use of a current or former military airport.

Specific Criteria

For an airport to be designated by May 3, 1991, for participation in the grant program established under the Military Airport Program, the airport must meet the following criteria:

(a) In the case of a former military airport, the airport must, as of May 3, 1991, meet the definition of a "public airport" as defined in Section 503(a)(17) of the Airport and Airway Improvement Act of 1982;

(b) In the case of a current military airport, the airport must, as of May 3, 1991, be subject to an existing joint-use agreement with the military department of the Department of Defense having jurisdiction over the airport and meet the definition of a "public airport" as defined in Section 503(a)(17) of the Airport and Airway Improvement Act of 1982;

(c) The airport must, as of May 3, 1991, meet the definition of a "commercial service airport" or a "reliever airport" as defined in Sections 503(a)(5) and 503(a)(19) of the Airport and Airway Improvement Act of 1982, respectively and be included in the current National Plan of Integrated Airport System;

(d) The airport must have, as of May 3, 1991, an identified "sponsor" as that term is defined in Section 503(a)(22) of the Airport and Airway Improvement Act of 1982;

(e) The airport must be located in or near a major metropolitan area presently experiencing or projected to experience high levels of annual air carrier delay (exceeding 20,000 hours) at the existing air carrier airport(s) or, in or near a location where, in the opinion of the Secretary, the development of the airport would result in an increase in overall airport system capacity;

(f) The airport must have, as of May 3, 1991, an approved airport layout plan (ALP) and identified capital development needs eligible for grants under this program all or part of which reasonably can be expected to be funded during fiscal year 1991; and,

(g) Written notification to the Secretary by or on behalf of the sponsor expressing the sponsor's interest in being designated for participation in the Military Airport Program must be received on or before April 15, 1991.

With respect to current or former military airports designated for participation after May 3, 1991, our goal is to select these airports no later than December 31, 1991. These airports must meet the above specific criteria as of the date of designation, except: Written notification to the Secretary of the sponsor's interest in participating in the grant program must be submitted on or before December 1, 1991; the airport must reasonably be expected to meet the "public airport" definition and either "commercial service airport" definition or "reliever airport" definition of the Airport and Airway Improvement Act of 1982 no later than September 30, 1992; and, the development identified by the sponsor must be eligible development which reasonably can be expected to be funded in fiscal year 1991 and/or fiscal year 1992.

This notice is issued pursuant to Section 508(d) of the Airport and Airway Improvement Act, 49 U.S.C. app. 2207(d), as amended by Section 9109 of the Aviation Safety and Capacity Expansion Act of 1990 (Pub. L. 101–508), Nov. 5, 1990, and Section 307 of the Federal Aviation Act, as amended, "Use of Airspace," 49 U.S.C. App. 1348.

Issued in Washington, DC on March 20, 1991.

Paul L. Galis,

Director, Office of Airport Planning and Programming.

[FR Doc. 91–7446 Filed 3–28–91; 8:45 am]

BILLING CODE 4910–13–M

Radio Technical Commission for Aeronautics (RTCA), Special Committee 169; Aeronautical Data Link Applications, 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 first meeting of Special Committee 169 to be held April 17–18, 1991, in the RTCA Conference Room, One McPherson Square, 1425 K Street NW., suite 500, Washington, DC 20005, commencing at 9:30 a.m.

The agenda for this meeting is as follows: (1) Chairman's introductory remarks; (2) Review of committee Terms of Reference, RTCA Paper No. XXX–91/SC169–X (enclosed); (3) Presentations on data link requirements; (4) Establish initial work program; (5) Other business; (6) 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 March 21, 1991.

Steven Zaidman,

Designated Officer.

[FR Doc. 91–7445 Filed 3–28–91; 8:45 am]

BILLING CODE 4910–13–M

National Highway Tariff Safety Administration

Denial of Motor Vehicle Defect Petitions

This notice sets forth the reasons for the denial of a petition submitted to NHTSA under section 124 of the National Traffic and Motor Vehicle Safety Act of 1966, as amended (15 U.S.C. 1381 *et seq.*).

Mr. Robert R. Axelson submitted a petition dated November 20, 1990, requesting that the National Highway Traffic Safety Administration (NHTSA) investigate an alleged fire hazard in 1989 General Motors Corporation (GM) C/K Series trucks with 5.0 liter (L) gasoline engines. The petitioner alleges that the secondary battery cable chafes against a tubular metallic heat shield through which it is routed, causing a potential for smoke or fire in the engine compartment. The secondary battery cable goes from the battery to a junction block, and supplies power to most of the vehicle's circuits.

On January 18, 1991, GM provided all other known reports of engine compartment fires thought to be of electrical origin in the subject vehicles, including both 5.0L and 5.7L engines. None of these 11 reports mentioned chafed wiring as the source of the fire. The complaint rate of 2.5 reports per 100,000 vehicles is very low. GM appears to have addressed safety considerations in its wiring route and design. The tubular heat shield has a rounded opening which minimizes contact between its sharp edge and the wire passing through it. The wire itself is properly insulated and protected against short circuits by a fusible link near the battery. Considering the small number of complaints, the absence of injury reports, and the apparent adequacy of design, no safety-related defect trend is evident.

In consideration of the available information, NHTSA concluded that there was not a reasonable possibility that an order concerning the notification and remedy of a safety-related defect in relation to the petitioner's allegations would be issued at the conclusion of an investigation. Since no evidence of a

safety-related defect trend was discovered, further commitment of resources to determine whether such a trend may exist does not appear to be warranted. Therefore, the petition is denied.

Authority: Sec. 124, Pub. L. 93–492, 88 Stat. 1470 (15 U.S.C. 1410a); delegations of authority at 49 CFR 1.50 and 501.8).

Issued on March 21, 1991.

William A. Boehly,

Associate Administrator for Enforcement.

[FR Doc. 91–7408 Filed 3–28–91; 8:45 am]

BILLING CODE 4910–59–M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

March 22, 1991.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

U.S. Customs Service

OMB Number: 1515–0081.

Form Number: CF 213.

Type of Review: Extension.

Title: Importer's Premises Visit—Significant Importation Report.

Description: CF 213 constitutes a summary report of an interview conducted at the importer's premise by a Customs officer. The CF 213 provides for uniformity for the various importers. Customs conducts the interview based upon its responsibilities involving appraisement, classification and admissibility with regard to imported merchandise.

Respondents: Businesses or other for-profit, Small businesses or organizations.

Estimated Number of Respondents: 7,385.

Estimated Burden Hours Per Response: 2 hours, 24 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 17,724 hours.

Clearance Officer: Ralph Meyer (202) 343–0044, U.S. Customs Service, Paperwork Management Branch, room 6316, 1301 Constitution Avenue, NW., Washington, DC 20229.

OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 91–7399 Filed 3–28–91; 8:45 am]

BILLING CODE 4820–02–M

Office of the Secretary

List of Countries Requiring Cooperation With an International Boycott

In order to comply with the mandate of section 999(a)(3) of the Internal Revenue Code of 1986, the Department of the Treasury is publishing a current list of countries which may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

On the basis of the best information currently available to the Department of the Treasury, the following countries may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986).

Bahrain
Iraq
Jordan
Kuwait
Lebanon
Libya
Oman
Qatar
Saudi Arabia
Syria
United Arab Emirates
Yeman, Republic of

Dated: March 22, 1991.

Kenneth W. Gideon,

Assistant Secretary for Tax Policy.

[FR Doc. 91–7400 Filed 3–28–91; 8:45 am]

BILLING CODE 4810–25–M

Sunshine Act Meetings

Federal Register
Vol. 56, No. 61
Friday, March 29, 1991

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).

COMMISSION ON CIVIL RIGHTS

March 27, 1991.

DATE AND TIME: Friday, April 5, 1991, 9:00 a.m. to 5:00 p.m.

PLACE: U.S. Commission on Civil Rights, 1121 Vermont Avenue, N.W., Room 512, Washington, D.C. 20425.

STATUS: Open to the public.

Friday, April 5, 1991

I. Approval of Agenda
II. Approval of Minutes of March Meeting
III. Announcements
- Allen/Redenbaugh Task Force

IV. Draft Reauthorization Statute (Update)
V. *In-School Segregation in North Carolina Public Schools*
IV. *Reversing Political Powerlessness for Black Voters in South Carolina*
VII. Staff director's Report
VIII. Future Agenda Items

CONTACT PERSON FOR FURTHER INFORMATION: Barbara Brooks, Press and Communications Division, (202) 376–8312.

Emma Monroig,
Solicitor.

[FR Doc. 91–7611 Filed 3–27–91; 2:51 pm]
BILLING CODE 6335–01–M

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 2 p.m., Tuesday, April 2, 1991.

LOCATION: Room 556, Westwood Towers Building, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Open to the Public.

MATTERS TO BE CONSIDERED: Section 15 and Section 37 Interpretive Rules.

The staff will brief the Commission on a *Federal Register* document proposing amendments to the Commission's rules interpreting Section 15 of the CPSA and a *Federal Register* document proposing a rule interpreting Section 37 of the CPSA.

For a Recorded Message Containing the Latest Agenda Information, Call (301) 492–5709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, Md. 20207 (301) 492–6800.

Dated: March 27, 1991.
Sheldon D. Butts,
Deputy Secretary.
[FR Doc. 91–7579 Filed 3–27–91; 12:00 pm]
BILLING CODE 6355–01–M

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 11:30 a.m., Wednesday, April 3, 1991.

LOCATION: Room 556, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Open to the Public.

MATTERS TO BE CONSIDERED: Crib Corner Posts (HP 90–1).

The Commission will consider petition HP 90–1 from the Danny Foundation which requests the Commission to amend the mandatory crib regulations to ban any crib having a corner post extending above to the top edge of the end panel or any other "catch point" on which a cord around a child's neck, a shirt strap, or clothing could become entangled.

For a Recorded Message Containing the Latest Agenda Information, Call (301) 492–5709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, Md. 20207 (301) 492–6800.

Dated: March 27, 1991.
Sheldon D. Butts,
Deputy Secretary.
[FR Doc. 91–7580 Filed 3–27–91; 12:00 pm]
BILLING CODE 6355–01–M

CONSUMER PRODUCT SAFETY COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 56, page 12059, March 21, 1991.

PREVIOUSLY ANNOUNCED DATE OF MEETING: March 25, 1991.

PREVIOUSLY ANNOUNCED DATE OF MEETING: March 25, 1991.

For a Recorded Message Containing the Latest Agenda Information, Call (301) 492–5709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, Md. 20207 (301) 492–6800.

Dated: March 25, 1991.
Sheldon D. Butts,
Deputy Secretary.
[FR Doc. 91–7581 Filed 3–27–91; 12:00 pm]
BILLING CODE 6355–01–M

FARM CREDIT ADMINISTRATION

Farm Credit Administration Board; Regular Meeting

AGENCY: Farm Credit Administration.

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), that the April 2, 1991, regular meeting of the Farm Credit Administration Board (Board) will not be held.

FOR FURTHER INFORMATION CONTACT: Curtis M. Anderson, Secretary to the Farm Credit Administration Board, (703) 883–4003, TDD (703) 883–4444.

ADDRESSES: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102–5090.

Dated: March 27, 1991.
Curtis M. Anderson,
Secretary, Farm Credit Administration Board.
[FR Doc. 91–7621 Filed 3–27–91; 3:53 pm]
BILLING CODE 6705–01–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:55 p.m. on Tuesday, March 26, 1991, the Corporation's Board of Directors determined, on motion of Director C.C. Hope, Jr. (Appointive), second by Director Robert L. Clarke (Comptroller of the Currency), concurred in by Vice Chairman Andrew C. Hove, Jr., Director T. Timothy Ryan, Jr. (Office of Thrift Supervision), and Chairman L. William Seidman, that Corporation business required the addition to the agenda for consideration at the meeting on less than seven days' notice to the public, of the following matters:

Memorandum regarding the Corporation's corporate activities.
Matters relating to a certain financial institution.

The Board further determined, by the same majority vote, that no earlier notice of the change in the subject matter of the meeting was practicable;

that the public interest did not require consideration of the matter in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(8), (9)(A)(ii), and (9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(4), (c)(8), (9)(A)(ii), and (c)(9)(B)).

Dated: March 27, 1991.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 91-7570 Filed 3-27-91; 11:31 am]

BILLING CODE 6714-01-M

Corrections

Federal Register
Vol. 56, No. 61
Friday, March 29, 1991

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF COMMERCE

International Trade Administration

University of Arizona et al; Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

Correction

In notice document 91-3630 appearing on page 5982 in the issue of Thursday, February 14, 1991, make the following correction:

In the third complete paragraph, in the ninth line, "0.006%" should read "0.006°/ ₀₀".

BILLING CODE 1505-01-D

DEPARTMENT OF COMMERCE

International Trade Adminisration

William Paterson College of New Jersey, et al.; Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

Correction

In notice document 91-5805 beginning on page 10416 in the issue of Tuesday, March 12, 1991, make the following corrections:

On page 10417, in the first column, in the first line, "0.05%" should read "0.05°/ ₀₀".

In the first complete paragraph, in the tenth line, "0.005%" should read "0.005°/₀₀".

BILLING CODE 1505-01-D

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

10 CFR Chapter XVII

[Docket No. RM-90-1]

Rules Implementing the Government in the Sunshine Act

Correction

In rule document 91-5327, beginning on page 9605, in the issue of Thursday, March 7, 1991, make the following correction: On page 9611, in the first column, at the end of the document, the FR Doc. number should read "91-5327".

BILLING CODE 1505-01-D

FARM CREDIT SYSTEM INSURANCE CORPORATION

12 CFR Part 1410

Premiums

Correction

In rule document 91-2091 beginning on page 3196, in the issue of Tuesday, January 29, 1991, make the following correction:

§ 1410.3 [Corrected]

On page 3202, in the third column, in § 1410.3(c)(2), in the fourth line, "paragraph (a)(1)(ii)" should read "paragraph (a)(2)(ii)".

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 935

Ohio Regulatory Program; Rills and Gullies

Correction

In rule document 91-4049, beginning on page 6983, in the issue of Thursday, February 21, 1991, make the following correction:

§ 935.15 [Corrected]

On page in 6985, in the third column, in § 935.15(tt), in the fifth line, "1991." should read "1991:".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 61 and 141

[Docket No. 25910; Amdts. 61-90, 141-4]

RIN 2100-AB12

Pilot, Flight Instructor, and Pilot School Certification

Correction

In rule document 91-6070, beginning on page 11308, in the issue of Friday, March 15, 1991, make the following correction:

1. On page 11308, in the first column, the docket number should read as set forth above.

BILLING CODE 1505-01-D

federal register

Friday
March 29, 1991

Part II

Department of Health and Human Services

Office of Human Development Services

Administration for Children, Youth, and Families: Runaway and Homeless Youth Program; Availability of Financial Assistance; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

[Program Announcement No. 93.550–91–3]

Administration for Children, Youth, and Families: Runaway and Homeless Youth Program; Availability of Financial Assistance

AGENCY: Office of Human Development Services (OHDS), Department of Health and Human Services (DHHS).

ACTION: Announcement of availability of financial assistance for the Transitional Living Program for Homeless Youth.

SUMMARY: The Family and Youth Services Bureau of the Administration for Children, Youth and Families announces the availability of fiscal year 1991 funds for the Transitional Living Program for Homeless Youth (part B of the Runaway and Homeless Youth Act). A national competition is being held to award grants to provide shelter, skill training and support services in local communities to homeless youth.

DATES: The deadline or closing date for receipt of all applications under this announcement is: May 28, 1991.

ADDRESSES: Application receipt point: Department of Health and Human Services, HDS/Grants and Contracts Management Division, 200 Independence Avenue, SW., Room 341–F.2, Hubert H. Humphrey Building, Washington, DC 20201. Attn: William J. McCarron, HDS–91–3–ACYF/Transitional Living.

FOR FURTHER INFORMATION CONTACT: Pamela A. Johnson, Administration for Children, Youth and Families, Family and Youth Services Bureau, P.O. Box 1182, Washington, DC 20013, telephone: (202) 245–0043.

SUPPLEMENTARY INFORMATION:

Part I. Background Information

A. Scope of This Program Announcement

This program announcement solicits applications, specifies the requirements, and describes the application process for the Transitional Living Program (TLP) for Homeless Youth grants. These TLP grants will be competitively awarded during fiscal year 1991. Project periods for grants will be up to three years.

B. Legislative Authority

Grants under this program are authorized by the Anti-Drug Abuse Act of 1988 (Pub. L. 100–690). The Transitional Living Program for Homeless Youth is part B of the Runaway and Homeless Youth Act (the Act), 42 U.S.C. 5701 *et seq.*

All interested applicants should be aware that, in implementing the Transitional Living Program for Homeless Youth, certain sections of parts C and D of the Runaway and Homeless Youth Act are applicable and are reflected throughout this announcement as necessary. In part C, section 341 sets forth the requirement that the Department provide informational assistance to potential grantees. Section 342 permits the lease of surplus Federal property for use as shelter facilities by runaway and homeless youth centers or transitional living youth shelters. Part D sets forth the administrative provisions of the Act. TLP grantees must also meet the requirements of section 362 on the Federal share of funds and section 363 on the confidentiality of records.

C. Outline of Program Announcement

This program announcement consists of seven parts and appendices. Part I provides background information for potential applicants to apply for TLP grants. Part II describes the requirements of part B of the Runaway and Homeless Youth Act with regard to the services and activities that must be carried out by TLP grantees. Part III describes the responsibilities of the grantee in operating a TLP grant. Part IV describes the procedures for preparing the program narrative statement. Part V provides the evaluation criteria for evaluating the applications. Part VI describes the application review and decision-making processes. Part VII provides instructions for completing and submitting an application for a TLP grant. Following part VII are the appendices to be consulted and the forms to be used in the preparation of the application.

D. Program Purpose

One purpose of the TLP is to make grants to help establish and operate transitional living service projects for homeless youth. This program was authorized by Congress to support community-based programs designed to support the transition of homeless youth to self-sufficient living arrangements.

To clarify the purpose and emphasis of the program, the following terms are defined in part B of the Act. Section 321(b)(1) defines a "homeless youth" as an individual who is not less than 16 years of age and not more than 21 years of age; for whom it is not possible to live in a safe environment with a relative; and who has no other safe alternative living arrangement.

Under section 321(b)(2), a "transitional living youth project" is defined as a project that provides shelter and services designed to promote transition to self-sufficient living and to prevent long-term dependency on social services.

While all adolescents are faced with adjustment issues as they approach adulthood, homeless youth experience more severe problems and are at greater risk in terms of their ability to make the transition to independent living. A homeless youth's basic human needs (shelter, food, clothing) are not being met, nor are his developmental needs receiving adequate attention. Moreover, homeless youths lack a supportive, safe environment in which they can develop a positive sense of identity and self-sufficiency. An individual must have a sense of continuity of experience in order to bridge what he was as a child to what he is becoming as an adult. Homeless youth, lacking a stable family environment to provide this continuity, are in need of a support system that will assist them in making the major transition to adulthood and independent living.

It is estimated that about one-fourth of the youth served by runaway and homeless youth programs are homeless. This means that many of the youth served can not return home or move to another safe living arrangement with a relative. In most cases, this is due to severe family dysfunction. Some youth have "aged out" of the child welfare system, are no longer eligible for foster care, and are homeless. These young people are often lacking both the skills and the personal characteristics which enable them to live independently. Therefore, without positive social and economic supports, homeless youth are not likely to make a successful transition to independence and are at high risk of being involved in dangerous lifestyles and problematic behaviors such as drug and alcohol abuse, gangs, and prostitution. More than two-thirds of homeless youth report using drugs or alcohol and many homeless youth have experienced long-term physical and sexual abuse in their families.

Homeless youth need a range of services to develop the skills necessary to make the transition from homelessness to self-sufficiency. Since 1978, homeless youth have been an identified population eligible to receive services under the Runaway and Homeless Youth Act. It has become apparent over the years that the service goals for homeless youth and runaway youth are quite different. For runaway youth, family reunification is often

desirable and appropriate; for homeless youth, reunification is typically not feasible. In many instances, runaway and homeless youth programs have been able to provide only limited assistance to homeless youth, whose needs are more complex and long-term than those of runaway youth. Part B of the Runaway and Homeless Youth Act is designed to address the unique problems and needs of homeless youth.

Throughout the 1980's, Runaway and Homeless Youth Act discretionary funds were used to support the development of model programs and practices to serve the needs of homeless youth. Several different types of transitional living program models have been developed and effectively implemented to serve homeless youth. These models have been replicated in other communities where the need exists and resources are available.

The Act also authorizes technical assistance to the Transitional Living Program grantees. This assistance is being provided through a separate mechanism and is therefore not covered under this announcement.

E. Program Goals and Objectives

The primary goal of the Transitional Living Program for Homeless Youth is to support projects which assist homeless youth (as defined under section D above) in making a successful transition to self-sufficient living and to prevent long-term dependency on social services. This goal is to be achieved through the implementation of several major program objectives. These are:

1. Providing stable, safe living accommodations while a homeless youth is a program participant;
2. Providing the services necessary to assist homeless youth in developing both the skills and personal characteristics needed to enable them to live independently;
3. Providing homeless youth with appropriate referrals and access to medical and mental health treatment.
4. Providing education, information, and counseling aimed at preventing, treating and reducing substance abuse among homeless youth; and
5. Providing services and referrals necessary to assist youth in preparing for and obtaining employment.

Funds available under part B of the Act are to be used to enhance the capacities of youth-serving agencies to effectively address the service needs of homeless older adolescents and young adults.

For the purposes of this Program, those eligible for services include youth who are "truly" homeless (having no legal domicile) and are living on the street or under other unsafe conditions, those who have been ejected from their families, or those who have become ineligible for services under the jurisdiction of an institutional social service system. This program is not designed to serve youth currently under the jurisdiction of either a State or local probation, parole, or child welfare agency or who are otherwise wards of the State.

This program affords youth service agencies an opportunity to serve homeless youth in a manner which is comprehensive and directed toward ensuring a successful transition to self-sufficiency. Also, increasing the availability of comprehensive transitional living services for homeless youth will reduce the risk of exploitation and danger to which these youth are exposed by living without positive economic or social supports.

F. Available Funds for Program Grants and Grantee Share

In FY 1991, the Administration for Children, Youth and Families (ACYF) expects to award approximately $8,000,000 in Transitional Living Program grants. The maximum Federal share for the total 36 month project period is $600,000. An applicant should not request more than $200,000 for any 12-month budget period.

All applicants should request project periods of three years by completing section E, Budget Information of Standard Form 424A, Rev. 4–88 and including budget forecasts for the second and third years of the proposed project. The award of funds after the first budget period will depend upon satisfactory performance by the grantee (including timely submission of required reports) and on the availability of appropriated funds.

Grant awards will be made from late June 1991 through the end of September 1991.

Funding recommendations will be based primarily on the scores assigned to the applications by the non-Federal reviewers, who will evaluate each application according to the criteria described in part IV, below. The results of the competitive review will be the primary factor taken into consideration by the Associate Commissioner of the Family and Youth Services Bureau who, in consultation with OHDS Regional officials, will recommend to the Commissioner, ACYF, the projects to be funded. Section 322(b) of the Act requires that, in selecting eligible applicants to receive grants under this part, the Department give priority to entities that have experience in providing shelter and the types of services required to be provided under this announcement. The Commissioner will make the final funding decisions.

The number of grants awarded will depend upon the number of acceptable applications and the amount available for grants.

The Runaway and Homeless Youth Act requires that the grantee provide a non-Federal match that equals at least 10 percent of the Federal funds requested under this announcement as described in part VI, Section G, "Grantee Share of the Project."

Grants awarded under this program may not be used as matching funds (non-Federal share) for other Federal programs or to supplant funds available under the Title IV–E Foster Care Independent Living Initiatives or any other Federally-funded program.

G. Eligible Applicants

States, Territories, localities, and private non-profit agencies are eligible to apply for TLP grants under this announcement. Federally recognized Indian Tribes are eligible to apply for grants as local units of government. Non-Federally recognized Indian Tribes and urban Indian organizations are eligible to apply for grants as private, non-profit agencies. Collaborative applications between State and community-based agencies and collaborative applications between community-based agencies are also eligible for consideration under this grant program. However, only one entity may be designated as the direct recipient of these Federal funds.

Applicants are reminded that organizations awarded grants under part B of the Act must be the primary service providers. Any subgrant or other support service arrangement must be identified and described in the application, including the specific terms of the agreement and the signatures of the parties involved.

Applicants are further reminded that TLP grants may be awarded to agencies which will operate a group home facility, or to agencies which will provide shelter through a series of host homes or supervised apartments, *or* to agencies which will employ a combination of these or similar housing options. In general, shelter provision, as it is currently practiced in the field, can be described in the following manner. Host homes are facilities providing shelter, usually in the home of a family, under contract to accept program clients assigned by the TLP service provider, and are licensed according to State or local laws. A supervised apartment is a single unit dwelling or multiple unit

apartment house operated under the auspices of the TLP service provider for the purpose of housing program participants. These facilities operate in accordance with State or local housing codes and licensures.

Part II. Requirements of the Runaway and Homeless Youth Act, Part B

Section 322(a) of the Act requires that, to be eligible for assistance under this part, an applicant shall propose to establish, strengthen, or fund a transitional living youth project for homeless youth as defined in section 321(b)(2) and shall submit a plan in which the applicant agrees, as part of such project:

1. To provide, directly or indirectly, shelter (such as group homes, host family homes and supervised apartments) and services (including information and counseling services in basic life skills, interpersonal skill building, decision making, educational advancement, job attainment skills, and mental and physical health care) to homeless youth;

2. To provide such shelter and services to individual homeless youth throughout a continuous period not to exceed 540 days (18 months);

3. To provide, directly or indirectly, on-site supervision at each shelter facility that is not a family home;

4. That such shelter facility used to carry out such project shall have the capacity to accommodate not more than 20 individuals (excluding staff);

5. To provide and train a sufficient number of staff to ensure that all homeless youth participating in the project receive adequate supervision and services;

6. To provide a written transitional living plan for each youth, based on an assessment of such youth's strengths and needs, designed to help the transition from supervised participation in such a project to independent living or another appropriate living arrangement;

7. To ensure proper referrals of homeless youth to social service, law enforcement, educational, vocational training, welfare, housing, legal services, and health care programs and to help integrate and coordinate such services for youth by developing formal service linkages and by describing the referral process;

8. To provide for the establishment of outreach programs designed to attract individuals who are eligible to participate in the project;

9. To submit an annual report on the activities carried out with funds under this part, the achievements of the project by the applicant, and statistical summaries describing the number and characteristics of the homeless youth who participate in the project in the year for which the report is submitted;

10. To implement accounting procedures and fiscal control devices sufficient to account for the income and expenditures of the project;

11. To submit an annual budget that estimates the itemized costs to be incurred in the year for which the applicant requests a grant;

12. To keep adequate statistical records on the number and characteristics of homeless youth served and to ensure nondisclosure of the identity of individual homeless youth in reports or other documents based on such statistical records;

13. Not to disclose records maintained on individual homeless youth without the consent of the individual youth and parent or legal guardian to anyone other than an agency compiling statistical records or a government agency involved in the disposition of criminal charges against the youth; and

14. To provide such other information as may be reasonably required by the Administration for Children, Youth and Families.

Part III. Responsibilities of the Grantee

Applicants for funding under this program announcement should present a plan in the program narrative/evaluation criteria section of their application that demonstrates that they are able to meet the requirements of the law listed in part II, including the following specific responsibilities:

A. Shelter

1. Assure that shelter is in one or a combination of the following or similar forms: (a) A group home facility; (b) family host homes; or (c) supervised apartments (section 322(a)(1)). Applicants should indicate if shelter is to be provided directly or indirectly, and must document the availability of shelter facilities. When shelter is to be provided indirectly, applicants must provide evidence of formal written agreements with the service providers stating the terms under which shelter will be provided.

2. Assure that each facility used for housing shall accommodate no more than 20 youth at any given time (section 322(a)(4)); shall have a sufficient number of staff to ensure on-site supervision at each shelter option that is not a family home (section 322(a)(3)); and is in compliance with State and local licensing requirements;

3. Assure that shelter facilities, host family homes and supervised apartments will receive adequate, on-site supervision (section 322(a)(5)) including periodic, unannounced visits from project staff.

4. The lease of surplus Federal facilities for use as transitional living youth shelter facilities may be considered if it is determined that the applicant meets the requirements in section 342(a) (1) through (3) of the Act (42 U.S.C. 5714b(a) (1) through (3)). Each surplus Federal facility used for this purpose must be made available for a period not less than 2 years, and no rent or fee shall be charged to the applicant in connection with use of such facility (section 342(b)(1). Any structural modifications or additions to surplus Federal facilities become the property of the United States. All such modifications or additions may be made only after receiving prior written consent from the appropriate Department of Health and Human Services official (section 342(b)(2)). Additional information on other housing assistance programs is contained in appendix C.

B. Services

Include a description of the core services to be provided, as mandated by section 322(a)(1) of the Act. The descriptions should include, but are not necessarily limited, to the following services:

1. Basic life skills information and counseling, such as personal finances, housekeeping, menu planning and food preparation, leisure-time activities, transportation, and obtaining vital documents (Social Security card, birth certificate).

2. Interpersonal skill building, such as positive relationships with peers and adults, communication, decision-making, and stress management.

3. Educational advancement, such as GED preparation and attainment, post-secondary training (college, technical schools, military, etc.), and vocational education.

4. Job preparation and attainment, such as career counseling, job preparation training, dress and grooming, job placement and job maintenance.

5. Mental health care, such as counseling (individiual and group), drug abuse education, prevention and referral serivces, and mental health counseling.

6. Physical health care, such as routine physicals, health assessments, family planning/parenting skills, and emergency treatment.

C. Administration

1. Describe the procedures that will provide for a coordinated approach to

the development, implementation, and monitoring of an individualized, written transitional living plan for each program client which addresses the areas in section B above appropriate to the individual needs of the client (section 322(a)(6)).

2. Describe how the applicant will ensure that individual clients meet the eligibility criteria established by the Act. This may include a discussion of the intake and assessment activities which will be conducted with a client upon acceptance into the TLP project. Applicants are encouraged to include samples of any forms to be used to determine eligibility and appropriate services.

3. Assure that the clients will substantively participate in the assessment of their needs, in the decisions about the services to be received and, when appropriate, contribute a portion of their income to cover their living expenses, including housing.

4. Assure that the outreach programs to be implemented are designed to attract individuals who are eligible to participate in the project (section 322(a)(8)).

5. Include a description of how the project has or will establish formal service linkages with other social service, law enforcement, educational, housing, vocational, welfare, legal service, drug treatment and health care agencies in order to ensure appropriate referrals for the project clients where and when needed (section 322(a)(7)). This may include establishing a case management team composed of practitioners from the agencies involved in providing services.

6. Assure cost-effective use of TLP funds by taking maximum advantage of existing resources within the State which would help in the establishment, operation, or coordination of a TLP, including those resources which are supported by Federal Independent Living Initiatives funds. Also, describe efforts to be undertaken over the length of the project which may increase non-Federal resources available to support the TLP. (The names and addresses of State Independent Living Initiatives Coordinators can be found in appendix E.)

7. Provide an assurance that housing and services will be available to a client for a continuous period not to exceed 540 days (18 months) (section 322(a)(3)).

8. Describe the method for collecting statistical records and evaluative data and for submitting annual reports on such information to the Department of Health and Human Services (section 322(a)(9)).

9. Describe how the applicant will ensure the confidentiality of client records (section 322(a)(13)).

Part IV. Preparation of the Program Narrative

The Program Narrative Statement should clearly address how the applicant will carry out each of the grantee responsibilities enumerated in parts II and III above and must respond to the evaluation criteria in part V below.

The evaluation criteria correspond to the outline for the development of the Program Narrative Statement of the application.

The Program Narrative Statement should be clear and concise, and should not exceed 30 single-spaced pages exclusive of such necessary attachments as organization charts, resumes, and letters of agreement or support.

Applications with narratives exceeding 30 single-spaced pages may not be considered for funding.

Part V. Evaluation Criteria

In considering how the applicant will carry out the responsibilities addressed in parts II and III of this announcement, the application will be reviewed and evaluated against the following criteria:

Criterion 1. Objectives and Need for Assistance (20 Points)

The extent to which the application reflects a good understanding of the objectives of the project; pinpoints any relevant physical, economic, social, financial, institutional, or other problems requiring a solution in the geographic area(s) that the project is proposing to serve; demonstrates the need for the assistance and states the goals or service objectives of the project; states the principal and subordinate objectives of the project; provides supporting documentation or other testimonies from concerned interests other than the applicant; and gives a precise location of the project sites and areas to be served by the proposed project. Maps or other graphic aids may be attached. (The applicant may refer to part I, sections D and E of this announcement.)

Criterion 2. Results or Benefits Expected (20 Points)

The extent to which the identified results and benefits to be derived from the project are consistent with the objectives of the proposal; the numbers of clients to be served are stated; and the types of services to be offered are described.

Criterion 3. Approach (35 Points)

The extent to which the application outlines a sound and workable plan of action as required by section 322(a) of the Act and described in parts II and III above pertaining to the scope of the project; details how the proposed work will be accomplished; cites factors which might accelerate or decelerate the work; gives acceptable reasons for taking this approach as opposed to others; describes and supports any unusual features of the project, such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvements; and provides for projections of the accomplishments to be achieved. The extent to which the project will take advantage of existing resources within the community and State to help establish, operate, or coordinate TLP services. Application lists the activities to be carried out in chronological order and shows a reasonable schedule of accomplishments and target dates.

To the extent applicable, the application identifies the kinds of data to be collected and maintained, and discusses the criteria to be used to evaluate the results and successes of the project. It describes the evaluation methodology that will be used to determine if the needs identified and discussed are being met and if the results and benefits identified are being achieved.

Criterion 4. Staff Background and Organizational Experience (15 Points)

The extent to which the resumes of the program director and key project staff (including names, addresses, training, background and other qualifying experience) and the organization's experience demonstrate the ability to effectively and efficiently administer a project of this size, complexity, and scope; and reflect the ability to coordinate activities with other agencies. Application also lists each organization, cooperator, consultant, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

Criterion 5. Budget Appropriateness (10 Points)

The extent to which the project costs (overall costs, average cost per youth served, costs for different services) are reasonable in view of the activities to be carried out and anticipated outcomes. The extent to which assurances are provided that the applicant can and will contribute the non-Federal share of the

total project cost. (Applicants may refer to the budget information presented in Standard Forms 424 and 424A and in the associated budget justification and to the results or benefits expected as identified under Criterion 2.)

Part VI. Application Process

A. Assistance to Applicants

Interested applicants can receive informational assistance in developing applications from the Family and Youth Services Bureau in Washington, DC (see address at the beginning of this announcement). Organizations may also receive information on application procedures from the appropriate OHDS Regional Offices (see appendix D). For general information on different models of transitional living programs, applicants may also contact the National Resource Center for Youth Services at the University of Oklahoma, 202 West Eighth Street, Tulsa, Oklahoma 74119–1419.

B. Application Requirements

To be considered for a TLP grant, each application must be submitted on the forms provided at the end of this announcement (see "F" below) and in accordance with the guidance provided herein. The application must be signed by an individual authorized to act for the applicant agency and authorized to assume responsibility for the obligations imposed by the terms and conditions of the grant award.

C. Paperwork Reduction Act of 1980

Under the Paperwork Reduction Act of 1980, Public Law 96–511, the Department is required to submit to the Office of Management and Budget (OMB) for review and approval any reporting and record keeping requirements in regulations including program announcements. This program announcement does not contain information collection requirements beyond those approved for HDS grant applications by OMB.

D. Notification Under Executive Order 12372

This program is covered under Executive Order (E.O.) 12372, "Intergovernmental Review of Federal Programs," and 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities." Under E.O. 12372, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

All States and territories except Alaska, Idaho, Kansas, Louisiana Minnesota, Nebraska, Virginia, American Samoa and Palau have elected to participate in the Executive Order process and have established Single Points of Contact (SPOCs). Applicants from these nine areas need take no action regarding E.O. 12372. Applications for projects to be administered by Federally-recognized Indian Tribes are also exempt from the requirements of E.O. 12372.

Other applicants should contact their SPOC as soon as possible to alert them about the prospective application and to receive any necessary instructions. Applicants must submit any required material to the SPOCs as early as possible so that the program office can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or date of contact if no submittal is required) on the SF 424, Block 16a.

Under 45 CFR 100.8(a)(2), a SPOC has 60 days from the application closing date to comment on proposed new or competing continuation awards. Therefore, the comment period for State processes will end on July 29, 1991, to allow time for HDS to review, consider and attempt to accommodate SPOC input. The SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are required to clearly differentiate between mere advisory comments and those official State process recommendations which they intend to trigger the "accommodate or explain" rule.

When comments are submitted directly to HDS, they should be addressed to: Department of Health and Human Services, HDS/Grants and Contracts Management Division, 200 Independence Avenue, SW., room 345–F, Hubert H. Humphrey Building, Washington, DC 20201, attn: William J. McCarron, HDS–91–3–ACYF/ Transitional Living.

A list of the Single Points of Contact for each State and Territory is included as appendix B of this announcement.

E. Availability of Forms and Other Materials

A copy of each form required to be submitted in an applicaton for a TLP grant under part B of the Runaway and Homeless Youth Act and instructions for completing the application are provided in appendix A, including certifications regarding a Drug-Free Workplace, Debarment, and Lobbying. Addresses of the State Single Points of Contact (SPOCs) to which applicants should submit review copies of their proposals are listed in appendix B. The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) may be found in major public libraries and at the Regional Offices listed in appendix D at the end of this announcement. Additional copies of this announcement may be obtained from the Regional Offices or from the information contact persons listed at the beginning of the announcement.

F. Application Consideration

All applications which are complete and conform to the requirements of this program announcement will be subject to a competitive review and evaluation process against the specific criteria outlined above. This review will be conducted in Washington, DC, by teams of non-Federal experts knowledgeable in the areas of youth development and/ or human service programs. These experts will review applications to determine that applicants conform to the requirements of the Act (see part II) by applying the criteria presented in part V and assigning a total score to each application. The results of the competitive review will be analyzed by Federal staff and will be the primary factor taken into consideration by the Associate Commissioner of the Family and Youth Services Bureau who, in consultation with OHDS Regional officials, will recommend to the Commissioner, ACYF, the projects to be funded.

The Commissioner will make the final selection of the applicants to be funded. Applicants are reminded that section 322(b) of the Act requires that the Department, in selecting applicants to receive grants under this program, give priority to entities that have experience in providing shelter and services of the type required under this announcement. In the interest of effective geographic distribution of the TLP grants, the Commissioner may show preference for applications proposing services in areas that would not otherwise be served. The Commissioner may also elect not to fund any applicants that have known management, fiscal or other problems or situations which make it unlikely that they would be able to provide effective services.

Successful applicants will be notified through the issuance of a Financial Assistance Award which will set forth the amount of funds granted, the terms and conditions of the grant, the effective date of the grant, the budget period for which support is given, the non-Federal share to be provided, and the total project period for which support is contemplated. Organizations whose

applications have been disapproved will be notified in writing of that decision.

G. Grantee Share of the Project

Section 362(a) of the Runaway and Homeless Youth Act requires that the grantee provide a non-Federal match that equals at least 10 percent of the Federal funds awarded under this announcement. For example, if the applicant requests $100,000 in Federal funds for one budget period (line 15a of Standard Form 424), then the non-Federal share (the sum of lines 15b, 15c, 15d, and 15e) would normally equal or exceed $10,000. For the TLP program, the total project period is 36 months and the maximum Federal share is $600,000. Therefore, the total non-Federal share must meet or exceed $60,000.

The non-Federal portion may be cash, in-kind contributions or grantee incurred costs (including the facility, equipment or services) and must be project-related and allowable under the cost principles provided in 45 CFR parts 74 and 92, the Department's regulations on the Administration of Grants. Federal Independent Living Initiatives funds provided to States and services or other resources purchased with these funds may not be used to match transitional living projects grants.

Part VII. Instructions for Completing and Submitting the Application

A. Contents of Application

Each copy of the application must contain the following items in the order listed:

1. Application for Federal Assistance (Standard Form 424, REV 4–88) (page i).
2. Budget Information (Standard Form 424A, REV 4–88) (pages ii–iii).
3. Budget Justification (Type on standard size plain white paper) (pages iv–v).
4. Assurances—Non-Construction Programs (Standard Form 424B, REV 4–88) (pages vi–vii).
5. Certification Regarding Lobbying (page viii).
6. Organizational Capability Statement (pages ix–x). Applicants should provide a brief (no more than two pages, single-spaced) description of how the applicant agency is organized and the types and costs of services it provides, including services to clients other than homeless youth. Provide an organizational chart showing any superordinate, parallel, or subordinate agencies to the specific agency that will provide the direct services to homeless youth, and indicate the purposes, clients and overall budgets of these other agencies. If the agency has multiple sites, list these sites. Discuss the experience of the applicant organization in providing services to homeless youth.
7. Program Narrative Statement (pages 1 and following; 30 pages maximum, single-spaced).
8. Supporting Documents (pages SD–1, SD–2, etc.; 10 pages maximum, exclusive of letters of support or agreement).

B. Instructions for Preparing Application

1. Table of Contents. Identify the items listed in section A above and section B below, including page numbers. Each page of the application, including the program narrative, should be numbered to facilitate the accurate recording of comments on the application during the technical review process.
2. Standard Forms 424 and 424A: Follow the instructions in appendix A.
3. Budget Justification: Provide breakdowns for major budget categories and justify significant costs.
4. Standard Forms 424B and Certification Regarding Lobbying: Self-explanatory.
5. Program Narrative Statement: Follow the outline of the Preparation of the Program Narrative (part IV) and the Evaluation Criteria (part V).
6. Supporting Documentation: Self-explanatory. Each application will be copied by the Government in order to provide the total of six copies needed for review panels and filing. To make copying as trouble-free and accurate as possible, the following requirements should be followed:

a. Applicants may attach *only photocopies* (no originals) of any additional materials, such as resumes, letters of support or agreement, news clippings, or descriptions of the program's participation in local, State or regional coalitions of youth service agencies which would give further support to the application. *Resumes should be limited to one page.*

b. The absolute maximum for supporting documentation is 10 pages, exclusive of letters of support or agreement. Documentation which ACYF staff determines to be excessive will not be provided to the independent panel reviewers. Applicants may include as many letters of support or agreement as are appropriate.

Note: Incude only photocopies of the materials. Do not use separate covers, binders, clips, tabs, plastic inserts, pages with pockets, separately bound brochures, folded maps or charts, or any other items that cannot be processed easily on a photocopy machine with automatic feed. Do not bind, clip, or fasten in any way separate subsections of the application, including supporting documentation.

C. Applications Submission

To be considered for a grant, an applicant must submit one signed original and two copies of the grant application, including all attachments, to the application receipt point specified below. The original copy of the application must have original signatures, signed in *black* ink. Each copy should be stapled (back and front) in the upper left corner. All copies of a single application should be submitted in a single package.

The Catalog of Federal Domestic Assistance Number (93.550) and Title (Transitional Living Program for Homeless Youth) must be clearly identified on the application (SF 424, box 10).

1. Closing Date for the Receipt of Applications

The closing date for receipt of applications under this announcement is: May 28, 1991. Applications should be mailed or hand delivered to: Department of Health and Human Services, HDS/Grants and Contracts Management Division, 200 Independence Avenue, SW., room 341–F.2, Hubert H. Humphrey Building, Washington, DC 20201. Attn: William J. McCarron, HDS–91–3–ACYF/RHYP/Transitional Living. Hand delivered applications will be accepted during the normal working hours of 9 a.m. to 5:30 p.m., Monday through Friday.

2. Deadline for Submission of Applications

a. *Deadlines.* An application will be considered as meeting the deadline if it is either:

(1) Received on or before the deadline date at the above address, or

(2) Sent on or before the deadline date and received by the granting agency in time for the independent review under Chapter 1–62 of the HHS Grants Administration Manual. Applicants are cautioned to request a legibly dated U.S. Postal Service postmark or to obtain a legibly dated receipt from a commercial carrier or the U.S. Postal Service. Private metered postmarks are not acceptable as proof of timely mailing.

b. *Late applications.* Applications which do not meet the criteria in paragraph "a" of this section are considered late applications. HDS will notify each late applicant that its application will not be considered in the current competition.

c. *Extension of deadline.* HDS may extend the deadline for all applicants because of acts of God such as floods or hurricanes, etc., or when there is a widespread disruption of the mails.

However, if HDS does not extend the deadline for all applicants, it may not waive or extend the deadline for any applicants.

3. Checklist for a Complete Application

The Checklist below should be typed on 8½" by 11" plain white paper, completed, and included as the first page of the application package.

Checklist

_____ Checklist for a complete application;
_____ One original application signed in black ink and dated plus two copies;
_____ A completed SPOC certification with the date of SPOC contact entered in item 16 page 1 of SF 424;

The original and both copies of the application include the following:

_____ Table of Contents
_____ SF 424 (The original application will have the word "ORIGINAL" hand printed in bold block letters at the top of its SF 424);
_____ SF 424A;
_____ Budget Justification;
_____ SF 424B;
_____ Certification Regarding Lobbying;
_____ Program Narrative Statement with maximum of 30 single-spaced pages;
_____ Supporting Documents.

(Catalog of Federal Domestic Assistance Number 93.550, Transitional Living Program for Homeless Youth)

Dated: February 22, 1991.

Wade F. Horn,

Commissioner, Administration for Children, Youth and Families.

Approved: March 5, 1991.

Mary Sheila Gall,

Assistant Secretary for Human Development Services.

BILLING CODE 4130-01-M

APPENDIX A

OMB Approval No. 0348-0043

APPLICATION FOR FEDERAL ASSISTANCE

2. DATE SUBMITTED		Applicant Identifier
3. DATE RECEIVED BY STATE		State Application Identifier
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier

1. TYPE OF SUBMISSION:

Application	*Preapplication*
☐ Construction	☐ Construction
☐ Non-Construction	☐ Non-Construction

5. APPLICANT INFORMATION

Legal Name:	Organizational Unit:
Address *(give city, county, state, and zip code)*:	Name and telephone number of the person to be contacted on matters involving this application *(give area code)*

6. EMPLOYER IDENTIFICATION NUMBER (EIN): ☐☐ – ☐☐☐☐☐☐☐

8. TYPE OF APPLICATION:

☐ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es): ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration

D. Decrease Duration Other *(specify)*:

_____

7. TYPE OF APPLICANT: *(enter appropriate letter in box)* ☐

A. State	H. Independent School Dist.
B. County	I. State Controlled Institution of Higher Learning
C. Municipal	J. Private University
D. Township	K. Indian Tribe
E. Interstate	L. Individual
F Intermunicipal	M. Profit Organization
G. Special District	N. Other (Specify): _____

9. NAME OF FEDERAL AGENCY:

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: ☐☐ . ☐☐☐

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT *(cities, counties, states, etc.)*:

13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project

15. ESTIMATED FUNDING:		
a. Federal	$	.00
b. Applicant	$	.00
c. State	$	.00
d. Local	$	.00
e. Other	$	.00
f. Program Income	$	.00
g. TOTAL	$	.00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE _____

b NO. ☐ PROGRAM IS NOT COVERED BY E.O. 12372

☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

☐ Yes If "Yes," attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED

a. Typed Name of Authorized Representative	b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed

Previous Editions Not Usable

Standard Form 424 (REV 4-88)
Prescribed by OMB Circular A-102

Authorized for Local Reproduction

INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:
1.	Self-explanatory.
2.	Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).
3.	State use only (if applicable).
4.	If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.
5.	Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.
7.	Enter the appropriate letter in the space provided.
8.	Check appropriate box and enter appropriate letter(s) in the space(s) provided: — "New" means a new assistance award. — "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. — "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.
9.	Name of Federal agency from which assistance is being requested with this application.
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.
11.	Enter a brief descriptive title of the project. if more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.
12.	List only the largest political entities affected (e.g., State, counties, cities).
13.	Self-explanatory.
14.	List the applicant's Congressional District and any District(s) affected by the program or project.
15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate *only* the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.
16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.
17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

BUDGET INFORMATION — Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A – BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		$	$	$	$	$
2.						
3.						
4.						
5. TOTALS		$	$	$	$	$

SECTION B – BUDGET CATEGORIES

6 Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	$	$	$	$	$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a - 6h)					
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	$	$	$	$	$
7. Program Income	$	$	$	$	$

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Standard Form 424A (4-88)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	$	$	$	$
9.				
10.				
11.				
12. TOTALS (sum of lines 8 and 11)	$	$	$	$

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$	$	$	$	$
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	$	$	$	$	$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	$	$	$	$
17.				
18.				
19.				
20. TOTALS (sum of lines 16 -19)	$	$	$	$

SECTION F - OTHER BUDGET INFORMATION

(Attach additional Sheets if Necessary)

21. Direct Charges:	22. Indirect Charges:
23. Remarks	

SF 424A (4-88) Page 2
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INSTRUCTIONS FOR THE SF-424A

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A,B,C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A,B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary
Lines 1-4, Columns (a) and (b)

For applications pertaining to a *single* Federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in *Column* (a) and the respective catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g.)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

Lines 1-4, Columns (c) through (g.) (continued)

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5 — Show the totals for all columns used.

Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i — Show the totals of Lines 6a to 6h in each column.

Line 6j – Show the amount of indirect cost.

Line 6k – Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

INSTRUCTIONS FOR THE SF-424A *(continued)*

Line 7 – Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal-Resources

Lines 8-11 – Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) – Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) – Enter the contribution to be made by the applicant.

Column (c) – Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d) – Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) – Enter totals of Columns (b), (c), and (d).

Line 12 — Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 – Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 – Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 – Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16 - 19 – Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20 – Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21 – Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 – Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 – Provide any other explanations or comments deemed necessary.

OMB Approval No. 0348-0040

ASSURANCES — NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3 Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C.§§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

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10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program andto purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

SF 424B (4-88) Back

U.S. Department of Health and Human Services
Certification Regarding Drug-Free Workplace Requirements
Grantees Other Than Individuals

By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

This certification is required by regulations implementing the Drug-Free Workplace Act of 1988, 45 CFR Part 76, Subpart F. The regulations, published in the May 25, 1990 Federal Register, require certification by grantees that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the Department of Health and Human Services (HHS) determines to award the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HHS, in addition to any other remedies available to the Federal Government, may taken action authorized under the Drug-Free Workplace Act. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment.

Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios.)

If the workplace identified to HHS changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see above).

Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 USC 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15).

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace; (2) The grantee's policy of maintaining a drug-free workplace; (3) Any available drug counseling, rehabilitation, and employee assistance programs; and, (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and, (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or, (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (use attachments, if needed):

Place of Performance (Street address, City, County, State, ZIP Code) _____

_____

Check ___ if there are workplaces on file that are not identified here.

Sections 76.630(c) and (d)(2) and 76.635(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central receipt point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, S.W., Washington, D.C. 20201.

DGMO Form#2 Revised May 1990

Certification Regarding Lobbying

Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____

Organization

_____ _____ _____

Authorized Signature Title Date

NOTE: If Disclosure Forms are required, please contact: Mr. William Sexton, Deputy Director, Grants and Contracts Management Division, Room 341F, HHH Building, 200 Independence Avenue, SW, Washington, D.C. 20201-0001

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

By signing and submitting this proposal, the applicant, defined as the primary participant in accordance with 45 CFR Part 76, certifies to the best of its knowledge and believe that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;

(b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State of local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

The inability of a person to provide the certification required above will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services(HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

The prospective primary participant agrees that by submitting this proposal, it will include the clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transaction. " provided below without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions
(To Be Supplied to Lower Tire Participants)

By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

(b) where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

The prospective lower tier participant further agrees by submitting this proposal that it will include this clause entitled "certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions. "without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

BILLING CODE 4130-01-C

APPENDIX B—Executive Order 12372—State Single Points of Contact

Alabama

Mrs. Moncell Thornell
State Single Point of Contact
Alabama Department of Economic and Community Affairs
3465 Norman Bridge Road
Post Office Box 250347
Montgomery, Alabama 36125–0347
Tel. (205) 284–8905

Arizona

Mrs. Janice Dunn
Arizona State Clearinghouse
3800 N. Central Avenue, 14th Floor
Phoenix, Arizona 85012
Tel. (602) 280–1315

Arkansas

Mr. Joseph Gillesbie, Manager
State Clearinghouse
Office of Intergovernmental Services
Department of Finance and Administration
P.O. Box 3278
Little Rock, Arkansas 72203
Tel. (501) 371–1074

California

Loreen McMahon, Grants Coordinator
Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814
Tel. (916) 323–7480

Colorado

State Single Point of Contact
State Clearinghouse
Division of Local Government
1313 Sherman Street, Room 520
Denver, Colorado 80203
Tel. (303) 866–2156

Connecticut

Under Secretary
ATTN: Intergovernmental Review Coordinator
Comprehensive Planning Division
Office of Policy and Management
80 Washington Street
Hartford, Connecticut 06106–4459
Tel. (203) 566–3410

Delaware

Francine Booth
State Single Point of Contact
Executive Department
Thomas Collins Building
Dover, Delware 19903
Tel. (302) 736–3326

District of Columbia

Lovetta Davis
State Single Point of Contact
Executive Office of the Mayor
Office of Intergovernmental Relations
Room 416, District Building
1350 Pennsylvania Avenue, NW.
Washington, DC 20004
Tel. (202) 727–9111

Florida

Karen McFarland
Director, Florida State Clearinghouse
Executive Office of the Governor
Office of Planning and Budgeting
The Capitol
Tallahassee, Florida 32399–0001
Tel. (904) 488–8114

Georgia

Charles H. Badger, Administrator
Georgia State Clearinghouse
270 Washington Street, SW.
Atlanta, Georgia 30334
Tel. (404) 656–3855

Hawaii

Harold S. Masumoto
Acting Director
Office of State Planning
Department of Planning and Economic Development
Office of the Governor
State Capitol
Honolulu, Hawaii 96813
Tel. (808) 548–3016 or 548–3085

Illinois

Tom Berkshire
State Single Point of Contact
Office of the Governor
State of Illinois
Springfield, Illinois 62706
Tel. (217) 782–8639

Indiana

Frank Sullivan
Budget Director
State Budget Agency
212 State House
Indianapolis, Indiana 46204
Tel. (317) 232–5610

Iowa

Steven R. McCann
Division of Community Progress
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, Iowa 50309
Tel. (515) 281–3725

Kentucky

Robert Leonard
State Single Point of Contact
Kentucky State Clearinghouse
2nd Floor, Capital Plaza Tower
Frankfort, Kentucky 40601
Tel. (502) 564–2382

Maine

State Single Point of Contact
ATTN: Joyce Benson
State Planning Office
State House Station #38
Augusta, Maine 04333
Tel. (207) 289–3261

Maryland

Mary Abrams
Chief
Maryland State Clearinghouse
Department of State Planning
301 West Preston Street
Baltimore, Maryland 21201–2365
Tel. (301) 225–4490

Massachusetts

State Single Point of Contact
ATTN: Beverly Boyle
Executive Office of Communities and Development
100 Cambridge Street, Room 1803
Boston, Massachusetts 02202
Tel. (617) 727–7001

Michigan

Milton O. Waters
Director of Operations
Michigan Neighborhood Builders Alliance
Michigan Department of Commerce
Tel. (517) 373–7111

Please direct correspondence to:
Manager, Federal Project Review
Michigan Department of Commerce
Michigan Neighborhood Builders Alliance
P.O. Box 30242
Lansing, Michigan 48909
Telephone (517) 373–6223

Mississippi

Cathy Mallette
Clearinghouse Officer
Department of Finance and Administration
Office of Policy Development
421 West Pascagoula Street
Jackson, Mississippi 39203
Tel. (601) 960–4280

Missouri

Lois Pohl
Federal Assistance Clearinghouse
Office of Administration
Division of General Services
P.O. Box 809
Room 430, Truman Building
Jefferson City, Missouri 65102
Tel. (314) 751–4834

Montana

Deborah Stanton
State Single Point of Contact
Intergovernmental Review Clearinghouse
c/o Office of Budget and Program Planning
Capitol Station
Room 202—State Capitol
Helena, Montana 59620
Tel. (406) 444–5522

Nevada

Department of Administration
State Clearinghouse
Capitol Complex
Carson City, NV. 89710
Tel. (702) 687–4420
ATTN: John B. Walker
Clearinghouse Coordinator

New Hampshire

Jeffrey H. Taylor
Director
New Hampshire Office of State Planning
Attn: Intergovernmental Review Process/ James E. Bieber
2½ Beacon Street
Concord, New Hampshire 03301
Tel. (603) 271–2155

New Jersey

Barry Skokowski, Director
Director
Division of Local Government Services
Department of Community Affairs, CN 803
Trenton, New Jersey 08625–0803
Tel. (609) 292–6613

Please direct correspondence and questions to:
Nelson S. Silver
State Review Process

Division of Local Government Services, CN 803
Trenton, New Jersey 08625–0803
Tel. (609) 292–9025

New Mexico

Dorothy E. (Duffy) Rodriquez
Deputy Director
State Budget Division
Department of Finance and Administration
Room 190, Bataan Memorial Building
Sante Fe, New Mexico 87503
Telephone (505) 827–3640

New York

New York State Clearinghouse
Division of the Budget
State Capitol
Albany, New York 12224
Tel. (518) 474–1605

North Carolina

Mrs. Chrys Baggett
Director
Intergovernmental Relations
N.C. Department of Administration
116 W. Jones Street
Raleigh, North Carolina 27611
Telelphone (919) 733–0499

North Dakota

William Robinson
State Single Point of Contact
Office of Intergovernmental Affairs
Office of Management and Budget
14th Floor, State Capitol
Bismarck, North Dakota 58505
Tel. (701) 224–2094

Ohio

Larry Weaver
State Single Point of Contact
State/Federal Funds Coordinator
State Clearinghouse
Office of Budget and Management
30 East Broad Street, 34th Floor
Columbus, Ohio 43266–0411
Tel. (614) 466–0698

Oklahoma

Don Strain
State Single Point of Contact
Oklahoma Department of Commerce
Office of Federal Assistance Management
6601 Broadway Extension
Oklahoma City, Oklahoma 73116
Tel. (405) 843–9770

Oregon

Attn: Delores Streeter
State Single Point of Contract
Intergovernmental Relations Division
State Clearinghouse
155 Cottage Street, N.E.
Salem, Oregon 97310
Tel. (503) 373–1998

Pennsylvania

Sandra Kline
Project Coordinator
Pennsylvania Intergovernmental Council
P.O. Box 11880
Harrisburg, Pennsylvania 17108
Tel. (717) 783–3700

Rhode Island

Daniel W. Varin
Associate Director
Statewide Planning Program
Department of Administration
Division of Planning
265 Melrose Street
Providence, Rhode Island 02907
Tel. (401) 277–2656

Please direct correspondence and questions to:
Review Coordinator
Office of Strategic Planning

South Carolina

Danny L. Cromer
State Single Point of Contact
Grant Services
Office of the Governor
1205 Pendleton Street, Room 477
Columbia, South Carolina 29201
Tel. (803) 734–0493

South Dakota

Susan Comer
State Clearinghouse Coordinator
Office of the Governor
500 East Capitol
Pierre, South Dakota 57501
Tel. (605) 773–3212

Tennessee

Charles Brown
State Single Point of Contact
State Planning Office
500 Charlotte Avenue
309 John Sevier Building
Nashville, Tennessee 37219
Tel. (615) 741–1676

Texas

Tom Adams
Office of Budget and Planning
Office of the Governor
P.O. Box 12428
Austin, Texas 78711
Tel. (512) 463–1778

Utah

Dale Hatch
Director, Office of Planning and Budget
State of Utah
116 State Capitol Building
Salt Lake City, Utah 84114
Tel. (801) 538–1547

Vermont

Bernard D. Johnson
Assistant Director
Office of Policy Research & Coordination
Pavilion Office Building
109 State Street
Montpelier, Vermont 05602
Tel. (802) 828–3326

Washington

Marilyn Dawson
Washington Intergovernmental Review Process
Department of Community Development
9th and Columbia Building
Mail Stop GH–51
Olympia, Washington 98504–4151
Tel. (206) 753–4978

West Virginia

Mr. Fred Cutlip, Director
Community Development Division
Governor's Office of Community and Industrial Development
Building #6, Room 553
Charleston, West Virginia 25305
Tel. (304) 348–4010

Wisconsin

James R. Klauser, Secretary
Wisconsin Department of Administration
101 South Webster Street, GEF 2
P.O. Box 7864
Madison, Wisconsin 53707–7864
Tel. (608) 266–1741

Please direct correspondence and question to:
William C. Carey, Section Chief
Federal-State Relations Office
Wisconsin Department of Administration
(608) 266–0267

Wyoming

Ann Redman
State Single Point of Contact
Wyoming State Clearinghouse
State Planning Coordinator's Office
Capitol Building
Cheyenne, Wyoming 82002
Tel. (307) 777–7574

Guam

Michael J. Reidy
Director
Bureau of Budget and Management Research
Office of the Governor
P.O. Box 2950
Agana, Guam 96910
Tel. (671) 472–2285

Northern Mariana Islands

State Single Point of Contact
Planning and Budget Office
Office of the Governor
Saipan, CM
Northern Mariana Islands 96950

Puerto Rico

Patria Custodio/Israel Soto Marrero
Chairman/Director
Puerto Rico Planning Board
Minillas Government Center
P.O. Box 41119
San Juan, Puerto Rico 00940–9985
Tel. (809) 727–4444

Virgin Islands

Jose L. George, Director
Office of Management and Budget
No. 32 & 33 Kongens Gade
Charlotte Amalie, V.I. 00802
Tel. (809) 774–0750

Appendix C—Housing Assistance Programs—Department of Housing and Urban Development

The Office of Special Needs Assistance Programs within the Department of Housing and Urban Development (HUD) offers several housing programs which could benefit homeless service providers. These programs include the Transitional Housing Program which supports the development of innovative approaches to providing short-term (24 months or less) housing and support services to homeless persons who are capable of making the transition to independent living; the Emergency Shelter Grants Program which, among other

purposes, provides funds to meet the costs of operating shelters; provides essential social services to homeless individuals; and provides services to help prevent homelessness. Under the Supplemental Assistance for Facilities to Assist the Homeless (SAFAH) Program, particularly innovative approaches to satisfying the immediate and long term needs of the homeless are supported through several categories of activities. These activities include, but are not limited to, grants for rehabilitation, supportive services, and operating costs for facilities to assist the homeless.

Finally, Title V of the Stuart McKinney Act establishes a procedure for the identification and use of Federal real property for facilities to assist the homeless. States, units of local government, and private non-profit organizations may submit applications for property determined suitable for homeless assistance use. This program is jointly administered by HUD, HHS, and the General Services Administration (GSA). HUD publishes a weekly **Federal Register** notice listing property determinations. Homeless assistance providers have thirty days from the date a suitable property appears in the **Federal Register** to advise HHS of their interest in the property.

Private, non-profit organizations in addition to States and units of local government are eligible to apply for these programs which may be a valuable resource for transitional living service providers. Specific information on application procedures, timelines, and more detailed explanations of the homeless assistance programs is available from the Office of Special Needs Assistance, HUD, 451 Seventh Street, SW., Washington, DC 20410, telephone (202) 708–4300.

Appendix D—Regional Youth Contacts

Region I: Sue Rosen, Office of Human Development Services, John F. Kennedy Federal Building, Room 2011, Boston, Massachusetts 02203 (CT, MA, ME, NH, RI, VT), (617) 565–1144

Region II: Dennis Coughlin, Office of Human Development Services, 26 Federal Plaza, Room 4149, New York, NY 10278 (NJ, NY, PR, VI), (212) 264–2974

Region III: David Lett, Office of Human Development Services, 3535 Market Street, Post Office Box 13714, Philadelphia, PA 19101 (DC, DE, MD, PA, VA, WV), (215) 596–1224

Region IV: Viola Brown, Office of Human Development Services, 101 Marietta Tower, Suite 903, Atlanta, GA 30323 (AL, FL, GA, KY, MS, NC, SC, TN), (404) 331–2128

Region V: William Sullivan, Office of Human Development Services, 105 West Adams, 23rd Floor, Chicago, IL 60603 (IL, IN, MI, MN, OH, WI), (312) 886–5368

Region VI: Eddie Falcon, Office of Human Development Services, 1200 Main Tower, 20th Floor, Dallas, TX 75202 (AR, LA, NM, OK, TX), (214) 767–6596

Region VII: Steve Nash, Office of Human Development Services, Federal Office Building, Room 384, 601 East 12th Street, Kansas City, MO 64106 (IA, KS, MO, NE), (816) 426–5401

Region VIII: Juan Cordova, Office of Human Development Services, Federal Office Building, 1961 Stout Street, 9th Floor, Denver, CO 80294 (CO, MT, ND, SD, UT, WY), (303) 844–3106

Region IX: Ray Myrick, Office of Human Development Services, 50 United Nations Plaza, San Francisco, CA 94102 (AZ, CA, HI, NV, American Samoa, Guam, Northern Mariana Islands, Marshall Islands, Federated States of Micronesia, Palau), (415) 556–6178

Region X: Steve Ice, Office of Human Development Services, 2201 Sixth Avenue, Mail Stop RX 32, Seattle, WA 98121 (AK, ID, OR, WA), (206) 442–0482

Appendix E—State Independent Living Initiative Coordinators

Carolyn Fritchett
Alaska Division of Family and Youth Services
P.O. Box H–05
Juneau, Alaska 99811

Carol Shanahan
Alabama Department of Human Resources
64 N. Union Street
Montgomery, Alabama 36130

Becky Wright
Arkansas Division of Family and Youth Services
P.O. Box 1437, Slot 808
Little Rock, Arkansas 72203

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Phoenix, Arizona 85007

Loren Suter
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1575 Sherman Street
Denver, Colorado 80203

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170 Sigourney Street
Hartford, Connecticut 06105

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Atlanta, Georgia 30309

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P.O. Box 339
Honolulu, Hawaii 96809

Alice Fisher
Iowa Bureau of ACFS
Hoover Building
Des Moines, Iowa 50319

Jane Knowlton
Idaho Department of Health and Welfare
450 W. State Street
Boise, Idaho 83720

Patricia J. Davis
Illinois Department of Children and Family Services
406 E. Monroe Station
Springfield, Illinois 62701

Linda Coon
Illinois Department of Children and Family Services
100 W. Randolph St., #6–200
Chicago, Illinois 60601

Sue Stannis
Indiana Department of Public Welfare
141 S. Meredian St., 6th Flr.
Indianapolis, Indiana 46205

Janet Davenport
Kansas SRS-Youth Services
Smith Wilson Building
300 S.W. Oakley
Topeka, Kansas 66606

Mike Yocum
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275 E. Main Street
Frankfort, Kentucky 40621

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Bill Lunsford
Maryland Department of Human Resources
Saratoga State Center
Baltimore, Maryland 21201

Nancy Goddard
Maine Department of Human Services
State House, Station 11
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Michigan Department of Social Services
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Lansing, Michigan 48909

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Minnesota Department of Social Services
444 Lafayette Road
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Virginia Department of Social Services
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Jean Fiorito
Vermont Department of Social Services
103 S. Main Street
Waterbury, Vermont 05676

Mary Ault
Washington Department of Social and Health Services
Mail Stop OB–41
Olympia, Washington 98504

Ava Michaud
Wisconsin Department of Health and Social Services
P.O. Box 7851
Madison, Wisconsin 53707

Patricia Moore-Moss
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Charleston, West Virginia 25305

Robert T. Landes
Wyoming Division of Social Services
320 Hathaway Building
Cheyenne, Wyoming 82002

Kathi Crowe
Rhode Island Department of Children and Family Services
86 Sefton Drive
Cranston, Rhode Island 02905

National Resources Center for Youth Services
202 W. Eighth Street
Tulsa, Oklahoma 744–19–1419

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federal register

Friday
March 29, 1991

Part III

Department of Housing and Urban Development

Office of the Assistant Secretary for Community Planning and Development

NOFA for the Neighborhood Development Demonstration Program; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N-91-3238; FR-2962-N-01]

NOFA for the Neighborhood Development Demonstration Program

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice of fund availability for Fiscal Year 1991.

EFFECTIVE DATE: March 29, 1991.

DATES: Applications must be submitted by the date specified in the application package, but in no event will this occur before May 15, 1991. Applicants will have at least 30 days to prepare and submit their application.

SUMMARY: This NOFA announces HUD's funding for the Neighborhood Development Demonstration Program. In the body of this document is information concerning (1) the fifth round of this Demonstration for funds appropriated for Fiscal Year 1991; (2) the purposes and objectives of the Program; (3) the method of allocation and distribution of funds; (4) eligibility requirements for neighborhood development organizations; (5) eligible neighborhood development activities; (6) selection criteria for the award of funds; (7) application requirements for the funds; (8) grantee reporting requirements; and (9) other applicable federal administrative requirements.

FOR FURTHER INFORMATION CONTACT: Regina Espenshade, Office of Technical Assistance, Community and Neighborhood Management Division, CGTC, Department of Housing and Urban Development, room 7156, 451 Seventh Street, SW., Washington, DC 20410; telephone number (202) 708-2186. The TDD number is (202) 708-0564. These are not toll free numbers.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

The information collection requirements contained in this Notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980. The control number for information collection described in this document is 2535-0084.

Environmental Impact Statement

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969. (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection and copying Monday through Friday during regular business hours at the Office of the Rules Docket Clerk, Office of General Counsel, room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410.

I. Purpose and Substantive Description

A. Authority

Section 123 of the Housing and Urban-Rural Recovery Act of 1983 (Pub. L. 98-181) authorized the Neighborhood Development Demonstration Program. Two million dollars were appropriated for a fifth round of the Program under the Departments of Veterans Affairs and Housing and Urban Development Appropriations Act of 1991 (Pub. L. 101-507, approved November 5, 1990). Under section 123(e)(6)(E), HUD may use no more than five percent of the appropriation for HUD administrative or other expenses in connection with the demonstration. The remaining funds are to be used to match monetary support raised over a one-year grant period from individuals, businesses, and nonprofit and other organizations located within established neighborhood boundaries.

The purpose of this Program is to determine the ability of neighborhood organizations to support eligible neighborhood development activities using cooperative efforts and monetary contributions from individuals, businesses, and nonprofit and other organizations located within established neighborhood boundaries. The Federal funds are incentive funds to promote the development of this concept, and to encourage neighborhood development of this concept, and to encourage neighborhood organizations to become more self-sufficient in their development activities. Up to 30 percent of the 1991 awards may be to previous grantees in the Program; the remaining 70 percent of the awards will be made to those organizations selected from among new applicants. Applications will be selected for funding on the basis of "Evaluation Criteria" which reflect these priorities and which are contained in this Notice.

The Neighborhood Development Demonstration Program has the following objectives:

—To evaluate the degree to which new monetary contributions and other private sector support can be generated and new activities undertaken at the neighborhood level through Federal incentive funding;

—To determine the correlation, if any, between the demographics of a neighborhood (*i.e.*, the income level of its occupants, the amount of non-residential development, the percent of persons employed, the tenant/homeowner breakdown, the racial/ethnic makeup of the neighborhood, etc.) and the neighborhood organization's ability to raise funds within the neighborhood boundaries;

—To determine the correlation, if any, between the type of neighborhood improvement activities proposed and the success of fund-raising efforts; and

—To determine the correlation, if any, between the characteristics of an organization and the success of its fund-raising efforts.

B. Allocation Amounts

The Department proposes to make grants, in the form of matching funds, to eligible neighborhood development organizations. Under section 123(e)(3), grantee organizations may receive no more than $50,000 in Federal matching funds in a single Program year. The amount of Federal matching funds that an organization may receive depends in part upon the amount of monetary contributions raised from within the established neighborhood boundaries in the preceding quarter. *Funds raised from organizations or persons not residing in or conducting business within the grantee's neighborhood, loans, in-kind services, contributions by owners or properties to be improved, fees for services, public funds, and any in-lieu-of-cash contributions cannot be used to match Federal funds. Such contributions may, however, be used to carry out project activities.* The neighborhood monetary contributions for matching purposes must be raised within the one-year grant period. However, grant activities may be programmed over a period of one to three years.

Maximum Federal matching ratios are established in accordance with the statutorily required "smallest number of households or greatest degree of economic distress" criteria. Subject to the statutory maximum of $50,000, the Federal match will range from one to six Federal dollars for each qualifying dollar raised by the grantee. Applications selected to receive Federal funds will be rank-ordered, and the matching ratio determined, based on application of these two criteria.

Applications best satisfying *either* criteria will be placed in the matching ratio categories eligible to receive proportionally more, with those in the matching ratio category least satisfying either test being eligible to receive one

Federal dollar for each neighborhood dollar.

Any application selected for the award of Federal funds that proposed a matching funds ratio *in excess* of the ratio HUD determines for it will be offered an award of funds at the HUD-determined ratio. However, any application selected for award that proposed a match *below* the maximum ratio HUD determines for it, will be funded at the level proposed by the applicant.

Federal payments to participating neighborhood organizations will be made on a quarterly basis following receipt of quarterly performance and financial reports. The maximum Federal payment will be governed by the amount of verified, qualifying monetary contributions received in the preceding quarter, multiplied by the appropriate matching funds ratio.

C. Eligibility

1. Eligible Applicants

An eligible neighborhood development organization must be located in and serve the neighborhood for which assistance is to be provided. It cannot be a city-wide organization, a multi-neighborhood consortium, or, in general, an organization serving a large area of the city. It must meet all of the following statutory requirements:

a. The organization must be incorporated as a private, voluntary, nonprofit corporation under the laws of the State in which it operates.

b. The organization must have conducted business for at least three years before the date of its application.

c. The organization must be responsible to the residents of the neighborhood it serves, with no less than 51 percent of the members of its governing body being residents of the neighborhood.

d. The organization must have conducted one or more eligible neighborhood development activities, as defined in Section B below, which primarily benefit low- and moderate-income residents of the neighborhood. For the purposes of the preceding sentence, "low- and moderate-income residents" means families and individuals whose incomes do not exceed 80 percent of the median income of the area involved, as determined by HUD, with adjustments for smaller and larger families.

e Urban Development Action Program (UDAG) Eligibility Determinations. Although the UDAG Program is no longer operational, organizations wishing to apply under the Neighborhood Development Demonstration Program must continue to meet eligibility tests established for UDAG.

(i) The organization must carry out its activities in a city or county that meets the UDAG Program eligibility requirements for Federal assistance under section 119(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5218) and the Department's implementing regulation at 24 CFR part 570, subpart G.

(ii) The organization must be in a city or an urban county that meets the distress criteria required as a condition for assistance under the Urban Development Action Grant Program, under section 119(b)(1) of the Housing and Community Development Act of 1974, as amended, and the Department's implementing regulation at 24 CFR 570.452; or

(iii) The organization must be in an area that has been approved by the Department for assistance under the Urban Development Action Grant Program as a "pocket of poverty" under section 119(b)(2) of the Housing and Community Development Act of 1974, as amended, and the Department's implementing regulation at 24 CFR 570.466.

(iv) The further test of UDAG eligibility, which assesses the localities' demonstrated progress in providing housing and equal opportunity in employment must have also been performed previously or a finding will be necessary by the HUD Field Office. This finding must be made by the application due date. In order to meet this deadline, the local unit of government, if not previously certified as UDAG-eligible, must submit a "Request for Determination of UDAG Eligibility" no later than one month prior to the application due date. The nonprofit applicant should contact the community development department of its local unit of government as soon as possible after the date of publication of this NOFA to notify the local government of the applicant's intent to apply. The applicant should coordinate with the locality to provide them adequate time to submit to HUD a "Request for Determination of UDAG Eligibility" to allow the applicant to participate in the Demonstration (if the locality is not already certified as eligible to participate in the UDAG Program). The UDAG eligibility requirements are set forth at section 119(b)(1) of the Housing and Community Development Act of 1974 and the Department's implementing regulations at 24 CFR 570.453.

2. Eligible Neighborhood Development Activities

These include but are not necessarily limited to the following examples:

a. Creation of permanent jobs in the neighborhood;

b. Establishing or expanding businesses within the neighborhood;

c. Developing new housing, rehabilitating existing housing, or managing housing stock within the neighborhood;

d. Developing delivery mechanisms for essential services that have lasting benefits for the neighborhood, such as Fair Housing counseling services, child care centers, youth training, or health services; or

e. Planning, promoting, or financing voluntary neighborhood improvement efforts, such as establishing a neighborhood credit union, demolishing abandoned buildings, removing abandoned cars, or establishing an on-going street and alley cleanup program.

D. Selection Criteria/Ranking Factors

Applications will be evaluated on the basis of the Factors for Award outlined below.

1. Neighborhood/Organizational Qualifications

a. The degree of economic distress within the neighborhood; (15 points)

b. The extent of neighborhood participation in the proposed activities, as indicated by the percent of the households and businesses in the neighborhood involved that are members of the eligible neighborhood organization; (5 points)

c. The record of demonstrated measurable achievements in one or more of the activities specified under III B, including benefits to low- and moderate-income residents, plus evidence of promoting fair housing activities, if the applicant has previously sponsored projects involving housing; (15 points) and

d. The extent to which the governing body of the organization reflects the demographics of the neighborhood (education, age, sex, race, income level, types of employment, etc.). (5 points)

2. Project Qualifications

a. The extent of monetary contributions available that are to be matched with Federal funds, supported by reasonable evidence that private funding sources within the neighborhood have been realistically identified. (HUD will waive scoring under this provision and assign full points in the case of an application submitted by a small eligible organization, an application involving

activities in a very low-income neighborhood or an application that is especially meritorious); (5 points)

b. The extent to which a strategy has been developed for achieving greater long-term private sector support for this demonstration and future funding; (10 points)

c. The extent to which the proposed activities will benefit persons of low- and moderate-income, including promotion of equal employment and fair housing objectives. If emphasis is to be placed on economic development, low- and moderate-income relationships should be described; (15 points) and

d. The quality of the management plan submitted for accomplishing one or more of the activities specified under III B, including evidence of sound financial management of organizational activities, the experience and capability of the organization's director and staff, and coordination efforts involved, including working relationships with local governments when applicable. (30 points)

II. Application Process

A. For Application Package Contact

Karen Williams, Office of Procurement and Contracts, Community Services Division (ACC–KW), Department of Housing and Urban Development, room 5256, 451 Seventh Street, SW., Washington, DC 20410. Telephone number (202) 708–1162. (This is not a toll-free number.) Requests must be in writing using this mailing address or FAX number (202) 401–2032 to obtain copies of the application kit which provides further information on the Demonstration. (See parts III and IV of this Notice.) The Request for Grant Application (RFGA) contains the forms and other information regarding the application process and the administration of the demonstration, including relevant provisions from OMB Circulars A–110 and A–122. (This Notice of Fund Availability summarizes major provisions of the RFGA.)

B. Application Submission

An original and three copies of an application must be submitted to the same address that is stated in section A (above) of this notice to initiate the application review process. HUD will accept only one application per neighborhood organization.

C. Application Deadline

Applications must be submitted by the date specified in the application package, but in no event will this occur before May 15, 1991. Applicants will have at least 30 days to prepare and submit their application. The response period will begin from the first day upon which the application kit is made available. Application packages may be requested by mail or FAX to the address noted in section A (above) immediately after the date of publication of this notice.

III. Checklist of Application Submission Requirements

A. Preapplication Determination of Eligibility

Before preparing an application, the applicant should carefully check the eligibility requirements described in section I.C. Organizations that are uncertain whether the city or urban county in which they are located meets the current minimum standards of physical and economic distress (used in determining which cities and urban counties are potentially eligible applicants under the Urban Development Action Grant Program) are advised to consult two notices published by the Department in the **Federal Register.** These notices are entitled, "Urban Development Action Grant: Revised Minimum Standards for Small Cities" (52 FR 37876, October 9, 1987) and "Urban Development Action Grant: Revised Minimum Standards for Large Cities and Urban Counties" (52 FR 38174, October 14, 1987).

Organizations that need further help in determining their eligibility should contact the nearest Department of Housing and Urban Development Field Office (Community Planning and Development Division). The city or county community development office serving a neighborhood organization should be able to provide the HUD Field Office contact number if assistance is needed. If unable to obtain a local contract, the HUD Headquarters contact for this information is Mrs. Joyce Walther, telephone number (202) 708–2186. The TDD number is (202) 708–0564. (These are not toll-free numbers.)

B. Application Checklist

Each application must contain the following as required by the Request for Grant Application:

1. A transmittal letter, a table of contents referenced to numbered pages, a signed copy of Standard Form SF–424; and a signed copy of SF–424B, "Assurances of Non Construction Programs".

2. An abstract describing, among other things, the applicant and its achievements, the proposed project, its intended beneficiaries, its projected impact on the neighborhood, and the manner in which the proposed project will be carried out;

3. A completed fact sheet that lists neighborhood and organizational characteristics contained elsewhere in the application narrative;

4. Evidence that the applicant meets eligibility and other criteria, including the following:

a. A legible map, with street names, prepared by the city community development or planning office delineating the applicant's neighborhood.

b. Census tract, block or enumeration district references and zip code references must also be delineated on the map or on other maps submitted;

c. A copy of the applicant organization's corporate charter, along with the incorporation papers, bylaws, and a statement of purpose;

d. The size of the neighborhood population, including the number of low- and moderate-income persons and the size of the minority population, broken down by its ethnic composition;

e. A list of the names of the neighborhood body members and their addresses (with zip codes), noting those who reside and (separately) those who conduct business, in the neighborhood;

f. A statement of the percentage of the members of the neighborhood organization who are neighborhood residents, the percentage of neighborhood residents who conduct business in the neighborhood, and the percentage of neighborhood businesses conducted by nonresidents;

g. Identification of the applicant organization's past and current neighborhood projects, including those eligible as neighborhood development activities as defined under paragraph I C.2;

h. A description of the means by which the governing body members account to residents of the neighborhood, including the method and frequency of selection of members of the governing body, the consultation process with residents, the frequency of meetings, and a statement showing how the board is representative of the demographics of the neighborhood (*i.e.*, a breakdown by tenants, homeowners, race, sex, ethnic composition, etc. and the addresses of the board as evidence that at least 51% reside in the neighborhood);

i. Evidence of the applicant's sound financial management, determined from its financial statements or audits;

j. A letter from the Chief Executive Officer of the unit of general local government in which assisted activities are to be carried out, certifying that the

activities are not inconsistent with the government's housing and community development plans. (In lieu of this certification, evidence may be presented that the local government did not respond within 30 days of the organization's request for such a letter); and

k. A certification that the applicant will comply with the requirements of Federal law governing the application, acceptance, and use of Federal funds.

l. A narrative statement defining how neighborhood matching funds will be raised and their anticipated sources; what neighborhood development activities will be funded; and a strategy for achieving greater long-term private sector support;

m. A project management plan, including a schedule of tasks for both fund raising and project implementation;

n. A project budget and budget narrative;

o. A certification that a potential grantee will comply with the drug-free workplace requirements in accordance with 24 CFR part 24 subpart F.

IV. Corrections to Deficient Applications

Applications must be submitted in complete form and on time. However, HUD may provide applicants an opportunity to cure deficiencies that are not necessary for HUD to evaluate in the evaluation/ranking process. Such deficiencies must be corrected within 14 day from the date of HUD's written notice to the applicant of the deficiency(ies). Failure of an applicant to respond within the 14 days period may result in rejection of the application.

Deficiencies which may be corrected are items which would not interfere with HUD's ability to assess the merits of the application under the evaluation factors. An applicant, however cannot be permitted to improve the substantive requirements of its application after the due date for submission.

Examples of deficiencies which may be cured are:

—Omitted or improper signatures;
—Omitted certifications or assurances; and
—Omitted financial statements or audits.

V. Other Matters

A. Reporting Requirements

In addition to complying with relevant provisions of OMB Circulars A–110 and A–122, grantees will be required to submit quarterly performance and financial reports. These reports should inform HUD of any changes that may affect the outcome of the demonstration, such as changes in any of the following—the governing body membership, staffing, working relationships with local government and private organizations, fund raising activities, volunteer efforts, the management plan, and the budget. The quarterly reports must also verify the amount of monetary contributions received from within the neighborhood, as a basis for Federal disbursement of matching funds. Grantees must certify that none of the monetary contributions originated through public funding sources.

Grantees will be required also to submit a final report at the completion of the grant period. This final report must describe fully the successes and failures associated with the project, including the reasons for the successes and failures. It should also describe possible improvements in the methods used. The quarterly and final reports will be used for evaluation purposes, reports to the Congress on the demonstration, and a report on successful projects that will be distributed to other neighborhood organizations.

B. Environmental Reviews

For all proposed actions or activities that are not considered a categorical exclusion as set forth in 24 CFR 50.20, HUD will perform the appropriate environmental reviews under the National Environmental Policy Act (NEPA). Whether the action or activity is categorically excluded from NEPA review or not, HUD will comply also with other appropriate requirements of environmental statutes, executive orders, and HUD standards listed in 24 CFR 50.4. The environmental reviews will be performed before award of a grant. Grantees will be expected to adhere to all assurances applicable to environmental concerns as contained in the RFGA and grant agreements.

C. Equal Opportunity Requirements

The neighborhood development organization must certify that it will carry out activities assisted under the Program in compliance with:

1. The requirements of title VIII of the Fair Housing Act (42 U.S.C. 3601–3619) and implementing regulations at 24 CFR parts 100, 108, 109, 110, and 115; part 200, subpart M; Executive Order 11063 (Equal Opportunity Housing) and implementing regulations at 24 CFR part 107; and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR part 1;

2. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101–07) and the prohibition against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). The requirements of Executive Order 11246 and the regulations issued under the Order at 41 CFR chapter 60;

3. The requirements of section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (see 1570.607(b) of this chapter); and

4. The requirements of Executive Orders 11625, 12432, and 12138. Consistent with HUD's responsibilities under these Orders, the grantee must make efforts to encourage the use of minority and women's business enterprises in connection with activities funded under this notice.

D. Other Federal Requirements

In addition to the Equal Opportunity Requirements set forth above, grantees must comply with the following requirements:

1. Ineligible contractors. The provisions of 24 CFR Part 24 relating to the employment, engagement of services, awarding of contracts or funding of any contractors or subcontractors during any period of debarment, suspension, or placement in ineligibility status.

2. Flood insurance. No site proposed on which acquisition, construction, reconstruction, repair or improvement of a building which is to be assisted under this demonstration may be located in an area that has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, unless the community in which the area is situated is participating in the National Flood Insurance Program and the regulations thereunder (44 CFR parts 59 through 79) or less than a year has passed since FEMA notification regarding such hazards, and the grantee will ensure that flood insurance on the structure is obtained in compliance with section 102(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 *et seq.*).

3. Lead-based paint. The requirements, as applicable, of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846) and implementing regulations at 24 CFR part 35.

4. Applicability of OMB Circulars. The policies, guidelines, and requirements of OMB Circular Nos. A–110 and A–122 with respect to the acceptance and use of assistance by private nonprofit organizations.

5. Relocation. The requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR part 24, which govern the acquisition of real property for the project and the provision of relocation assistance to persons displaced as a direct result of acquisition, rehabilitation or demolition of the project.

Authority: Sec. 123, Housing and Urban-Rural Recovery Act of 1983. (Pub. L. 98–181); sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Dated: March 22, 1991.

Anna Kondratas,

Assistant Secretary for Community Planning and Development.

[FR Doc. 91–7420 Filed 3–28–91; 8:45 am]

BILLING CODE 4210–29–M

federal register

Friday
March 29, 1991

Part IV

Department of Housing and Urban Development

Office of Assistant Secretary for Public and Indian Housing

FY 91 Fund Availability, Invitation for Applications: Public Housing Development/Major Reconstruction of Obsolete Public Housing; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Public and Indian Housing

[Docket No. N-91-3236; FR 2952-N-01]

FY 91 Notice of Fund Availability (NOFA), Invitation for Applications: Public Housing Development/Major Reconstruction of Obsolete Public Housing

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: FY 91 notice of fund availability; invitation for applications.

DATE: Application is due on or before May 28, 1991.

SUMMARY: This Notice announces the availability of FY 1991 funding and invites eligible entities to submit, by May 28, 1991. Applications for public housing development, or for the Major Reconstruction of Obsolete Public Housing (MROP) program, or for both programs. This Notice also provides instructions regarding the preparation and processing of applications. This Notice is not applicable to the Indian housing program.

FOR FURTHER INFORMATION CONTACT: Janice Rattley, Office of Construction, Rehabilitation and Maintenance, Department of Housing and Urban Development, 451 Seventh Street, SW., room 4136, Washington, DC 20410. Telephone (202) 708-1800. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

1. Fund Availability

The Department of Housing and Urban Development-Independent Agencies Appropriations Act, 1991 (FY 1991 Appropriations Act) provides $733.76 million of budget authority (grants) for development or acquisition costs of public housing including major reconstruction of obsolete public housing (MROP). However, it should be noted that section 554 of the National Affordable Housing Act (approved November 28, 1990, Pub. L. 101-625) requires that not less than 10 percent of the funds appropriated in FY 1991 (excluding amounts for MROPs) be allocated in connection with the Family Self-Sufficiency program. The Fiscal Year 1991 authority will be used to provide grants to cover the development costs of public housing projects, including major reconstruction of obsolete projects (MROP), under section 5(a)(2) of the United States Housing Act of 1937 (the Act), to eligible public housing agencies (PHAs). The grant contract shall remain in effect for a 40-year period. Budget authority recaptured in FY 1991 from previously reserved projects may not be reused and will be rescinded.

2. Application Invitation, Submission Checklist and Correction of Deficiencies

a. The Department of Housing and Urban Development (HUD) is accepting, and all eligible PHAs are invited to submit, applications pursuant to 24 CFR 941.301 for grant assistance for the development (construction, rehabilitation or acquisition of existing units) of public housing, and applications (see Comprehensive Improvement Assistance Program 24 CFR part 968, with modifications as set out in this Notice) for MROP projects. While this funding effort is to be carried out in conformity with the requirements set forth in 24 CFR parts 941 (development), and 968 (MROP), the funding effort is also subject to the additional specific requirements set forth in this NOFA (see paragraph 4). Applicants for development funds also should consult Handbook 7417.1 REV-1 and the FY 1991 detailed Processing Notice PIH 91-8 (HUD). MROP applications should also consult CIAP Handbook 7485.1 REV-4 as modified by the detailed Processing Notice PIH 91-4 (PHA).

b. PHAs may use the following application submission checklist, which lists submission requirements pursuant to paragraphs 4 and 8:

—PHA is legally organized with a current (applicable) General Certificate (Form HUD 9009)
—Requested units are covered by Cooperation Agreement (Form HUD 52481) and any other State/local legal requirements are met
—Signed and dated complete PHA application
  • For development, Form HUD 52470
  • For MROP, Forms HUD 52824 & 52825, technical review factors statement and the PHA's viability review statement unless it has been previously submitted under a comprehensive plan for modernization
—If more than one application submitted, PHA's priorities identified *
—Statement of acceptance of fewer units *
—PHA resolution in support of PHA application (HUD 52471)
—If Front End Funds Requested—(HUD 52472) LGB Resolution/Transcript of Proceedings and PHA Resolution (Form HUD 52471) must refer to the request for front end funds
—PHA Certification for a Drug-Free Workplace (HUD 50070) *
—Byrd Amendment Disclosure (Form SF-LLL) and Certification *
—Section 5(j) certification *
—A replacement housing application (or an MROP application proposing some demolition/disposition) must also have had a demolition/disposition application approved or submitted
—A replacement housing application must have a statement whether the application should be considered if the demolition/disposition application is not approved *
—Application for new construction must have:
  • Comparison of new vs. acquisition/rehabilitation costs (including, if applicable, estimates for lead-based paint testing and abatement) or
  • Certification and documentation re: Insufficiency of existing housing for acquisition/rehabilitation and
  • Statement that PHA will accept acquisition/rehabilitation if HUD determines new construction not approvable or Statement that application is for new construction only (if HUD cannot approve new construction, application must be rejected)

c. Immediately after the deadline for receipt of applications, Field Offices will screen each application to determine whether all information and exhibits were submitted. If an application lacks any technical information or exhibits or contains a technical mistake such as an incorrect signatory in connection with items which are identified with an asterisk in paragraph 2(b) above, the PHA will be advised in writing and will have 14 calendar days from the date of the issuance of such notification to deliver the missing or corrected information or documentation to the Field Office. Curable technical deficiencies relate only to items that are not necessary for HUD review under the ranking factors and items that do not improve the substantive quality of the application. If items, other than those identified with an asterisk in paragraph 2b above, are missing from the application, the PHA's application will be considered substantially incomplete and, therefore, ineligible for further processing. Since the responsibility for submitting a complete application rests with the PHA, the failure of the HUD Field Office to identify and provide a notice of deficiency to the PHA shall not relieve the PHA of the consequences of failure to submit complete application.

3. Funding Assignments

a. The Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act of 1989) exempts, from fair share allocation and metropolitan/non-metropolitan distribution requirements, appropriations determined incapable of geographic allocation, including funds to provide replacement housing in connection with demolition/disposition. Within eight weeks after the PHA application submission deadline, each Regional Administrator will submit to Headquarters (Public Housing Development Division) a list identifying projects recommended for Fair Share Exempt and Headquarters reserve funding and the 25 highest ranked "other" development and/or MROP projects. Based on the recommendations of HUD's Regional Administrators and actual approvals for demolition/disposition, Headquarters will determine the funding required for the Fair Share-Exempt category, and projects to be funded from the Headquarters Reserve.

(1) *Fair share exempt.* Threshold-approvable applications to replace existing public housing approved between February 5, 1988, and the time FY 91 development/MROP funding decisions are to be made, for demolition/disposition pursuant to Section 18 of the Act, shall be selected before the fair share allocations are determined.

(2) *Headquarters reserve.* Threshold-approvable applications relating to litigation settlements involving lack of assisted or minority housing opportunities shall be funded from the Headquarters Reserve; if insufficient, the balance shall come from the Region's fair share allocation.

b. The balance of appropriated funds will be allocated to Regional Offices on the basis of fair share factors and metropolitan/non-metropolitan area requirements which, in accordance with section 213(d) of the Housing and Community Development Act of 1974, reflect the most recent decennial census data as to population, poverty, housing overcrowding, housing vacancies, amount of substandard housing, and other measurable conditions.

(1) Given the limited funding available, it would be impracticable to fair share below the Regional level:

Region	Fair-share factors (percentages)
I Boston	.076
II New York	.181
III Philadelphia	092
IV Atlanta	.138
V Chicago	.151
VI Ft Worth	.079
VII Kansas City	.036
VIII Denver	.025
IX San Francisco	.186
X Seattle	.036
Total	100

(2) To the extent practicable, Regional Administrators will select applications for funding of other development and MROP projects in proportion to the funding requested in approvable development applications submitted, relative to approvable MROP applications submitted, and on the basis of the criteria stated in this NOFA; e.g., a proportion of 20:3 for "other development" relative to MROP should result in $20 worth of development funding for each $3 of MROP. (For development projects, funds shall be reserved in an amount equal to the total development cost cap for the number of units being reserved.) Partial funding of highly ranked applications is authorized when determined viable for the projects to facilitate the funding in rank order of additional applications for highly ranked viable projects.

(3) Regional Offices may not authorize any selection criteria in addition to the criteria set out in this Notice.

(4) Any unused Regional fair share funding will be returned to Headquarters and reallocated in accordance with 24 CFR part 791.

4. Application Submission and Deadline.

a. To be eligible for funding in FY 1991, development/MROP applications must be submitted under this NOFA, by eligible PHAs which have the required local cooperation and legal authority to develop, own and operate public housing projects; must contain all exhibits and additional information required by 24 CFR 941.302 (for development) or 24 CFR Part 968 (for MROP), with modifications as specified in this Notice (see paragraphs 5 through 10 of this NOFA for other development/MROP application requirements) and in the FY 91 detailed Notice PIH 91–8 (HUD); and, must be received by the HUD Field Office by close of business (local time) on May 29, 1991.

b. Separate applications shall be submitted by housing type, development method, and community for which the project is proposed. A PHA must state, in an accompanying letter:

(1) Its priorities for receiving funding if it is submitting more than one application, and

(2) Whether it will accept funding for fewer units than requested. Refusal to accept fewer units may result in application non-funding due to a disproportionate requirement for funds.

c. Each application must be accompanied by a PHA Resolution in Support of Public Housing Project, Form HUD–52471. The assurances that the PHA provides under this Resolution, wherein the PHA agrees to comply with all requirements of 24 CFR part 941 (e.g., the requirements of nondiscrimination under the civil rights laws (24 CFR 941.208)), shall constitute assurance that the PHA shall comply with 24 CFR part 8, which implements section 504 of the Rehabilitation Act of 1973.

d. In accordance with 24 CFR 24.630, the PHA must submit its Certification for a Drug-Free Workplace, contained in its completed Form HUD–50070.

e. Section 319 of the Fiscal Year 1990 Department of the Interior and Related Agencies Appropriations Act (the "Byrd Amendment") (31 U.S.C. 1352) prohibits use of appropriated funds for "influencing or attempting to influence" Federal officials in connection with grant awards exceeding $100,000. In addition, in accordance with 24 CFR part 87:

(1) The PHA must submit with each application a certification that no Federal funds have been or will be used to influence Federal employees, Members of Congress, and Congressional staff regarding specific grants or proposals.

(2) If a PHA uses non-Federal funds for lobbying on behalf of a specific application or proposal, it must submit its Disclosure of Lobbying Activities, contained in its completed Form SF–LLL.

f. A PHA certification as to one of the following is required under section 5(j) of the Act for each application:

(1) The units requested are specifically required in FY 1991 to meet the one-for-one replacement requirement set out in section 18 of the Act to replace existing public housing approved after February 5, 1988 for demolition/disposition; or

(2) The units requested are required to resolve ongoing litigation involving lack of assisted or minority housing opportunities; or

(3) The units requested, limited to 100 or less, are needed for family housing to satisfy demands not being met by the Section 8 Existing or Voucher rental assistance programs; or

(4) That 85 percent of the PHA's dwelling units:

(a) Are maintained in substantial compliance with the Section 8 housing quality standards (24 CFR 882.109); or

(b) Will be so maintained upon completion of modernization for which funding has been awarded; or

(c) Will be so maintained upon completion of modernization for which applications are pending that have been submitted in good faith under section 14 of the Act (or a comparable State or local government program) and that there is a reasonable expectation, as determined by HUD in writing, that the application would be approved; or

(5) The application is for MROP.

g. Acquisition projects must comply with the Lead-Based Paint Poisoning Prevention Act (Pub. L. 91–965), section 566 of the Housing and Community Development Act of 1987 (Pub. L. 100–242) and section 1088 of the McKinney Amendment Act (Pub. L. 100–628).

h. A PHA submitting a replacement housing application:

(1) Must demonstrate that the replacement units, alone or together with other identified replacement units, will implement the PHA's Replacement Housing Plan submitted under 24 CFR 970.11; and

(a) Are for no fewer than the same number of units to be demolished or disposed of; and

(b) Will house at least the same number of individuals and families that could be served by the housing to be demolished or disposed of; and

(c) Must state whether the PHA still wants its application considered if its demolition/disposition application is not approved.

(2) Only section 5 financed and section 23 bond-financed (owned by a PHA instrumentality) leased housing projects that meet the following criteria may have MROP approved or may have demolition/disposition with replacement housing approved:

(a) Clear title is vested in the PHA;

(b) The project is to be converted to public housing by ACC amendment and no legal obstacles exist affecting the PHA's use of the project for public housing during the forty-year required ACC period; and

(c) The project is covered by a cooperation agreement assuring tax exemption and municipal services.

i. Although section 6(j) of the Act, which required that priority be given to approval of applications for housing for families requiring three or more bedrooms, was eliminated by the National Affordable Housing Act, the Department is still providing for a priority for large-family units, and proposed projects, other than replacement housing (paragraph 4.h., above) and MROP (paragraph 8 below), for housing consisting of three or more bedrooms per unit, will receive additional points in the rating and ranking system under paragraph 6 below.

j. Pursuant to section 6(h) of the Act, every application for a new construction project must be accompanied by:

(1) A PHA comparison of the costs of new construction (in the neighborhood where the PHA proposes to construct the housing) and the costs of acquisition of existing housing or rehabilitation in the same neighborhood (including estimated costs of lead-based paint testing and abatement); or

(2) A PHA certification, accompanied by supporting documentation, that there is insufficient existing housing in the neighborhood to develop housing for large families through acquisition of existing housing or rehabilitation; and

(3) A statement that:

(a) Although the application is for new construction, the PHA will accept acquisition of existing housing or rehabilitation, if HUD determines the PHA cost comparison or certification of insufficient housing does not support approval of new construction; or

(b) The application is for new construction only. (In any such case, if HUD cannot approve new construction under section 6(h) of the Act, the application will be rejected.)

k. Applications for proposed projects must take into consideration required compliance with the following accessibility requirements:

(1) Architectural Barriers Act of 1968 and the implementing rule at 24 CFR part 40 including Appendix A (Uniform Federal Accessibility Standards);

(2) Section 504 of the Rehabilitation Act of 1973 and the implementing rule at 24 CFR part 8 [see Notice PIH 89–49 (PHA)];

(3) Fair Housing Amendments Act of 1988 and the implementing rule at 24 CFR part 100 [see Notice PIH 89–50 (PHA)].

1. To qualify for additional application rating points, a PHA may certify past and proposed compliance with section 3 of the Housing and Urban Development Act of 1968, and provide a description of actions taken to combat drug abuse (paragraph 6a(6)).

m. Group homes, intermediate care facilities, nursing homes, etc. may not be approved under the public housing program.

Public Housing Development

5. Public Housing Development—Threshold Approvability

a. All development applications must meet the threshold requirements for approvability to be eligible for funding under the Fair Share-Exempt or Headquarters Reserve categories, or to be eligible for rating and ranking under the other development category.

b. To ascertain threshold approvability, the Field Office will review each application for required resolutions and certifications, and for compliance with all requirements of this NOFA and the FY 1991 detailed processing Notice. The Field Office will ensure that the PHA meets the requirements of legal eligibility (organization and local cooperation); acceptable certification of PHA intent to comply with all applicable civil rights laws; housing need and HAP consistency; administrative capability (management and development); environmental issues; housing type (section 6(h) of the Act relative to new construction); and section 5(j) certification.

6. Rating and Ranking—Other Public Housing Development Applications

Field Offices will rate threshold-approvable other development applications as follows: (Full points are to be given as identified if the statement is true for the PHA application; if not true, then no points are to be given).

a. *Rating Factors:*

	Points
(1) Relative Need—Application is for a project which will be located in a locality which has previously been underfunded for the household type (family or elderly) requested relative to the need for housing for the same household type in other localities in the respective metropolitan or nonmetropolitan portion of the Field Office jurisdiction	20
(2) Priority for Large Family Housing—Application is for a project comprising only all three-bedroom or larger units	20
(3) Relocation—The proposed project would primarily assist households displaced, or to be displaced, by Federal action or a natural disaster in a Federally declared disaster area	10
(4) Low density family housing is proposed to be developed on scattered sites to expand housing opportunities	10

	Points
(5) Experience in Developing/Managing Public Housing: (a) The PHA's last public housing project was developed:	
(i) in accordance with time frames; i.e., construction started (new or rehab) or DOFA occurred (acquisition of existing) within 30 months of the fund reservation date	5
(ii) in accordance with the approved development cost budget	5
(iii) with no construction deficiencies identified	5
(iv) in accordance with all (other than above) HUD requirements	5
(b) The vacancy rate in public housing projects under management is not greater than 2 percent, indicating that the PHA will and can fully utilize the units applied for	20
or	
(c) The PHA has no past or no recent past public housing experience, but the HUD Field Office has determined that the PHA's application demonstrates capability for, and the expectation of, expeditious quality development	10
and	
(d) The PHA has management experience in the Section 8 program and management review or Inspector General audit findings, if any, are being addressed satisfactorily	5
(6) Other Priorities. (a) The application proposes a project which, as evidenced by a letter from the locality, actively supports an area of local initiative (such as a Community Development Block Grant, urban revitalization, Enterprise Zone or other similar local activity.)	5
(b) The PHA submitted a certification with its application that, pursuant to section 3 of the Housing and Urban Development Act of 1968, at least five percent of the construction contract or contract of sale amount (which may not be increased for this purpose) will be used to train and employ lower income persons residing in the area of a proposed new construction or substantial rehabilitation project, and that to the greatest extent feasible, contracts for work to be performed for that project will be awarded to business concerns located in, or owned in substantial part by persons residing in, the area of the project. As such contracts are executed, evidence of compliance with prior year certifications shall be submitted by the PHA and referenced in subsequent applications	5
(c) The Field Office has determined that a PHA has no drug problem, or is aggressively combatting drug abuse, in its public housing projects	5
(d) The application proposes housing as a replacement for a Headquarters approved sale under section 21, section 5(h) (for applications for 5(h) sales submitted after October 1, 1990) and Homeownership and Opportunity for People Everywhere (HOPE) authorities	10
Total possible points	125

b. *Ranking Approvable Applications.* Other development applications which have been rated under paragraph 6a, above, shall be ranked for selection for funding based on the rating points assigned.

Major Reconstruction of Obsolete Public Housing

7. *MROP Eligibility Requirements*

a. An *obsolete project* must have design or marketability problems that have resulted in:

(1) Vacancies of 25 percent or more of the units available for occupancy; and

(2) Estimated reconstruction and all other costs of at least 70 percent, but not more than 90 percent, of the total development cost limits for the area; and

(3) The need to go to step 3 of the CIAP viability review. (See paragraph 3–9c of CIAP Handbook 7485.1 REV–4.)

b. Eligibility for approving an MROP application will be determined by CIAP procedures as modified by this NOFA, including the threshold approvability requirements of paragraph 5 and the modified Technical Review Factors of paragraph 9.

(1) An MROP project must have long-term (40-year) viability after reconstruction.

(2) If partial demolition/disposition is required, a demolition/disposition application must be approved within the dates specified in paragraph 3a(1) before approval of the MROP. (MROP funds may not be used for total demolition/disposition.)

(3) An MROP must be a rental (not homeownership) project.

(4) An MROP project must meet the requirements of paragraph 4.h.(2).

c. Existing projects which consist of more than one building may have funding under MROP in any single year limited to one or more (less than all) of a project's buildings. Where separate portions of an existing project receive MROP funding in different fiscal years, each portion must be given a separate MROP project number and the funds reserved must be sufficient to complete *all* of the reconstruction needed to make the portion viable.

d. A combination of MROP and CIAP may be used in project reconstruction; e.g., where an existing project consists of family housing needing major reconstruction and elderly housing needing less extensive work. In such a situation, MROP funds could be reserved for designated buildings and the remaining buildings could be included in a CIAP project. CIAP and MROP may not be used on the same units.

e. Management improvements are an ineligible cost under MROP; therefore, any proposed management improvements must be funded from the PHA's own operating funds or reserves, or from CIAP funding for management improvements which are PHA-wide at another project where comprehensive modernization is still in progress.

8. MROP Application Submission

A PHA applying for MROP funding shall submit a CIAP Application, (see paragraph 3–6, Handbook 7485.1 REV–4), the Comprehensive Assessment/Program Budget (Form HUD 52825), a narrative statement addressing each of the technical review factors (paragraph 9 below), and the PHA's viability review unless previously submitted under a comprehensive plan for modernization.

a. The application must identify the entire project and explain how the project, in whole or in part, meets the eligibility criteria in paragraph 7. The application must identify the proposed physical and management improvement needs, estimated costs, and funding sources.

b. The PHA must also submit, with its MROP application, the PHA resolution referencing MROP and the certifications required by paragraph 4 above.

c. If demolition/disposition is needed for long-term viability after reconstruction, the PHA must so state in its MROP application and must have submitted a demolition/disposition application which has been approved in accordance with paragraph 3a(1) of this Notice.

9. MROP Rating and Ranking

a. Field Offices will rate and rank threshold-approvable MROP applications in accordance with the CIAP technical review factors in Chapter 3, CIAP Handbook 7485.1, REV–4, modified as follows:

1. *MROP Technical Review Factors.*

	Point range
a. Extent and urgency of need, including lead-based paint abatement and physical accessibility needs	1–20
b. Extent of vacancies	1–10
c. PHA's modernization capability	1–10
d. PHA's management capability	1–10
e. Adequacy of PHA's maintenance systems, including preventive and routine maintenance	1–10
f. Degree of resident involvement in PHA operations	1–5
g. Degree of PHA activity in resident initiatives, including resident management, economic development activities on behalf of residents, and drug elimination efforts	1–5
h. Degree of PHA-wide resident employment	1–5
i. Local government support (e.g., evidence of necessary support facilities)	1–10
j. Resident/homebuyer support for proposed reconstruction.	1–10
Total possible points	95

b. *Ranking approvable applications.* Threshold-approvable applications that have been rated under paragraph 9a, above, will be ranked based on the rating points assigned.

10. MROP Funding

a. MROP applications selected for funding shall:

1. Have estimated total costs of at least 70 percent, but not more than 90 percent, of development cost limits for the area, calculated in accordance with Notice PIH 90–16 (HUD);

2. Be assigned a development project number; and

3. After MROP fund reservation, follow development procedures (24 CFR part 941 and Handbook 7417.1 REV–1), except:

(a) Reconstruction work must be competitively bid (i.e., turnkey may not be used); and

(b) CIAP modernization standards must be used.

b. The PHA must incorporate its approved MROP application into a PHA Proposal (Form HUD–52483–A).

c. The special MROP Annual Contributions Contract, included in Notice PIH 89–41 (HUD), must be used.

11. Applicability of Uniform Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), Federal regulations at 49 CFR part 24 and HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition, govern the acquisition of real property and the displacement of any person (family, individual, business, nonprofit organization or farm) that moves from real property or moves personal property from real property, permanently and involuntarily, as a direct result of acquisition, rehabilitation or demolition for an assisted project, including public housing development and MROP.

a. Displacement should be minimized, but where it is unavoidable, timely referrals to comparable replacement units are essential to avoid excessive replacement housing payments. Also, to preclude claims by persons eligible for continued occupancy under 24 CFR part 960 and not scheduled to be displaced, PHAs carefully must follow policies governing the issuance of information notices and applicable temporary relocation policies.

b. Where necessary, reasonable relocation payments and other assistance under the Uniform Act are eligible development and MROP project costs.

Findings and Other Matters

12. Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations at 24 CFR part 50 implementing section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the Office of the Rules Docket Clerk, 451 Seventh Street, SW., room 10276, Washington, DC 20410.

13. Information Collection

The information collection requirements contained in this NOFA have been approved by the OMB under the Paperwork Reduction Act of 1980 and have been assigned OMB control numbers 2577–0033, 2577–0036 and 2577–0044.

14. Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this NOFA will not have substantial, direct effects on States, on their political subdivisions, or on their relationship with the Federal Government, or on the distribution of power and responsibilities between them and other levels of government. The NOFA will provide funding for public housing development and for major reconstruction of obsolete public housing. As such, any federalism implications and be indirect and inconsequential.

15. Family Impact

The General Counsel, as the Designated Official for Executive Order 12606, the Family, has determined that the provisions of this NOFA do not have the potential for significant impact on family formation, maintenance and general well-being within the meaning of the Order. To the extent that the funding provided through this NOFA results in additional or improved housing, the effects on the family are beneficial.

16. The Catalog of Federal Domestic Assistance Program number is 14.850.

Authority: Section 5, United States Housing Act of 1937 (42 U.S.C. 1437(c)); Section 7(d) Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Dated: March 18, 1991.

Joseph G. Schiff,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 91–7421 Filed 3–28–91; 8:45 am]

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federal register

Friday
March 29, 1991

Part V

Department of Health and Human Services

Office of Refugee Resettlement

Refugee Resettlement Program: Proposed Allocations to States of FY 1991 Funds for Refugee Social Services; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Refugee Resettlement

Refugee Resettlement Program: Proposed Allocations to States of FY 1991 Funds for Refugee [1] Social Services

AGENCY: Office of Refugee Resettlement (ORR), FSA, HHS.

ACTION: Notice of proposed allocations to States of FY 1991 funds for refugee social services.

SUMMARY: This notice announces the proposed allocations to States of FY 1991 funds for social services under the Refugee Resettlement Program (RRP). The notice proposes to revise the manner in which floor amounts are calculated for States with small refugee populations. In the final notice, allocation amounts could be adjusted after considering comments and evidence from States on population estimates.

DATES: Comments on the allocations provided for in this notice will be considered if received by April 29, 1991.

ADDRESSES: Address written comments, in duplicate, to: Toyo Biddle, Office of Refugee Resettlement, Family Support Administration, 370 L'Enfant Promenade, SW., Washington, DC 20447

FOR FURTHER INFORMATION CONTACT: Toyo Biddle (202) 401–9250.

SUPPLEMENTARY INFORMATION:

I. Amounts Proposed for Allocation

The Office of Refugee Resettlement (ORR) has available $82,951,000 in FY 1991 refugee social service funds as part of the FY 1991 appropriations for the Department of Health and Human Services (Pub. L. 101–517).

Of the total of $82,951,000, the Director of ORR proposes to make available to States $70,508,350 (85%) under the allocation formulas set out in this notice. These funds would be made available for the purpose of providing social services to refugees. The allocation amounts proposed in this notice could be adjusted slightly in the final notice after taking into consideration any population adjustments (see section VI, below).

The population figures include refugees, Cuban/Haitian entrants, and Amerasians from Vietnam since these populations may be served through funds addressed in this notice. (A State must, however, have an approved State plan for the Cuban/Haitian Entrant Program in order to use funds on behalf of entrants as well as refugees.)

The Director proposes to allocate $70,508,350 to States in the following manner:

- $67,008,350 would be allocated on the basis of each State's proportion of the national population of refugees who had been in the U.S. 3 years or less as of October 1, 1990 (including a floor amount for States which have small refugee populations).
- $3,500,000 would be allocated on the basis of each State's proportion of the 3-year refugee population (including a floor amount of $5,000 for States with small refugee populations) in order to provide an incentive for States to fund refugee mutual assistance associations (MAAs). A written assurance that these optional funds will be used for MAAs is required in order for a State to receive the funds. Guidance to States regarding this assurance is provided below.

The allocations proposed under this notice reflect two changes as compared with FY 1990:

(1) The $75,000 floor previously in effect for States with small refugee populations is proposed to be replaced by a variable floor calculated as follows: If the application of the regular allocation formula yields less than $100,000, then—

(a) A base amount of $50,000 would be provided for a State with a population of 50 or fewer refugees who have been in the U.S. 3 years or less; and

(b) For a State with more than 50 refugees who have been in the U.S. 3 years or less, the floor would consist of $50,000 plus the regular per capita allocation for refugees above 50 up to a total of $100,000—in other words, the maximum under the floor formula would be $100,000.

ORR has consistently supported floors for small States in order to provide sufficient funds to carry out a minimum service program. Given the range in numbers of refugees in the small States, we have concluded that a variable floor, as proposed in this notice, would be more reflective of needs than the previous across-the-board floor.

(2) The amount proposed to be allocated to States for refugee mutual assistance association (MAA) incentive awards is increased from the $3,000,000 so allocated in FY 1990 to $3,500,000. This increase is proposed in light of the increase in the social service appropriation from $75,000,000 to $82,951,000.

The use of the 3-year population base in the allocation formula is required by section 6(a)(3) of the Refugee Assistance Extension Act of 1986 (Pub. L. 99–605) which amended section 412(c) of the Immigration and Nationality Act (INA) to require that the "funds available for a fiscal year for grants and contracts [for social services] * * * shall be allocated among the States based on the total number of refugees (including children and adults) who arrived in the United States not more than 36 months before the beginning of such fiscal year and who are actually residing in each State (taking into account secondary migration) as of the beginning of the fiscal year."

The $12,442,650 in remaining social service funds (15% of the total funds available) is expected to be used by ORR on a discretionary basis to provide funds for individual projects intended to contribute to the effectiveness and efficiency of the refugee resettlement program. The discretionary funds would primarily support specific program activities designed to: (1) Reduce welfare dependency in States with large numbers of refugees on welfare; and (2) address the needs of special populations who experience particular difficulty adjusting to life in the U.S. One announcement of the availability of funding and grant application procedures has been issued: Availability of Funding for Planned Secondary Resettlement of Refugees, 50 FR 20038, May 13, 1985. ORR expects to continue emphasis on discretionary grants to address problems of persistent welfare dependency and to promote favorable resettlement opportunities. Announcements will be made when discretionary initiatives are decided on. The amount proposed for discretionary use would enable valuable current efforts—such as the Key States

[1] In addition to persons admitted to the United States as refugees under section 207 of the Immigration and Nationality Act (INA) or granted asylum under section 208 of the INA, eligibility for refugee social services also includes: (1) Cuban and Haitian entrants, under section 501 of the Refugee Education Assistance Act of 1980 (Pub. L. 96–422); (2) certain Amerasians from Vietnam who are admitted to the U.S. as immigrants under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, as included in the FY 1988 Continuing Resolution (Pub. L. 100–202); and (3) certain Amerasians from Vietnam, including U.S. citizens, under title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Acts, 1989 (Pub. L. 100–461), 1990 (Pub. L. 101–167), and 1991 (Pub. L. 101–513). For convenience, the term "refugee" is used in this notice to encompass all such eligible persons unless the specific context indicates otherwise.

Refugees admitted to the U.S. under admissions numbers set aside for private-sector-initiative admissions are not eligible to be served under the social service program (or under other programs supported by Federal refugee funds) during their period of coverage under their sponsoring agency's agreement with the Department of State—usually two years from their date of arrival or until they obtain permanent resident alien status, whichever comes first.

Initiative, Job Links, Planned Secondary Resettlement, and services for Amerasians from Vietnam and former re-education camp detainees from Vietnam—to be continued as appropriate. At the same time, it would provide funds to enable ORR to address such additional needs as serious problems of dependency in areas not currently served by special projects.

The 15% proposed for discretionary use is in accordance with the Conference Report on the FY 1991 appropriation, which states, "The conferees are agreed that not more than 15 percent of funding appropriated for social services may be used for discretionary grants." (H. Conf. Rept. 101–908, p. 27.)

Although the allocation formula is based on the 3-year refugee population, social service programs are not limited to refugees who have been in the U.S. only 3 years. States may provide services without regard to an individual refugee's length of residence, in accordance with the requirements of 45 CFR Subpart I—Refugee Social Services, published in the **Federal Register** of February 3, 1989 (54 FR 5481).

ORR funds may not be used to provide services to United States citizens, since they are not covered under the authorizing legislation, with the following exceptions: (1) Under current regulations, services may be provided to a U.S.-born minor child in a family in which both parents are refugees or, if only one parent is present, in which that parent is a refugee; and (2) under the FY 1989 Foreign Operations Appropriations Act (Pub. L. 100–461), services may be provided to an Amerasian from Vietnam who is a U.S. citizen and who enters the U.S. after October 1, 1988.

Reflecting section 412(a)(1)(A)(iv) of the INA, the Director expects States to "insure that women have the same opportunities as men to participate in training and instruction." In addition, States are expected to make sure that services are provided in a manner that encourages the use of bilingual women on service agency staffs to ensure adequate service access by refugee women. In order to facilitate refugee self-support, the Director also strongly encourages States to implement strategies which address simultaneously the employment potential of both male and female wage earners in a family unit, particularly in the case of large families.

In accordance with 45 CFR 400.146 (54 FR 5481), if a State's cash assistance dependency rate for refugees (as defined in § 400.146(b)) is 55% or more, funds awarded under this notice for the basic and MAA incentive allocations are subject (as were all States' FY 1985–1989 funds) to a requirement that at least 85% of the State's award be used for employability services as set forth in § 400.154. ORR expects these funds to be used for services which directly enhance refugee employment potential, have specific employment objectives, and are designed to enable refugees to obtain jobs in less than one year as part of a plan to achieve self-sufficiency. This reflects the Congressional objective that "employable refugees should be placed in jobs as soon as possible after their arrival in the United States" and that social service funds be focused on "employment-related services, English-as-a-second-language training (in non-work hours where possible), and case-management services". (INA, section 412(a)(1)(B).) States are encouraged to treat day care services as a priority employment-related service in order to allow women with children the opportunity to participate in employment services or to accept or retain employment.

Because of the lack of more recent dependency rate data, the Director proposes to use States' dependency rates as of September 30, 1989, in applying the 85% requirement.

As in previous years, ORR would consider granting, under specific circumstances, a waiver of the 85% provision. In order to receive a waiver, a State must meet either of the following two conditions:

1. The State demonstrates to the satisfaction of the Director of ORR that two of the following three circumstances exist: (a) The cash assistance rate for time-eligible refugees in the State is below the national average for all time-eligible refugees in the U.S.; (b) less than 85% of the State's social service allocation is sufficient to meet all employment-related needs of the State's refugees; and/or (c) there are non-employment-related service needs which are so extreme as to justify an allowance above the basic 15%. *Or*

2. In accordance with section 412(c)(1)(C) of the INA, as amended by the Refugee Assistance Extension Act of 1986 (Pub. L. 99–605), the State submits to the Director a plan (established by or in consultation with local governments) which the Director determines provides for the maximum appropriate provision of employment-related services for, and the maximum placement of, employable refugees consistent with performance standards established under section 106 of the Job Training Partnership Act.

States should also expect to use funds available under this notice to pay for social services which are provided to refugees who participate in alternative projects. The Continuing Resolution for FY 1985 (Pub. L. 98–473) amended section 412(e)(7)(A) of the INA to provide that:

> The Secretary [of HHS] shall develop and implement alternative projects for refugees who have been in the United States less than thirty-six months, under which refugees are provided interim support, medical services, support [social] services, and case management, as needed, in a manner that encourages self-sufficiency, reduces welfare dependency, and fosters greater coordination among the resettlement agencies and service providers.

This provision is generally known as the Wilson/Fish Amendment. The Department has already issued a separate notice in the **Federal Register** with respect to applications for such projects (50 FR 24583, June 11, 1985). The notice on alternative projects does not contain provisions for the allocation of additional social service funds beyond the amounts proposed for availability in this notice. Therefore a State which may wish to consider carrying out such a project should take note of this in planning its use of social service funds being allocated under the present notice.

Finally, ORR believes that the continued and/or increased utilization of refugee mutual assistance associations (MAAs) in the provision of social services promotes appropriate use of services as well as the effectiveness of the overall service system. This belief is reinforced by the interest in MAAs which has developed under similar incentive funds awarded to States in previous years. Therefore additional funds which would be targeted specifically to these organizations have been included as an optional award to States which would use them for this purpose.

In order to receive the MAA incentive funds, the appropriate State agency official would have to provide written assurance to the Office of Refugee Resettlement that the following conditions would be observed by the State agency in using funds made available to the State under this special allocation:

1. That such funds will be used to fund refugee mutual assistance associations for the direct provision of services to refugee clients.

2. That the MAA incentive allocation is subject to and included under ORR's requirement that, in States where applicable, 85 percent of the total amount of social service funds allocated by this notice to a State be used for priority services, as defined elsewhere in this notice.

3. That the State agency will observe the following definition of a mutual assistance association:

a. The organization must be legally incorporated as a nonprofit organization; *and*

b. Not less than 51 percent of the composition of the Board of Directors or governing board of the mutual assistance association will be comprised of refugees or former refugees and within 12 months from the date of final notice on refugee social service allocations for FY 1991, must include both refugee men and women.

4. That the State agency will assist MAAs in seeking other public and/or private funds for the provision of services for refugee clients in subsequent years.

Written assurances should be sent to the Director, Office of Refugee Resettlement, 370 L'Enfant Promenade, SW., Washington, DC 20447, with a duplicate copy to the appropriate Family Support Administration (FSA) Regional Administrator. States must respond by 30 days from the date of the final notice in order to avail themselves of this special allocation.

II. [Reserved for Discussion of Comments in Final Notice.]

III. Proposed Allocation Formula

Of the funds available for FY 1991 for social services, $70,508,350 is proposed to be allocated to States in accordance with the formula specified below. A State's allowable allocation will be calculated as follows:

1. The total amount of funds determined by the Director to be available for this purpose; divided by—

2. The total number of refugees and Cuban/Haitian entrants who arrived in the United States not more than 3 years prior to the beginning of the fiscal year for which the funds are appropriated and the number of Amerasians from Vietnam eligible for refugee social services, as shown by the ORR Refugee Data System. The resulting per capita amount will be multiplied by—

3. The number of persons in item 2, above, in the State as of October 1, 1990, adjusted for estimated secondary migration.

The calculation above will yield the formula allocation for each State.

MAA incentive award supplements are allocated on the same 3-year population basis as that used in the social service formula. These funds will be made available contingent upon letters of assurance from States, as described previously.

IV. Basis of Population Estimates

The population estimates for the allocation of funds in FY 1991 are based on data on refugee arrivals from the ORR Refugee Data System, adjusted as of October 1, 1990, for estimated secondary migration. The data base includes refugees of all nationalities and Amerasians from Vietnam. Figures on the number of Cuban and Haitian entrants resettled are obtained from several sources, including the ORR Florida office and the Immigration and Naturalization Service.

For fiscal year 1991, ORR's formula allocations for the States for social services for refugees are based on the numbers of refugees who arrived, and on the numbers of entrants who arrived or were resettled, during the preceding three fiscal years: 1988, 1989, and 1990. Therefore, estimates have been developed of the numbers of refugees and entrants with arrival or resettlement dates between October 1, 1987, and September 30, 1990, who are thought to be living in each State as of October 1, 1990. Refugees admitted under the Federal Government's private-sector initiative are not included, since their assistance and services are to be provided by the private sponsoring organizations under an agreement with the Department of State.

The figures on arrivals of refugees and Amerasians used in developing these population estimates were based on final arrival data by State for FY 1988 and FY 1989 and preliminary arrival data for FY 1990. Deductions were made based on preliminary data for refugees resettled under the private sector initiative. The figures on Cuban and Haitian entrants were based on final arrival data by State for FY 1988 and FY 1989 and preliminary arrival data for FY 1990.

The estimates of secondary migration were based on data submitted by all participating States on Form ORR–11. The total migration reported by each State was summed, yielding in- and out-migration figures and a net migration figure for each State. The net migration figure was applied to the State's total arrival figure, resulting in a revised population estimate. Because the reporting period covered on Form ORR–11 was a maximum of only 12 months as of June 1990 for the majority of States whose reporting base was their cash/medical assistance caseload, extra weight was given to the secondary migration reported by those States to arrive at estimates of secondary migration over a 36-month period. In 1990, no count of recently-arrived refugee children was available from the Department of Education for use as a comparison.

Estimates were developed separately for refugees and entrants and then combined into a total estimated 3-year refugee/entrant population for each State. Eligible Amerasians are included in the refugee figures.

Table 1, below, shows the estimated 3-year populations, as of October 1, 1990, of refugees (col. 1), entrants (col. 2), and total refugees and entrants (col. 3); the formula amounts which the population estimates yield (col. 4); the total allocation amounts after allowing for the minimum amounts (col. 5); and the proposed amounts available as an incentive to States to use MAAs as service providers (col. 6).

These population estimates and proposed allocation amounts are intended to be as close to the final figures as possible at the time they were developed. However, revisions will be made, and all population estimates and allocation amounts will change somewhat as a result. The following revisions will be made before the final figures are developed: (1) Preliminary refugee and Amerasian arrival figures by State for FY 1990 will be replaced by final figures; (2) preliminary entrant arrival and resettlement figures for FY 1990 will be replaced by final figures; and (3) final data on refugees resettled through the private-sector initiative will be deducted from the final arrival figures for FY 1990.

A detailed explanation of the development of data used in this formula allocation can be obtained by writing to the address indicated in section VI of this notice.

V. Proposed Allocation Amounts

The following amounts are proposed for allocation for refugee social services in FY 1991:

TABLE 1.—ESTIMATED 3-YEAR REFUGEE/ENTRANT POPULATIONS OF STATES PARTICIPATING IN THE REFUGEE PROGRAM AND SOCIAL SERVICE FORMULA AMOUNTS AND PROPOSED ALLOCATIONS FOR FY 1991

State	Refugees	Entrants	Total population	Formula amount [1]	Proposed allocation [1]	MAA incentive allocation [1]
	(1)	(2)	(3)	(4)	(5)	(6)
Alabama	577	0	577	$126,919	$126,919	$6,616
Arizona	3,098	4	3,102	682,330	682,330	35,570
Arkansas	337	0	337	74,128	100,000	5,000
California	96,767	201	96,968	21,329,507	21,329,507	1,111,927
Colorado	2,640	2	2,642	581,146	581,146	30,296
Connecticut	3,346	10	3,356	738,200	738,200	38,483
Delaware	128	0	128	28,155	67,157	5,000
District of Columbia	1,708	8	1,716	377,459	377,459	19,677
Florida	10,427	7,436	17,863	3,929,224	3,929,224	204,834
Georgia	4,125	15	4,140	910,653	910,653	47,473
Hawaii	802	0	802	176,411	176,411	9,196
Idaho	700	0	700	153,975	153,975	8,027
Illinois	11,564	13	11,577	2,546,528	2,546,528	132,753
Indiana	623	2	625	137,478	137,478	7,167
Iowa	2,145	0	2,145	471,824	471,824	24,597
Kansas	1,513	0	1,513	332,806	332,806	17,349
Kentucky	1,000	1	1,001	220,184	220,184	11,478
Louisiana	1,512	4	1,516	333,466	333,466	17,384
Maine	708	1	709	155,955	155,955	8,130
Maryland	5,302	72	5,374	1,182,089	1,182,089	61,623
Massachusetts	11,630	21	11,651	2,562,805	2,562,805	133,601
Michigan	4,817	5	4,822	1,060,668	1,060,668	55,294
Minnesota	7,664	8	7,672	1,687,567	1,687,567	87,974
Mississippi	252	0	252	55,431	94,433	5,000
Missouri	3,023	213	3,236	711,805	711,805	37,107
Montana	215	0	215	47,292	86,294	5,000
Nebraska	1,101	2	1,103	242,621	242,621	12,648
Nevada	819	63	882	194,009	194,009	10,114
New Hampshire	674	0	674	148,256	148,256	7,729
New Jersey	5,551	1,368	6,919	1,521,934	1,521,934	79,340
New Mexico	592	0	592	130,219	130,219	6,788
New York	47,389	524	47,913	10,539,154	10,539,154	549,416
North Carolina	2,034	3	2,037	448,067	448,067	23,358
North Dakota	323	0	323	71,048	100,000	5,000
Ohio	3,769	9	3,778	831,025	831,025	43,322
Oklahoma	975	2	977	214,905	214,905	11,203
Oregon	5,286	0	5,286	1,162,732	1,162,732	60,614
Pennsylvania	9,430	5	9,435	2,075,364	2,075,364	108,191
Rhode Island	1,617	1	1,618	355,902	355,902	18,554
South Carolina	201	0	201	44,213	83,215	5,000
South Dakota	402	0	402	88,426	100,000	5,000
Tennessee	1,980	0	1,980	435,529	435,529	22,705
Texas	12,325	101	12,426	2,733,278	2,733,728	142,488
Utah	1,645	0	1,645	361,841	361,841	18,863
Vermont	469	2	471	103,603	103,603	5,401
Virginia	4,603	4	4,607	1,013,376	1,013,376	52,828
Washington	10,425	1	10,426	2,293,349	2,293,349	119,554
West Virginia	58	0	58	12,758	51,760	5,000
Wisconsin	4,823	2	4,825	1,061,328	1,061,328	55,328
Wyoming	44	0	44	9,678	50,000	5,000
Total	293,158	10,103	303,261	66,706,620	67,008,350	3,500,000

[1] Based on preliminary FY 1990 refugee arrival data, as described in text.

VI. State Evidence on Refugee Population

If a State wishes ORR to reconsider its population estimate, it should submit written evidence. Requests will be evaluated according to a strict standard. The following is the type of evidence which would be considered appropriate:

- Documentation and discussion should be confined to the population entering the United States during fiscal years 1988, 1989, and 1990, and should clearly identify what refugee or entrant groups are being discussed.
- Evidence should include a description of the information collection system(s) used by the State, including data sources, time period covered, timeliness, and validation procedures.
- Special studies and reports can be considered only if they are submitted for review.
- An example of acceptable evidence would be a list of refugees identified by name, alien number, date of birth, date of arrival, and case size, if appropriate. Listings of refugees who are not identified by their alien numbers will not be considered.

Any State evidence on population estimates should be submitted separately from comments on the proposed allocation formula no later than 30 days from date of publication of this notice and should be addressed to: Dr. Linda W. Gordon, Office of Refugee Resettlement, 370 L'Enfant Promenade, SW., Washington, DC 20447, Telephone: (202) 401–4568.

VII. Paperwork Reduction Act

This notice does not create any reporting or recordkeeping requirements requiring OMB clearance.

[Catalog of Federal Domestic Assistance No 93.026 Refugee Assistance State Administered Programs]

Dated: March 20, 1991.

Chris Gersten,

Director, Office of Refugee Resettlement.

[FR Doc. 91-7410 Filed 3-28-91; 8:45 am]

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federal register

Friday
March 29, 1991

Part VI

Department of Transportation

Urban Mass Transportation Administration

49 CFR Part 37

Transportation for Individuals With Disabilities; Questions and Answers; Interpretations

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

49 CFR Part 37

Transportation for Individuals With Disabilities; Questions and Answers

AGENCY: Urban Mass Transportation Administration, DOT.

ACTION: Interpretations.

SUMMARY: This notice publishes questions and answers regarding the Americans with Disabilities Act of 1990 and the UMTA portions of the Department of Transportation's October 4, 1990, rule implementing certain provisions of the ADA. Since enactment of the statute on July 26, 1990, UMTA has received numerous questions. Many of these, with UMTA's response, are published today to provide guidance to public and private entities that provide transportation services and other interested parties. However, this notice interprets only the October 4, 1990, rule, and does not answer definitely some issues which are the subject of an upcoming rulemaking to implement comprehensively all of the DOT provisions of the ADA.

FOR FURTHER INFORMATION CONTACT: For UMTA-related questions, Susan Schruth, Office of Chief Counsel, Urban Mass Transportation Administration, room 9316, 400 Seventh Street, SW., Washington, DC 20590, 202–366–4011. Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, room 10424, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202–366–9306 (voice); 202–755–7687 (TDD). Taped copies of the questions and answers are available on request.

SUPPLEMENTARY INFORMATION:

Background

On July 26, 1990, the President signed into law the Americans with Disabilities Act of 1990 (ADA, Pub. L. 101–336). This legislation contains sweeping changes for individuals with disabilities in every major area of American life. One key area of the legislation deals with transportation services provided by public and private entities. Since the ADA was enacted, UMTA has received numerous questions regarding the application of the transportation provisions of the Act. This notice contains frequently asked questions regarding the application of the ADA and UMTA's responses to the questions. They are being published in the **Federal Register** to provide guidance to public and private entities that provide transportation services and other interested parties.

Unfortunately, it is not possible at this time to provide complete answers to some of the questions posed, since many will not be resolved until the major rulemaking implementing all provisions of the ADA due to be published by July 26, 1991. This notice interprets the October 4, 1990, rule currently in effect; it does not amend the October 4, 1990, rule.

The ADA requires that public and private entities begin purchasing accessible vehicles after August 25, 1990, that there be paratransit for persons who cannot use accessible mainline service, and allows relief where the paratransit requirement would result in undue financial burden. There also are requirements for light, rapid, commuter and intercity rail systems.

In addition, the statute requires that the Department issue final implementing regulations for all aspects of the Act for which it is responsible by July 26, 1991. On October 4, 1990, the Department published in the **Federal Register** a final rule with request for comments implementing the portions of the ADA concerning the acquisition of accessible vehicles (55 FR 40762). The Department has not yet issued a proposed or final rule covering the complementary paratransit and undue financial burden issues, or on the key stations criteria and modifications to existing transportation facilities.

In particular, one question and answer in today's document is intended to clarify an aspect of the applicability of the ADA and the Department's implementing final rule published in the **Federal Register** on October 4, 1990. In the October 4 rule, the Department explains its position on private entities which contract with public entities to provide transit service. Specifically, § 37.3 of the October 4 rule states that "Those who contract with a UMT Act recipient or other to provide designated public transportation * * * (including a private entity which might otherwise be subject to the private entity provisions of this part) are subject to the public entity provisions of this part."

UMTA has been made aware of some confusion concerning this requirement, as explained in the October 4, 1990 rule. Question and Answer number one is intended to clarify any confusion that may exist concerning this provision. Like all provisions in the October 4, 1990, rule, this provision will be proposed for comment in the Department's upcoming comprehensive proposed rule, and may change when a final rule is published in July 1991. We encourage readers to review and comment on the proposed rule scheduled to be published by the Department soon.

ADA Questions and Answers

Section 37.3. Applicability

Question 1: To whom do the transportation provisions of The Americans With Disabilities Act of 1990 (ADA) apply?

Answer: The transportation provisions in the ADA are contained in titles II and III. The requirements of title II apply to public entities and the requirements in title III apply to private entities that provide transportation services. The ADA's requirements apply to these parties regardless of whether they receive Federal funds. This is different from the situation under the Department of Transportation (DOT) regulations implementing section 504 of the Rehabilitation Act of 1973, as amended, 49 CFR part 27, which only apply if the party receives Federal financial assistance from DOT.

The DOT implementing regulations for the ADA are found in 49 CFR part 37 and were published on October 4, 1990, 55 FR 40764. Section 37.3 contains the applicability requirements. Section 37.3(b) makes it clear that the provisions that apply to public entities also apply to any person that operates service for a public entity, whether under a contract or other arrangement. Thus, these persons "stand in the shoes" of the public entity and must comply with all of the relevant requirements in the provision of that service.

For example, if the service contractor must acquire vehicles, whether by purchase or lease, to provide the service, it must acquire accessible vehicles consistent with §§ 37.21–37.27. If the contractor uses vehicles in its existing fleet to provide the contract service, neither the ADA nor the DOT implementing regulations require that it supply accessible vehicles.

Question 2: Do the ADA vehicle procurement rules apply to private transportation entities as well as public entities?

Answer: Yes. The vehicle procurement rules apply to both private and public entities. Section 37.29 specifies the procurement requirements applicable to private entities. The requirements differ depending on factors such as whether the private entity is primarily engaged in the business of providing public transportation services and whether the entity operates a fixed route or demand

responsive service. Also, as discussed in question one, the procurement rules change if a private entity contracts with a public entity.

Question 3: Have the State DOTs been provided guidance relating to the purchase of vehicles under section 16(b)(2), section 18, and section 9 programs?

Answer: The basic requirements that apply to vehicle procurements under these UMTA programs are contained in 49 CFR part 37, which was published in the Federal Register on October 4, 1990, and mailed to each grantee. UMTA, however, will issue additional program guidance as needed after the July 1991 regulation is published.

Question 4: Does the ADA apply to rehabilitating buses?

Answer: The ADA imposes no requirements on what UMTA traditionally considers bus rehabilitation. Such work involves rebuilding a bus to original specifications and focuses on mechanical systems and interiors. Often this work includes replacing components. This is less extensive work than bus remanufacturing, see Question 6, which emphasizes structural restoration.

Section 37.7. Nondiscrimination; Provision of Service

Question 5: For fixed route service, must a public entity provide comparable phone information service and printed schedules for persons with disabilities?

Answer: Under § 37.7(e) of the implementing regulations, an entity must ensure that adequate information and assistance is available to persons with disabilities. The rule goes on to state that this includes adequate communications capacity and, for fixed route service, providing information about routes, schedules, and the accessibility of scheduled service.

The preamble to the October 4, 1990, regulation provides some additional guidance. For example, DOT believes that an entity provides adequate communications capacity, which is particularly important for demand responsive service, if a person with disabilities can get through to an information operator or trip scheduler as quickly as a person without disabilities. This does not imply, however, that the entity must provide as many TDDs as voice phones.

Section 37.25. Remanufacturing of Vehicles

Question 6: Does the ADA definition of "remanufactured vehicle" differ from the program guidance issued by the Urban Mass Transportation Administration (UMTA) on remanufactured vehicles?

Answer. Yes. Under § 37.5, a "remanufactured vehicle" is defined as "a vehicle which has been structurally restored and has new or rebuilt major components installed to extend its service life." If such work is done, and it extends the useful life for at least five years, § 37.25 requires that the vehicle be remanufactured so that it is accessible to the maximum extent feasible.

To be eligible for UMTA funding, however, UMTA Circular 9030.1A states that the bus be at least 12 years old and that the remanufacturing extend the useful life of the bus for at least eight years. Thus, the ADA may affect a UMTA recipient's remanufacturing activities, even though no UMTA funds are involved.

Question 7: Under the ADA, is there an exception to the remanufacturing requirements for a historic vehicle?

Answer: Section 37.25(d) provides an exception to the remanufacturing requirements if the following three criteria are met: (1) The vehicle is of historic character; (2) the vehicle operates solely on a segment of a fixed route system which is on the National Register of Historic Places; and (3) making the vehicle accessible would significantly alter its historic character. If these criteria are met, the public entity need not make accessibility modifications which would significantly alter the vehicle's historic character.

Section 37.25(e) states that pending the issuance of final regulations, an entity seeking this exception may apply in writing to the UMTA Administrator for a determination of the historic character of the vehicle. The UMTA Administrator will refer such request to the National Register of Historic Places, and will rely on its advice in making determinations of the historic character of the vehicle. We have received no requests to date.

Section 37.29. Purchase of Vehicles by Private Entities

Question 8: Under title III of the ADA, how does a private entity determine whether an equivalent level of service has been met?

Answer: The ADA's title III vehicle procurement requirements for private entities are contained in § 37.29 of the DOT regulations. Under several of these requirements, a private entity is required to purchase an accessible vehicle, unless it can show that "its system, when viewed in its entirety, ensures a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service provided to individuals without disabilities."

The ADA and the regulation specify the characteristics that a private entity is to take into consideration when determining whether it can provide an equivalent level of service. These vary slightly depending on whether the service is fixed route or demand responsive, but generally include fares, geographic area of service, and hours and days of service

Employment

Question 9: If a partially disabled driver is able to operate a paratransit vehicle that is not accessible, but is unable to operate a wheelchair lift or to assist disabled persons to board a vehicle, does the ADA permit this as a justification for terminating the driver?

Answer: No. Under these circumstances, termination would appear to be discrimination under the ADA. Title I of the ADA covers employment and the Equal Employment Opportunity Commission recently issued proposed rules to implement these requirements. (February 28, 1991, 56 FR 8578) However, section 102(b)(5) of the ADA requires an employer to make reasonable accommodations for employees with disabilities. Under the current section 504 rule, UMTA recipients are required to make similarly reasonable accommodations for employees with disabilities.

Over-the-Road Buses

Question 10: Does the ADA impose different requirements on large and small over-the-road buses and must new over-the-road buses be accessible?

Answer: Section 37.5 of DOT's regulation defines "over-the-road bus" as a "vehicle characterized by an elevated passenger deck located over a baggage compartment." The ADA and the regulations do not distinguish between large and small over-the-road buses. Consistent with the ADA, the implementing regulations require that after August 25, 1990, any new over-the-road bus acquired by a public entity must be accessible. However, the provisions in title III of the ADA which require private entities primarily engaged in the provision of transportation services to acquire accessible over-the-road buses will not go into effect for seven years for small private providers, as defined by DOT, and for six years for private providers.

Paratransit Service

Question 11: Does the ADA require paratransit service that is "equal to' or

"comparable to" accessible fixed route service?

Answer: Section 223 of the ADA requires a public entity that provides fixed route service to provide to persons with disabilities, including persons who use wheelchairs, paratransit service that is comparable to the service provided persons without disabilities. In the preamble to DOT's October 4, 1990, ADA rule, we state we will issue a final rule on paratransit service by July 1991. There is nothing in the ADA or the legislative history which appears to require that to be comparable, paratransit service must be provided with the same number of vehicles as are used to provide fixed route service.

Section 223 of the ADA also contains an exception to the requirement to provide comparable paratransit services. If providing comparable paratransit service would impose an undue financial burden on the public entity, the entity must provide paratransit and other special transportation services up to the level of undue financial burden. The Department's July 1991 rule will specify the requirements that must be met to qualify for this exception.

Question 12: What factors determine eligibility for paratransit service?

Answer: The Department's regulations implementing the ADA's paratransit requirements will be published in July 1991. Section 223 of the ADA specifies three categories of eligibility for paratransit service for persons with disabilities. The first category of eligibility is for any person with a disability who is unable as a result of a mental or physical disability, without the assistance of another (except the operator of a wheelchair lift or other boarding assistance device) to use an accessible vehicle. The second category of eligibility is for a person with a disability who needs the assistance of a wheelchair lift or other device and is able to use an accessible vehicle, but the accessible vehicle is not being used during the hours of operation of the system on the desired fixed route. The third category of eligibility is for a person with a disability who has a specific impairment-related condition which prevents him or her from traveling to a boarding or from a disembarking location on the system.

Question 13: For purposes of determining eligibility for paratransit services, can a public entity require proof of disability?

Answer: Issues relating to the requirements of paratransit service will be covered by the July 1991 rule. For UMTA recipients, however, the current section 504 rule permits a recipient which meets its section 504 responsibilities by providing paratransit service to determine eligibility by such means as a letter from a doctor, certifications by social service organizations, or the ability to meet functional criteria.

Question 14: Can public entities charge disabled persons fees for special use I.D. cards?

Answer: Issues relating to the requirements of paratransit service will be covered in the July 1991 rule. For UMTA recipients, however, the current section 504 rule limits a recipient from imposing more than a nominal cost for I.D. cards associated with paratransit service.

Planning

Question 15: What planning documents are required by the ADA and when must they be prepared?

Answer: The ADA requires that various planning documents be developed and submitted to DOT by public entities. For example, section 223(c)(7) requires public entities which operate fixed route service to submit their plans for comparable paratransit service to DOT by January 1992 and to submit annual updates thereafter. Section 227(b)(3) provides that a plan for achieving key station accessibility within three years must be submitted to the Department for all light and rapid rail systems. Likewise, section 242(e)(2)(A)(iv) requires that appropriate officials for commuter and intercity rail systems submit a plan for making key stations accessible. While these requirements are not yet in effect, DOT will implement them in the July 1991 regulation.

Vanpools

Question 16: For purposes of the ADA's vehicle acquisition requirements, are vanpools operated by public entities treated as fixed route service or demand responsive service?

Answer: Vanpools operated by public entities and available to the general public are treated as demand responsive service. While vanpool service operated by a public entity shares characteristics of both fixed route and demand responsive service, it is more like demand responsive service since, among other things, the user must request the use of the service. Therefore, under § 37.27, any new vanpool vehicles which a public entity acquires must be accessible unless it can show that the service, when viewed in its entirety, provides equivalent levels of service to passengers with disabilities and without disabilities.

Issued: March 26, 1991.

Brian W. Clymer,

Administrator.

[FR Doc. 91-7469 Filed 3-28-91; 8:45 am]

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S.J. Res. 59/Pub. L. 102–19

Designating March 25, 1991, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy". (Mar. 25, 1991; 105 Stat. 67; 1 page) Price:$1.00